

STATEMENT OF JUSTIFICATION
MT. RAINIER OVERLOOK
4-18003

Applicants

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1.0 INTRODUCTION

Christopher Underwood is the owner of land located at 3502 37th Street, Mt. Rainier, Maryland 20721 (the "Subject Property"). The Subject Property consists of two recorded lots of record. Said lots are more particularly described as Lots 32 and 33, Block A, as depicted on a plat of subdivision entitled "Hariclif", which plat is recorded among the Land Records of Prince George's County at Plat Book RNR 2 Plat No. 67. The total area of the Subject Property is .54 acres. The property is zoned R-55/D-D-O.

The Subject Property is located within the Gateway Arts District Sector Plan, which was adopted in 2004. The Gateway Arts District Sector Plan designates the property within its boundaries in one of six Character Areas. Development District Standards are established for each Character Area. Development which conforms to the Development District Standards for a Character Area is not required to obtain approval of a Detailed Site Plan and can proceed directly to building permit. Development which requires amendments to the applicable Development District Standards for a particular Character Area are required to first obtain approval of a Detailed Site Plan.

In this case, the Subject Property is located within the Traditional Residential Neighborhood ("TRN") Character Area of the Gateway Arts District Sector Plan. The Applicant seeks to develop the Subject Property with three two-family dwellings in full conformance to all applicable Development District Standards and zoning ordinance standards. However, a preliminary plan of subdivision is required to subdivide the two existing lots into three lots to support the proposed dwellings. Since the Sector Plan establishes Development District Standards which must be evaluated as part of the subdivision, this Statement of Justification is submitted to address conformance of the proposed development to the applicable Development District Standards.

2.0 ORIENTATION AND PROPERTY DESCRIPTION

The Subject Property is currently undeveloped. It is located in the southwest quadrant of the intersection of Newton Street and 37th Street within the municipality of Mt. Rainier. The Subject Property, as are all of the lots surrounding it, is zoned R-55/D-D-O and are developed with single family detached houses on small lots. The only non-residentially zoned property in the immediate vicinity is land zoned U-L-I/D-D-O, which is on the east side of 37th Street, just south of the Subject Property.

In addition to its frontage on Newton Street and 37th

Avenue, the Subject Property also fronts on a 10-foot wide public alley along its rear property line opposite Newton Street. While this public alley is not depicted on the subdivision plat which created the Subject Property, it is referenced in the deed history. Specifically, all of the lots with frontage on the alley were conveyed subject to "a strip of land five (5) feet wide along the rear of said lot for the full width thereof, to be used as a public alley." The combination of these two strips create the ten (10) foot wide alley. The alley is improved, with posted speed limit signs.

The alley extends from 37th Street to 34th Street. The lots with access to the alley also have frontage on either Newton Street or Eastern Avenue. There are 14 existing homes that front on Newton Street. None of them have a curb cut on Newton Street. All vehicular access is from the alley. Likewise, there are 14 existing homes that front on Eastern Avenue. None of them have a curb cut on Eastern Avenue and all vehicular access is from the alley. The alley is one way, with vehicles permitted to travel west from 37th Street to 34th Street. Newton Street is one way as well, with vehicles permitted to travel east from 34th Street to 37th Street. The Subject Property does not exhibit any difficult topography and can easily be accessed from the existing alley.

3.0 SUMMARY OF DEVELOPMENT PROPOSAL

The Applicant proposes to construct three two-family dwellings on three lots. As defined in the Zoning Ordinance, a "Two-Family Dwelling" can consist either of a single building containing two units arranged one above the other, or as two attached buildings arranged side by side on one lot. The first type of two-family dwelling is commonly known as a "two over two". The Applicant proposes to construct units which are arranged side by side in order to be compatible with the height of the existing homes in the neighborhood. Thus, a total of six (6) dwelling units will be constructed on three lots.

To conform to the surrounding development in the neighborhood, the lots will front on Newton Street. All access to the lots will be from the alley to the rear. The three proposed lots vary in size. Proposed lot 34 is 7,170 square feet, proposed lot 35 is 7,307 square feet and proposed lot 36 is 9,188 square feet. Attached as Exhibits "A-1 to A-21" are elevations and renderings of the proposed units. The units will be two stories with a basement. Each of the units will also have a one-story detached garage accessible from the alley, and a separate parking pad for a second vehicle. The garage roof will be a "green" roof. Each two-family dwelling will be setback 5' from the nearest property line to allow sufficient

space to access the rear of the lot as well as the side of the dwelling unit.

Two-family dwellings are not a permitted use in the R-55 Zone. However, in the use list adopted with the Gateway Arts District Sector Plan, two-family dwellings are permitted in the TRN Character Area (see Use List, page 195).

4.0 CONFORMANCE TO THE REQUIREMENTS OF THE GATEWAY ARTS DISTRICT DEVELOPMENT DISTRICT STANDARDS

Development in the Gateway Arts District DDOZ is subject to the development district standards of the character area within which it is located. The Character Areas are depicted on Map 2 found on Page 12 of the Sector Plan. All new development, and all applications for subdivision must comply with the development district standards. Development must show compliance with the standards. Development which is subject to permit review is required to meet the standards which are labeled with an "X" in the "permit review" column of the development district standards table found on Pages 144-166 of the Sector Plan. Sites that are unable to meet all of the permit review development district standards must go through the detailed site plan review process. In addition, four other types of sites, listed on Page 140 of the Sector Plan, are also subject to detailed site plan. The Subject Property conforms

with all of the permit review requirements and does not fall within one of the four types of development which otherwise requires a detailed site plan.

Attached hereto as Exhibit "B" is a summary of all of the Development District Standards which are applicable to the proposed use. As noted in the summary, the proposed development conforms to each of the applicable standards. As such, the Applicant understands that no detailed site plan is required. However, since the proposed development requires the subdivision of the Subject Property into three lots, a preliminary plan of subdivision is required. The Development District Standards applicable to the proposed preliminary plan of subdivision are addressed below.

The Development District Standards are set out in a table found on Pages 144 to 166 of the Sector Plan. Next to each standard is a list of the Character Areas and an "X" when a standard is applicable to a particular Character Area. It is important to note that several Development Standards which are listed as being applicable to the TRN Character Area are impacted by CR-80-2007, which amended the Gateway Arts District Sector Plan. A copy of CR-80-2007 is attached as Exhibit "C". This amendment modified nine specific development district standards so as not to apply within the TRN Character Area within the Mount Rainier municipal boundary. As noted above,

the Subject Property is located within Mount Rainier. Thus, the Development Standards which are not applicable are as follows:

- Site Design, Standards 12, 17, 19, 21 and 25;
- Access and Circulation, Standard 2;
- Parking and Loading, Standards 6 and 7;
- Building Height, Standard 7

None of the standards listed above apply to the TRN Character Area within the Mount Rainier municipal boundary. Rather, the development standards in the R-55 Zone apply instead.

In addition, while a two-family dwelling is a permitted use in the TRN Character Area, it is not a permitted use in the R-55 zones. Typically, in a DDOZ, where the Development District Standards do not modify the regulations of the underlying zone, the development regulations of the underlying zone apply. In this case, there are no development standards in the R-55 Zone applicable to two-family dwellings. Thus, since the development regulations which establish minimum lot size, side yard setbacks and other dimensional requirements set forth in the Development District Standards do not apply in Mount Rainier, and there are no such dimensional standards in the R-55 Zone, there are few Development District Standards or development regulations which apply to the Subject Property. However, several of the Development District Standards applicable to the TRN Character Area apply generally to properties zoned R-55, and therefore are applicable to the Subject Property. These Standards also

address architectural requirements, which are also addressed to the extent that they are applicable to the proposed development. These Development District Standards include the following:

Site Design, Standard 1: Decks, garages, sheds and auxilary buildings used for the storage of cars or trucks shall be treated as accessory buildings.

COMMENT: The Applicant is proposing a garage for each dwelling unit, and therefore this building would be treated as an accessory building.

Site Design, Standard 16: The front yard shall not have more than 20 percent impervious surface and shall not include a paved area for parking between the dwelling and the street sidewalk.

COMMENT: The proposed impervious surface in the front yard is only approximately 3%. All parking for the proposed dwellings is accessed by the alley to the rear of the structures.

Site Design, Standard 18: Accessory buildings shall only cover a maximum of 25% of the rear yard.

COMMENT: The garage building proposed only covers 16% of the rear yard.

Site Design, Standard 23: The front yard shall have maximum 5' wide sidewalk between the main entrance to the building and the sidewalk.

COMMENT: The proposed 3' wide sidewalk conforms to this standard.

Site Design, Standard 24: Accessory buildings shall be set back a minimum of 40 feet from the front street line.

COMMENT: The proposed garages are setback approximately 103 feet from the front street line (Newton Street).

Site Design, Standard 28: Accessory buildings shall be set back from rear lot lines and alleys a minimum of 2 feet.

COMMENT: The garages proposed for each unit are set back 8 feet from the alley.

Access and Circulation, Standard 3: Sidewalks shall not be made of asphalt.

COMMENT: The proposed concrete sidewalks conform to this standard.

Access and Circulation, Standard 4: Sidewalk materials and design shall be continuous across driveways and driveway aprons.

COMMENT: The Applicant does not propose driveways or driveway aprons across sidewalks.

Parking and Loading, Standard 5: Parking for residential use shall consist of a minimum of 1 and a maximum of 2 on-site spaces per unit.

COMMENT: The one garage parking space and one parking pad per unit conform to this standard.

Siting and Access, Standard 4: Parking shall not be located between the sidewalk or street and the building.

COMMENT: The proposed front yards conform to this standard as no parking is proposed in this area.

Fencing, Walls, Screening, and Buffering, Standard 2: Barbed wire, vinyl cladding, unclad cinder block, or razor wire shall not be used as walls, fences, or screening. Appropriate

materials for fences and walls include masonry, wood, decorative metal or brick.

COMMENT: None of the prohibited materials are proposed. All fencing will be made of wood.

Fencing, Walls, Screening, and Buffering, Standard: Front-yard fences and walls shall be a maximum of four feet in height.

COMMENT: No front yard fences are proposed.

Fencing, Walls, Screening, and Buffering, Standard 5: Rear and side yard fences shall not exceed six feet in height.

COMMENT: The proposed six-foot fences conform to this standard.

Fencing, Walls, Screening, and Buffering, Standard 6: Barbed wire, vinyl cladding, unclad cinder block, or razor wire shall not be allowed.

COMMENT: No prohibited materials are proposed.

