



## DEPARTURE FROM DESIGN STANDARDS No. 529

Application	General Data
Project Name  Brady's Addition to Landover Hills  Location  North side of Annapolis Road opposite 68 <sup>th</sup> Avenue, known as 6828 and 6840 Annapolis Road.  Applicant  Edward Brady 2721 Jones Road Dunkirk, Maryland 20754	Date Accepted 11/01/01
	Planning Board Action Limit N/A
	Tax Map & Grid 051 C-2
	Plan Acreage 0.89
	Zone R-20
	Dwelling Units 12
	Square Footage N/A
	Planning Area 69
	Council District 03
	Municipality None
	200-Scale Base Map 206NE6

Purpose of Application	Notice Dates
Departure from Section 4.7 (Buffering Incompatible Uses) of the <i>Landscape Manual</i>	Adjoining Property Owners 9-27-01 (CB-15-1998)
	Previous Parties of Record 9/16/02 (CB-13-1997)
	Sign(s) Posted on Site 10/18/02
	Variance(s): Adjoining Property Owners N/A

Staff Recommendation			Staff Reviewer: Jimi Jones
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

October 30, 2002

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board

VIA: Arie Stouten, Zoning Supervisor

FROM: Jimi Jones, Planning Coordinator

SUBJECT: **Departure from Design Standards Application No. 529**

REQUEST: **Departure from Bufferyard Requirements of the Landscape Manual**

RECOMMENDATION: **APPROVAL, with conditions**

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NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

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## FINDINGS:

- A. **Location and Field Inspection:** The subject property is an irregularly shaped parcel located on the north side of Annapolis Road (MD 450) across from 68<sup>th</sup> Place. The terrain is relatively steep with the property sloping below grade moving away from Annapolis Road. This site is undeveloped and substantially wooded.
- B. **History:** The property was rezoned from the R-55 and C-M Zones to the R-20 Zone during the 1994 *Sectional Map Amendment for Bladensburg–New Carrollton and Vicinity*. A Preliminary Plan of Subdivision (4-01047), a variance (VP-01047/01) from side and rear setback requirements, and variations from the Subdivision Regulations were approved by the Planning Board on November 15, 2001.
- C. **Master Plan Recommendation:** The 1994 *Master Plan for Bladensburg–New Carrollton and Vicinity* recommends “Low Urban Residential” (8.0–11.9 dwelling units per acre) use for the subject property.
- D. **Request:** The applicant proposes to develop the subject property with triple attached dwellings. The proposed 12 dwellings would abut the site occupied by the Prince George’s County Fire Department’s Fire Services Building. Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual* classifies the Fire Services Building as a “medium impact” public office building. The proposed development must, therefore, have a “C” bufferyard with a minimum 40-foot building setback, 30-foot landscaped yard, and at least 120 plant units per 100 linear feet. The applicant requests a waiver of the *Landscape Manual* requirements for 4.7 buffering incompatible uses.
- E. **Surrounding Uses:**
- |        |  |
|--------|--|
| North— | Undeveloped land and single-family detached homes in the R-55 Zone and the Prince George’s County Fire Department’s Fire Services Building to the northwest on Webster St. |
| East—  | Single-family detached homes in the R-55 Zone.   |
| South— | Across Annapolis Road is a vehicle parts store (Pep Boys) and a dentist’s office in the C-S-C Zone and single-family detached homes in the R-55 Zone.                      |
| West—  | Prince George’s County Fire Department’s Fire Station No. 30 (at 68 <sup>th</sup> Avenue and Annapolis Road) in the R-55 Zone.   |
- F. **Required Findings:**

**Section 27-239.01(b)(9)(A) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

1. **The purposes of this Subtitle will be equally well or better served by the applicant’s proposal.**

The purposes of the Zoning Ordinance will be equally well or better served by the applicant’s proposal. The purposes of the Zoning Ordinance, as provided in Section 27-

102(a), seek, among other things, to “promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development.” The required “C” bufferyard is intended to buffer the proposed residential development from the adjacent public office building. However, the subject office building is over 185 feet from the property line and a cul-de-sac is located between the two properties. A board-on-board fence is recommended along the northern property line with a row of Red Maples and Leyland Cypress trees to provide adequate protection for the future homeowners from the impacts of the existing office building.

**2. The departure is the minimum necessary, given the specific circumstances of the request.**

The departure is the minimum necessary, given the specific circumstances of the request. The applicant has correctly calculated the required bufferyard.

**3. The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.**

The departure is necessary in order to alleviate circumstances which are unique to the site. This property has an unusual shape with long frontage (389 feet) along Annapolis Road, but shallow depth (from 92 to 132 feet). The substantial grade of the property which slopes downward and away from Annapolis Road, also makes strict compliance with certain development regulations impractical.

**4. The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

With the recommended conditions, the departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. The proposed board-on-board fence with brick piers at the entrance of the development will enhance the aesthetic quality of the proposed dwellings.

**(B) For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements in paragraph (A) above, that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.**

The Planning Director, in a letter dated August 15, 2001, determined that no feasible proposal for alternative compliance would exhibit equal or better design characteristics. In addition, the adjacent lot to the west of the subject property is in a lower density zone (R-55 Zone, 6.7 dwelling units per acre) than the subject site (R-20 Zone, 16.33 dwelling units per acre). Prince George’s County Fire Fire Station No. 30 is located at the western edge of this large parcel with a significant stand of mature trees between the firehouse and the subject property. Section 4.7(c) of the *Landscape Manual* considers a lot to be vacant if it contains no structure or vehicular surface area within 200 feet of the property line. A field inspection of the site revealed that the undeveloped portion of the adjacent parcel extends well over 200 feet from the western property line of the subject site.

Under this scenario, Section 4.7(c) allows 50 percent of the required bufferyard to be provided on the adjacent property. Pursuant to Section 4.7(b) Table 2, the adjacent property is in the R-55 Zone and

is classified for “low impact” single-family use. The subject property, with attached dwellings, is classified as “medium impact.” An “A” bufferyard would then be required with a 20-foot building setback and 10-foot-wide landscaped yard. However, with the 50 percent reduction, a 10-foot building setback and a five-foot-wide landscaped yard may be provided. The adjacent lot to the east of the property is also vacant and located in the R-55 Zone. The same bufferyard requirements apply as those discussed above for the lot to the west of the property. The applicant must revise the site plan to show the correct schedules, bufferyards and landscaping.

## **CONCLUSION:**

This property is a good location for infill development but its unusual shape presents challenges. The subject property is in the R-20 Zone, which requires detailed site plan (DSP) review for townhouse development. Our review is, therefore, limited to the proposed waiver of the bufferyard requirements in Section 4.7 of the *Landscape Manual*. A DSP must be approved to ensure compliance with all applicable regulations. With the recommended conditions of approval, the proposed residential community will be adequately buffered from adjacent uses. Staff recommends APPROVAL, subject to the following condition:

1. Prior to issuance of permits, the site plan shall be revised as follows:
  - a. Provide a sight-tight, six-foot high board-on-board fence along the northern property line.
  - b. Provide the appropriate schedule, bufferyard and landscaping for the western property line.