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 June 20, 2019, regarding Detailed Site Plan DSP-18018 for Skyview Condominiums, the Planning Board finds:

1. **Request:** The subject application proposes the construction of two multifamily residential buildings for a total of approximately 149,004 square feet, including 95 dwelling units and structured parking.

2. **Development Data Summary:**

	EXISTING	**APPROVED**
Zone	R-18C	R-18C
Use(s)	Vacant	Multifamily Residential
Acreage	4.75	4.75
Area of 100-year flood plain	0	0
Parcels	3	3
Total Gross Floor Area (square feet)	0	149,004
Building 1	0	60,629
Building 2	0	88,375
Number of Dwelling Units	1 (to be razed)	95
Building 1	0	41
Building 2	0	54

Parking

Total Parking Spaces Required	222
Total Parking Spaces Provided	223

Tabulation for Building 1

Number of Bedrooms	Number of Units	Required Parking per Unit (27-568)	Required Parking	Parking Provided		
				Regular	Compact	Handicap-Accessible
One	21	2.0	42	-	-	-
Two	14	2.5	35	-	-	-
Three	6	3.0	18	-	-	-
Sum	41	-	95	68	24	4
Total	**41**	**-**	**95**	**96 (10 surface)**		

Tabulation for Building 2

Number of Bedrooms	Number of Units	Required Parking per Unit (27-568)	Required Parking	Parking Provided		
				Regular	Compact	Handicap-Accessible
One	28	2.0	56	-	-	-
Two	14	2.5	35	-	-	-
Three	12	3.0	36	-	-	-
Sum	54	-	127	87	35	5
Total	**54**	-	**127**	**127 (10 surface)**		

3. **Location:** The subject detailed site plan (DSP) covers land within Parcel 132, Parcel 72, and Parcel 127, which is located at 3300 Brinkley Road, Temple Hills, 1,500 feet east of the intersection of Brinkley Road and Fisher Road, in Planning Area 76B and Council District 8.

4. **Surrounding Uses:** The site is bounded on the north, east, and west by multifamily residential dwellings in the Multifamily Medium Density Residential-Condominium (R-18C) Zone, to the south by Brinkley Road and beyond, with multifamily dwellings and a gasoline service station, in the Commercial Shopping Center Zone.

5. **Previous Approvals:** The site is currently known as Tax Parcels 132, 72, and 127, recorded in Prince George's County Land Records, in Liber(s) 20150 folio 596; 36346 folio 82; 36346 folio 82. The Preliminary Plan of Subdivision, PPS 4-16011, was approved with 15 conditions by the Prince George's County Planning Board on April 20, 2017 (PGCPB Resolution No. 17-54). The subject property has a Stormwater Management (SWM) Concept Plan, 27522-2016-00, which was approved on October 5, 2016 and will expire on October 5, 2019. The development proposes six SWM facilities throughout the site.

6. **Site Design:** The subject property is rectangular in shape and is almost completely wooded, except for a single-family detached dwelling in the northeast portion of the site. The subject application proposes to raze the existing improvements on-site, and construct two four-story buildings, Building 1 at 55.4 feet and Building 2 at 67.5 feet in height, with a combined gross floor area of 149,004 square feet. Both buildings will feature one-, two-, and three-bedroom dwelling unit types.

The site is divided by a significant environmental feature that runs north and south through the property. This natural feature includes a stream, wetlands, and their associated buffers and results in two distinct building pods on each side of this primary management area (PMA). The applicant proposes a multifamily building on each side of the PMA connecting the pods via a sidewalk along Brinkley Road. Two vehicular connections, each a two-way access from Brinkley Road, are proposed for the site to each pod of development. There is no internal vehicular connection between the two building pods proposed due to the on-site PMA.

The vehicular access for Building 1, located to the west of the PMA, wraps the southern, eastern, northern, and western portion of the building, and includes a drop-off area in front of Building 1, and an entrance to the structured parking garage on the southern and western portions. The second vehicular connection provides access to Building 2, located to the east of the PMA. The drop-off access at the main entrance and structured parking access are at the northwestern and southern portion of the building, respectively.

The DSP reflects that the buildings will each have an interior waste collection room, with no exterior facilities. The architectural elevations depict two four-story buildings with asphalt-shingled, cross-gabled roofs, and exterior finish materials shown as cement panels in shades of gray and green, wood trim, and a stone veneer at the base and entrances. The building features multiple articulations and varied offsets on all sides, with balconies added to some units. The elevations for both buildings have large amounts of fenestration, including trim at bay windows, specialty windows, and detailing. Overall, the buildings are a mix of traditional and contemporary designs. Structured parking is provided on two levels at the bottom of each building that range from fully below to fully above grade, in concert with the site slope. The submitted DSP shows lighting locations via a photometric plan, and the details of the proposed light fixtures. The plan provides an attractive light post with full cut off optics; however, it does not include building-mounted lighting and does not match the DSP layout. In addition, there are portions of the drive aisles, sidewalks, and outdoor recreational spaces that are shown as having light levels of 0.0 footcandles. This should be revised to provide an average minimum light level of 1.0 footcandles for these areas, with a maximum of 0.1 footcandles along adjacent residential property lines, and a condition has been included in this resolution requiring this to be addressed prior to certification.

