

PGCPB No. 05-59

File No. DSP-04069

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 February 24, 2005, regarding Detailed Site Plan DSP-04069 for Bewley Estates, the Planning Board finds:

1. **Request:** The request is for approval of a detailed site plan for two single-family detached homes on vacant residential lots in the City of College Park.
2. **Location:** The lots are located on the north side of Tecumseh Street, approximately 200 feet east of the intersection with US 1, in the City of College Park. The site is also located in Subarea 4b of the Approved College Park US 1 Corridor Sector Plan where detailed site plan review is required in accordance with the Development District Overlay Zone (DDOZ).
3. **Surrounding Uses:** The site is adjacent to a vacant lot zoned R-55 to the west, and existing single-family residential homes to the north, east and south.
4. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-55	R-55
Use(s)	Vacant	Single-family homes
Acreage	10,792 SF	10,792 SF
Lots	2	2
Parcel	0	0
Square Footage/GFA	0	0
Dwelling Units:	0	2

Required Findings:

5. Section 27-548.25 (a) of the Zoning Ordinance requires that a detailed site plan be approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance. The detailed site plan submitted has been reviewed in accordance with those provisions and it can be found that the plan represents 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.
6. Section 27-548.25 (b) requires that the Planning Board find that the site plan meets applicable

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development district standards. In general, the detailed site plan meets the applicable development district standards. If the applicant intends to deviate from the development district standards, the Planning Board must find that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan.

The development district standards are organized into three categories: Public Areas; Site Design; and Building Design. The applicant requests amendments to the following standards:

P.2.A. Sidewalks and S3. Table 16

The above standards require a six-foot-wide grass strip for trees and a five-foot-wide sidewalk behind the curb of the street.

The applicant contends that it would be impractical and out of character with the neighborhood to provide the grass strip and sidewalk along the street because none of the other homes on Tecumseh Street have that treatment. Furthermore, there are large existing trees along the street that would have to be removed in order to accommodate the grass strip and sidewalk. The applicant intends to save the existing trees at all cost. Therefore, preservation of the existing situation as the alternative development district standard will benefit the development and the development district and will not substantially impair implementation of the sector plan.

P4.B. Street Trees

Medium to large deciduous shade trees shall be utilized for street trees, and shall be planted between 30 and 40 feet on center. Street trees shall be installed at a minimum height of 12 feet and 2½-inch caliper.

The applicant has generally met this requirement on the site with two existing trees along the street; one a 48-inch caliper oak with a 60-foot spread and the other a 24-inch oak with a 40-foot spread. However, the two trees do not meet the spacing requirements above because they are spaced approximately 50 feet apart. In this case, it would not be practical to require the trees to be removed or for a new tree to be planted between the two existing trees in order to meet the above requirement. It is the intention of the developer to save the two trees at all cost in order to preserve the mature streetscape. Therefore, preservation of the existing trees as an alternative development district standard, will benefit the development and the development district and will not substantially impair implementation of the sector plan.

SITE DESIGN:

S3.C. Building Siting and Setbacks

The site meets the requirements of the sector plan for building siting and setbacks. However, the

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applicant has requested a variance from Section 27-442 (e)-Yards required in the R-55 Zone by the Zoning Ordinance. See Finding 7 below for further discussion.

B 3.B. Architectural Features:

Single-family residential building types shall have masonry facades (brick, stone or approved equal) on at least 60 percent (excluding gables, windows, trim and doors) of three sides of a dwelling or building within a development project.

The applicant has requested a modification to this standard to use vinyl siding instead of masonry. The applicant's justification is that the majority of the homes in the neighborhood are not constructed with masonry and that it would be out of character to provide masonry facades in this case. The applicant has designed the buildings to complement the homes in the neighborhood, utilizing architectural features and materials that are consistent with the existing homes. The City of College Park has no objections to the use of vinyl in this case and has made further recommendations as to the color of the siding, which has been included in the recommendation section below. Therefore, the use of vinyl siding in this case as an alternative development district standard, will benefit the development and the development district and will not substantially impair implementation of the sector plan.

7. Section 27-548.25.(e) requires that "If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable development district standards." In this case, the applicant has requested a variance from the side yard setback requirements of Section 27-442 (e)-Yards of the Zoning Ordinance.

