



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 14-31

File No. DSP-91057-03

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 April 10, 2014 regarding Detailed Site Plan DSP-91057-03 for Rainier Manor Apartments, the Planning Board finds:

1. **Request:** The subject application requests approval to construct a new, four-story, elderly housing multifamily apartment building for an additional 57 dwelling units on an existing developed site.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-10/D-D-O	R-10/D-D-O
Use(s)	Elderly Multifamily	Elderly Multifamily*
Acreage	3.73	3.73
Building Square Footage/GFA	89,507	150,014 (60,507 proposed)
Total Rental Unit Count	100	157 (57 proposed)
One bedroom units	78	115 (37 proposed)
Two bedroom units	22	42 (20 proposed)

***Note:** The property, both the existing building and the proposed expansion, is financed with public funding sources through the State of Maryland Department of Housing and Community Development (CDA). A requirement of this funding is that the property enforces an age restriction for tenants, which is consistent with the Federal Fair Housing Act. In this case, that age restriction is a minimum of 62 years old. In addition, in consideration for the financing, a Deed of Trust, Security Agreement, Assignment of Rents and an Agreement and Declaration of Covenants between the owner/applicant and CDA are recorded in the Land Records of Prince George's County. The cumulative effect of these documents is the enforcement of not only the age restriction, but also other requirements specifying the manner in which the operations of the property must be conducted.

OTHER DEVELOPMENT DATA

Parking Requirements Per Sector Plan

Use	Minimum Spaces Required	Maximum Spaces Allowed
157 Dwelling Units	1 per unit = 157	1.5 per unit = 236
Total Parking Provided	111 spaces** (69 existing, 42 proposed) 78 standard @ 9.5 feet x 19 feet 26 compact @ 8 feet x 16.5 feet 5 handicapped 2 van-accessible handicapped	

****Note:** The number of parking spaces provided requires an amendment to the D-D-O standards as discussed in Finding 8 below.

Loading Spaces

Required	0 spaces***
Provided	2 spaces @ 12 feet x 33 feet (1 existing, 1 proposed)

*****Note:** The applicable D-D-O standards replace all those contained in the Zoning Ordinance, and they do not include a standard for number of required loading spaces. Therefore, there is no set requirement, but the submitted DSP proposes one new loading space, in addition to the one existing loading space on-site.

- Location:** The site is in Planning Area 68, Council District 2, the Developed Tier, in the Town of Mount Rainier. More specifically, it is located in the southeastern quadrant of the intersection of Buchanan Street and Queens Chapel Road (MD 500). The property address is 3001 Queens Chapel Road. The subject site is located in the Multifamily High-Density Residential (R-10) Zone and is subject to the Development District Overlay (D-D-O) Zone standards found in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*.
- Surrounding Uses:** The subject property is bounded to the north by the public right-of-way of Buchanan Street with multifamily dwelling units in the R-18 Zone beyond; to the south by the public right-of-way of 31st Place with multifamily dwelling units in the R-18 Zone beyond; to the west by the public right-of-way of Queens Chapel Road with commercial uses in the M-X-T Zone beyond; and to the east by the Mount Rainier Nature/Recreation Center, zoned R-10, owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), and developed with a softball field, a soccer/football field, tennis courts, playground and a nature center.
- Previous Approvals:** The subject property was originally developed prior to 1965 with the former Mount Rainier Elementary School. In 1986, Special Exception application SE-3643 was approved for adaptive reuse of a surplus public school and day care center. On November 7, 1991, the

Planning Board approved DSP-91057, subject to three conditions (PGCPB Resolution No. 91-407), which proposed to demolish the existing former school building and to build a three-story residential building for elderly and handicapped persons. The existing development on-site is built in accordance with this approval. Two subsequent revisions to that DSP, the '01' and '02' revisions, have been reviewed and approved by the Planning Director for minor site improvements including architectural and mechanical equipment upgrades, adding a covered porch, identification signage and a brick patio.

6. **Design Features:** The subject property is roughly rectangular in shape and is surrounded on three sides by public rights-of-way: Queens Chapel Road (MD 500) to the west, 31st Place to the south, and Buchanan Street to the north, and a public park to the east. There are no woodlands or regulated environmental features on-site. The subject property has long been used for elderly multifamily housing as approved through the original Detailed Site Plan DSP-91057. Existing site improvements include a 52-space parking lot at the west end of the site, with access from Buchanan Street and 31st Place, setback 15 to 30 feet from the ultimate right-of-way of MD 500. The existing three-story, 89,507-square-foot, 35-foot-high, L-shaped 100-unit elderly apartment building is located to the east of the parking lot. The grade of the site is such that the east side of the building is four stories above grade. Also along the east side of the building are an existing loading space and dock, an existing 17-space parking lot, with access from Buchanan Street, some sidewalks, a gazebo, and a garden area, along with an open grass area that extends to the property line.