Dumpsters, Services, Utilities, Outdoor Storage and Stormwater Management, Standard 1. New techniques and methods of collecting and treating stormwater should be used as they emerge, such as micromanagement described in the current version of the design manual *Low-Impact Development Strategies-An Integrated Design Approach*, published by DER.

COMMENT: Since the Sector Plan was adopted, Prince George's County adopted new stormwater management regulations which mandate the use of these techniques, and the proposed development will be required to comply with them.

Signage, Standard 1: Freestanding pole, monumental signs, or billboard shall not be allowed.

COMMENT: No signage is proposed.

Lighting, Standard 3. Grade changes in public spaces such as stairs, inclines, ramps, and steps should be illuminated from above or at the ground level.

COMMENT: No grade changes in public spaces are proposed. This standard is not applicable to the proposed development.

Lighting, Standard 4. Fixtures should be located and shielded so that light does not spill from a parking lot onto an adjacent one-family residential property or into residential building windows.

COMMENT: No parking lot is proposed. This standard is not applicable to the proposed development.

Landscaping, Standard 1. Existing trees should be preserved where feasible.

COMMENT: The Subject Property is exempt from the Woodland Conservation Ordinance because it is less than 40,000 square feet. Existing site conditions and the required grading and building placement will determine whether any existing trees can be saved.

Landscaping, Standard 2. Shade trees with a minimum of 2 1/2-3-inch caliper shall be provided at the rate of one shade tree per every 5,000 square feet of the gross site area (exclusive of street dedication). Existing trees and street trees planted within the abutting right-of-way may be counted toward meeting this standard.

COMMENT: Two shade trees per lot will be planted which satisfy the minimum size requirement.

Building Height, Standard 5.A bay window, oriel, entrance vestibule, or balcony may project up to three feet beyond the front or rear building line, if the projection is not more than ten feet long (measured along the building). Cornices and eaves may project up to two and one-half feet beyond the building line. The projection shall be at least two feet from any lot line.

COMMENT: No such projections are proposed.

Building Height, Standard 6: The maximum allowable height is 3 stories or 35 feet.

COMMENT: The proposed two-story dwellings with basement conform to this standard.

Architecture, Standard 4: New buildings greater than 45 feet in width should be designed to visually break up the length of the building.

COMMENT: None of the proposed buildings exceed 45' in width.

This standard is not applicable to the proposed development.

Architecture, Standard 5: Buildings that exceed 130 feet in frontage on any street should be articulated through massing, material, color, opening, and detail changes to appear as multiple buildings rather than one single building.

COMMENT: None of the proposed buildings exceed 130' in frontage.

This standard is not applicable to the proposed development.

Architecture, Standard 6: Buildings intended for institutional use should highlight the main entrance through massing changes, architectural details, and appropriate lighting and plantings.

COMMENT: No institutional buildings are proposed. This standard is not applicable to the proposed development.

Architecture, Standard 9: Accessory building exceeding 15 feet in height shall match the roof pitch and style of the main dwelling.

COMMENT: The proposed garages will not exceed 15 feet in height as they are single story garages with a gently sloping green roof. This standard is not applicable to the proposed development.

Architecture, Standard 10: Roof pitches should be compatible with those of the surrounding neighborhood.

COMMENT: The roof pitches of the proposed units are compatible with those of the surrounding neighborhood. The homes in the neighborhood all have pitched roofs.

Architecture, Standard 11: Front porches should be provided.

COMMENT: Front porches are provided all dwelling units and are standard features on the existing homes in the neighborhood.

Architecture, Standard 12: New buildings should be faced on any facade fronting a public street with quality material such as brick, stone, wood, masonry, or stucco compatible with the character of the surrounding neighborhoods.

COMMENT: All of the homes fronting on Eastern Avenue and Newton Street have siding. The proposed units will be constructed with siding materials compatible with the existing dwellings in the surrounding neighborhood.

Signage, Standard 9: Sign area shall not exceed the regulations of Section 27-613(c), (f), and 27-101.01 of the Zoning Ordinance.

COMMENT: No signage is proposed. This standard is not applicable to the proposed development.

Signage, Standard 11: Signs shall not be mounted on the roof of a building or exceed the height of a building's facade.

COMMENT: No signage is proposed. This standard is not applicable to the proposed development.

Signage, Standard 12: Wall murals shall not contain logos, advertising, or a product for sale. The name of the sponsor may appear in letters not more than eight inches in height. A wall mural shall not contain an image(s) that are obscene or negatively impact historic characters and resources of the local community.

COMMENT: No wall murals are proposed. This standard is not applicable to the proposed development.

Streetscape, Standard 3: The neighborhood streetscape shall consist of a sidewalk a minimum of four feet in width and may include an additional strip five feet in width containing street trees, landscaping and pedestrian amenities.

COMMENT: There is an existing four-foot wide sidewalk on Newton Street. The Applicant proposes a five-foot wide sidewalk along the Subject Property in line with the existing sidewalk. There is an existing grass strip between the sidewalk and the curb.

Streetscape, Standard 4: All streets shall have a sidewalk on both sides wherever possible.

COMMENT: There are sidewalks on both sides of Newton Street.

Streetscape, Standard 6: Street trees shall be shade trees and shall be a minimum of 2 ½- to 3-inch caliper.

COMMENT: All street trees will meet this standard if permitted by DPIE.

As addressed above, the Applicant has designed the proposed dwellings to conform to the applicable architectural standards. The Applicant would request confirmation through the review of this Subdivision Application that this is the case. Were it to be determined that such was not the case, a detailed site plan would be required.

The proposed development conforms to the vision and recommendations of the Arts District Sector Plan. As noted above, the Sector Plan divides the land into Character Areas. The goal of the plan is to adopt Design Standards that allow for the Character Areas to continue to be maintained. For the TRN Character Area, the Sector Plan states:

"Development District Standards retain the block face and scale of residential streets, as well as prohibit the paving-over of front yards and the construction of overly wide driveway aprons. For the bulk of the land within the district, this development character protects that pattern of single-family homes built close together on narrow streets laid out in a grid." (P. 14)

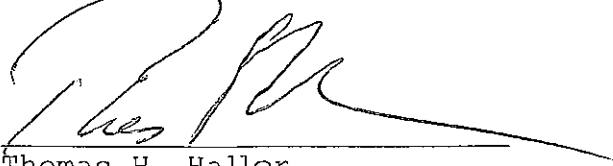
Further, the goal of the TRN Character Area is "to promote development of both family and artist-oriented residential development in the R-55, R-35, R-20 and R-T Zones." The proposed development will provide infill, single family housing, will not pave over the front yards by accessing the lots through

an existing alley, and by maintaining the block face and scale of Newton Street.

5.0 CONCLUSION

Based upon the above, the Applicant submits that the proposed preliminary plan of subdivision conforms to the Development District Standards applicable to the property in the Gateway Arts District Sector Plan and the Zoning Ordinance.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Thomas H. Haller', written over a horizontal line.

Thomas H. Haller
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033



RENDERING

MT RAINIER DUPLEX

SIZE	FSQM NO.	DWG NO.	REV
B			
Scale	N.T.S.	Sheet	R-1

Exhibit "A-1"

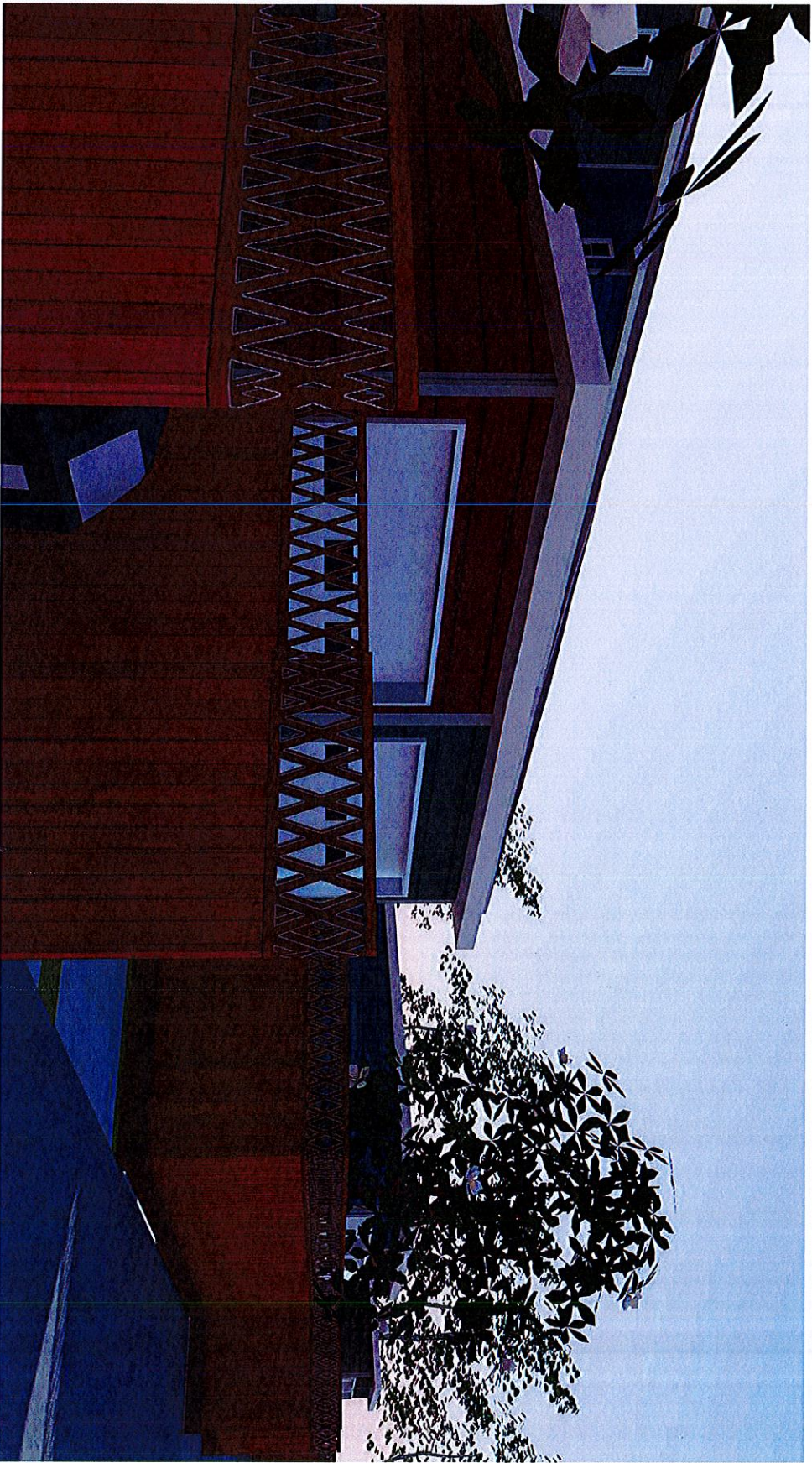


RENDERING

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Exhibit "A-2"