Signage—The site plan proposes one freestanding sign near the entrance of Building 1. The sign is painted and uplit, measuring 3 feet by 6 feet and supported by 2 treated wood posts. The sign is located on the western portion of the site near Building 1 and is set back from the roadway to maintain unobstructed lines of vision for all directions of travel. The application proposes 95 dwelling units and per Section 27-618(c) of the Zoning Ordinance, one permanent identification

sign is permitted. The application demonstrates conformance to the regulation. However, the Planning Board conditioned that the sign design be revised to visually complement and be compatible with the architectural style of the proposed building.

Recreational Facilities and Other Amenities—During PPS review, it was determined that the future residents would be best served by the provision of private on-site recreational facilities to meet the requirements of mandatory parkland dedication. The submitted DSP indicated that the provided on-site private recreational facilities include two tot lots, two picnic areas, and a swimming pool adjacent to Building 2. Other site amenities include benches that encourage social interaction and provide pedestrian relief. Exercise rooms are located on the penthouse level in Building 1 and Building 2. Using the Prince George's County Department of Parks and Recreation's formula for the value, the proposed development with 95 units is required to provide approximately $88,150 worth of recreation facilities. The subject application is deficient in providing the monetary value of the proposed recreational facilities. Therefore, a condition is included in this resolution requiring this analysis prior to certification to ensure that the site has sufficient facilities to meet the monetary obligation under Section 24-135 of the Subdivision Regulations. If the value is not provided prior to certification, additional facilities shall be added.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-18C Zone and the site design guidelines of the Zoning Ordinance.

   a. The proposed development is in conformance with the purposes and other provisions of the R-18C Zone. Per Section 27-441(b), Uses Permitted in Residential Zones, multifamily units are permitted in the R-18C Zone pursuant to Footnote 6, which reads as follows:

      Provided a condominium plat is recorded, in accordance with the provisions of the Maryland Condominium Act, setting out each dwelling unit as a separate unit.

      The applicant will be required to record a condominium plat, in accordance with this provision.

   b. Pursuant to Section 27-437(e)(1), a DSP shall be approved for all attached and multifamily dwellings, including any associated community building or recreational facilities, in accordance with Part 3, Division 9, of this Subtitle. The subject application has been submitted in conformance with this requirement.

c. Regulations in Section 27-442 concerning density, building height, allowable number of units, the net lot area, lot coverage and green area, lot width, frontage, yards, site access, and other requirements of the R-18C Zone are provided in the Zoning Ordinance and reflected on the site plan.

The DSP demonstrates conformance to the regulations applicable for the construction of the two multifamily buildings, with the exception of providing the required green area calculation, which is a maximum of 60 percent. Prior to certification, this information shall be provided on the site plan.

d. Required findings for approval of a DSP pursuant to Section 27-285(b) are as follows:

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a 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. If it cannot make these findings, the Planning Board may disapprove the Plan.

The DSP is in conformance with the applicable site design guidelines as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. The vehicular access is designed to be safe, efficient, and convenient. The pedestrian connections are convenient where permissible and take into consideration the environmental sensitivity of the site. The architecture is unifying and coherent in form and structure. The structured parking is integrated into the buildings' design and provides safe and efficient passage of automobiles, as well as visitors to and from their vehicles. The structured parking also assists with reducing the heat island, minimizing the impact on climate, human, and wildlife habitat.

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required)

A conceptual site plan is not required in the R-18C Zone for the development of multifamily dwelling units.

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

This DSP is not an infrastructure DSP.

(4) The Planning Board may approve a Detailed Site Plan if it finds that the

regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

Pursuant to the analysis contained in a referral dated May 23, 2019 (Schneider to Bush), the applicant has proposed three impacts to the regulated environmental features that have been evaluated. Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the impact exhibits and the conditions in this resolution. The impacts approved in concept are for one SWM outfall, a culvert extension, road improvements on Brinkley Road, and the removal of an existing driveway.

8. **Preliminary Plan of Subdivision 4-16011:** PPS 4-16011 was approved on March 23, 2017, subject to 15 conditions. The subject property was identified as Parcels 72, 127, and 132. Of the 15 conditions, the following are applicable to this application:

5. The applicant, and the applicant's successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the Park and Recreation Facilities Guidelines. The details of the facilities shall be reviewed and approved at the time of Detailed Site Plan.

