

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on January 7, 2021, regarding Detailed Site Plan DSP-20014 for Harmony at Brandywine, the Planning Board finds:

1. **Request:** This approval of a detailed site plan (DSP) is for a 195-unit elderly care facility made up of 93 independent living apartments, 62 assisted living units, and 40 memory care home units in the Mixed Use-Transportation Oriented (M-X-T) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use	Vacant	Assisted Living Facility, Care Home, and Apartment Housing for the Elderly
Total Acreage	8.24	8.19 (0.05 right-of-way dedication)
Gross Floor Area (GFA) (sq. ft.)	0	200,500

Floor Area Ratio (FAR) in the M-X-T Zone

Base FAR Permitted	0.40
Total FAR Permitted*	1.40.0 FAR*
Total FAR Proposed**	0.06

Notes: *With optional method of development, allowed per Section 27-548 of the Prince George’s County Zoning Ordinance.

**Pursuant to Section 27-548(e) of the Zoning Ordinance, the proposed FAR shall be calculated based on the entire property (74.84 acres), as approved with the conceptual site plan (CSP). The total FAR proposed was not provided on the DSP or in the statement of justification (SOJ). A condition to include the total FAR on the DSP has been included in this approval.

PARKING AND LOADING TABULATION

Use*	Proposed
Apartment Housing for the Elderly – 93 Units	76
Assisted Living Facility – 62 Units	35
Care Home – 40 Units	28
Total Parking Spaces	139 (6 handicapped accessible spaces)
Total Loading Spaces	1

Note: *Per Sections 27-574 and 27-583 of the Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis to be approved by the Prince George’s County Planning Board. See Finding 7e for a discussion of the parking analysis.

3. **Location:** The subject property is located on the west side of MD 5 (Branch Avenue), approximately 1,600 feet north of Moores Road, in Brandywine. The site is located on Tax Map 134 in Grid E3 and F3. The site is within the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA) and located in Planning Area 85A and Council District 9.
4. **Surrounding Uses:** The site is bounded to the north and west by the remainder of the Branch Avenue MXT site (CSP-17003) in the M-X-T Zone; to the east by MD 5; and to the south, by Washington Suburban Sanitary Commission (WSSC) property improved with a water storage tank in the Rural Residential Zone.
5. **Previous Approvals:** CSP-17003 (PGCPB Resolution No. 18-98) was approved by the Planning Board for a total tract of 74.84 acres on October 11, 2018. The CSP consisted of up to 450 townhouses and two-over-two units, 220 multifamily dwelling units, an assisted living facility with 120 units, and 90 senior housing dwelling units, as well as up to approximately 60,000 square feet of commercial/retail space.

On October 3, 2019, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-18028 (PGCPB Resolution No. 19-115), consisting of 407 lots and 53 parcels for the same development as shown on the CSP.

The site also has an approved Stormwater Management (SWM) Concept Plan, 60393-2017-00, which is valid through August 22, 2021.

6. **Design Features:** The applicant is proposing to develop this 8.24-acre property with an elderly care facility with 93 independent living apartments, 62 assisted living units, and 40 memory care home units. The facility will be accessed from MD 5 via a service road that will be built within

the right-of-way to serve this development and the future commercial development to the north. The four-story building will be surrounded by a surface parking lot. The main entrance will face the MD 5 service road with a covered drop-off area on the second level of the building. The north side of the building presents as four stories above grade, while the south side is only three stories above grade. The building will have an enclosed courtyard and two amenity areas to the rear of the building. The Planning Board conditioned a sidewalk be provided along the frontage of the property adjacent to the service drive.

Architecture

The applicant has submitted architecture with this DSP for the four-story, 54-foot-tall building. The main entrance will be highlighted with a patterned gable on the roof and a turret. Covered porches and the drop-off area canopy further highlight the main entrance. The rest of the front façade is made up primarily of two tones of brick and open balconies with Victorian detailing, topped with gabled roofs, which will provide vertical breaks in the building mass. The north end of the front façade introduces blue and yellow fiber cement siding on the upper stories. The rear and sides of the building are composed mostly of the fiber cement siding, with white vertical bays of windows also topped with gabled roofs.