The subject DSP revision application proposes to redevelop the existing eastern parking lot to include 59 parking spaces and to add a new, separate, four-story, 60,507-square-foot, 46-foot-high, 57-unit elderly apartment building to the east of the parking lot in the existing open grass field. This plan will have limited impact on the existing site improvements, including only the redevelopment of the eastern parking lot and the removal of the gazebo and garden spaces. The submitted DSP includes sidewalks around the building and connecting it to the east side of the existing building, and a new loading/trash area at the northeast corner of the proposed building, with a new vehicular access for it off of Buchanan Street. No new freestanding or building-mounted signage is proposed with the subject application. In response to concerns raised by the tenants of the existing apartment building at the Planning Board hearing, the applicant proffered to conduct regular meetings with the existing building tenants, as well as the City of Mount Rainier, before and during the construction of the proposed building in order to inform them of the process, answer questions and address concerns.

The proposed building is approximately 250 feet long and 72 feet wide, with the short end facing Buchanan Street, but it has many variations and breaks in the surface plane, including in the roof, which is gabled with multiple cross-gables. It is proposed to be faced in a combination of brown-toned stone veneer, which covers the majority of the base along all sides, an olive green fiber cement lap siding, a brown fiber cement shake siding, with dark gray architectural-grade roof shingles. Some roof parts will have a brown/orange standing seam metal roof. All façades of the building also include a large number of vinyl windows with white trim pieces for emphasis, including white vinyl railing in some areas as an added detail. The main entrance to the building is

on the west side, facing the existing building and proposed expanded parking lot. It is emphasized by a one-story, covered porch area with columns. The loading space at the northeastern corner is proposed to be enclosed by an eight-foot-high, stone-veneered wall and gate that matches the building. Overall, the architecture is highly stylized, well-detailed and proposes quality materials. It should complement the existing structure which has similar roof features, along with a stone-veneered base and blue and cream siding on the upper levels.

The DSP application includes a list of private recreational facilities on-site in both the existing and proposed buildings, all of which will be available to all residents of both buildings. The existing building's facilities, which are to remain unchanged, include a fitness room, a game room, and a lounge, and the proposed building's facilities include another fitness room, a greenhouse and a wellness center. Other provided non-recreation amenities include multipurpose rooms, libraries, a theater, a salon, and a cyber cafe, along with laundry rooms and mailrooms. The adjacent public park will provide opportunities for outdoor recreation activities; however, the Planning Board found that the outdoor space on-site be improved by adding some private recreation areas as well. This issue is further discussed in Finding 9 below. If this is done, the overall private and public recreational package will provide ample outdoor and indoor activities for the 157 dwelling units.

7. **Zoning Ordinance:** The subject application is in the Multifamily High-Density Residential (R-10) and Development District Overlay (D-D-O) Zones. The applicable D-D-O was established by the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (sector plan) which states (page 142) that the development district standards replace all those contained in the Zoning Ordinance and Landscape Manual, except for certain situations, none of which apply to the subject application. Therefore, no requirements of the R-10 Zone apply to the subject development. A discussion of the site's conformance with the D-D-O Zone is provided in Finding 8 below.
8. **The 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District and the standards of the Development District Overlay (D-D-O) Zone:** The subject property is located within the Multifamily Residential Community (MRC) character area of the November 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. The application generally conforms to the land use recommendations of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* for properties classified in the Multifamily Residential Community Character Area. The Gateway Arts District envisions a focal point for art activities of all types and a place for entertainment and socializing, dining, shopping and living. The proposed land use is permitted in the MRC character area in the Gateway Arts District.

While the sector plan does not specifically identify the intended future land uses for the subject property, the property is located in the MRC character area, which supports mixed-income and multifamily residential spaces. (page 14) The permitted use is in general conformance with the goals for the MRC character area that include "to promote renovation and/or redevelopment and to increase the variety of multifamily housing options." (page 26) The proposed development of 57

additional multifamily residential dwelling units will provide additional options for the elderly in this neighborhood.

Development District Standards

Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets applicable development district standards in order to approve a detailed site plan. The sector plan includes a list of exemptions from the standards, including the following: (page 140)

“Legally Existing Development. Until a site plan is submitted, all buildings, structures and uses that were lawful or could be certified as a legal nonconforming use on the date of SMA approval are exempt from the development district standards and from site plan review and are not nonconforming. If expansion of the use on the existing site is proposed, a site plan would be required and all expansion would need to conform in order to meet the development standards.”