The submitted DSP indicated that the provided on-site private recreational facilities include two tot lots, two picnic areas, two exercise rooms, and a swimming pool adjacent to Building 2. The monetary value of the facilities has not been provided; therefore, a condition is included in this resolution requiring this to be provided prior to certification, to ensure that sufficient facilities have been provided.

It should be noted that the provided tot lots and picnic areas are not typical sizes and may not qualify for the full monetary value normally assigned to such facilities. In addition, the tot lot detail does not provide for the critical safety zones around all play equipment and should to ensure it can be accommodated. A condition has been included in this resolution requiring that these safety zones be added.

6. Total development within the subject property shall be limited to uses which generate no more than 52 (10 in, 42 out) AM peak trips, and 60 (39 in, 21 out) PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

The DSP proposes the same number of units as was approved with the PPS, so consequently, the trip generation will not exceed the established trip cap.

13. At the time of DSP, the applicant shall provide the following pedestrian improvements:

a. Construct a standard sidewalk along the subject site's entire frontage of Brinkley Road, unless modified by DPW&T.

During review of the PPS, it was determined that a sidewalk connection should be provided either on-site or within the public right-of-way to allow pedestrian access from Building 1 to Building 2 for the purpose of accessing the shared recreational amenities. The plans indicate a standard sidewalk along the site's entire frontage of Brinkley Road, within the public right-of-way. However, the construction of the sidewalk within the public right-of-way is under the jurisdiction of the Prince George's County Department of Public Works and Transportation (DPW&T), and/or the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). An email was provided from DPIE confirming that right-of-way dedication and frontage improvements are required, in accordance with the County Road Ordinance, DPW&T's specifications and standards, and the Americans with Disabilities Act of 1990.

This sidewalk connection between the two buildings is critical to provide access between the shared recreational facilities, specifically the pool, to adequately serve all the units. Therefore, if DPW&T were to modify their determination in the future and not require a sidewalk with the street construction permits for frontage improvements, an on-site sidewalk will be required abutting the north side of the right-of-way of Brinkley Road. A condition has been included in this resolution requiring the construction of the sidewalk along the site's frontage of Brinkley Road within the right-of-way, or an alternative on-site location, to provide adequate access to the recreational facilities serving both buildings.

b. Provide an on-site standard sidewalk from the public sidewalk along Brinkley Road to Building 1 and Building 2.

The revised plans include sidewalk access from both buildings to Brinkley Road.

c. Provide bike racks accommodating a minimum of five bicycles each at both Building One and Two.

Bicycle racks have also been provided on-site, accommodating up to 9 bicycles at each building.

9. **2010 Prince George's County Landscape Manual:** The proposed development in the R-18C Zone is subject to the following requirements: Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements of the *2010 Prince George's Landscape Manual* (Landscape Manual). The submitted DSP requests Alternative Compliance from Section 4.3, but there is no surface parking lot that is within 30 feet of the property line. Therefore, this schedule and note should be

removed, and a condition has been included in this resolution requiring this change. There are multiple developed and undeveloped unbuilt rights-of-way to the west. However, this is not a nonresidential use and Section 4.2, Requirements for Landscape Strips Along Streets, is not applicable. The Planning Board finds that the proposed landscape plan submitted meets the requirements of the Landscape Manual.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan (TCP2-010-2019) was submitted with the DSP application.

    The plan proposes to remove 1.82 acres, accounting for 62 percent of the 2.92 acres of existing woodlands and meet the woodland conservation requirement of 1.41 acres with 0.96 acre of on-site preservation, 0.20 acre of on-site reforestation, and 0.25 acre of fee-in-lieu. The woodland preservation area is located along the central portion of the property within the PMA. The applicant proposes to remove 10 specimen trees, in addition to one offsite specimen tree on the adjacent property, known as Brinkley Terrace. A variance from Section 25-122(b)(1)(G) was granted with the PPS for the removal of 11 existing specimen trees. The required findings of Section 25-119(d) were adequately addressed for the removal of specimen trees with PPS 4-16011.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance. The subject DSP provides the required schedule, demonstrating conformance to these requirements through the provision of woodland preservation and new plantings on the subject property.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments, incorporated herein by reference, are summarized, as follows:

    a. **Community Planning—**The Planning Board reviewed a memorandum dated April 26, 2019 (Lester to Bush), which indicated that master plan conformance is not required for this application.

    b. **Environmental Planning—**The Planning Board reviewed a memorandum dated May 23, 2019 (Schneider to Bush), which provided a discussion of the related conditions of the PPS and conformance with the WCO as discussed above. The required technical revisions for approval of the TCP2 are contained herein.

    c. **Transportation Planning—**The Planning Board reviewed a memorandum dated April 19, 2019 (Burton to Masog), which concluded that this plan is acceptable regarding parking, access, and circulation and meets the findings required for a DSP, as described in the Zoning Ordinance.