Lighting

The applicant is proposing lighting for the sidewalks surrounding the building and in the parking areas on-site. The photometric plan submitted with the DSP shows appropriate lighting levels in the parking area, at the building entrances, and do not bleed onto adjacent properties. The details and specifications for the lighting show two different, pole-mounted, downward facing lights with full cut-off optics, which are acceptable.

Recreational Facilities

PPS 4-18028 determined that on-site recreational facilities are appropriate for the project development to serve the future residents, in accordance with Section 24-134 of the Prince George's County Subdivision Regulations, and the standards in the Prince George's County Park and Recreation Facilities Guidelines. This building is mostly an institutional use but will include some residences. An interior memory garden and two exterior patios in the rear of the building are proposed. In addition, there will be three activity rooms in the building, an exercise room, and a billiard room. The proposed facilities are sufficient for this phase, which will remain separate from the remainder of the residential development.

Signage

The DSP proposes one approximately six-foot-high, double-faced, freestanding sign at the entrance to the facility from MD 5; no building-mounted signs are proposed. The freestanding sign includes a signage panel that is mounted on a stone veneer base with a gabled cast stone cap. The signs include the logo and channel letters displaying the name of the rehabilitation center. It is noted that the freestanding sign does not include landscaping at its base and has been conditioned herein, to be added to provide seasonal interest.

Loading and Trash Facilities

One loading space has been proposed and is located on the west (rear) side of the building, as well as a dumpster facility and generator. Details of the 10-foot-high, brick, dumpster enclosure has been provided and found to be acceptable.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** This DSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones.
- (1) The proposed elderly care facility, which consists of assisted living facility, care home, and apartment housing for the elderly or handicapped uses (as shown on the CSP) is permitted in the M-X-T Zone.
- (2) Section 27-547(d) of the Zoning Ordinance provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:
- (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**
- (1) **Retail businesses;**
(2) **Office, research, or industrial uses;**
(3) **Dwellings, hotel, or motel.**

The CSP approved two types of uses, as required, including a residential component consisting of up to 450 townhouse and two-over-two units, 220 multifamily dwelling units, an assisted living facility with 120 units and 90 senior housing dwelling units, as well as 60,000 square feet of commercial/retail uses. These proposed uses satisfy the mixed-use requirement of Section 27-547(d).

- b. Section 27-548, M-X-T Zone regulations, establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions is discussed, as follows:

(a) Maximum floor area ratio (FAR):

(1) Without the use of the optional method of development—0.40 FAR

(2) With the use of the optional method of development—8.0 FAR

Since the overall development proposed more than 20 residential dwelling units, the site qualifies for the optional method of development bonus incentives in Section 27-545(b) of the Zoning Ordinance, which permits the applicant to increase the proposed FAR to a maximum of 1.40. The proposed FAR with this DSP is 0.06.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The applicant proposes to include the uses on the M-X-T-zoned property in multiple buildings on more than one lot, as permitted by the regulations.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

This DSP provides these requirements.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The schedules provided on the landscape plan shows all landscaping, screening, and bufferyards, in conformance with the Landscape Manual.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters,

and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

The proposed elderly care facility will have an approximate gross floor area of 200,500 square feet, which when applied to the CSP net acreage of 74.84, is a FAR of 0.06. Future DSPs for the commercial and residential development that was part of the CSP will need to reflect the total FAR, including this DSP, and demonstrate conformance.

- (f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, or in the ground below, public rights-of-way as part of this project. Therefore, this requirement is not applicable to the subject case.

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The elderly care facility will have frontage on and direct vehicular access to MD 5, as approved by PPS 4-18028.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not**

apply to townhouses on land any portion which lies within one-half (1/2) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development.

The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

No townhouses are proposed with this DSP, so this requirement is not applicable.