This exemption applies to the existing development on-site, which was lawful at the date of SMA approval. The second statement clarifies that all expansion of the existing use would need to conform to the development standards; therefore, for the subject application, the D-D-O standards only apply to the area within the limits of disturbance (LOD), which is limited to the eastern parking lot and the proposed building area.

The submitted application and justification materials indicate the application meets the majority of the development district standards, but needs to deviate from a number of them to accommodate the proposed development on the subject property. Section 27-548.25(c) of the Zoning Ordinance indicates that the Planning Board may apply development standards which differ from the development district standards, provided they find that the alternate development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan.

The standards that require alternatives or other comment are discussed as follows (all page numbers reference the sector plan):

Access and Circulation (page 147)

- 5. There shall be a maximum of two access driveways per lot or parcel from a public street to parking.**

The site currently has three existing access driveways serving the two existing parking areas. The subject improvements will utilize only one of the site's existing access driveways located off of Buchanan Street, and proposes one new driveway which will only access the loading/trash area and not parking. The Planning Board approved this amendment request which results from the existing site conditions.

- 6. Access to parking and the rear of the lot or parcel shall be located on a side street or alley and shall be a maximum of 18 feet wide.**

Originally, the applicant requested an amendment to this standard because the three existing parking lot access driveways are all larger than 18 feet wide. However, these are existing and not part of the expansion, so per the exemption discussed above they are not subject to this standard.

Parking and Loading (page 148)

- 4. Parking for a residential and live/work use shall be a minimum of 1 surface parking space on-site per unit, and a maximum of 1.5 surface spaces on-site per unit. If additional parking is provided, it shall be structured.**

The existing site has 69 parking spaces for 100 dwelling units and the proposed DSP will provide 111 parking spaces for the proposed 157 dwelling units, which provides a ratio of approximately 0.70 parking spaces per dwelling unit. The applicant provided a parking survey to demonstrate the lack of full utilization of existing on-site parking for the existing multifamily building. There is an existing transit bus stop along the subject property's frontage on Queens Chapel Road. The parking survey provided demonstrates that there are many unoccupied parking spaces on the site on a regular basis. In addition, there is a recognition that a relatively small portion of senior residents drive personal motor vehicles. The creation of adequate parking without encroaching upon adjacent neighborhoods is an important intent of the sector plan. However, the applicant's request for deviation to a lower standard from the minimum parking standards would reduce the need for unsightly expanses of asphalt and the negative environmental impacts associated with unused impervious surfaces. Furthermore, the applicant notes that the parking requirements in Section 27-568 of the Zoning Ordinance make a distinction between senior multifamily housing and other multifamily housing, and that the parking provided with the subject application would meet the requirements of the Zoning Ordinance for this use, if they applied. Therefore, the Planning Board approved this amendment request.

Fencing, Walls, Screening, and Buffering (page 149)

- 1. Opaque walls and fences, with the exception of required screening, shall not exceed four feet in height. Non-opaque fences shall not exceed six feet in height.**

The submitted DSP proposes an eight-foot-high opaque masonry wall around the trash, equipment and loading area at the northeast corner of the building. Technically, this wall is partially required by another standard which requires screening of dumpsters by an opaque material. However, the height and length provided are larger than needed for the dumpster alone in order to enclose the proposed loading space and emergency backup generator in this area as well. The request for a deviation in height is consistent with the intent of the Gateway Arts D-D-O to help improve the character of the area by screening unsightly elements from adjoining land uses, such as the park property. Therefore, the applicant has requested an amendment to this standard and the Planning Board approved it.

Building Openings - Windows (page 152)

4. **Multifamily buildings should have transparent lobby and entrance windows facing the street.**

The proposed building does not technically meet this standard because, even though the lobby and entrance are transparent with substantial fenestration, the entrance is not facing the street. It instead faces into the site, toward the existing building. This is a result of various existing conditions of the site, including topography and the fact that the proposed building will be behind and subordinate in size to the existing building, which already faces the primary road frontage on Queens Chapel Road. The Planning Board approved this amendment request which is necessitated by the existing site conditions.

Public Space - Streetscape (page 155)

1. **The streetscape is the area from the face of the curb to the build-to line. The streetscape should include a sidewalk (pedestrian walkway and street furniture zone) and a strip containing street trees, landscaping, and a paved area for pedestrian amenities. On streets with on-street parking, bump-outs containing tree boxes should be considered.**

Because of the exemption of all existing construction on the site, the only area where this standard would apply would be a partial length of the site's frontage along Buchanan Street to the north. This road frontage already includes a sidewalk, but does not include street trees between the face of curb and build-to-line, either within the right-of-way or on-site. The applicant did not request an amendment to this standard and the Planning Board does not support one. Therefore, a condition has been included in this approval stating that street trees should be provided along this frontage.

