



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2021-39

File No. DSP-20013

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 March 11, 2021, regarding Detailed Site Plan DSP-20013 for St. Joseph's House, the Planning Board finds:

- Request:** This detailed site plan (DSP) requests to develop a family day care use within an existing single-family detached residential dwelling, including a building addition, within the Development District Overlay (D-D-O) Zone of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA). The associated Special Permit SP-200002 was also approved by the Planning Board on March 11, 2021 (PGCPB Resolution No. 2021-38) for the proposed use.
- Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-55/D-D-O	R-55/D-D-O
Use(s)	Residential	Residential with family day care
Acreage	0.18	0.18
Lots	1	1
Square Footage/GFA	2,486	2,918 (432 sq. ft. addition)

Parking Requirements

A single parking space is provided for the dwelling unit and is acceptable, in accordance with Section 27-584(a)(1), as the legally existing residential use predates the Prince George's County Zoning Ordinance. The proposed family day care does not require any parking spaces, per Section 27-568(a) of the Zoning Ordinance.

- Location:** The subject site, known as 4000 Oliver Street, is located in the northeast quadrant of the intersection of Oliver Street and 40th Avenue, within the municipal limits of the City of Hyattsville, and in Planning Area 68 and Council District 02.
- Surrounding Uses:** The subject property is zoned One-Family Detached Residential (R-55) and is bounded to the north and east by existing single-family detached houses in the R-55 Zone, to the south by the right-of-way of Oliver Street with single-family detached houses in the R-55 Zone beyond, and to the west by the right-of-way of 40th Avenue with single-family detached houses in the R-55 Zone beyond. The subject site and all those surrounding it are located within the D-D-O Zone.

5. **Previous Approvals:** There are no prior zoning approvals associated with the subject site. The site is the subject of Stormwater Management (SWM) Concept Plan 38798-2020-00, which was approved by the Prince George's County Department of Permitting, Inspections and Enforcement on October 30, 2020 and is valid until October 30, 2023.
6. **Design Features:** The subject site is a 0.18-acre (7,670 square feet) lot with an existing single-family detached dwelling originally constructed in approximately 1938, predating the current Zoning Ordinance. The lot is rectangular in shape and the existing 2,486-square-foot, two-story, approximately 23-foot-high house sits in the middle northern end. The house faces south toward Oliver Street, has a concrete driveway in the northwest corner, and a separate shed in the northeast corner. A 432-square-foot, one-story addition, approximately 12 feet in height is proposed, in the front, southern end of the existing dwelling. With the addition, the southern entrance to the house is being removed, but the building materials and design are otherwise maintained. The architectural design includes a gray, asphalt-shingled, gabled roof, gray vinyl siding, multiple residential-style windows, and a painted cinder block foundation.

The companion special permit application, SP-200002, proposes to add a family day care as an accessory use to the existing primary residential use.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:** The subject site is located within the Traditional Residential Neighborhood (TRN) Character Area of the D-D-O Zone of the Gateway Arts District Sector Plan and SMA. The D-D-O Zone Use Table requires a special permit be approved for the proposed family day care use in this Character Area, and then also requires DSP review for uses that require a special permit.

In addition, Footnote 2 on page 144 of the Gateway Arts District Sector Plan and SMA provides that R-55-zoned properties in the TRN Character Area within the City of Hyattsville are exempt from the development district standards of the D-D-O Zone and will abide by the requirements of the R-55 Zone. The subject site meets the exemption criteria of Footnote 2, as it is zoned R-55 and is within the City of Hyattsville, and is therefore exempt from the D-D-O Zone standards.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the R-55 Zone of the Zoning Ordinance:
 - a. The DSP conforms with Section 27-442 of the Zoning Ordinance, Regulations for Development in Residential Zones, for the R-55 Zone, as follows:

	Required	Provided
(b) Net Lot Area, Lot Recorded prior to November 29, 1949 (minimum in sq. ft.)	5,000 sq. ft.	7,670 sq. ft.
(c) Lot Coverage (maximum percent of net lot area)	30 percent	25.2 percent
(d) Lot/Width Frontage (minimum in ft.)		
At front building line	65 ft.	65.42 ft.
At front street line	45 ft.	65.42 ft.
(e) Yards (minimum depth/width in feet)		
Front	25 ft.	41.3 ft.
Side	17 ft./8 ft.	40 ft./13.8 ft.
(total of both yards/minimum of either yard)		
Rear	20 ft.	2.4 ft.*
(f) Building height (maximum in ft.)	35 ft.	23 ft.

Note: *The north side of the existing dwelling does not conform with the current 20-foot minimum rear yard setback. However, in accordance with Section 27-118(c) of the Zoning Ordinance, as the existing single-family detached residential dwelling is used for residential purposes, contains a single dwelling unit, and was constructed prior to November 29, 1949, it shall be permitted to continue to be used for residential purposes and shall not be required to meet the regulations set forth in the regulations table of the zone in which it is located. Therefore, the existing dwelling does not need to conform to the current rear yard setback. The proposed 432-square-foot addition does need to conform with the current regulations for the R-55 Zone. As provided on the DSP, the Planning Board finds the proposed addition to the south side of existing dwelling conforms with the current regulations of the R-55 Zone.

