

PGCPB No. 04-272

File No. DSP-04028

R E S O L U T I O N

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 November 18, 2004, regarding Detailed Site Plan DSP-04028 for Berwyn House, the Planning Board finds:

1. **Request:** The subject application requests construction of 204 multifamily units (a net increase of 72 units) and structured parking for 278 cars.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-10	R-10
Use(s)	Residential	Residential
Acreage	4.26	4.26
Parcels	One	One
Number of Units	132	204

3. **Location:** The site is in Planning Area 66, Council District 3. More specifically, it is located at 4800 Berwyn House Road, in the northwest quadrant of the intersection of Berwyn House Road and Rhode Island Avenue.
4. **Surroundings and Use:** The subject property is surrounded by residential properties and a small city-owned park to its east.
5. **Previous Approvals:** Record Plat WWW52@35 was approved for the subject property. In addition, stormwater concept plan 16607-2004-00 was approved for the site on June 18, 2004.
6. **Design Features:** The proposed development will include the refurbished existing six-story, beige brick building offering 139 residential units and 2 new structures located on either side of it. The existing building is rectilinear in shape, has two perpendicular wings at either end and is unadorned except for a punchout at the building's front entrance and two columns of balconies (from the third to sixth floor). The new building to the west is planned to incorporate a 278 space structured parking garage that will be connected to the existing building by an elevated covered pedestrian walkway. The two new proposed structures are planned to be constructed of a combination of red brick and hardipanel (color not defined) and four stories in height, with a series of gables along the roofline. The front and rear entrances of the easternmost new building are given definition by use of a standing seam metal roof.

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The interior renovation of the existing building will provide a community meeting room and on the exterior will include architectural color accents on the balconies and a stone-like cornice along the top of the building and painted bands of color along the base and the top of the building in an attempt to create visual interest and make the existing building more compatible with the two proposed new buildings.

Access to the site is proposed at three points from the project's Berwyn House Road frontage. The central access point is intended to provide a pick-up and drop-off point for residents, while the western driveway is planned to access the proposed parking garage. There are 311 parking spaces proposed to be provided for the development, including 35 regular surface parking spaces, 5 handicapped surface spaces, 260 regular garage spaces and 11 handicapped garage spaces. Bicycle lockers at the rear of the existing building would accommodate 24 bicycles, while 3 bicycle racks at the front of the building can accommodate 30 more bicycles.

An internal network provides pedestrian access to the site and connects to the existing sidewalk network. Crosswalks delineated by imprinted asphalt across the driveway entrances have been included in the design. The only recreational facilities indicated in the plan include an outdoor passive recreational area and a community meeting room in the building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-10 Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in residential zones. The proposed multifamily dwelling is a permitted use in the R-10 Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in residential zones.
8. **The requirements of Record Plat WWW52@35:** The proposed development is exempt from filing a Preliminary Plan of Subdivision pursuant to Section 24-111 (c) (4) of the subdivision regulations. That section states that a preliminary plan is not required for the development of more than 5,000 square feet of gross floor area, which constitutes at least ten percent of the total area of the site where the existing structure on the property was constructed pursuant to a building permit issued on or before December 31, 1991. Although the proposed development is in excess of 5,000 square feet, subdivision of the subject property occurred by deed prior to January 1, 1982, and more than ten percent of the total area of the site was developed pursuant to a building permit issued on or before December 31, 1991. The existing development occupies 10.85 percent of the site area.
9. **Landscape Manual:** The proposed development is subject to the requirements of Section 4.1, Residential Requirements, Section 4.2 Commercial and Industrial Landscaped Strip, Section 4.3a Parking Lot Landscaped Strip, Section 4.3b Perimeter Area, Section 4.3 c Interior Parking, Sec.4.6 Buffering Residential Development from Streets and Section 4.7 Bufferyard Planting.

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The Urban Design staff reviewed the proposed Landscape Plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.

