

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 October 23, 2008, regarding Detailed Site Plan DSP-08023 for Park Place Towers (The Phoenix), the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) application is for addition of 22 dwelling units and fitness rooms in the unused portions of the three existing buildings and a 621-square-foot police substation in Building 5802 in the R-10 (Multifamily High Density Residential) Zone.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-10	R-10
Use(s)	Multifamily	Multifamily/Police Substation
Acreage	9.32	9.32
Total Dwelling Units	447	469 (Addition of 22 units)
Total Gross Floor Area (Sq. Ft.)	410,000	410,000

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total Parking Spaces	579	561*
Of which handicapped spaces	12	16
Loading spaces	n/a#	0

Note: *This is the number of the existing parking spaces on the subject site as of 01/10/2007. There are no new spaces proposed on the subject site. Under the provisions of Section 27-445.10, if the subject site is qualified as a residential revitalization project, a reduction of the required parking spaces up to 30 percent is allowed. See the finding below for a detailed discussion of the parking reduction.

There are no van accessible parking spaces for the handicapped identified in the parking calculation. A condition has been proposed in the recommendation section of this report to require the applicant to provide the breakdown of the parking calculation table prior to certification of the plans.

#There was no loading space required when the site was developed in 1967.

3. **Location:** The subject site is located in the northeast quadrant of the intersection of 57th Avenue and Annapolis Road (MD 450), on the west side of Baltimore Washington Parkway, in Planning Area 69 and Council District 5.
4. **Surrounding Uses:** The subject site is bounded on three sides by public rights-of-way. To the north of the property is the right-of-way of Annapolis Road; to the east of the property is the right-of-way of the Baltimore Washington Parkway; and to the west of the property is the right-of-way of 57th Avenue. Across 57th Avenue, further to the west, is Bladensburg High School. The property immediately adjacent to the subject site to the north is an existing multifamily subdivision in the R-10 Zone.
5. **Previous Approvals:** The subject site was zoned R-10 and was developed in 1967 with multifamily housing. The May 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* retained the subject site in the R-10 Zone. The subject property was designated (via B-43-2005) as one of the County's revitalization tax credit districts in 2005. The site also has two previously approved special exceptions. Special Exception SE-1943 is to use the property for the purpose of a medical practitioner's office and a retail sales and consumer service establishment (beauty shop), and SE-2436 is to use the property for the purpose of retail sales and consumer service establishment (valet drop off shop). The two special exceptions are no longer in operation. Since no additional exterior improvements are being proposed on the existing property, the site is exempt from the stormwater management requirements.
6. **Design Features:** The subject site has been improved with three ten-story multifamily apartment buildings. The site has two vehicular accesses from 57th Avenue. The three multifamily buildings are surrounded by surface parking lots. There is one community center consisting of a swimming pool and a one-story bath house located in the eastern portion of the site. The proposed improvements in this DSP include the addition of 22 dwelling units in the three buildings and addition of an amenity space in the form of a fitness/community room in each of the three buildings. A police substation of approximately 621 square feet will be located within the existing Building 5802. Outside improvements included in this DSP are limited to the screening of the trash dumpster for each building. However, there is inconsistency in the number of dwelling units between the justification statement and site plan. The site plan shows 448 existing dwelling units, but the justification statement includes 447 dwelling units. A condition has been proposed in the recommendation section of this report requiring the applicant to address the inconsistent number of dwelling units prior to certification.

In accordance with the current County regulations, all new dwelling units should be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA), Standard 13D, and all applicable County laws and regulations. A condition to this effect has been proposed in the recommendation section of this report.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-10 Zone, Residential Revitalization, and the site plan design guidelines of the Zoning Ordinance.

- a. The subject application is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs development in residential zones. The proposed additions in this DSP are permitted in the R-10 Zone.
- b. This detailed site plan is proposed in accordance with the zoning regulations of Section 27-445.10, Residential Revitalization, for the purpose of renovating unused portions of each of the three existing buildings to add additional dwelling units in order to provide housing for low-to-moderate income residents of the county. Section 27-445.10 has the following requirements:

(a) Applicability.

- (1) Residential Revitalization, as defined in this Subtitle and permitted in the Table of Uses in Part 5, shall be limited to any form of existing multifamily or attached one-family dwelling units that are located in a Revitalization Tax Credit District.**
- (2) This section is not applicable to any property not currently developed with existing attached or multifamily dwelling units.**

Comment: The proposed development is an existing multifamily project located in an existing Revitalization Tax Credit District. This application is not to alter the building envelope, but to revitalize existing space that has been derelict and abandoned and install new windows and doors.

(b) Requirements

- (1) Existing dwelling units as described in (a)(1) of this Section may be replaced by proposed multifamily, attached one-family or detached one-family dwelling units in a Residential Revitalization project.**
- (2) The existing dwelling units as described in (b)(1) above shall have a minimum density of twelve (12) units per acre of the net lot or tract area.**
- (3) The number, location, and design of compact and standard parking**

spaces shown on the approved Detailed Site Plan shall constitute the parking design regulations for the development.

- (4) Regulations concerning the height of structures, lot size and coverage, frontage, setbacks, density, bedroom percentages and other requirements of the specific zone do not apply to uses and structures in a Residential Revitalization project. The dimensions and percentages shown on the approved Detailed Site Plan shall constitute the development regulations.**
- (5) The normal parking requirement shall be reduced by thirty percent (30%). An additional reduction may be allowed upon a determination that:**
 - (A) An additional reduction is necessary to alleviate conditions that are particular to the proposed use , given its nature at this location, or to alleviate conditions which are prevalent in older areas of the County which were predominately developed prior to November 29, 1949; and**
 - (B) The additional reduction will not infringe upon the parking and loading needs of adjacent residential areas.**
- (6) The project shall comply with the requirements of the Landscape Manual to the extent that is practical.**

No replacement of units is proposed. The application is for the addition of 22 dwelling units and a police substation to the unused portions of the three existing multifamily buildings. The gross density of the development with the addition of 22 dwelling units will be approximately 50.4 dwelling units per acre. The DSP includes limited exterior improvements. The DSP has requested approximately a ten percent reduction from the number of required parking spaces, a percentage much lower than the maximum allowed 30 percent. No additional reduction in the number of parking spaces has been requested with this DSP. The DSP is exempt from the requirements of the *Prince George's County Landscape Manual* due to the minimal impact of the proposed improvements on the site. There is one trash pad per building along with multiple dumpsters, which are screened with sight-tight galvanized steel fences in accordance with Section 4.4 Screening Requirements.

(c) Findings

In approving a Residential Revitalization project, the Planning Board shall find that the project:

- (1) Improves a deteriorated or obsolete multifamily or attached one-family dwelling unit development by replacing or rehabilitating dwellings, improving structures, or renovating and improving other facilities;**

The DSP proposes to improve the existing multifamily development by rehabilitating and renovating the lower floor of the buildings into 22 dwelling units. Additional rehabilitation proposed in this DSP is a police substation in Building 5802 and an amenity space in the form of a fitness/community room in each of the three buildings. The building spaces where the 22 units will be added have been vacant and derelict for over 15 years and have been a gathering place for vermin, pests and mold. The DSP would enable the owner to correct the mechanical deficiencies of the existing buildings and bring the lower-level spaces back to life in the form of rentable units and supporting space.

- (2) Maintains or improves the architectural character of the buildings so that they are compatible with surrounding properties;**

This application maintains the architectural character of the existing buildings which are compatible with surrounding properties.

- (3) Serves a need for housing in the neighborhood or community;**

This application will serve a housing need in the neighborhood as the new units proposed in this DSP are specifically designated to meet this need. The DSP will add 22 new residential units to the neighborhood housing stock.

- (4) Benefits project residents and property owners in the neighborhood;**

The new units will be a benefit to the project residents and property owners in the neighborhood by providing new and additional housing specifically for residents of the neighborhood.

- (5) Conforms with the housing goals and priorities as described in the current “Housing and Community Development Consolidated Plan,” for Prince George’s County; and**

According to the applicant, the development team has been working with the County to implement this residential revitalization project. This DSP application

conforms to the housing goals and priorities as described in the current “Housing and Community Development Consolidated Plan.”