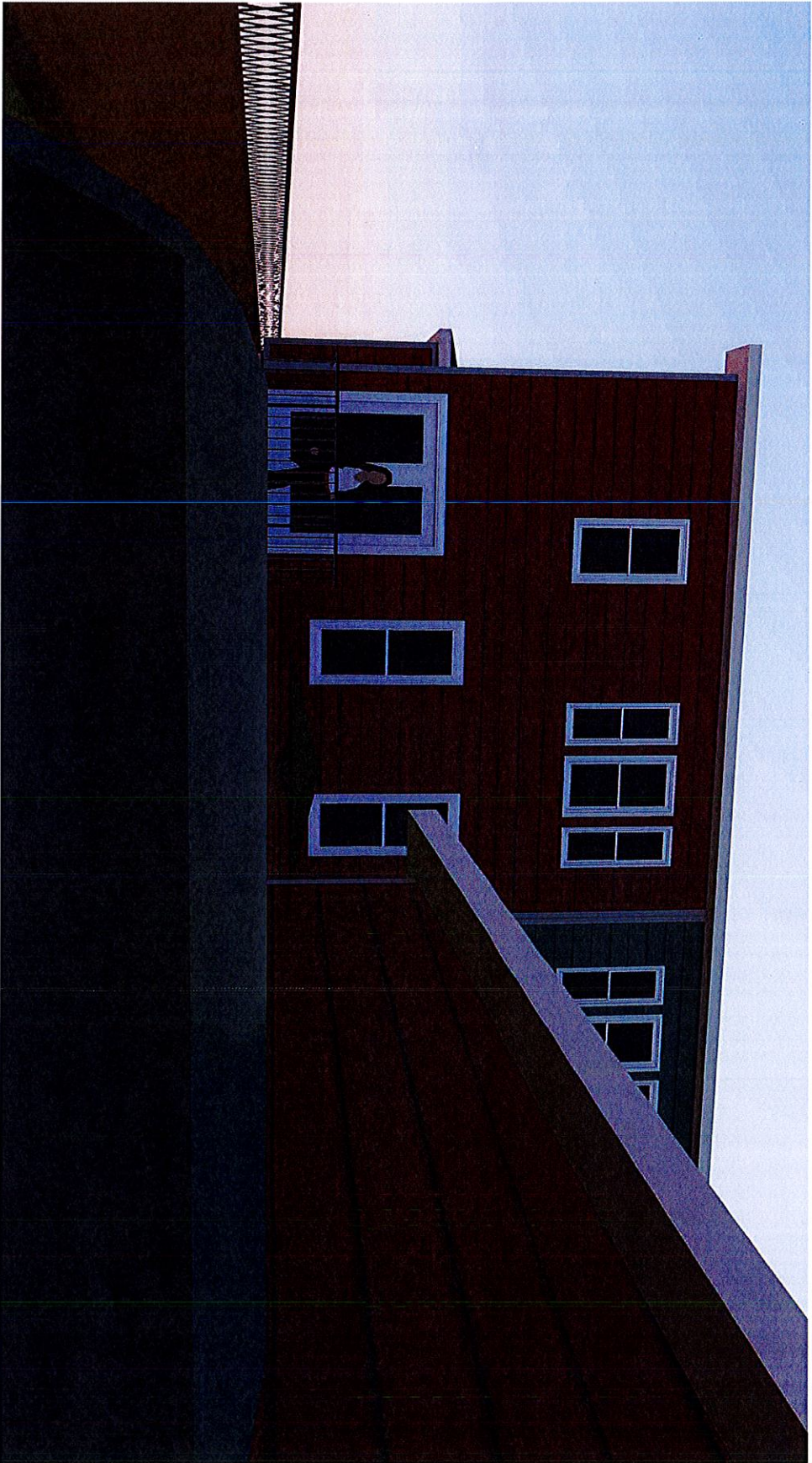


RENDERING

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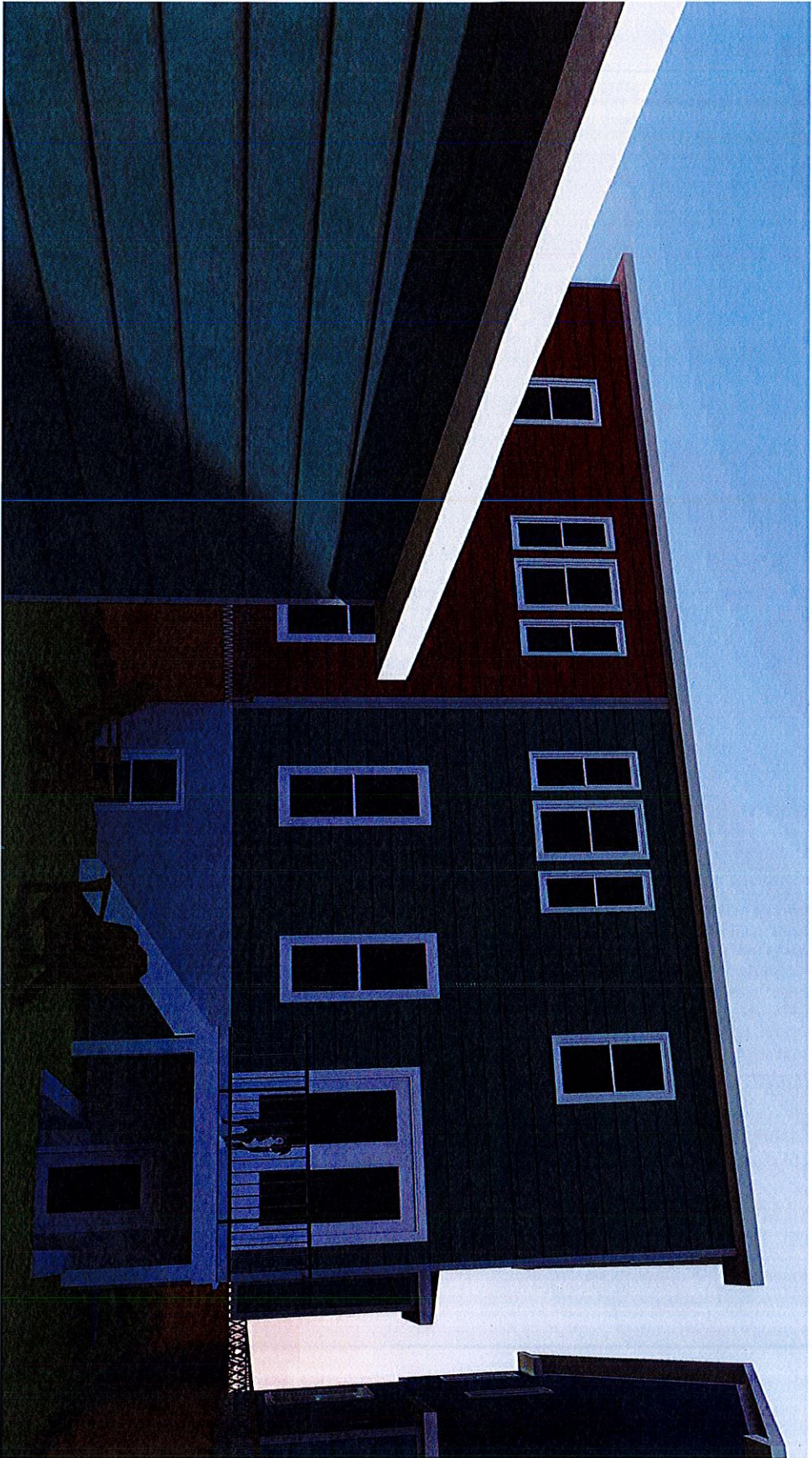


RENDERING

MT RAINIER DUPLEX

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Exhibit "A-4"



RENDERING

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Exhibu "A-5"