10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. The Type II Tree Conservation Plan (TCPII/97/04) as submitted conforms with the requirements of the Woodland Conservation Ordinance provided the conditions recommended by the Environmental Planning Section below, are attached to the subject approval.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—At the time of the writing of this staff report, the Historic Preservation Planning Section has not offered comment on the proposed project.
 - b. **Community Planning**—The Community Planning Section, in a memorandum dated August 4, 2004, stated that the application was not inconsistent with the 2002 General Plan Development Pattern policies for Corridors in the Developed Tier. In addition, they stated that the application conforms to the land use recommendations of the 1989 approved master plan for Langley Park-College Park-Greenbelt and vicinity.
 - c. **Transportation**—In comments dated November 8, 2004, the Transportation Planning Section noted that the traffic study submitted with the application was not required as the site is outside the Development District identified in the approved College Park US 1 Corridor sector plan, that no findings regarding the adequacy of transportation facilities are necessary, and the site must be reviewed as a conventional site plan. In that respect, the Transportation Planning Section stated that access to the site and circulation within the site are acceptable and that the site is not within or adjacent to any master plan transportation facilities.
 - d. **Subdivision**—In revised comments dated September 22, 2004, the Subdivision section stated that based on information provided by the applicant the site is exempt from the requirement of a preliminary plan of subdivision at this time.
 - e. **Trails**—In a memorandum dated August 13, 2004, the senior trails planner stated that there are no master plan trails issues identified in either the adopted and approved Langley Park-College Park-Greenbelt master plan or the approved College Park US 1 Corridor sector plan that impact the subject site. He noted, however, that both the US 1 and Rhode Island Avenue corridors are designated as master plan trail/bicycle corridors in the sector plan. In the vicinity of the subject site, the trail along the Rhode Island Avenue corridor has been implemented by the City of College Park and has been reflected on the submitted plan as the existing asphalt path just east of the subject site. Access to it from the site would be via the existing sidewalk along the subject frontage on

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Berwyn House Road. In addition, the senior trails planner noted that the sidewalk network as proposed for the subject property is comprehensive and will adequately accommodate pedestrian movement in and through the subject site.

- f. **Parks**—The Department of Parks and Recreation, on August 24, 2004, stated that they had no comments on the proposed project.
- g. **Permits**—The Permit Review Section offered numerous comments that have either been addressed in revisions to the plans or in the recommended conditions below.
- h. **Public Facilities**—The Public Facilities Planning Section, in a memorandum dated August 10, 2004, noted that the existing fire engine, ambulance and paramedic service are all within the travel time guidelines established in the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. In addition, the Public Facilities Planning Section noted that the local police district would be able to adequately serve the population generated by the proposed project. This is provided for information only as there are no required findings regarding public facilities for a detailed site plan.
- i. **Environmental Planning**—In a memorandum dated August 8, 2004, the Environmental Planning Section stated that:
 - 1. A Forest Stand Delineation (FSD) has been submitted for this proposal, and was found to require revisions to comply with the Woodland Conservation Ordinance. An examination of recent and historic aerial photos suggests that existing tree lines are incorrectly shown. The existing tree line is more on-site than shown and the FSD plan and worksheet acreages differ slightly. The Forest Stand Delineation text is missing and the plan failed to recognize the presence of adjacent wetlands and floodplain to the east of the subject property. Furthermore, not all symbols used in the plan were included in the legend and the Forest Stand Delineation must be separate from the Type II Tree Conservation Plan.

Applicant shall submit the Forest Stand Delineation (FSD) text which should include the methodology used and associated data sheets. In addition, applicant shall revise the FSD to show all existing and adjacent features including wetlands and floodplain, all 15-20 percent slopes on highly erodible soils, and to reflect accurately existing tree line on-site and provide the correct amount of woodland acreage to the amount shown on the approved TCPI. Applicant shall then have the revised plan signed and dated by the qualified professional who prepared the plan.
 - 2. The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland

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on-site. The Type II Tree Conservation Plan (TCP/97/04) as submitted has been reviewed and was found to require revisions to conform with the requirements of the Woodland Conservation Ordinance.

The Type II Tree Conservation Plan submitted is incomplete without the correct computation worksheet. A Phased worksheet is not required. The plan must be revised to reflect correctly, adjacent 100-year floodplain, required worksheet, and the site acreage which differ slightly between the FSD and the worksheet.

3. A Stormwater Management Concept Approval Letter (CSD# 20523-2003-00) submitted with this application is without an approval and expiration dated. The requirements for the stormwater management will be met through subsequent reviews by the Department of Environmental Resources.

Required Information: Submit a copy of the Stormwater Management Concept Approval Letter showing the approval and expiration dates.