In the R-55 Zone, a total of 17 feet is required for both yards, with a minimum side yard of 8 feet on one side. Lot P has a total of 17 feet for both yards; however the applicant requests that one side yard be reduced to 5 feet. Lot P is 45 feet wide at the street line and tapers to 40 feet at the rear property line. The applicant proposes a house on the lot that is 25 feet wide with a 9-foot-wide driveway along the side of the house that goes to an optional garage in the rear yard. The sector plan requires that garages for single-family residences be located on the lot toward the rear of the property to reduce their visual impact on the street (S3.H.). Because of the narrow lot size, if the applicant were to meet the setback requirements, the driveway width would have to be reduced to six feet, which would be unacceptable. The City of College Park does not object to the reduced side yard setback. Therefore, a side yard setback of five feet in this case for Lot P, as an alternate Development District Standard, will benefit the development and the Development District and will not substantially impair implementation of the Sector Plan.

8. The detailed site plan meets the requirements of the applicable sections of the *Landscape Manual*.

REFERRALS

9. In a memorandum dated January 15, 2005 (Nordan to Wagner), the Subdivision Section has

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indicated that, “even though deeds, prior to 1928, could not be produced specifically for Lots P and Q for Bewley Estates, it is evident that these lots existed based on deed information of surrounding lots and tax assessor information verifying houses were constructed on surrounding lots prior to April 27, 1928.”

10. In a memorandum dated January 3, 2005 (Metzger to Wagner), the Environmental Planning Section offered the following comments:

Background

The Environmental Planning Section has no records of previous applications for this property. This property is located in the Approved College Park US 1 Corridor Sector Plan. The site is currently vacant.

Site Description

The subject property is located on the north side of Tecumseh Street, approximately 200 feet east of Baltimore Avenue (US1). The site is characterized by terrain sloping toward the west and drains into unnamed tributaries of the Paint Branch watershed in the Anacostia River basin. A review of the available information indicates that there are no streams, wetlands, 100-year floodplain, steep slopes, high erodible soils or Marlboro clays found to occur on the site. The soil series found to occur on the site, according to the Prince George's County Soil Survey, is Sunnyside Urban Complex. This soil series generally exhibits slight to moderate limitations to development when it occurs on steep slopes. The site is flat. There are no noise issues associated with the current proposal. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled “Ecologically Significant Areas in Anne Arundel and Prince George's Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Developed Tier as delineated on the approved General Plan.

1. The site is exempt from the requirements of the Woodland Conservation Ordinance because the subject property is less than 40,000 square feet in area and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan will not be required. A Standard Letter of Exemption from the Ordinance was issued by the Environmental Planning Section, Countywide Planning Division, dated October 22, 2004.

Discussion: No further action is needed at this time as it relates to woodland requirements. The Letter of Exemption should accompany all future applications for plans and permits.

2. A Stormwater Management Concept Approval Letter CSD 32652-2004-00 dated November 29, 2004, was submitted with the subject application. The requirements for stormwater management will be reviewed during subsequent reviews by the Department of Environmental Resources.

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

3. Noise impacts are not an issue in this submittal because US1 is a plan-recommended collector that does not produce noise levels at this location above the state noise standard..

Comment: No further information is required as it relates to noise impact

11. In a memorandum dated June 30, 2004 (Mohktari to Wagner), the Transportation Planning Section indicates that the submitted plan correctly shows the existing 30 feet of right-of-way as well as the needed 25 feet from the existing centerline of Tecumseh Street. There are no issues associated with the proposed on-site circulation and driveway locations. The detailed site plan as submitted, would not negatively impact the existing and planned transportation facilities serving the area as envisioned by the approved US1 sector plan.
12. The Department of Environmental Resources (Watershed Branch) has indicated in a memorandum dated December 28, 2004, that the site plan is consistent with the approved stormwater concept 32652-2004.
13. The City of College Park held a public hearing on February 8, 2005, and recommended approval of the detailed site plan, subject to conditions. All of the city's conditions have been incorporated into the recommendation section below, except for Condition 6, which requires the applicant to enter into a private agreement with the city allowing a qualified party referred from the City of College Park, University of Maryland, or College Park City—University Partnership the right of first refusal on a contract. This proposed condition is outside the scope of a detailed site plan.

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-04069, subject to the following conditions:

1. The applicant shall revise the site plan to show all existing lots and zoning from US 1 to Log Q, including Lot R.
2. The applicant shall revise the architecture of the front porch and entrance on Lot Q by increasing the size of the porch columns and aligning the front entrance to the home with the front porch steps.
3. The applicant shall revise the architecture on Lot P by increasing the size of the porch columns.
4. The applicant shall specify the color of siding and asphalt shingles to be used on the exterior of the houses as follows:

Lot Q:

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- Desert tan siding for the house.
- Savannah wicker perfection shingles under the gable.
- White trim.
- Charcoal asphalt shingles.

Lot P:

- Light maple siding for the house.
- White trim.
- Brown/beige asphalt shingles.

5. The applicant shall revise the second story floor plan to include a master bedroom and master bath.

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, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 24, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of March 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:wrc