d. **Trails—**The Planning Board reviewed a memorandum dated May 28, 2019 (Shaffer to Bush), which provided an analysis of the relative PPS conditions. The plans have been revised accordingly, or the necessary conditions included to address issues of pedestrian and bike accessibility.

e. **Historic Preservation—**The Planning Board reviewed a memorandum dated April 3, 2019 (Smith to Bush), which concluded that there are no historic sites, resources, or known archeological sites on or adjacent to the subject property.

f. **Subdivision Review—**The Planning Board reviewed a memorandum dated April 8, 2019 (Onyebuchi to Bush), which cited the relevant conditions and subdivision-related conditions contained herein.

g. **Permits—**The Planning Board reviewed a memorandum dated April 10, 2019 (Chaney to Bush), which provided comments requesting revisions to the plan for the legal description, bearings and distances, height of building, setbacks, drive aisle widths, and sign location. In addition, the application proposed two signs on the property. However, pursuant to Section 27-618(c), only one sign is permitted. A departure from sign design standards was not filed concurrently with this application. Revised plans dated May 10, 2019 reflected only one sign and corrected the technical errors on the plan.

h. **Prince George's County Fire Department—**In a memorandum dated April 4, 2019 (Reilly to Bush), the agency provided feedback for plan revisions. The revised plans were received and comments from the Fire Department were addressed.

i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)—**In an email dated June 6, 2019 (Formukong to Shaffer), the agency stated that Brinkley Road is a County-maintained road, and that right-of-way dedication and frontage improvements are required, in accordance with the County Road Ordinance, DPW&T's specification standards, and the Americans with Disabilities Act of 1990.

j. **Prince George's County Police Department—**The Police Department did not offer any comments regarding the subject project.

k. **Prince George's County Health Department—**The Health Department did not offer any comments regarding the subject project.

l. **Washington Suburban Sanitary Commission (WSSC)—**In a memorandum dated April 5, 2019 (Andreadis to Madagu), the agency provided specific guidelines for utilities, clearance standards, easements, and hydraulic planning analysis. These comments have been provided to the applicant and will be addressed through WSSC's separate permitting process.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's

County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-010-2019, and further APPROVED Detailed Site Plan DSP-18018 for the above described land, subject to the following conditions:

1. Prior to certificate approval of the detailed site plan (DSP), the applicant shall submit additional documentation and revise the plans, as follows:

    a. Provide a list of recreational facilities with a cost analysis to demonstrate conformance to the recreational facilities requirement. Additional facilities may be required if the value has not been met.

    b. Delineate the bearings and distances for the southern boundary of the site.

    c. Revise General Note 22 to reflect the correct rear yard requirement of 30 feet.

    d. Revise General Notes to include green area requirement and existing and proposed gross floor area.

    e. Remove Schedule 4.3-1 from the landscape plan, as it is not required pursuant to the 2010 *Prince George's County Landscape Manual*, Section 4.3 Parking Lot Requirements (c)(1)(b).

    f. Revise the lighting plan to match the DSP, include building-mounted lighting, provide an average minimum of 1.0 footcandles for all on-site drive aisles, sidewalks, and outdoor recreational areas, and a maximum of 0.1 footcandles along adjacent residential property lines.

    g. Remove the exterior trash area detail from the plans.

    h. Provide the safety zones around all play equipment.

    i. The type 2 tree conservation plan shall be revised, as follows:

        (1) Add the assigned TCP2-010-2019 number to the approval block.

        (2) Revise the woodland conservation worksheet with the current required worksheet.

        (3) Add a planting schedule to the plan showing the reforestation planting species and numbers.

        (4) Add a planting detail for the size of the reforestation plantings proposed.

        (5) Have the revised plan signed and dated by the qualified professional who prepared

it.

j. Revise the freestanding sign materials and colors to be complementary to the building, including replacing the wooden posts with a stone veneer base.

2. Prior to the approval of each multifamily residential building permit, a condominium plat shall be recorded, in accordance with the provisions of the Maryland Condominium Act, setting out each dwelling unit as a separate unit.

3. Prior to issuance of the final certificate of occupancy for Building 1, all on-site recreational facilities associated with Building 1 shall be completed and verified by the Maryland-National Capital Park and Planning Commission.

4. Prior to issuance of the final certificate of occupancy for Building 2, all on-site recreational facilities associated with Building 2 shall be completed and verified by the Maryland-National Capital Park and Planning Commission.

5. Prior to issuance of the final certificate of occupancy for the second building, the sidewalk along the site's frontage of Brinkley Road within the right-of-way, or an alternative on-site location, shall be constructed and open to pedestrian traffic, to provide adequate access to the recreational facilities serving both buildings.

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.

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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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, June 20, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of July 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JB:gh