- (i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

Although the proposed building is not strictly a multifamily building, the maximum height is 54 feet, which is well within this requirement.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.**

This requirement does not apply to this DSP. Even though the property was placed in the M-X-T Zone through the Subregion 5 Master Plan and SMA, there are no specific design guidelines or standards for this property.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

- (1) **The proposed development is in conformance with the purposes and other provisions of this division;**

This site is in the vicinity of the major interchange of MD 381 and MD 5 and promotes the orderly redevelopment of a vacant parcel. This project will enhance the economic status of the County by provision of desirable living opportunities for its citizens. The project implements the Subregion 5 Master Plan and SMA vision and is proximate to a proposed transit station in the core of the Brandywine community. The development will be outwardly oriented toward MD 5, but a sidewalk is conditioned to be provided along the service road for connectivity.

- (2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement**

the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

Even though the property was placed in the M-X-T Zone through the Subregion 5 Master Plan and SMA, there are no specific design guidelines or standards for this property. This DSP has been reviewed for conformance with the applicable regulations of the M-X-T Zone.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed development displays an outward orientation, with the front façades of the building oriented toward MD 5. The Planning Board conditions its approval on a sidewalk being provided along the frontage of the development to integrate it with the adjacent development. Land immediately adjacent to this property is undeveloped, so this site seeks to catalyze adjacent improvement.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The subject project will catalyze adjacent improvements, as the majority of the adjacent property is undeveloped. The development is compatible with existing development, which is primarily residential in nature (large-lot, single-family detached), and the proposed development that is part of the CSP.

- (5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The architecture, landscape, and signage for this elderly care facility reflects a cohesive development of continued quality and stability. The development is self-serving and will have limited connection to the surrounding parcels due to environmental features and topography. The applicable CSP includes a commercial use on the adjacent parcel, which will be near the residents of the proposed development.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

The development in this DSP will not be staged. When the applicant moves forward with the commercial section of the development, the Planning Board will look for and encourage compatibility between the two phases, in terms of architecture, hardscape, landscape, and signage, as appropriate.

(7) The pedestrian system is convenient and comprehensively designed to encourage pedestrian activity within the development;

The project, as designed, does not encourage pedestrian activity. The Planning Board conditions its approval on the installation of a sidewalk along the entire frontage on the MD 5 service road, which will connect this site with the adjacent commercial parcel to the north and planned master planned trail. The Planning Board also finds that the pedestrian system is not convenient and comprehensively designed to encourage pedestrian activity within the development. The Planning Board conditions its approval on a sidewalk being provided along the frontage of the service road with a connection to the entrance of the building, to provide an Americans with Disabilities Act accessible route to the future development of the adjacent property to the north. These facilities will provide for a convenient and comprehensive pedestrian system.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

The submitted site plan proposes pedestrian activity areas that include patio areas at the rear of the building and a memory garden within a courtyard. A sidewalk encircles the building. The human-scale architecture, outdoor patio, and balconies produce an inviting façade. Outdoor patios are shown to allow residents a gathering space. The Planning Board finds that the pedestrian activity areas pay adequate attention to human-scale and high-quality urban design.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending its finding during its review of subdivision plats.

The subject application is a DSP; therefore, this requirement is not applicable.

- (10) **On a Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

PPS 4-18028 was approved by the Planning Board on October 3, 2019, at which time a finding of adequacy was made for the proposed development.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

This site contains approximately 8.24 gross acres and therefore, is not subject to this requirement.

- d. Section 27-274(a)(6) of the Zoning Ordinance establishes the required design guidelines for site and streetscape amenities for CSPs and DSPs. The proposed plan generally meets all of the site design guidelines by providing safe, efficient, and convenient vehicular and pedestrian circulation, if revised as conditioned, adequate lighting, and landscaping to enhance the enjoyment of the site.
- e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b) of the Zoning Ordinance.

Since this DSP only includes the elderly care facility use, there will not be any sharing of parking spaces, until such time as the commercial component moves forward with a DSP. The number of parking spaces required was calculated in accordance with Section 27-574(b). The first step in determining the number of required parking spaces is to calculate the peak parking demand. Section 27-574(b)(1) of the Zoning Ordinance provides the following:

- (1) **Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be**

considered as the greatest number of spaces which are occupied in any one hour and are known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

Section 27-568 of the Zoning Ordinance provides a parking requirement of 0.66 parking spaces per dwelling unit for apartment housing for the elderly or physically handicapped, and one parking space per three residents for an assisted living facility and nursing/care home, which would result in a standard total parking requirement of 97 parking spaces.