Conclusion

In summary, the Planning Board found that all of the requested amendments to development standards would benefit the development and the development district and would not substantially impair implementation of the Gateway Arts Sector Plan, and approved all of them.

9. **Conformance to Detailed Site Plan SP-91057:** The Planning Board approved Detailed Site Plan DSP-91057 on November 7, 1991 (PGCPB Resolution No. 91-407) subject to three conditions, which warrant the following discussion:

1. **Prior to certificate approval, the following modifications or revisions shall be made to the Detailed Site Plan:**
 - e. **Details and specifications shall be provided for the proposed gazebo. This shall also include proposed planting, lighting and access associated with the gazebo areas.**

This condition warrants a response at this time as the specified gazebo, which sits between the existing building and the proposed building, will be removed with the subject application and was originally proposed as an outdoor recreation amenity for the residents. There will be a substantial empty courtyard area left between the two buildings and the submitted DSP does not propose the addition of any new design or recreational amenities, such as decorative paving or plantings, seating, a gazebo, or a fountain, to this area. The Planning Board found this a prime location and that this courtyard area should be designed to provide a passive outdoor recreational space for all of the residents. Therefore, a condition has been included in the this approval requiring this space to be designed as such prior to certification of the DSP.

- f. A seating area with a minimum of four benches shall be provided near the building entrance. Details and specifications shall be provided for the benches, planting and associated lighting.**

This condition warrants a response at this time as the entrance area of the proposed building shows a large paved area, with no seating or other amenities to give it purpose and design. The Planning Board found that the building entrance area should be better designed to include amenities, such as decorative paving, plantings and seating, possibly as an extension of the courtyard area between the buildings, to serve as a welcoming feature. Therefore, a condition has been included in this approval requiring this space to be designed as such prior to certification of the DSP.

- g. An area shall be designated where residents of the building, including those in wheelchairs, can garden for recreation and exercise. This area shall include easy access to water and planter boxes accessible to those persons confined to wheelchairs.**

This condition warrants a response at this time as the specified garden area will be removed with the subject application as it is located where the expanded parking lot and new building are proposed. However, the proposed building includes an internal greenhouse, which will serve the same purpose, while providing additional year-round function. The Planning Board found this to be an acceptable replacement amenity for the residents.

10. **The Prince George's County Landscape Manual:** The approved Gateway Arts Sector Plan and SMA (page 142) states that "The development district standards replace all those contained in the Zoning Ordinance and *Landscape Manual* except (1) where noted for parking provision, (2) properties zoned R-80 except with respect to accessory buildings containing an artist studio, (3) where noted for home occupation signage, and (4) where noted for signage size." Therefore, the proposed development is not subject to the requirements of the 2010 *Prince George's County Landscape Manual*.

11. **Prince George's County Woodland Conservation Ordinance:** In comments dated March 19, 2014, the Environmental Planning Section stated that this site is subject to the provisions of the Woodland Conservation Ordinance because a Type II Tree Conservation Plan (TCP II-197-91) was previously approved. The project is grandfathered with respect to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012. A revision to the existing plan was submitted with the subject application and is being reviewed as the -01 revision to the TCP II. The TCP II was previously approved in 1991 and showed five specimen trees to be preserved on-site. Additionally, the original TCP showed seven other trees that were identified at the time as being significant even though they did not meet the definition of a specimen tree.

The revised plan submitted with this application shows that in the 23 years since the original approval, two of the specimen trees that were supposed to be preserved have since been removed; these include a 32-inch Chinese Elm and a 48-inch Mulberry. It is not clear when or why these trees were removed; however, no variance is required because the project is grandfathered, and the remaining three specimen and the seven other significant trees continue to be shown as preserved.

12. **Prince George's County Tree Canopy Coverage Ordinance:** The project is subject to the requirements of Subtitle 25, Division 3, The Tree Canopy Coverage Ordinance (TCC), because it will require a permit for more than 5,000 square feet of disturbance. A 15 percent tree canopy coverage requirement applies to this R-10-zoned site per the TCC. This amounts to approximately 24,372 square feet, or 15 percent of the subject 3.73-acre site. The subject application meets the requirements through existing tree preservation and proposed tree plantings, for a total of 29,490 square feet of tree canopy provided.

13. **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:

- a. **Community Planning**—An analysis of the subject DSP's conformance with the D-D-O Zone is discussed in Finding 8 above.

This application is consistent with the 2002 General Plan Development Pattern policies for centers in the Developed Tier. The site is not located within an Aviation Policy Area, nor is it located within the Joint Base Andrews Interim Land Use Control impact area.