- b. The existing shed located in the northeast corner of the site met the requirements of Section 4-111(a), Work Exempt from Permit, when installed and is exempt from conformance with the requirements of the Zoning Ordinance, in accordance with Section 4-347(b) of the County Code.
- c. The DSP is found to be in conformance with the limited amount of applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance. For example, the proposed addition uses harmonious materials and style, and grading is minimized.

9. **2010 Prince George's County Landscape Manual:** In accordance with Section 1.1(e)(1) of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), the proposed project for an existing single-family dwelling is exempt from the requirements of Section 4.1, Residential Requirements. In addition, the main use of the property will remain residential and no parking lot is proposed, which exempts this DSP from the other sections of the Landscape Manual.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a Standard Letter of Exemption (S-139-2020) from the Woodland and Wildlife Habitat Conservation Ordinance, which was issued on September 15, 2020, because the site is less than 40,000 square feet in size.
11. **Prince George's County Tree Canopy Coverage Ordinance:** The proposed project is not subject to the requirements of Section 25-128, Tree Canopy Coverage Requirements, as it proposes less than 5,000 square feet of gross floor area or site disturbance.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
 - a. **Historic**—The Planning Board adopts a memorandum dated January 21, 2021 (Stabler and Smith to Bossi), which noted that the subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required.
 - b. **Community Planning**—The Planning Board adopts a memorandum dated January 28, 2021 (Hyson to Bossi), which noted no major issues with the proposed project and suggested an increase of the width of the proposed walkway.
 - c. **Environmental Planning**—The Planning Board adopts a memorandum dated January 21, 2021 (Juba to Bossi), which noted the site has a Natural Resources Inventory Equivalency Letter (NRI-129-2020), which was issued on September 15, 2020. The property contains Christiana-Downer-Urban Land complex (5–15 percent slopes). As an unsafe soil, the County may require a soils report during the building permit review process. The site has an approved SWM Concept Plan, 38798-2020-00, that is in conformance with the current code, which was issued on October 30, 2020, and notes this project is exempt from SWM requirements. The DSP is consistent with the approved SWM concept plan.
 - d. **Permits**—The Planning Board adopts a memorandum dated February 8, 2021 (Shaffer to Bossi), which noted a series of technical revisions that are needed to the plans. Conditions to address these issues are included herein as applicable.
 - e. **City of Hyattsville**—The Planning Board adopts a letter dated February 17, 2021 (Ward to Hewlett), the interim mayor notified the Prince George's County Planning

Board that on February 16, 2021, the City Council reviewed and unanimously voted to support the approval of this DSP and special permit. It was additionally noted that the services to be provided by St. Joseph's House are critical to the community and the facility's presence in Hyattsville is highly valuable.

13. The subject application adequately takes into consideration the requirements of the D-D-O Zone standards of the Gateway Arts District Sector Plan and SMA. The required standards do not apply to the subject property because R-55-zoned properties within the TRN Character Area, within the incorporated City of Hyattsville, are exempt from the development district standards and must follow the requirements of the R-55 Zone. Therefore, no amendments to the development district standards are proposed. As required by Section 27-548.25(c) of the Zoning Ordinance, the subject DSP application would not substantially impair implementation of the sector plan.
14. As required by Section 27-285(b) of the Zoning Ordinance, the DSP, if revised as conditioned, 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.
15. Per Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
 - (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.**

No regulated environmental features are located on the subject site; thus, preservation or restoration on-site is not applicable.

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 Detailed Site Plan DSP-20013 for the above described land, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Provide a separate cover sheet for the architectural plans or incorporate them into the DSP set.
 - b. Convert the 5th sheet of the architectural elevations to be a simple block legend titled "Material Legend" and add it to each applicable architectural sheet.
 - c. Revise architectural elevation sheets 1, 2, and 4 to include the length, width, and height of the proposed addition and end elevations.

- d. Revise architectural elevation sheets to show the roof height at each level.
- e. Show the height and square footage of the existing home and the addition on the site plan.
- f. Label, on the site plan, the length and width of the driveway and adjacent concrete strip, and the length and width of the concrete sidewalk, on the east side of the dwelling.
- h. Provide square footage of the shed on the site plan.
- i. Identify the stairs, on the east side of the dwelling, as covered or uncovered.
- j. Revise Zoning Ordinance Requirement table, on the site plan, to match the drawings for side yard setback required and provided.

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 11, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of March 2021.

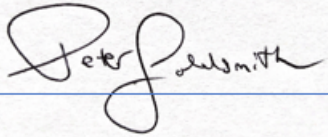
Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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PGCPB No. 2021-39
File No. DSP-20013
Page 7

APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter J. Smith", is written over a light blue horizontal line. The signature is contained within a rectangular area that has a light gray background.

M-NCPPC Legal Department
Date: March 12, 2021