The applicant is providing 139 parking spaces and a parking analysis was provided in accordance with Section 27-574. The Planning Board finds that the parking provided with this DSP exceeds the standard parking requirements and the community will be adequately parked, as proposed.

- 8. Conceptual Site Plan CSP-17003:** CSP-17003, for up to a total of 670 single-family attached, two-family attached (2-over-2), and multifamily residential units, up to 120 assisted living units, and 90 senior housing units, was approved by the Planning Board for the total gross tract of 74.84 acres on November 8, 2018 (PGCPB Resolution No. 18-98), subject to four conditions. Of these conditions, the following are applicable to the review of this DSP:

2. At the time of preliminary plan of subdivision (PPS), the applicant shall:

- d. Provide the master plan trail along one side of A-65 (Savannah Parkway) and a standard sidewalk along the other. Show the appropriate dedication of right-of-way for the proposed A-65 that shall accommodate the master plan trail.**
- e. Evaluate if a trail access may be appropriate between the planned commercial development area and the residential development areas.**
- f. Provide an extension of “Street B” to connect with the existing stub end of Malthus Street.**

The planned facilities along A-65 (Savannah Parkway) and the extension of Proposed Street B are included in PPS 4-18028 and satisfy subconditions 2.d and 2.f above. An additional trail connecting the proposed western residential section with the commercial property was evaluated with the PPS and found to be infeasible due to environmental constraints. Pedestrian and bicycle access will be provided throughout the property via the master plan side path along A-65. Moreover, the submitted plans include a pedestrian connection between the subject site and the adjacent vacant lot to facilitate future connections.

- 3. Prior to approval of a detailed site plan for the project, the applicant shall:**
- a. Provide on-site private recreational facilities in accordance with the *Park and Recreation Facilities Guidelines*. The specific timing of installation, type, quantities and location of the required on-site recreational facilities shall be evaluated and decided with the DSP.**

On-site private recreational facilities, including a memory garden, two outdoor patios, game rooms, and multipurpose rooms are proposed with this DSP. The applicant has demonstrated that these facilities are sufficient for the proposed units and users. These facilities should be finished prior to the final certificate of occupancy of the building, as conditioned herein.

- b. Provide sidewalks on both sides of all internal roads consistent with the Complete Streets Policies of the MPOT, unless modified by the Department of Permitting, Inspections and Enforcement or the Department of Public Works and Transportation.**

The proposed building is surrounded by a surface parking lot and has direct access to MD 5 with no internal roads.

- d. Provide bicycle parking at the commercial space. The number and location will be determined with the DSP.**

A bike rack with space for three bicycles is provided at a location convenient to the entrance of the proposed elderly care facility.

- 9. Preliminary Plan of Subdivision 4-18028:** The site is subject to PPS 4-18028 (PGCPB Resolution No. 19-115), approved by the Planning Board on October 24, 2019, for development of 407 lots and 53 parcels for uses including townhouses, commercial, and an elderly care facility, subject to 24 conditions. Of these conditions, the following are applicable to the review of this DSP:

- 4. Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that illustrates the location, limits, and details of the off-site bus shelters and any associated sidewalk, crosswalk and Americans with Disabilities Act ramp improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations.**

The exhibit required per Section 24-124.01 of the Subdivision Regulations is included in the subject application and will be further reviewed at the time of permit for financial assurances and/or construction.

- 5. Total development within the subject property shall be limited to uses that would generate no more than 491 AM and 476 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above**

shall require a new PPS, with a new determination of the adequacy of transportation facilities.

This phase of the development represents a 240-bed assisted living facility. Based on trip generation rates (ITE-Code 254) from the *Trip Generation Manual, 10th Edition* (Institute of Transportation Engineers), this development will generate 43 AM and 70 PM peak hour trips. Consequently, the trip cap will not be exceeded by this phase of the development.

14. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:

- a. Grant 10-foot-wide public utility easements along the public and private rights-of-way as delineated on the preliminary plan of subdivision.**
- b. Dedicate the public rights-of-way as delineated on the approved preliminary plan of subdivision.**

The DSP reflects 10-foot-wide public utility easements along the public and private rights-of-way, in conformance with subcondition 14.a. A total dedication area of 14,699 square feet (20 feet wide) along the MD 5 frontage of the site was approved with the PPS. However, the DSP provides a dedication area of 2,252.42 square feet along only a portion of the MD 5 frontage. This change is relative to a modification of the site access to MD 5.

The approved PPS showed a right-in, right-out access which typically does not allow for any conflicting movements. In the revised plan however, a new access layout is being proposed which creates two unsignalized "T" intersections with conflicting movements. An analysis was done for both intersections consistent with the established methodology for unsignalized intersections. Based on total traffic projection from the proposed site, the results of the analysis show that both intersections will operate with delays of under nine seconds for both AM and PM peak hours. These results are well below the 50-second threshold that is deemed acceptable by the Transportation Review Guidelines. The modified access points reflected in the DSP will result in less right-of-way being dedicated than was proposed in the approved PPS. This modified dedication and access are still in conformance with the master plan and the PPS. At the time of the certification of the final plat, the applicant will be required to modify its dedication along MD 5, based on the final design by SHA of the modified access along MD 5. Therefore, the modified area of dedication is found to be in conformance with the PPS and conditions.

15. The applicant shall allocate appropriate and developable areas for the private recreational facilities within the residential development. The private recreational facilities shall be evaluated by the Urban Design Review Section of the Development Review Division for adequacy and proper siting during its consideration of the detailed site plan.

General Note 15 on the DSP states that mandatory park dedication requirement is being providing as part of PPS 4-18028, which met this requirement by showing on-site private recreation facilities. However, the PPS did not designate a dedicated area within Parcel WW to address this requirement. General Note 15 should be revised to correctly state how the mandatory park dedication requirement is being met, as conditioned herein.

19. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions.

A SWM Concept Approval Letter, 60393-2017-00, and associated plans were submitted with the application for this site. This approval was issued for the entire Branch Avenue M-X-T project area on August 22, 2018, from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to construct grass swales, micro-bioretenion ponds and submerged gravel wetland structures. A SWM fee of \$102,250.00 for on-site attenuation/quality control measures are required. This SWM approval expires August 22, 2021.

10. 2010 Prince George's County Landscape Manual: This site is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements of the Landscape Manual. The correct schedules are provided on the landscape and lighting plan, demonstrating conformance to these sections with sufficient widths and plantings. The generator in the rear of the property will be seen from outdoor living areas and details of the generator screening should be provided, as conditioned herein.

11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO): This property is subject to the provisions of the WCO because it has previously approved tree conservation plans. A Type 2 Tree Conservation Plan TCP2-036-2020 was submitted with this DSP.

This DSP is for Phase 1 of the overall development and for off-site improvements for this phase. As required, the TCP2 shows the limits of the overall 74.85-acre project. Based on the TCP2, this 9.01-acre Phase 1 contains 9.00 acres of net tract woodland and has a woodland conservation threshold of 1.35 acres (15 percent). The Woodland Conservation worksheet shows the clearing of 7.39 acres in the net tract area, 0.00 acre in the floodplain, and 0.49 acre off-site, resulting in a woodland conservation requirement of 13.13 acres for the phase. The TCP2 worksheet indicates the requirement for this phase is proposed to be met with 1.61 acres of on-site woodland preservation and 11.52 acres of off-site woodland conservation credits. The requirements for the overall site are 13.13 acres. No specimen trees will be removed in Phase 1 of this subdivision. Minor technical changes are required to the TCP2, which are conditioned herein.

12. Prince George's County Tree Canopy Coverage Ordinance: Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that propose more than 5,000 square feet of disturbance. Properties zoned

M-X-T are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 8.24 acres in size and requires 0.82 acre of TCC, although the schedule incorrectly states the site area as 8.07 acres and requirement as 8.01. However, the schedule provided on the landscape plan shows that the coverage provided (1.66 acres) is greater than the requirement. A condition to provide the correct site area and required coverage on the TCC schedule is included in the conditions of this report.

13. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the following agencies and divisions. The referral comments are summarized, as follows:

- a. **Archeological Review**—The Planning Board adopts, herein by reference, a memorandum dated December 10, 2020 (Stabler to Hurlbutt), which determined the subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources. A Phase I archeology survey was conducted on the subject property in 2017 and no sites were identified on this portion of the overall property.
- b. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated December 10, 2020 (Calomese to Hurlbutt), which indicated that pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, master plan conformance is not required for this application.
- c. **Transportation Planning**—The Planning Board adopts, herein by reference, a memorandum dated December 14, 2020 (Burton to Hurlbutt), which provided findings regarding development in the M-X-T Zone, and found access and circulation acceptable.

The Planning Board concludes that the proposed DSP is deemed acceptable, from the standpoint of transportation.

- d. **Trails**—The Planning Board adopts, herein by reference, a memorandum dated December 14, 2020 (Smith to Hurlbutt), incorporated herein by reference, which provided findings of conformance with previous conditions of approval, as well as the following summarized findings:

The area master plan recommends promoting pedestrian and bicycle opportunities as part of a multi-modal transportation network, and to promote and encourage cycling and walking for commuting purposes as an alternative to driving a car. The 2009 *Approved Countywide Master Plan of Transportation* recommends a standard-width sidewalk on both sides of all new road construction and bicycle-friendly roadways, with on-road bicycle facilities, to the extent feasible and practical.

The Planning Board finds that the multimodal transportation site access and circulation of this plan is acceptable, consistent with the site design guidelines pursuant to Sections 27-283 and 27-274 of the Zoning Ordinance, parking and loading requirements

pursuant to Sections 27-568 and 27-582 of the Zoning Ordinance, and the M-X-T design guidelines pursuant to Section 27-546 and meets the findings required by Section 27-285(b) of the Zoning Ordinance for a DSP for multimodal transportation purposes, as conditioned herein.

- e. **Environmental Planning**—The Planning Board adopts, herein by reference, a memorandum dated December 10, 2020 (Schneider to Hurlbutt), incorporated herein by reference, which provided the following summarized comments:

A Natural Resource Inventory, NRI-120-2017-01, was provided with this application. The TCP2 and the DSP show all the required information correctly, in conformance with the NRI.

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible per Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include a 75-foot stream buffer and steep slopes, which make up the primary management area (PMA).

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfalls at points of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code. Impacts to regulated environmental features must first be avoided and then minimized. The SOJ must address how each on-site impact has been avoided and/or minimized.

According to the TCP2, impacts to the PMA are proposed for emergency access (Impact 4), grading during access construction (Impacts 1 and 3), and one SWM outfall for a road crossing (Impact 2). A SOJ was received with the revised application dated May 12, 2020 for the proposed impacts to the PMA (stream buffer and steep slopes). The impact numbers from the SOJ have been rounded to the required 1/10th of an acre herein.

The SOJ includes a request for four separate PMA impacts totaling 5,879 square feet (0.13 acre) of the stream buffer and steep slopes described as follows:

Impact 1: PMA impacts totaling 87 square feet for the grading and construction on steep slopes for a rear building access drive. The construction impacts are being minimized but are needed as part of the Prince George's County Fire Marshall's recommendation to have emergency vehicle access around the building. This impact is also proposed to allow the construction equipment safe access when grading the existing steep slopes.

Impact 2: PMA impacts totaling 1,160 square feet for the construction of one SWM outfall structure. The impacts are to the 75-foot stream buffer.

Impact 3: PMA impacts totaling 313 square feet for the grading and construction on steep slopes for the rear building access drive. The construction impacts are being minimized but are needed as part of the Prince George's County Fire Marshall's recommendation to have emergency vehicle access around the building. This impact is also proposed to allow the construction equipment safe access when grading the existing steep contours. The impacts are to the 75-foot stream buffer and steep slopes.