- b. **Transportation Planning**—The property has three existing access driveways that provide vehicular access to the site. A fourth access point is proposed from Buchanan Street that will only be used for a loading area. An existing access point on Buchanan Street will provide access to new parking spaces in front of the proposed building. On-site circulation and parking are adequate. Overall the on-site sidewalk plan is adequate. The Planning Board found that a connection to Buchanan Street from the proposed sidewalk should be provided.

The applicant seeks a waiver from the parking standard in the sector plan. The published standard requires a minimum of one surface parking space per residential unit, and the applicant is providing a parking rate of 0.70 parking spaces per unit. The applicant states that senior housing does not generate a high parking demand and that transit bus stops are located near the proposed building. Furthermore, the applicant notes that the parking requirements in Section 27-568 of the Zoning Ordinance make a distinction between senior multifamily housing and market multifamily housing, and that the parking provided meets the more general requirements of the Zoning Ordinance for this specific use. The Planning Board concurred with these facts and found to approve the waiver.

Queen's Chapel Road is listed as a collector in the sector plan with a right-of-way width of 80 feet. There are no outstanding transportation conditions from previously approved plans. The Transportation Planning Section determines that the site plan is acceptable provided the site plan is modified to show a short link to Buchanan Street from the sidewalk serving the proposed building.

- c. **Subdivision**—The subject property is composed of an acreage parcel recorded by deed in Liber 32050 at Folio 496 in the Land Records of Prince George's County. The property is located on Tax Map 49 in Grid E-1, and is 3.73 acres. The configuration of the property is the result of two fee simple conveyances: the first to the M-NCPPC, recorded on February 28, 1985 in Liber 6059 at Folio 456; the second to the City of Mount Rainier, recorded on March 2, 2012 in Liber 33412 at Folio 443. These conveyances to a governmental agency for public use were legal divisions of land pursuant to Section 24-107(c)(5) of the Subdivision Regulations.

Pursuant to Section 24-107(c)(7)(D) of the Subdivision Regulations, this site is exempt from the requirement of filing a preliminary plan of subdivision because the proposed 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, has been constructed pursuant to a building permit issued on or before December 31, 1991. Permit 9223-1991-03-CGU was issued by the Department of Environmental Resources, Permits and Review Division, for the construction of the 89,507-square-foot senior-citizen housing use. This development constituted approximately 55 percent of the total area of the site.

The DSP shows that the proposed development will be sited over an existing storm drain easement and an existing electrical easement, which will need to be abandoned and/or relocated before the building is constructed.

The subdivision conditions are as follows:

- (1) Prior to certification of the revision to the detailed site plan the following technical corrections should be required:

- (a) Correct the distance of the boundary line on the eastern side of the site to read "North 66° 57' 00" West – 70.68."
- (b) Include all distances for the right-of-way dedication to the City of Mount Rainier as described in Liber 33412 at Folio 443.

Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

The conditions have been included in this approval.

- d. **Trails**—The 2009 *Countywide Master Plan of Transportation* (MPOT) (functional transportation plan) contains a Complete Streets Policy that recommends that all road frontage improvements and road capital improvement projects within the Developed and Developing tiers be designed to accommodate all modes of transportation, and that continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical. The subject property is close to existing mass transit and a designated corridor.

Buchanan Street

The proposed building's primary frontage would be on Buchanan Street. This street contains an existing sidewalk that provides access from the proposed building to MD 500 and to the Mount Rainier Nature/Recreation Center. The existing sidewalks on Buchanan Street appear to be adequate for the proposed use. The applicant proposes a new sidewalk that would be parallel to and buffered from Buchanan Street, but it does not appear to be connected to the existing sidewalks. Thus, it is found that the proposed sidewalk be connected to the existing sidewalks on Buchanan Street.

The area master plan recommends supporting the area's existing transportation system, which is mostly already in place. As the plan emphasizes, efforts are needed to maximize the use of the existing transportation network and make changes that will result in a balanced use of all transportation modes.

Queens Chapel Road (MD 500) Project

One of the goals of the area master plan is to promote traffic-calming programs and increase the walkability to the town centers and neighborhoods in the area. Additionally, the functional transportation plan recommends bicycle facilities on Queens Chapel Road (MD 500). Today, the Maryland State Highway Administration (SHA) is proposing a new project along MD 500 to improve pedestrian access and bicycle accommodations. Technical staff is actively working with SHA on this project. The SHA project is in a pre-planning phase, and it should not directly affect the subject application, but the improvements will eventually provide access improvements to MD 500 in the coming years.

Pedestrian Crossing at Queens Chapel Road (MD 500)

There is a new pedestrian activated signal (APS) road crossing located at the intersection of Queens Chapel Road (MD 500) and Buchanan Street. This APS road crossing provides a safe crosswalk over MD 500 adjacent to the subject property. This road crossing is well striped, and the road contains a pedestrian refuge in the median.