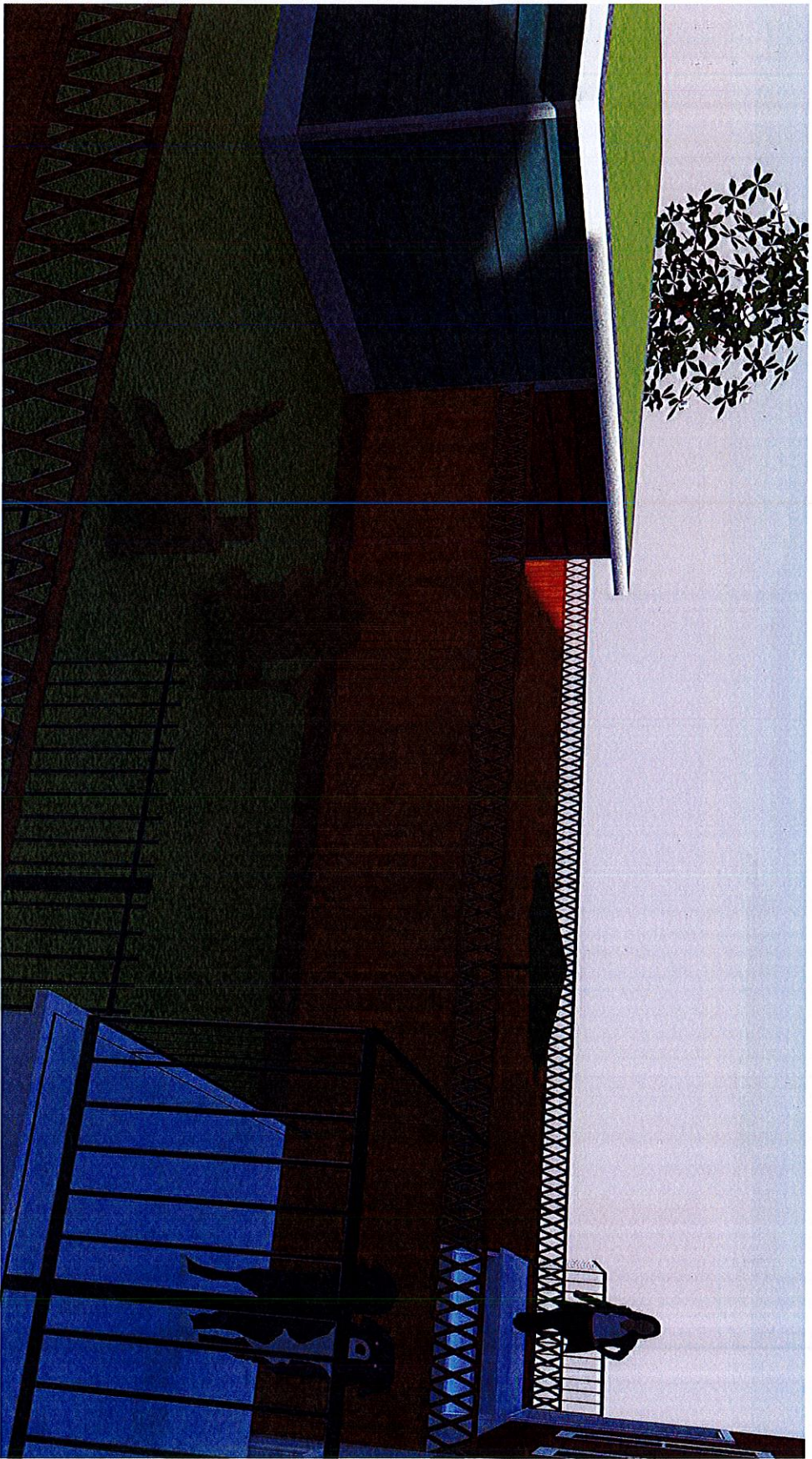


RENDERING

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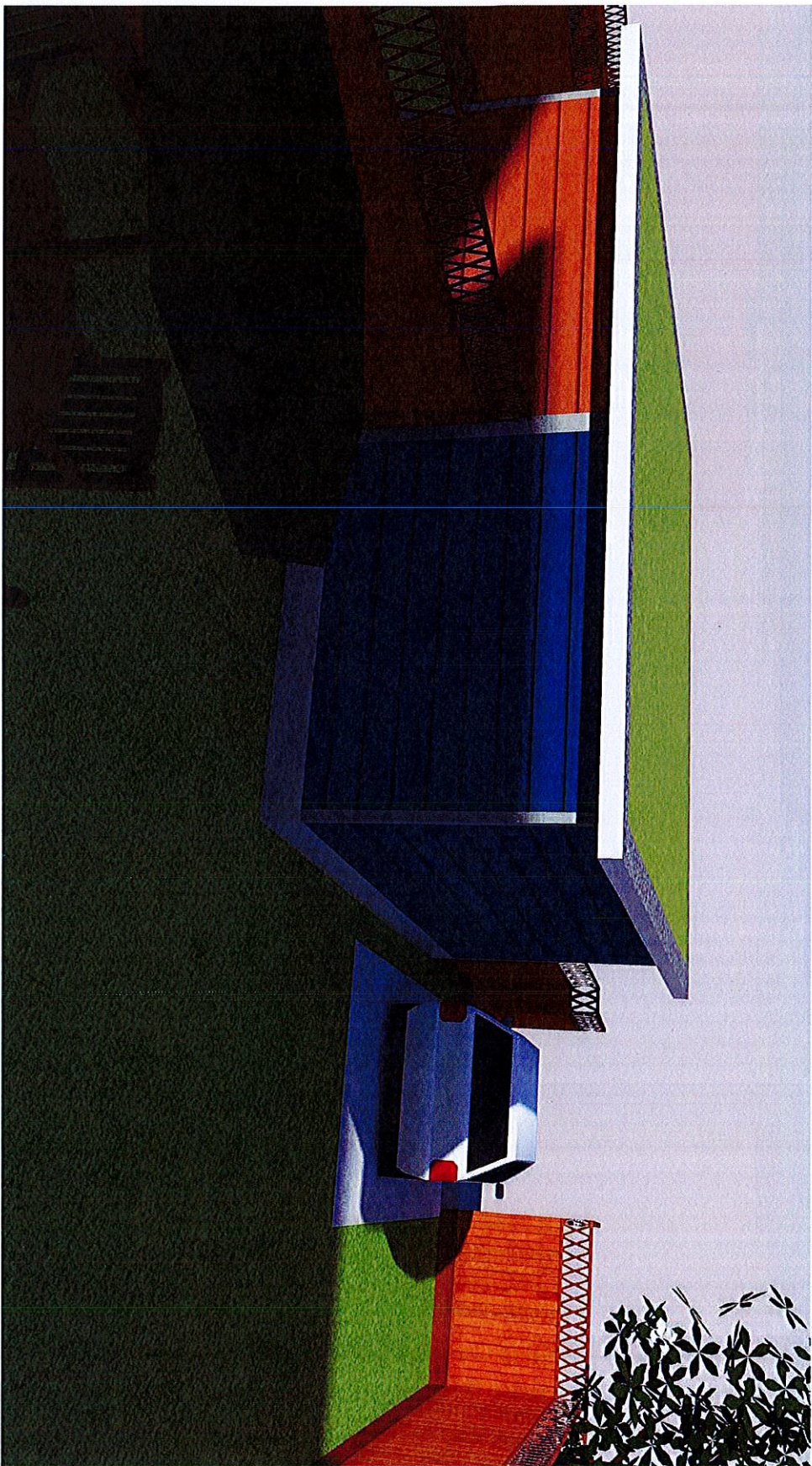


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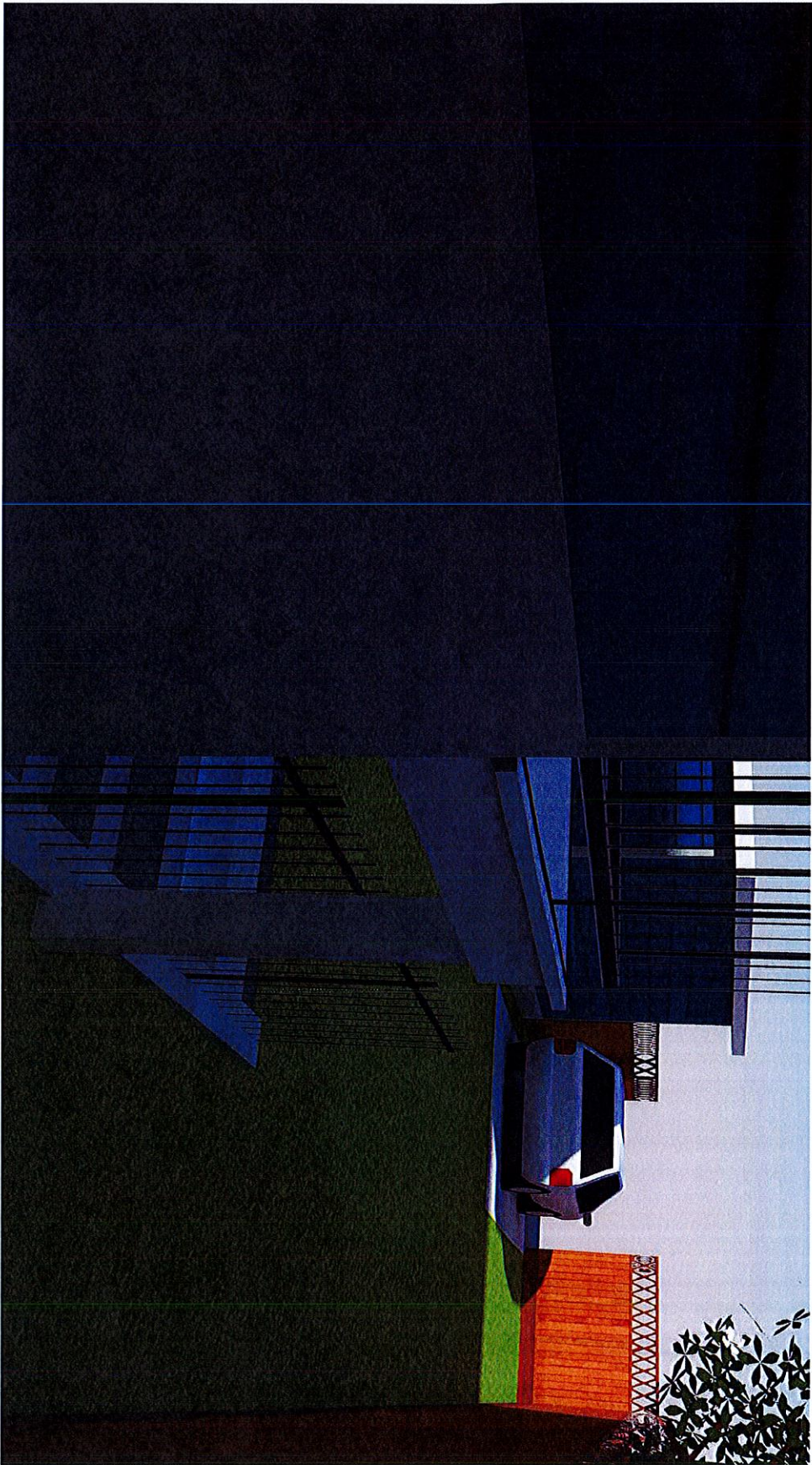