Impact 4: PMA impacts totaling 4,319 square feet for the grading and construction on steep slopes for emergency access to the building. The Prince George's County Fire Marshall recommended emergency vehicle access around the rear of the building. To create this access, the adjacent steep contours were impacted. Slopes are proposed at a 2:1 ratio to tie back into existing contours. The impacts are to steep slopes and the 75-foot stream buffer.

These impacts are found to be necessary and the Planning Board approves them.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopts, herein by reference, a memorandum dated December 3, 2020 (Sun to Hurlbutt), in which DPR referred to the PPS condition regarding on-site recreational facilities and a trigger for construction. DPR finds that this DSP has no impact on any existing or future public parks in this area.
- g. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide any comments on the subject application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**— DPIE did not provide any comments on the subject application.
- i. **Prince George's County Police Department**—The Police Department did not provide any comments on the subject application.

- j. **Prince George’s County Health Department**—The Planning Board adopts, herein by reference, a memorandum dated October 20, 2020 (Adepoju to Hurlbutt), incorporated herein by reference, in which the Health Department provided comments and recommendations regarding other permit processes and standards for construction.
 - k. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board adopts, herein by reference, a letter dated October 22, 2020 (Hall to Holmes(applicant)), in which WSSC provided water, sewer, and associated easement conditions to be addressed with WSSC prior to development of the site.
14. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved with the proposed conditions below, will represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
15. As required by Section 27-285(b)(2) of the Zoning Ordinance, this DSP is also in general conformance with the approved CSP.
16. As required by Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Based on the level of design information currently available and the limits of disturbance shown on the TCP2, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. The impacts necessary for emergency access, grading during access construction, and one SWM outfall are necessary for the orderly and efficient development of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-036-2020, and further APPROVED Detailed Site Plan DSP-20014 for the above described land, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
 - a. Revise General Note 9 to provide the correct tax map and grid designations as Grids E-3 and F-3.
 - b. General Note 15 should be revised to correctly state how the mandatory park dedication requirement is being met.

- c. Revise the provided red boundary line to only include Parcel WW, the subject of this application.
- d. Provide landscaping at the base of the freestanding sign to provide seasonal interest.
- e. Provide a standard minimum five-foot-wide sidewalk, and associated crosswalks and Americans with Disabilities Act curbs ramps, along the service road to connect the subject site and the adjacent parcel to the north, unless modified by the Maryland Department of Transportation State Highway Administration (SHA) with written correspondence. Provide a sidewalk connecting to the building entrance from the service road sidewalk if SHA allows construction of the sidewalk.
- f. Revise the Tree Canopy Coverage worksheet on the Landscape Plan to show the correct site area and demonstrate the required coverage is provided on this site.
- g. Provide details and note the type of screening for the generator at the rear of the property to conform to Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
- h. Note the total floor area ratio proposed with regard to the overall conceptual site plan on the cover sheet of the DSP.
- i. Revise the Type 2 tree conservation plan (TCP2) as follows:
 - (1) Increase the size of the TCP2 approval box to a legible size.
 - (2) Revise Sheet 3 of 4 to label Crestwood Road South.
 - (3) Revise Sheet 3 of 4 to add another "Shady Oak Parkway" label to the adjacent match line section.
 - (4) Revise Sheet 3 of 4 to label the Branch Avenue M-X-T triangle property on the east side of Branch Avenue. The parcel is shown with a line symbol but needs an explanation text of ownership.
 - (5) Revise Sheet 3 of 4 to label existing house on the plan view.
 - (6) Add the standard off-site woodland credits note to the plan per the Environmental Technical Manual. Have the revised plan signed and dated by the qualified professional preparing the plan.

- (7) Documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber _____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”

2. Prior to issuance of the final certificate of occupancy of the building, the applicant shall demonstrate that all on-site recreational facilities have been fully constructed and are operational.


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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 7, 2021, in Upper Marlboro, Maryland.


Adopted by the Prince George’s County Planning Board this 28th day of January 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "D. Warner", is written over a light gray rectangular background.

David S. Warner
M-NCPPC Legal Department
Date: January 19, 2021