There is no crosswalk on Buchanan Street at MD 500. A crosswalk at this location is not recommended at this time because the MD 500 sidewalks do not align at Buchanan Street at this location. It is recommended that SHA consider placing a striped crosswalk at this location across Buchanan Street, and technical staff will work with SHA during their MD 500 project development to study this location.

The applicant's proposed sidewalk, and the SHA's MD 500 improvements should improve access to the West Hyattsville Metro Station, nearby commercial uses, and area parks and trails.

Bicycle Parking

It is recommended that the applicant provide a small amount of bicycle parking on the subject property to implement the former objective. The subject site is 0.6 miles from the West Hyattsville Metro Station. Recommendation number eight on page 42 of the area master plan recommends to "Promote bicycle use throughout the Arts District roadway network with emphasis given to provision of bicycle routes along the Artways." One of the objectives on page 39 of the area master plan is to "Identify safe and practical measures to accommodate those who choose to bicycle to and within the sector plan area."

Improving Queens Chapel Road (MD 500) for bicyclists and pedestrians is recommended in the functional transportation plan. Once SHA's above-described MD 500 project is complete, there will likely be improved bicycle and pedestrian accommodations on the highway. Bicycle parking on the subject site is recommended to implement the functional transportation plan goals. Bicycle parking is considered to be a Transit Oriented Development (TOD) feature that should be incorporated into new development, where practical and feasible. Again, the subject site is 0.6 miles from the West Hyattsville Metro Station. Amenities such as bicycle parking, which supports bicycling and walking are important and are recommended in both the functional transportation plan and the area master plan.

Conclusion

Based on the preceding analysis, the Planning Board found that the proposal will not conflict with the area master plan recommendations, and it will provide adequate access to area trails and sidewalks if it were approved with the following conditions:

- (1) Provide a minimum five-foot-wide connection from the proposed on-site sidewalk to the existing sidewalks on Buchanan Street.

- (2) Install two u-shaped bicycle parking racks close to the main entrance of the proposed building, for a total of four bicycle parking spaces. The racks shall be anchored into a concrete base.

The conditions have been included in this approval.

- e. **Department of Parks and Recreation (DPR)**—The subject property is bounded by our Mount Rainier Nature/Recreation Center to the east. The Mount Rainier Park contains a softball field, soccer/football field, tennis courts, playground and a Nature Center at the far eastern end of the property. The softball field and tennis court were lighted at one time, which have since been removed. The existing transformer and wires were recently removed from the site by the Potomac Electric Power Company (PEPCO). The terms of the existing electrical easement on the subject property call for it to be terminated once M-NCPPC ceases to use the electric services for the adjacent park.

The Planning Board has concerns with the proximity of the proposed building to the existing softball field and tennis courts (within 50 feet of the softball backstop) and believes that a landscape buffer should be required between the two. This buffer would not only benefit the users of the park, but also the proposed residents of the apartments as well. The DPR has concerns that the noise and errant foul balls from the softball field could impact the future residents or their dwellings.

It is our understanding that the typical Landscape Manual regulations for buffering incompatible uses do not apply to this development since it is located in a Development District Overlay Zone. It is also our understanding that the applicant is proposing to use the “green area” between the proposed building and the park property for stormwater management. The applicant has stated that as part of the stormwater approvals, landscaping will be required. The DPR requests that we have an opportunity to review the stormwater and landscape plans prior to final approval of this Detailed Site Plan.

The Park conditions are as follows:

- (1) The applicant shall submit a revised landscape plan that shows adequate buffering to the adjacent Mount Rainier Nature/Recreation Center. The plan shall be approved by the Department of Parks and Recreation (DPR) prior to signature of the DSP.
- (2) The applicant shall submit the final approved Storm Drain plans showing the landscaping and stormwater outfalls. The stormwater outfalls shall be designed to avoid adverse impacts on the adjacent M-NCPPC property. The plan shall be approved by the Department of Parks and Recreation (DPR) prior to signature of the DSP.

The subject DSP does not show any proposed or existing landscaping between the proposed building and the parks property line, as none is required by the D-D-O standards. The Planning Board found that landscaping in this area would be appropriate for buffering and separation of the uses. In an e-mail dated March 17, 2014, the applicant provided an exhibit of conceptual supplemental landscaping along this edge, including six shade trees, five ornamental trees and 45 shrubs, locations depending on final stormwater management design. The Planning Board found that this landscaping, which would be in conformance with the Landscape Manual if those requirements applied, is appropriate. However, the addition of some evergreen trees would help to create a more substantial buffer that would more fully address the concerns of DPR. Therefore, a condition has been included in this approval requiring this to be provided on the DSP prior to certification.

In regards to the stormwater landscaping and outfall design, this issue is required to be reviewed and approved by the Department of Permits, Inspections and Enforcement (DPIE), including a review for impacts to adjacent properties. Therefore, while requiring DPR's approval of such design would conflict with another county agency's function, requiring that the applicant provide DPR with the design information is appropriate so that they can see how or if it may impact their property. A condition has been included in this approval requiring this to be provided to DPR prior to certification of the DSP.

- f. **Permit Review**—Permit Review comments have either been addressed by revisions to the plan or in the conditions of this approval.
- g. **Environmental Planning**—The Planning Board reviewed a discussion of the DSP's conformance with the Prince George's County Woodland Conservation Ordinance in Finding 11 above.
- h. **Prince George's County Fire/EMS Department**—In a memorandum dated February 22, 2014, the Prince George's County Fire/EMS Department offered comment on needed accessibility, private road design, and the location and performance of fire hydrants.
- i. **Department of Permits, Inspections and Enforcement (DPIE)**—DPIE did not offer comments on the subject application.

The subject application included an approved Stormwater Management Concept Plan, 42853-2013-00, which is valid until December 20, 2016. However, the submitted DSP did not reflect the proposed stormwater features, which include a submerged gravel wetland on the east side of the proposed building, along with new pipes and inlets. Therefore, a condition has been included in this approval requiring, prior to certification, that the DSP be revised to show all proposed stormwater management features and to provide documentation from DPIE that the DSP is in conformance with the approved stormwater management concept plan.

- j. **Prince George's County Police Department**—In a memorandum dated February 27, 2014, the Police Department indicated that a review was completed of the DSP and they had a question regarding what type of building-mounted light fixtures will be used and the specific location of such fixtures.

A condition has been included in this approval requiring the architecture to be revised to show proposed building-mounted lighting.

- k. **Prince George's County Health Department**—In a memorandum dated February 28, 2014, the Environmental Engineering Program of the Prince George's County Health Department provided the following comments on the subject application:

- (1) Indicate the dust control procedures to be implemented during the construction phase of this project. No dust should be allowed to cross over property lines and impact adjacent properties.

This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance with the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control requirements.

- (2) Indicate the noise control procedures to be implemented during the construction phase of this project. No construction noise should be allowed to adversely impact activities on the adjacent properties.

This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

- l. **Maryland State Highway Administration (SHA)**—In a memorandum dated March 21, 2014, SHA indicated that they had reviewed the DSP and have no objection to plan approval as access to this site is from a county road. All work is subject to the permitting process and requirements of Prince George's County; should they require any off-site improvements to a state road, an access permit will be required from SHA.

- m. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum received February 19, 2014, WSSC offered comments regarding needed coordination with other buried utilities, suggested modifications to the plans to better reflect WSSC facilities, and procedures for the applicant to follow to establish water and sewer service. In addition, it was indicated that the plan was deficient in showing and labeling all of the existing and proposed water and sewer lines on-site and in the adjacent rights-of-way.

A condition has been included in this approval requiring the DSP to be revised to show and label all existing and proposed water and sewer lines on-site and in the adjacent public rights-of-way.

- n. **Verizon**—In an e-mail dated March 5, 2014, Verizon commented that a requirement of a ten-foot public utility easement (PUE), parallel, adjacent and contiguous to all public and private roads and alley rights-of-way, free and clear of any permanent structures, buildings, sidewalks, curbs, paving, trees, shrubs, retaining walls, landscape, buffers and trails. The trench area should not be more than a 4-to-1 slope.

The subject property does not have a platted PUE and no new plat or preliminary plan of subdivision is required with the subject application. Therefore, no PUE can be required at this time.

- o. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
- p. **City of Mount Rainier**—In a memorandum dated March 20, 2014, the City of Mount Rainier indicated that they support the development project. In response to concerns raised by Councilman Jimmy Tarlau from the City of Mount Rainier at the Planning Board hearing, the applicant proffered that they will meet with the City to coordinate any improvements, including proposed sidewalks and street trees, which may affect Buchanan Street, which is planned to be improved by the City.
- q. **Town of Brentwood**—The Town of Brentwood did not offer comments on the subject application.
- r. **City of Hyattsville**—The City of Hyattsville did not offer comments on the subject application.
- s. **Town of North Brentwood**—The Town of North Brentwood did not offer comments on the subject application.

- 14. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Gateway Arts Sector Plan and SMA. The amendments to the development district standards required for this development would benefit the development and the development district as required by Section 27-548.25(c) of the Zoning Ordinance, and would not substantially impair implementation of the sector plan.

Based on the foregoing and as required by Section 27-285(b)(1) 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 Type II Tree Conservation Plan (TCPII-197-91-01) and further APPROVED Detailed Site Plan DSP-91057-03 for the above-described land, subject to the following conditions:

- A. The Planning Board APPROVES the following alternative development district standards stated in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District and Development District Overlay (D-D-O) Zone*:
1. **Access and Circulation No. 5 (page 147)**—There shall be a maximum of two access driveways per lot or parcel from a public street to parking (to allow for three existing access driveways from a public street to parking).
 2. **Parking and Loading No. 4 (page 148)**—Parking for a residential and live/work use shall be a minimum of one surface parking space on-site per unit, and a maximum of 1.5 surface spaces on-site per unit. If additional parking is provided, it shall be structured (to allow for a minimum of 0.70 parking spaces per dwelling unit).
 3. **Fencing, Walls, Screening, and Buffering No. 1 (page 149)**—Opaque walls and fences, with the exception of required screening, shall not exceed four feet in height. Non-opaque fences shall not exceed six feet in height (to allow for an eight-foot-high masonry opaque wall around the trash, mechanical equipment and loading area at the northeast corner of the building).
 4. **Building Openings - Windows No. 4 (page 152)**—Multifamily buildings should have transparent lobby and entrance windows facing the street (to allow for a multifamily building lobby that does not face the street).
- B. The Planning Board APPROVES Detailed Site Plan DSP-91057-03 and Type II Tree Conservation Plan TCPII-197-91-01, Rainier Manor Apartments, subject to the following conditions:
1. Prior to certificate approval of this detailed site plan, the applicant shall revise the plans as follows or provide the specified documentation:
 - a. Revise the DSP to provide street trees along the subject property's Buchanan Street frontage adjacent to the proposed building.
 - b. Revise the DSP to provide a well-designed passive, outdoor recreational space for all residents within the courtyard area between the existing and proposed buildings. The design of this area shall include, at a minimum, decorative paving, decorative plantings, and seating, to be reviewed by the Urban Design staff as designee of the Planning Board. Details and specifications shall be provided for all features.

- c. Revise the DSP to provide amenities, such as decorative paving, plantings and seating, at the proposed building entrance area to serve as a welcoming feature to the building. This area design shall be reviewed by the Urban Design staff as designee of the Planning Board and details and specifications shall be provided for all features.
- d. Correct the distance of the boundary line on the eastern side of the site to read "North 66° 57' 00" West – 70.68."
- e. Include all distances for the right-of-way dedication to the City of Mount Rainier as described in Liber 33412 at Folio 443.
- f. Provide a minimum five-foot-wide pedestrian connection from the proposed on-site sidewalk to the existing sidewalks on Buchanan Street.
- g. Install two u-shaped bicycle parking racks close to the main entrance of the proposed building, for a total of four bicycle parking spaces. The racks shall be anchored into a concrete base.
- h. Revise the DSP to show landscaping along the east side of the proposed building per the applicant's exhibit, dated March 17, 2014, for supplemental planting for park buffer, with additional evergreen trees. This landscaping shall be reviewed and approved by the Urban Design staff and DPR prior to certification. The type and amount of landscaping and the size and location of the SWM area may be revised based on the approval of the technical stormwater management plans.
- i. Provide DPR with calculations for the proposed storm drains and stormwater outfalls. The stormwater outfalls shall be designed to avoid adverse impacts on the adjacent M-NCPPC property. The applicant shall provide the technical stormwater design and calculations to DPR prior to the issuance of a building permit.
- j. Revise the DSP to show all proposed stormwater management features and provide documentation from DPIE that the DSP is in conformance with the approved stormwater management concept plan.
- k. Revise the architecture to show locations, details and specifications of proposed building-mounted lighting.
- l. Provide a plan note that indicates conformance to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- m. Provide a plan note that indicates the applicant's intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
- n. Revise the DSP to show and label all existing and proposed water and sewer lines on-site and in the adjacent public rights-of-way.
- o. Revise the DSP to provide a six-foot-high, wrought iron metal, picket-style fence, or similar quality material, along the southeastern area of the property for security between the existing and proposed building and the adjacent tennis courts. The exact location and design to be reviewed by the Urban Design staff as designee of the Planning Board.

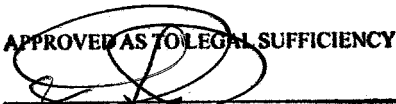
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

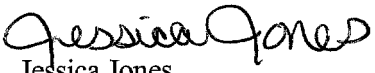
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, April 10, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of May 2014.

Patricia Colihan Barney
Executive Director

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 4/14/14

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:JK:arj