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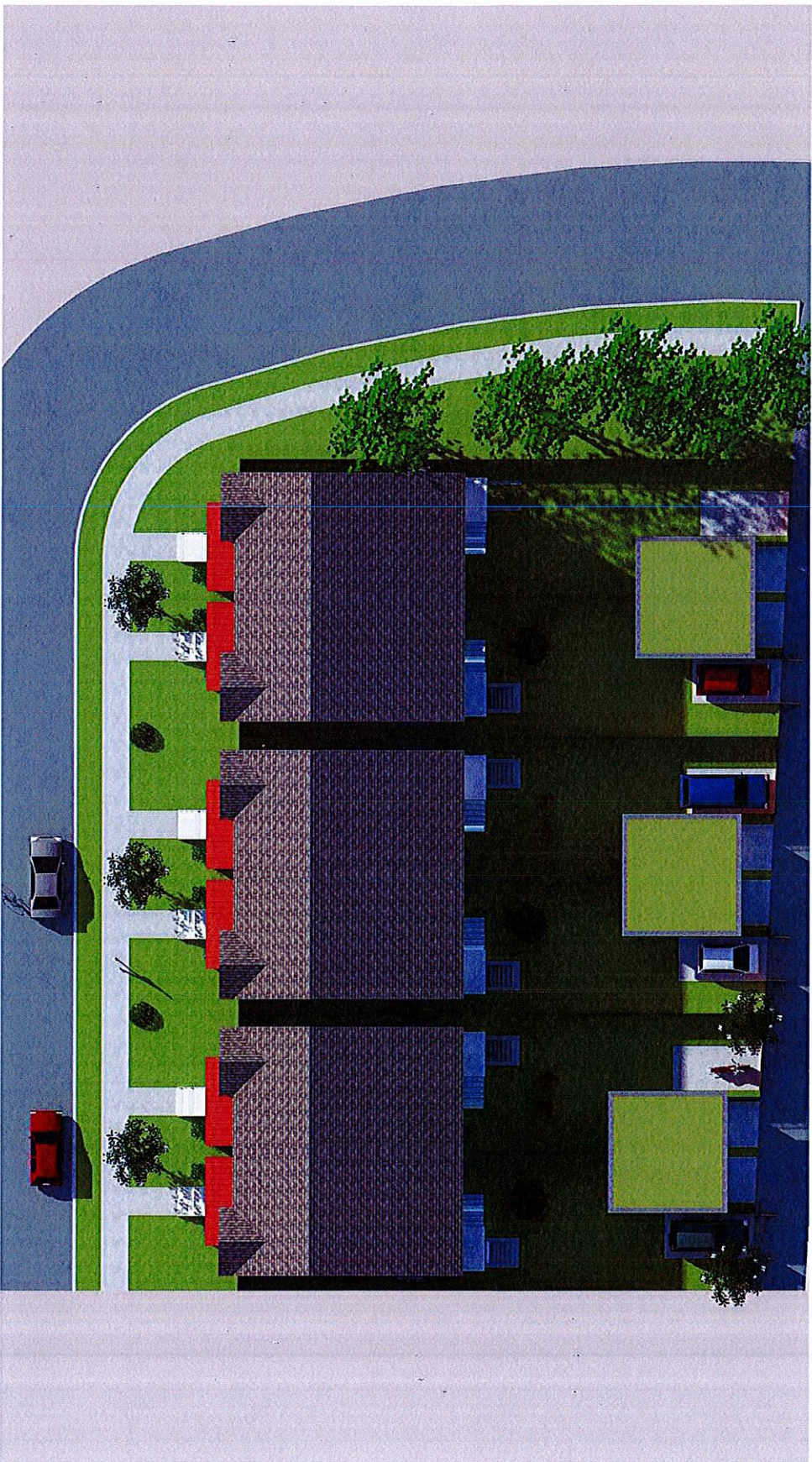


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Exhibit "A-9"



RENDERING

MT RAINIER DUPLEX

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Exhibit "A-10"



RENDERING

MT RAINIER DUPLEX

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Exhibit "A-11"



RENDERING

MT RAINIER DUPLEX

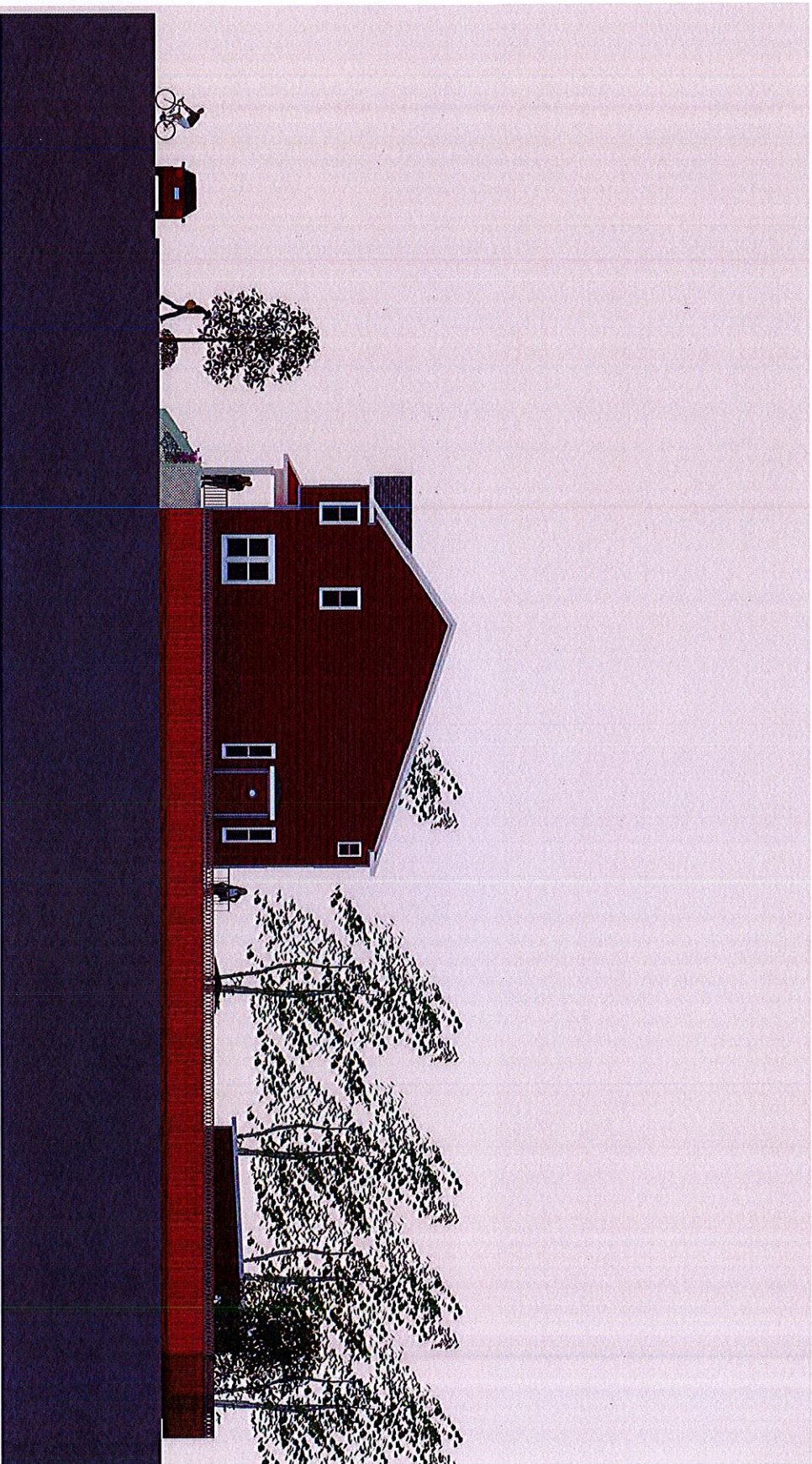
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Exhibit "A-12"



RENDERING				
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Exhibit "A-13"



RENDERING

MT RAINIER DUPLEX

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Exhibit "A-14"