- j. **Department of Environmental Resources (DER)**—In comments dated July 22, 2004, DER stated that the site plan for the proposed project is consistent with approved stormwater concept 16597-2004.
- k. **Fire Department**—In a memorandum dated August 26, 2004, the Prince George's County Fire Department offered information regarding required access for fire apparatuses, design of private roads, fire lanes and the location and performance of fire hydrants.
- l. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated September 14, 2004, DPW&T stated that adjacent roadways Berwyn House Road and Rhode Island Avenue are under the jurisdiction of the City of College Park. Therefore, they deferred any right to comment on the project regarding the adjacent road network to the City.
- m. **Washington Suburban Sanitary Commission (WSSC)**—In comments dated August 3, 2004, the WSSC stated that an on-site plan review package should be submitted. In addition, they stated that their records do not indicate WSSC mains on the property and requested that all reference to such mains be removed from the submitted plans.
- n. **Maryland State Highway Administration (SHA)**—In a letter dated August 18, 2004, SHA stated that access to the proposed 72 apartment units is proposed from a county roadway—Berwyn House Road. They also provided comments on a traffic impact study prepared by Wells & Associate. However, adequacy of road facilities is not subject to review at the time of the detailed site plan.
- o. **City of College Park**—In a letter dated November 15, 2004 the City recommended that a number of conditions be attached to the approval of the subject project. All but their

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recommended condition 5, which has already been accomplished, are included in the recommended conditions below.

12. As required by Section 27-285(b) of the Zoning Ordinance, the Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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 the Detailed Site Plan DSP-04028, subject to the following conditions:

1. Prior to signature approval of the detailed site plan, the applicant shall revise the plans as follow:
 - a. Correct the inconsistency in the number of parking spaces for the physically handicapped between the garage and site plans.
 - b. Show and have approved an acceptable signage plan by the Urban Design Section as designee for the Planning Board.
2. Prior to the approval of TCP II/97/04, the Forest Stand Delineation (FSD) shall be revised as follows:
 - a. Submit the FSD text, which should include the methodology used and the associated data sheets.
 - b. Revise the FSD plan to show all existing and adjacent features including wetlands and floodplain.
 - c. Revise the FSD to show all (15-25 percent) slopes on highly erodible soils only.
 - d. Revise the FSD plan to reflect accurately existing tree line on-site and provide the correct amount of woodland acreage(the acreage used on the TCP1 is different).
 - e. Have the revised plan signed and dated by the qualified professional who prepared the plan.
3. Prior to approval of the TCP II/97/04, the TCP II Tree Conservation Plan shall be revised as follows:
 - a. Revise TCP II/97/04 to show the adjacent wetlands and 100-year floodplain.
 - b. Provide the correct acreage of existing woodland on-site (the acreage on the FSD and TCP I are different).

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- c. Revise the FSD plan to show an accurate existing tree line and (15-25 percent) slopes on highly erodible soils only.
 - d. Revise the TCP to include the required standard worksheet.
 - e. Applicant shall submit a copy of the stormwater management concept approval letter showing the approval and expiration dates.
 - f. Show all trees within limits of disturbance with symbol for "to be removed".
 - g. Provide notes regarding treatment of selective clearing area (see FSD).
 - h. Show all Tree Protection Devices at the limits of disturbance.
4. The applicant shall conduct a survey of existing residents to determine their habits concerning the use of public transit, bicycling, walking, driving, and parking on campus. The City and M-NCPPC shall be provided with a copy of survey results.
5. In consultation with the City, the applicant shall make a good faith effort to execute a memorandum of understanding with the University of Maryland that prohibits University of Maryland students residing in the project from obtaining on-campus parking permits.
6. The applicant shall agree to participate in discussions with the City and others regarding transit or shuttle service options for the Route 1 corridor.
7. The applicant shall provide a secure room, in the parking garage, that is readily accessible to the outside, for no less than thirty bicycles.
8. Revise the elevation of the westernmost building to delete the use of brick above the base on the building's southern facade.
9. Revise the existing Landscape Lighting Plan to reflect the following:
 - a. Relocate/remove 8 pyracantha shrubs behind the bicycle lockers at the rear of the building.
 - b. Provide details on the site furnishings for the landscaped terrace area in front of existing building.
10. Add a note to the site plan indicating that there will be 24-hour on-site management of the student apartment complex.
11. The applicant shall meet the off-site reforestation requirement on M-NCPPC property within the city on sites approved by the city and M-NCPPC.

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12. Relocate an existing speed hump on Berwyn House Road, if determined necessary by the city engineer.
13. Development shall be in conformance with the approved Stormwater Management Concept Plan: CSD #16607-2004-00.
14. Provide a covered entry over the eastern entrance to the existing building.
15. Provide sufficient lighting on site to ensure the safety of residents.
16. Replace the existing chain link fence, on the east side of the property, with an ornamental metal fence, 6 feet in height.

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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 18, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of December 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk