



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

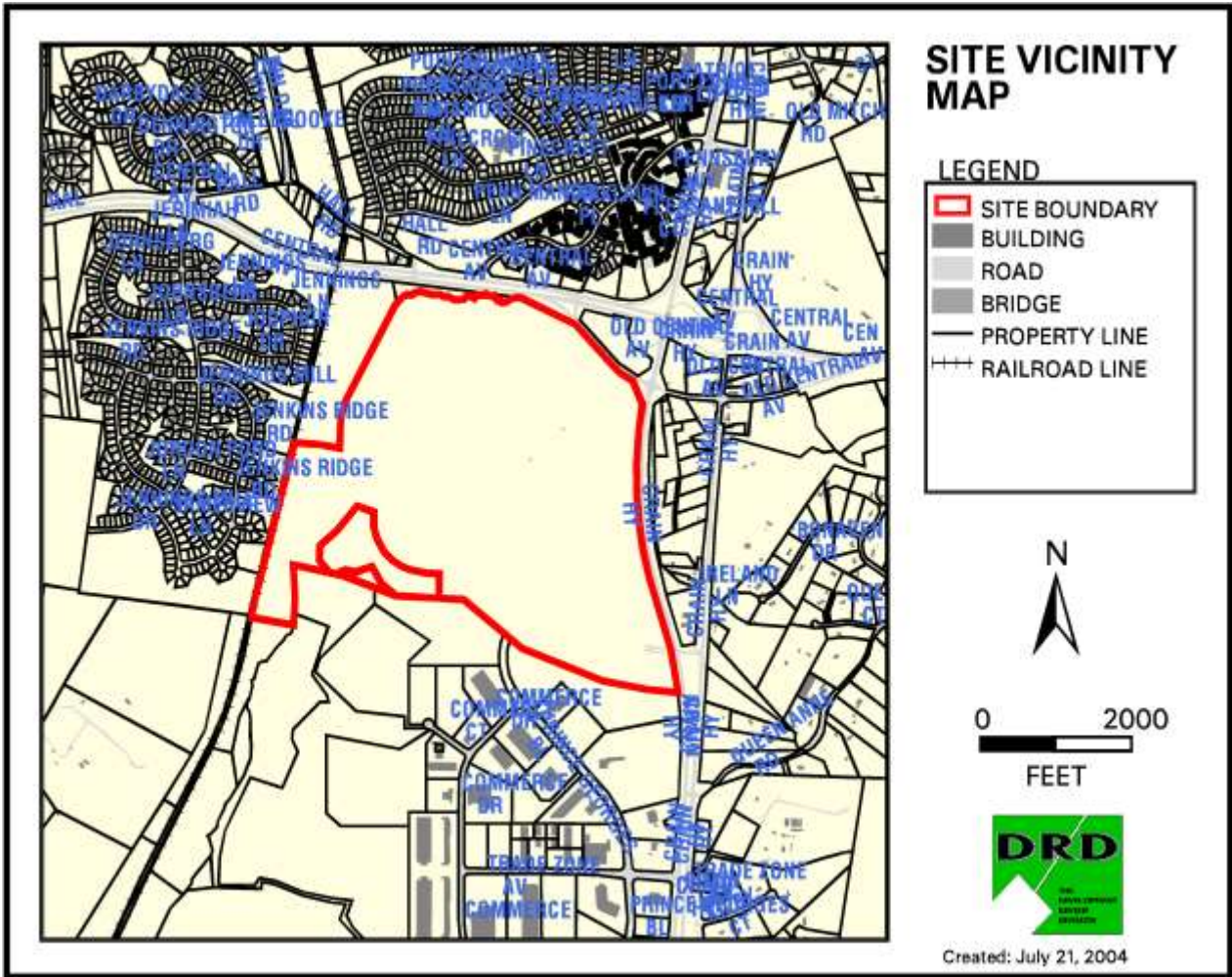
Preliminary Plan 4-04035

Reconsideration Hearing

Application	General Data	
Project Name: Karington Location: Southwest corner of the intersection of Central Avenue (MD 214) and Robert Crain Highway (US 301). Applicant/Address: Karington, LLC. 8181 Professional Place Hyattsville, MD 20785 Property Owner: Karington, LLC. 8181 Professional Place Hyattsville, MD 20785	Planning Board Hearing Date:	12/15/16
	Memorandum Date:	12/02/16
	Date Accepted:	10/07/16
	Planning Board Action Limit:	N/A
	Mandatory Action Timeframe:	N/A
	Plan Acreage:	381.52
	Zone:	E-I-A
	Gross Floor Area:	1,025,000 sq. ft.
	Lots/Dwelling Units:	663/1,294
	Parcels:	86
	Planning Area:	74A
	Council District:	04
	Election District	07
	Municipality:	N/A
	200-Scale Base Map:	201NE14

Purpose of Application	Notice Dates	
Reconsideration Hearing	Previous Parties of Record (Applicant)	10/07/16
	Previous Parties of Record (M-NCPPC)	10/14/16 12/02/16

Staff Recommendation		Staff Reviewer: Whitney Chellis Phone Number: 301-952-4325 E-mail: whitney.chellis@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



December 2, 2016

MEMORANDUM

TO: Prince George's County Planning Board

FROM: Whitney Chellis, Supervisor Subdivision Section, Development Review Division

SUBJECT: Reconsideration Hearing
Preliminary Plan of Subdivision 4-04035
Karington

The Planning Board approved Preliminary Plan of Subdivision (PPS) for the above case and the resolution of approval (PGCPB Resolution No. 04-247(C)) was adopted on October 21, 2004. By letter dated October 7, 2016, Matthew Tedesco and Arthur Horne, Jr. representing the owner/applicant, Karington LLC., requested a waiver of the Planning Boards Rules of Procedure (Section 10.a) and a reconsideration (Section 10.e.) which was granted by the Planning Board on October 27, 2016, for other good cause. Pursuant to the applicant's letter dated October 7, 2016, the request for reconsideration is "for the limited purpose of converting approximately 200 of the multifamily condominium units to fee simple townhouse lots and to allow for a phasing plan of off-site road improvements."

The applicants request correctly reflects the Planning Boards approval of a total of 1,294 dwelling units. The total dwelling units is made up of a combination of unit types that are listed in the resolution of approval (PGCPB Resolution No. 04-247(C)) and reflected on the approved plan. Finding 3 of the resolution of approval states that the Planning Board approved a total of 463 lots and 86 parcels. The applicants request to further subdivide the property to add two hundred lots, for the conversion of 200 of the 600 multifamily dwelling units to townhouse (TH) dwelling units on individual record lots, results in a total of 663 lots while retaining 86 parcels. This conversion requires a further subdivision of the land beyond what the Planning Board originally approved. This also results in a land use change from what was shown on the approved plan as identified as on the applicants "Section Exhibit," Exhibit B in the reconsideration request dated October 7, 2016.

The applicant filed a revised preliminary plan of subdivision (PPS), TCPI and an "Exhibit for Typical Minimum Lot Layout" which have been evaluated for conformance to Subtitle 24 and 27 as it relates to the lotting pattern, buffering, circulation and public facilities. The revised plans and applicants proposed modifications to the conditions of approval were referred to the Urban Design, Environmental and Transportation Planning sections of The Maryland-National Capital Park and Planning Commission (M-NCPPC).

The applicant is also requesting a modification to the transportation phasing plan which requires an adjustment to the conditions and findings of the original approval of the PPS. The applicants request was evaluated by the Transportation Planning Section who have recommended revised findings and concurs with the modifications to conditions of the PPS related to transportation, as set forth in the amended resolution drafted by staff and recommended for approval (PGCPB Resolution No. 04-247(C)(A)).

Staff recommends approval of the conversion for the further subdivision of the land for a total of 663 lots and 86 parcels, and a modification to the transportation phasing.

Staff is recommending that the PPS and TCPI be recertified to reflect the further subdivision of the property to add the 200 townhouse lots, with additional conditions. With the amended PPS and '02' revision to the Type I tree conservation Plan (TCPI) the applicant included a revised "Exhibit for Typical Minimum Lot Layout" dated November 28, 2016 which provides a minimum of 12 feet between the end unit buildings and eight feet between the lot lines, with 22-foot-wide end unit lots (1,760 square feet) and 16-foot-wide interior units (1,280 square feet). This revised exhibit and layout proposed is recommended for approved, subject to a condition that the note on the exhibit be removed which states:

"In accordance with CB-073-2016 final dimensions and layouts may be modified at the time of detailed site plan."

The Planning Board approval of the preliminary plan of subdivision, including the number of lots and parcels, cannot be resubdivided by a zoning action pursuant to a determination at the time of DSP. Therefore, it is also recommended that Note 19 on the approved preliminary plan of subdivision drawing be deleted because it states that the property can be resubdivided at the time of DSP. That statement is not referenced in the staff report nor is it supported by any finding or condition of the original approval and is not consistent with the Subdivision Regulations (Subtitle 24) and the Regional District Act for the subdivision and resubdivision land. The subdivision authority granted to the Planning Board cannot be delegated to zoning matters.

In part General Note 19 on the preliminary plan of subdivision drawing states:

"The gross floor area of the various mixed uses, and the numbers of lots, parcels and dwelling units shown on this plan may be increased or decreased with the submission and approval of the Detailed Site Plans, as long as the final quantities adhere to the trip cap condition of the Conceptual Site Plan #SP-02004." (emphasis added)

In addition to erroneously stating that the property can be resubdivided at the time of DSP, it also restates Condition 11 of the CSP and requires only that the development conform to the trip cap of the Conceptual Site Plan (CSP), when the property under the subdivision approval is limited by the PPS trip cap and phasing plan. While these caps (CSP and PPS) were identical with the original approval, the reconsidered PPS will change the phasing of the condition. The applicant indicates that a formal revision to the CSP phasing will not be required because in the E-I-A Zone when developed in accordance with the M-X-T Zone, the finding by the Council of adequate transportation facilities with the CSP shall not prevent the Planning Board from later amending the CSP finding during its review of subdivision plats (27-213(a)(3)(B)). Notwithstanding, the development is subject to the transportation conditions and findings of the PPS and not the CSP.

The applicant has indicated that a modification to the layout including a shifting of the internal road network may be proposed with the detailed site plan, which will be reviewed for substantial conformance to the PPS at that time.

The applicant did review with staff, in concept, the proposed revisions.

Recommendation:

Staff recommends **APPROVAL** of:

The reconsideration with additional findings and conditions as set forth in the draft amended resolution of approval PGPCB Resolution No. 04-247(C)(A), and

- PPS 4-04035
- Type I Tree Conservation Plan TCPI/048/02-02