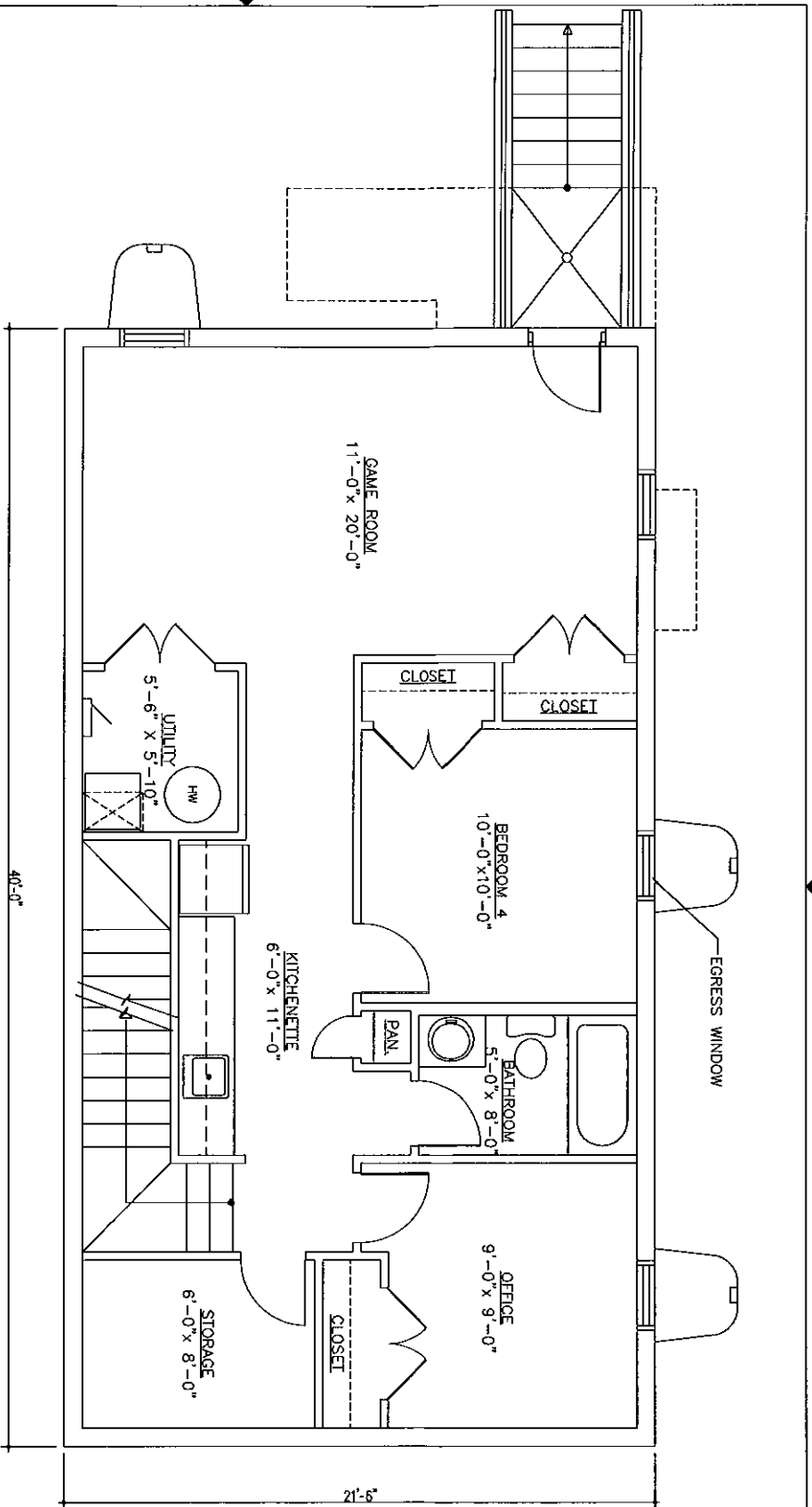


RENDERING

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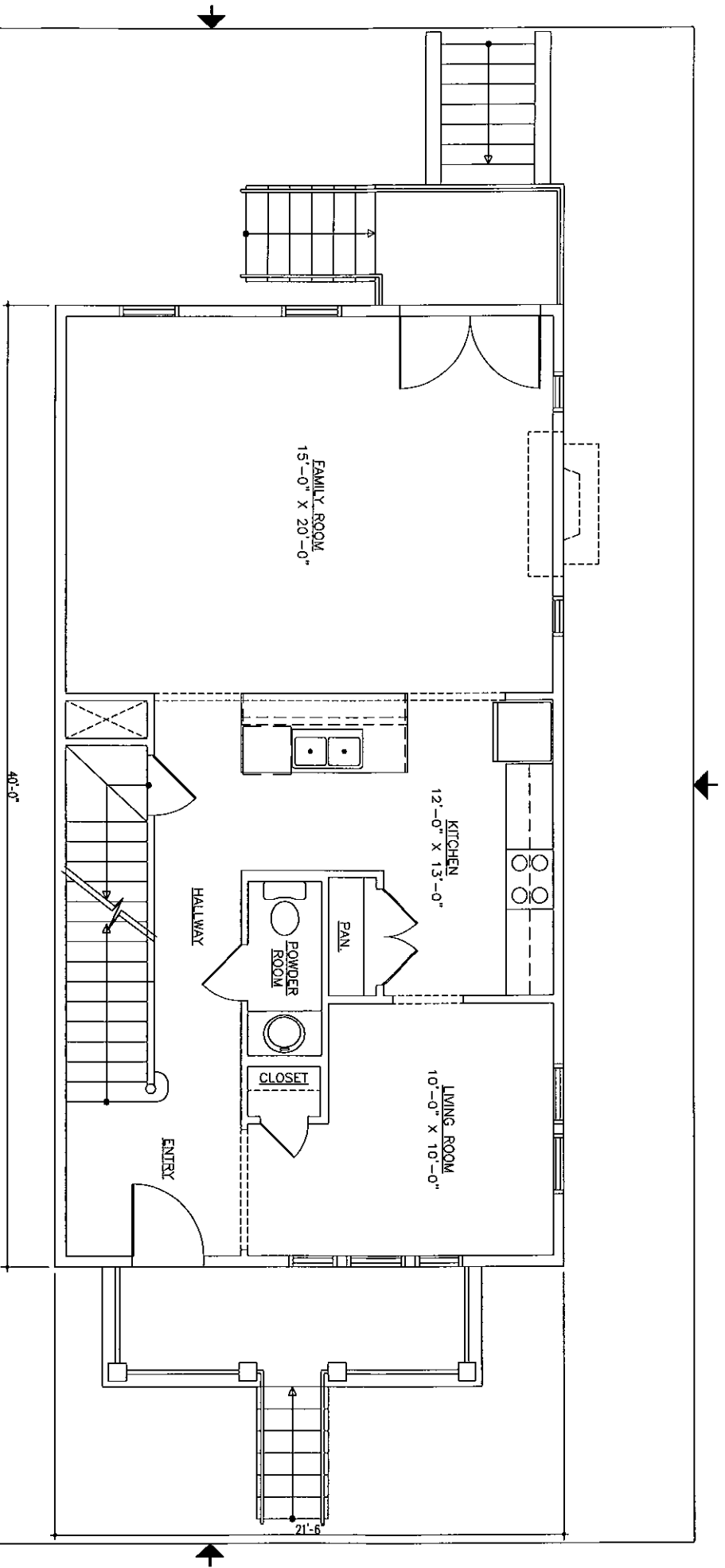
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Exhibit "A-15"



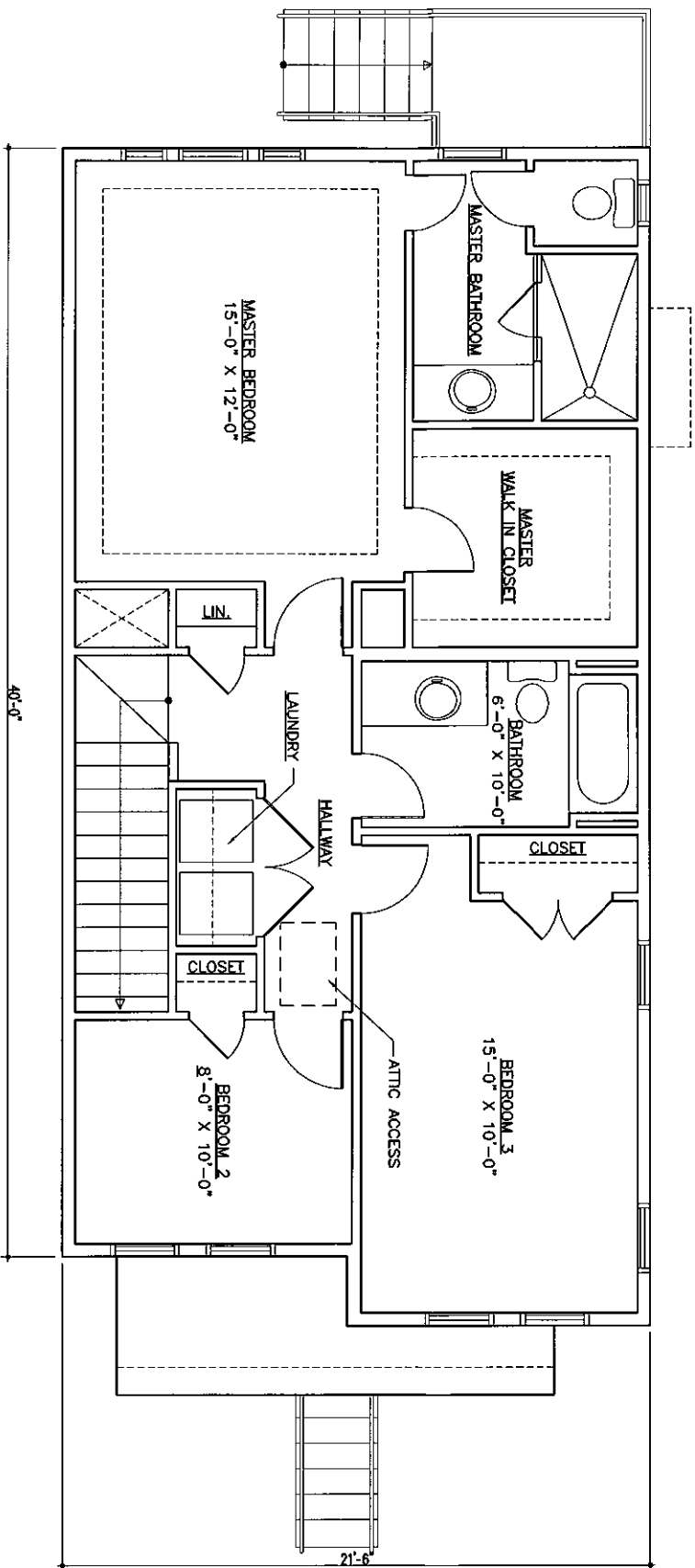
BASEMENT PLAN			
MT RAINIER DUPLEX			
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Exhibit "A-16"



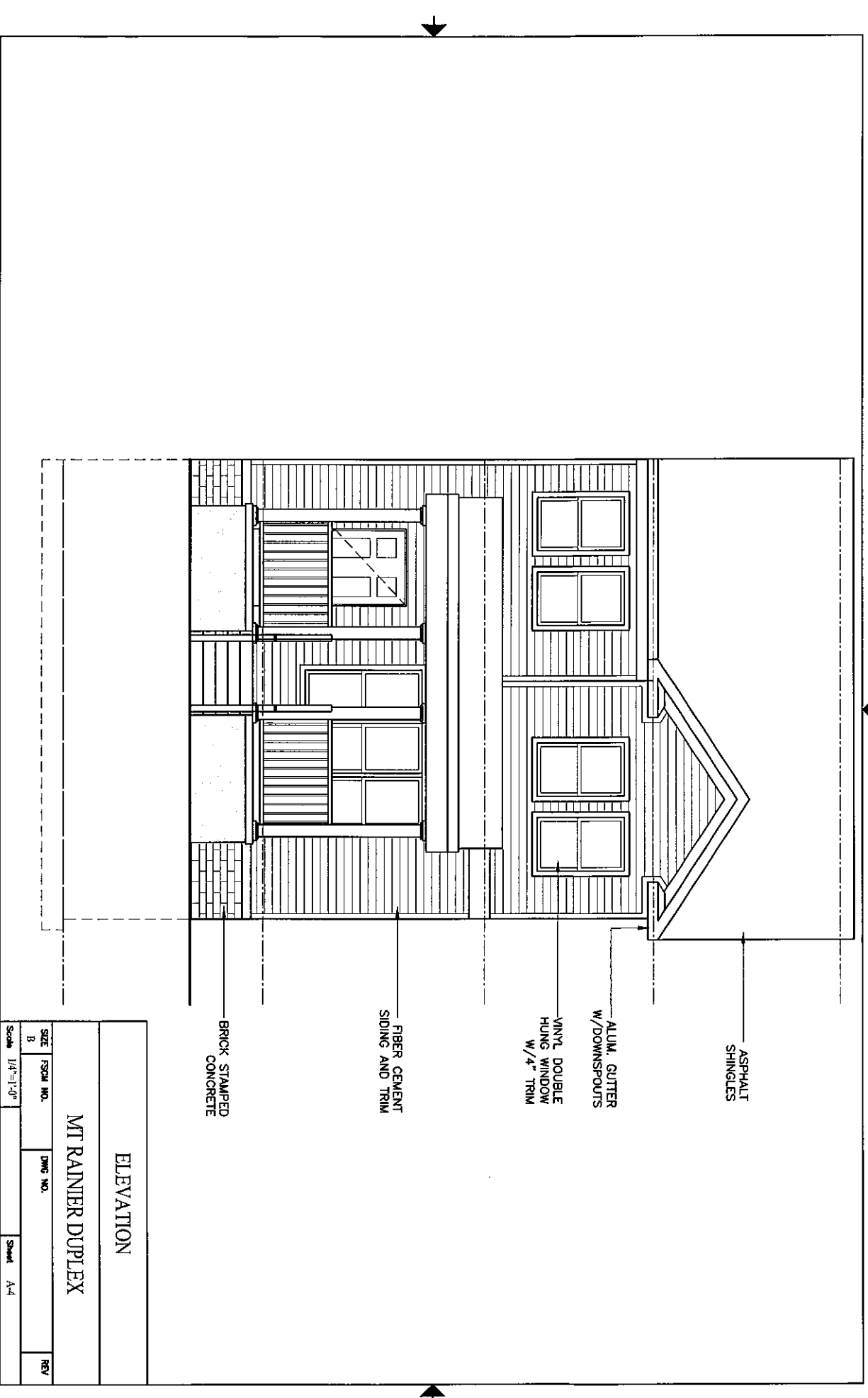
FIRST FLOOR PLAN			
MT RAINIER DUPLEX			
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B			
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Exhibit "A-17"