(6) Conforms to either specific land use recommendations or principles and guidelines for residential development within the applicable Master Plan.

The application conforms to the land use recommendations and guidelines of the applicable master plan.

- c. The DSP shows a site layout that is consistent with the R-10 regulations as modified by Section 27-445.10, Residential Revitalization. The DSP is also in conformance with the applicable site design guidelines.
8. ***Prince George’s County Landscape Manual:*** The proposed addition of 22 dwelling units and a police substation involves only limited site improvements and does not increase the gross floor area of the existing buildings by more than ten percent. Therefore, the subject DSP is exempt from the requirements of the landscape manual.
9. **Woodland Conservation and Tree Preservation Ordinance:** This property is not subject to the provisions of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance until such time as the cumulative woodland disturbance exceeds 5,000 square feet during any five year period or the site is required to go through the subdivision process. A numbered exemption for a specific activity letter has been approved for this site and is valid through October 25, 2009.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. The Community Planning Division, in a memorandum dated August 25, 2008, stated that the application is consistent with the 2002 Prince George’s County Approved General Plan Development Pattern policies for the Developed Tier and is in conformance with the high urban residential land use recommendations of the 1994 Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69).
 - b. The Subdivision Section, in a memorandum dated August 7, 2008, noted that the property was the subject of record plat WWW56@33 approved by the Planning Board in 1965. Since there are no new lots being created and no changes to the gross floor area of the existing buildings in this development, the site is exempt from the Subdivision Regulations.
 - c. The Transportation Planning Section, in a memorandum dated July 18, 2008, indicated that because no new construction is proposed and no underlying approvals restrict the development density of this site from the standpoint of transportation planning, the DSP is acceptable.

In a separate memorandum from the Transportation Planning Section dated September 8, 2008, on detailed site plan review for master plan trail compliance, the trail coordinator noted that there are no master plan trail recommendations that impact this DSP.

- d. The Environmental Planning Section, in a memorandum dated May 10, 2008, had no comments on this DSP because the site is exempt from the Prince George's Woodland Conservation and Tree Preservation Ordinance.
- e. The Permit Section, in a memorandum dated August 11, 2008, provided three comments on this DSP. The reviewer also notes that there are two special exceptions approved on the subject site.

In a letter dated September 8, 2008 (Rice to Zhang), Federal Capital Partners, property manager of the subject site, confirmed that the two special exceptions, SE-1943 and SE-2436, approved on the subject site for uses of a medical practitioner's office, beauty salon and valet drop off shop are no longer in operation. However, this information is not reflected on the site plan. A condition has been proposed in the recommendation section of this report to require a site plan note to that effect be placed on the site plan.

- f. The Department of Parks and Recreation (DPR), in a memorandum dated July 21, 2008, stated that they had no comment on this DSP.
 - g. The Washington Suburban Sanitary Commission (WSSC), in a memorandum dated August 18, 2008, noted that an existing 12-inch sewer main transverses the property and the site has existing water and sewer connections to 57th Avenue.
 - h. The Department of Public Works and Transportation (DPW&T) had not responded to the referral request at time the staff report was written.
 - i. The Department of Housing and Community Development had not responded to the referral request at time the staff report was written.
 - j. The Town of Bladensburg in a letter (Moss to Zhang) dated October 13, 2008, requested to be Party of Record of this case. Staff learned in a subsequent telephone conversation with the Acting Town Administrator that the Town of Bladensburg supports this DSP.
11. 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 and residential revitalization requirements 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-08023, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Add a site plan note indicating that the previously approved special exceptions on this site are no longer in operation.
 - b. Revise the parking calculation table to provide the information of the van-accessible parking spaces for the physically handicapped.
 - c. Address the inconsistency in the number of dwelling units.
2. All new dwelling units shall be fully equipped with a fire suppression system built in accordance with applicable standards of the National Fire Protection Association (NFPA), and all applicable County laws and regulations.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, October 23, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of November 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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