SECOND FLOOR PLAN			
MT RAINIER DUPLEX			
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B			
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Exhibit "A-18"



ELEVATION				
MT RAINIER DUPLEX				
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Exhibit "A-19"

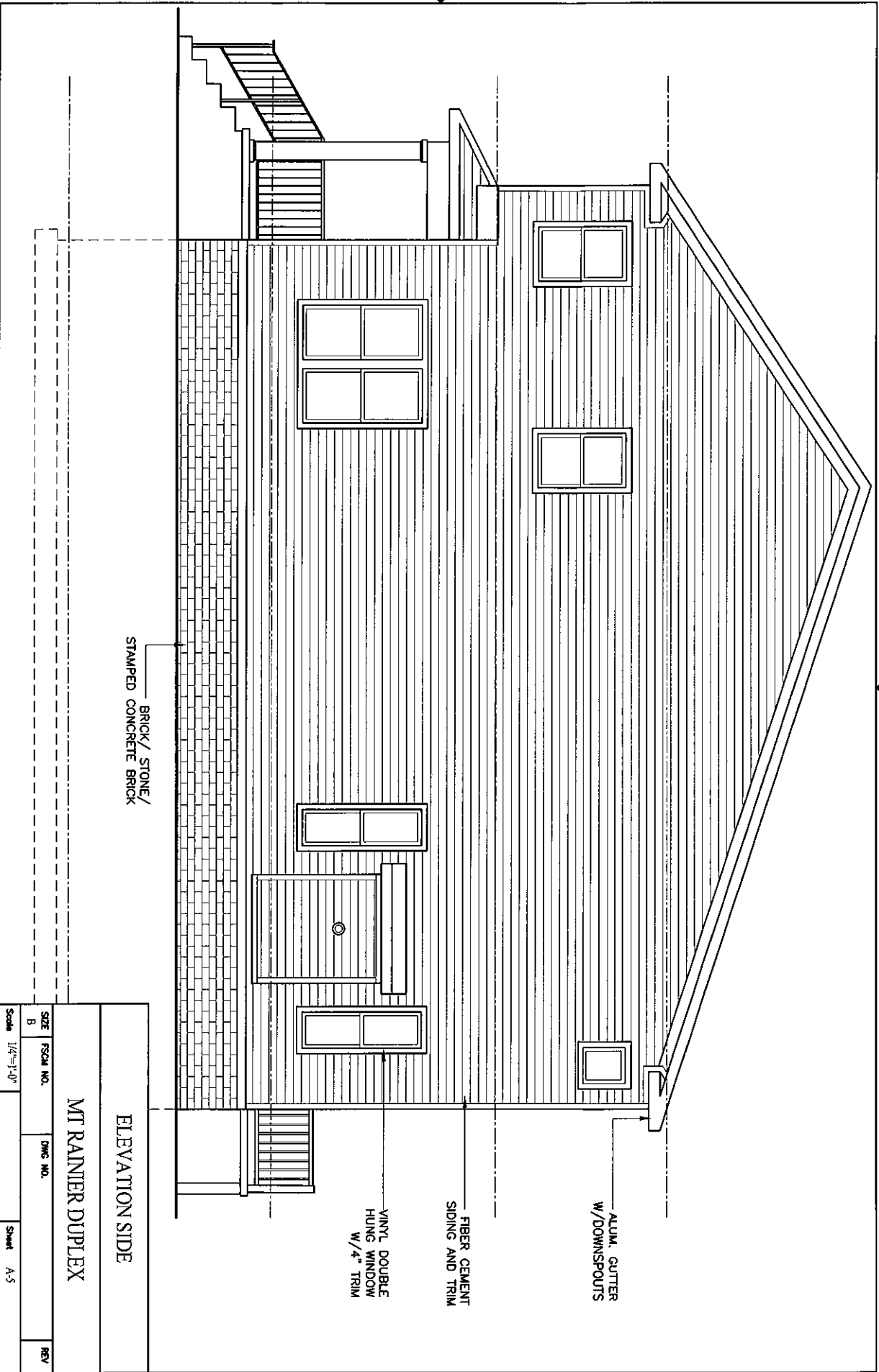
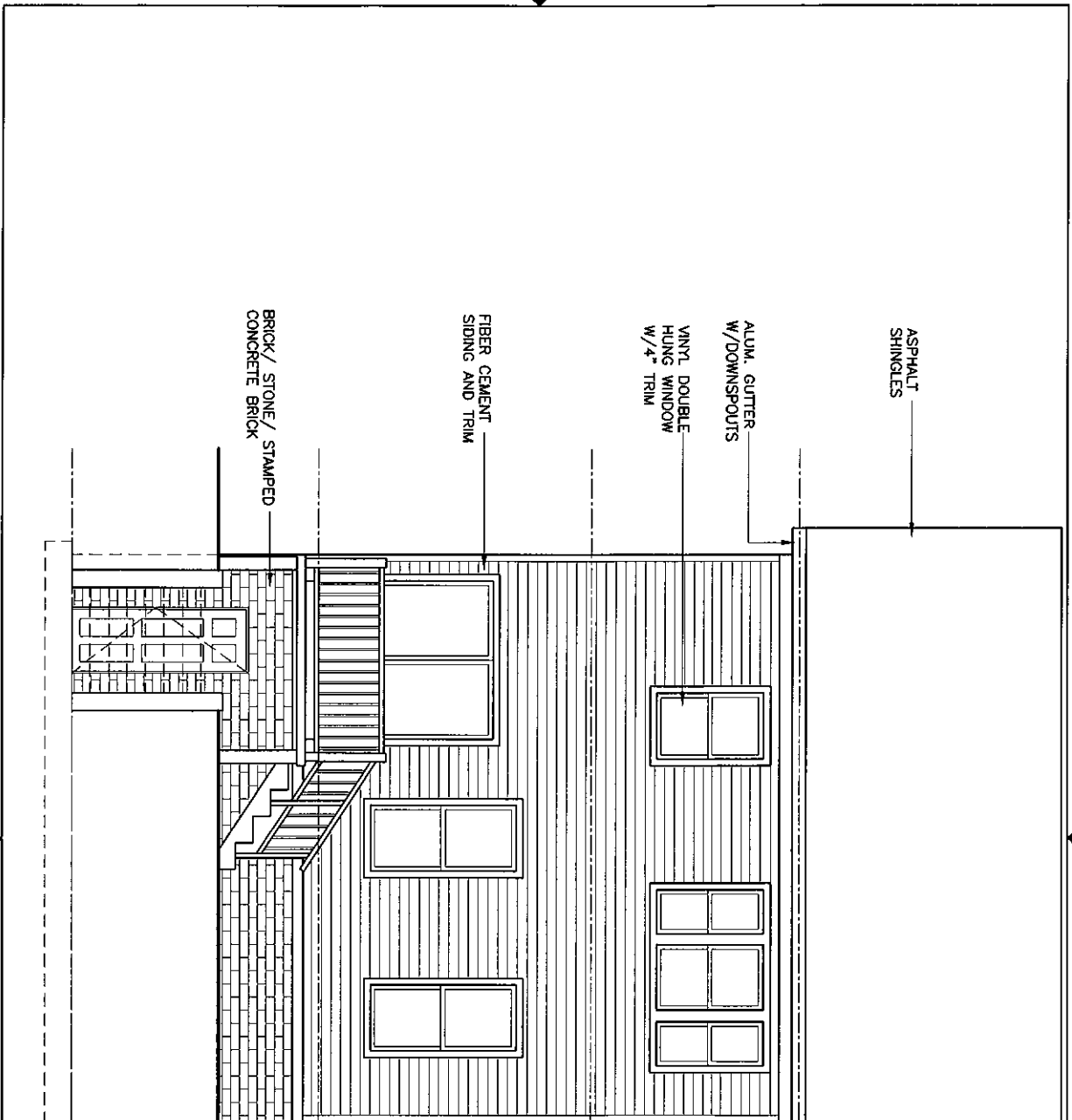


Exhibit "A-20"



ELEVATION REAR			
MT RAINIER DUPLEX			
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B			
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Exhibit "A-21"

Exhibit "B"



Applied Civil Engineering, Inc.

Engineering, Planning, Surveying, Land Development, and Permit Processing

Zoning Regulation for the TRN in the Art District (Mt. Rainier)

STANDARDS	REQUIRED	PROVIDED
<i>Build-to-line Standards Table(1-3)</i>	None	N/A
<i>Standards</i>		
4-10	None	N/A
11-Decks, Garages, Sheds as accessory building	Accessory	Yes
12- Area *	N/A	N/A
13-15	N/A	N/A
16-Front Yard Impervious Area	Max 20%	+/- 1%
17-Lot Coverage (One Family Detached) *	N/A	N/A
18-Accessory Building Lot coverage of rear yard	25%	16%
19-Min. Lot Frontage & Lot Width *	N/A	N/A
20-22	N/A	N/A
23-Front Yard shall have side walk (width)	5' Max	3'
24-Accessory Building setback from front Lot line	40'	103'+/-
25-27	N/A	N/A
28-Accessory Building Rear Setback	2' min.	8'
29-Building on Corner Lot "Pedestrian Side Wall"	Not Blank	See Arch. Plan
<i>Access and Circulation</i>		
<i>Intent</i>		
1- Access to Parking	N/A	N/A
2- Sidewalks a minimum of five feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings, recycling, and dumpster areas*	N/A	N/A
3- Sidewalks shall not be made of asphalt.	Not Asphalt	Concrete
4- Sidewalk shall be continuous across Dwy	Yes	N/A
5-9	N/A	N/A
<i>Parking and Loading</i>		
<i>Intent</i>		
1-4	N/A	N/A
5- Min./Max Parking Space/ residential Units	1 Min./2 Max	2/Unit
6-9	N/A	N/A
<i>Siting and Access</i>		
<i>Intent</i>		
1-3	N/A	N/A
4- Parking between sidewalk or street and the building	None	None
5-6	N/A	N/A



Applied Civil Engineering, Inc.

Engineering, Planning, Surveying, Land Development, and Permit Processing

Fencing, Walls, Screening, and Buffering

Intent

1-	N/A	N/A
2- Fence Material	Per Standards	Per Standards
3-	N/A	N/A
4-5 Fence Height Front Yard/Rear Yard	4'6"Max	None/6'
6- Fence Material to be used	Per Standard	Per Standard

Services, Utilities and SWM

Intent

1-REQUIRED: Promote new tech. for treatment & collection of Stormwater management.

1-PROVIDED: As shown on Plan, utilizing LID measures, i.e., reinforced turf and/or pervious pavers and concrete as well as grass swales to provide for maximum recharge and infiltration of the groundwater. Also, all the accessory building "Garages will have green roofs slanted towards the building to also provide for sightly view from the proposed houses and additional treatment of SWM.

2-3	N/A	N/A
-----	-----	-----

Signage

Intent

1- No Pole, Signs	Not Permitted	None
-------------------	---------------	------

Lighting

Intent

1-4	N/A	N/A
-----	-----	-----

Landscaping

Intent

1- Ex. Tree to be Preserved where feasible	Applicable	Based on Site Cond.
2- Shade trees , Min (2½-3")	1 per 5000Sf GSA	2/Lot
3-5	N/A	N/A

Building Design

Height

1-4	N/A	N/A
5- Bay Windows Projections etc.	Max. 3'	None
6- The maximum height	3 Stories or 35'	2 (S)/<35'
7- Accessory height less than Primary building Height*	N/A	N/A



Applied Civil Engineering, Inc.

Engineering, Planning, Surveying, Land Development, and Permit Processing

Building Opening Intent

Entrance 1-2	N/A	N/A
Windows 1-3	N/A	N/A
Unit Design 1-4	N/A	N/A

Architecture Intent

1-9	N/A	N/A
10-Roof Pitch to be compatible with neighborhood	Applicable	Yes
11-Front Porch should be provided	Yes	Yes
12-Quality Front Building Facade Material	Yes	See Arch. Plan
13-	N/A	N/A

Architecture for Signature Building

Intent

ALL	N/A	N/A
-----	-----	-----

Streetscape

Intent

1-2	N/A	N/A
3-Sidewalk width	4' or 5'	5'
4- All streets shall have a sidewalk on both sides wherever possible	Yes	Yes
5-	N/A	N/A
6- Street trees min. (2½- to 3")	Yes	Yes

Park & Plaza

Intent

ALL	N/A	N/A
-----	-----	-----

* Not applicable per (CR-80-2007)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2007 Legislative Session

Resolution No. CR-80-2007
Proposed by The Chairman (by request – Planning Board)
Introduced by Council Members Campos and Harrington
Co-Sponsors _____
Date of Introduction November 6, 2007

RESOLUTION

1 A RESOLUTION concerning

2 The 2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment
3 (SMA).

4 For the purpose of revising certain development district standards in the 2004 Approved
5 Gateway Arts District Sector Plan and SMA.

6 WHEREAS, the 2004 Approved Gateway Arts District Sector Plan and SMA
7 established development district standards in seven character areas including the Traditional
8 Residential Neighborhood (TRN) Character Area that supersede the development standards of
9 the underlying residential zone; and

10 WHEREAS, the City of Mount Rainier has determined that some but not all of the
11 development district standards pertinent to TRN Character Areas undermine protection of the
12 historic residential character of the city's traditional residential neighborhoods; and

13 WHEREAS, CB-5-2007 authorizes the District Council, after appropriate Planning Board
14 action, to modify development district standards "at the written request of a municipality in
15 which development district property is located; and

16 WHEREAS, the City of Mount Rainier made a request that nine specific development
17 district standards in the 2004 Approved Gateway Arts District Sector Plan and SMA not apply to
18 the TRN Character Area within the Mount Rainier municipal boundary; and

19 WHEREAS, the Planning Board reviewed the requested changes at a regularly scheduled
20 Planning Board hearing session and found the changes would not impair the integrity of the 2004
21 Approved Gateway Arts District Sector Plan and SMA; and

1 WHEREAS, the Planning Board also found that the alternate standards are in compliance
 2 with the goals of the Development District and conform with the purposes of the Development
 3 District Overlay Zone.

4 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
 5 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
 6 Regional District in Prince George's County, Maryland, that the Gateway Arts District Sector
 7 Plan and Sectional Map Amendment, as approved on November 30, 2004, are hereby revised as
 8 described below: (Bracketed text is deleted and underlined text is new.)
 9

10 **Revision 1** Revise the following Prince George's County Gateway Arts District Development
 11 District Standards Table (pages 144 to 166) to footnote standard 17 under Site
 12 Design (page 146) of the Approved Gateway Arts District Sector Plan and SMA.
 13 The footnote will read: This standard does not apply to the TRN Character Area
 14 within the Mount Rainier municipal boundary; R-55 development standards will
 15 apply instead.
 16

17 **Revision 2** Revise the following Prince George's County Gateway Arts District Development
 18 District Standards Table (pages 144 to 166) to footnote standard 19 under Site
 19 Design (page 146) of the Approved Gateway Arts District Sector Plan and SMA.
 20 The footnote will read: This standard does not apply to the TRN Character Area
 21 within the Mount Rainier municipal boundary; R-55 development standards will
 22 apply instead.
 23

24 **Revision 3** Revise the following Prince George's County Gateway Arts District Development
 25 District Standards Table (pages 144 to 166) to footnote standard 21 under Site
 26 Design (page 146) of the Approved Gateway Arts District Sector Plan and SMA.
 27 The footnote will read: This standard does not apply to the TRN Character Area
 28 within the Mount Rainier municipal boundary; R-55 development standards will
 29 apply instead, where porches are not permitted in the front-yard setback.
 30
 31

Revision 4 Revise the following Prince George's County Gateway Arts District Development District Standards Table (pages 144 to 166) to footnote standard 25 under Site Design (page 147) of the Approved Gateway Arts District Sector Plan and SMA. The footnote will read: This standard does not apply to the TRN Character Area within the Mount Rainier municipal boundary; R-55 development standards will apply instead.

Revision 5 Revise the following Prince George's County Gateway Arts District Development District Standards Table (pages 144 to 166) to footnote standard 2 under Access and Circulation (page 147) of the Approved Gateway Arts District Sector Plan and SMA. The footnote will read: This standard does not apply to the TRN Character Area within the Mount Rainier municipal boundary.

Revision 6 Revise the following Prince George's County Gateway Arts District Development District Standards Table (pages 144 to 166) to footnote standard 6 under Parking and Loading (page 148) of the Approved Gateway Arts District Sector Plan and SMA. The footnote will read: This standard does not apply to the TRN Character Area within the Mount Rainier municipal boundary; R-55 development standards will apply instead.

Revision 7 Revise the following Prince George's County Gateway Arts District Development District Standards Table (pages 144 to 166) to footnote standard 7 under Parking and Loading (page 148) of the Approved Gateway Arts District Sector Plan and SMA. The footnote will read: This standard does not apply to the TRN Character Area within the Mount Rainier municipal boundary; R-55 development standards will apply instead.

Revision 8 Revise the following Prince George's County Gateway Arts District Development District Standards Table (pages 144 to 166) to footnote standard 7 under Building Height (page 152) of the Approved Gateway Arts District Sector Plan and SMA. The footnote will read: This standard does not apply to the TRN Character Area

1 within the Mount Rainier municipal boundary; R-55 development standards will
2 apply instead.

3
4 **Revision 9**

5 Revise the following Prince George's County Gateway Arts District Development
6 District Standards Table (pages 144 to 166) to footnote standard 12 under Site
7 Design (page 146) of the Approved Gateway Arts District Sector Plan and SMA.
8 The footnote will read: This standard does not apply to the TRN Character Area
9 within the Mount Rainier municipal boundary; R-55 development standards will
10 apply instead.

1 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable, and if
2 any provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,
3 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or
4 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,
5 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or
6 circumstances. It is hereby declared to be the legislative intent that this Resolution would have
7 been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,
8 clause, section, zone, zoning map, or part had not been included therein.

9 BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its
10 adoption.

Adopted this 13th day of November, 2007.

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

BY: _____
Camille A. Exum
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

E: 1,323,729
N: 461,332



1. Number of Lots "Existing": (TWO) Lots 32&33, Plat Book RNR2@Plat 67
2. Existing Zoning: R-55; Overlay Zone: DD0&Gateway Art District:TRN
3. Property Use : Residential Two Family Dwelling Detached
4. Total Property Area: 23,663 SF OR 0.5432 AC.
5. Net Property Area After Dedication: SAME
6. Area of Dedication : 0
7. Water Supply : Public ; Category : W-3
8. Sewer Supply : Public ; Category : S-3
9. Tax Map : 49 ; Grid : F-4,
10. W.S.S.C. 200' Sheet Number : 204 NE 03
11. Name of Subdivision: Mt. Rainier Overlook
12. Topographic Information : As Shown by Applied Civil Engineering
13. Flood Plain Information : N/A
14. Easement Area : 893 SF in the rear as shown
15. PG Map: 12 ; Grid : A-B
16. Wetlands Or Perennial Streams : N/A
17. Historic District : Yes
18. Adjacent Cemetery : N/A
19. Gateway Sign Or Entrance Feature Proposed : N/A
20. Nearest Fire Station: Mount Rainier.
21. Nearest Police Station: Mount Rainier
22. Deed Reference : L. 40465, F. 283

23. Sustainable Growth Tier : Yes ; Tier 1
25. Site is in the vicinity of Historic Site : Yes

26. Military Installation Overlay Zone : No

27. Center or Corridor Location: Yes

28. Approved SWM Concept Plan # xxxx-2018-00, dated xx-xx-2018.

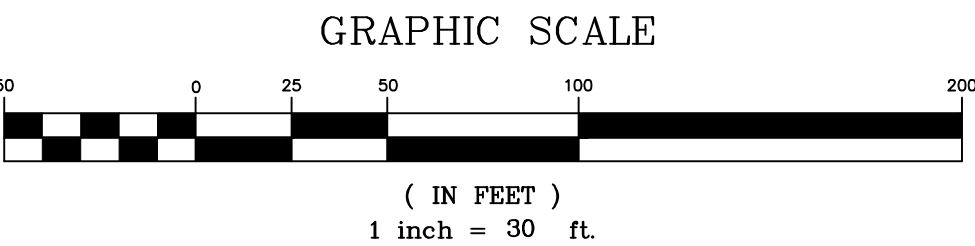
29. Mandatory Park Dedication "Parkland": Yes, Fee-in-Lieu.

30. This site is EXEMPT from the Woodland Conservation Ordinance.

31. Site within the Chesapeake Bay Critical Area: NO

32. Site in or adjacent to an easement held by the Maryland Environmental Trust, The Maryland Agricultural Land Preservation Foundation, or any other land trust or organization: NO

Ex. 10' Easement
for Alleyway



4-18003

**APPLIED CIVIL ENGINEERING
INC.**
ENGINEERING * PLANNING * SURVEYING * LAND DEVELOPMENT
* PERMIT PROCESSING
9470 ANNAPOLIS ROAD, SUITE 414
LANHAM, MARYLAND 20706
TEL. (301) 459-5932

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