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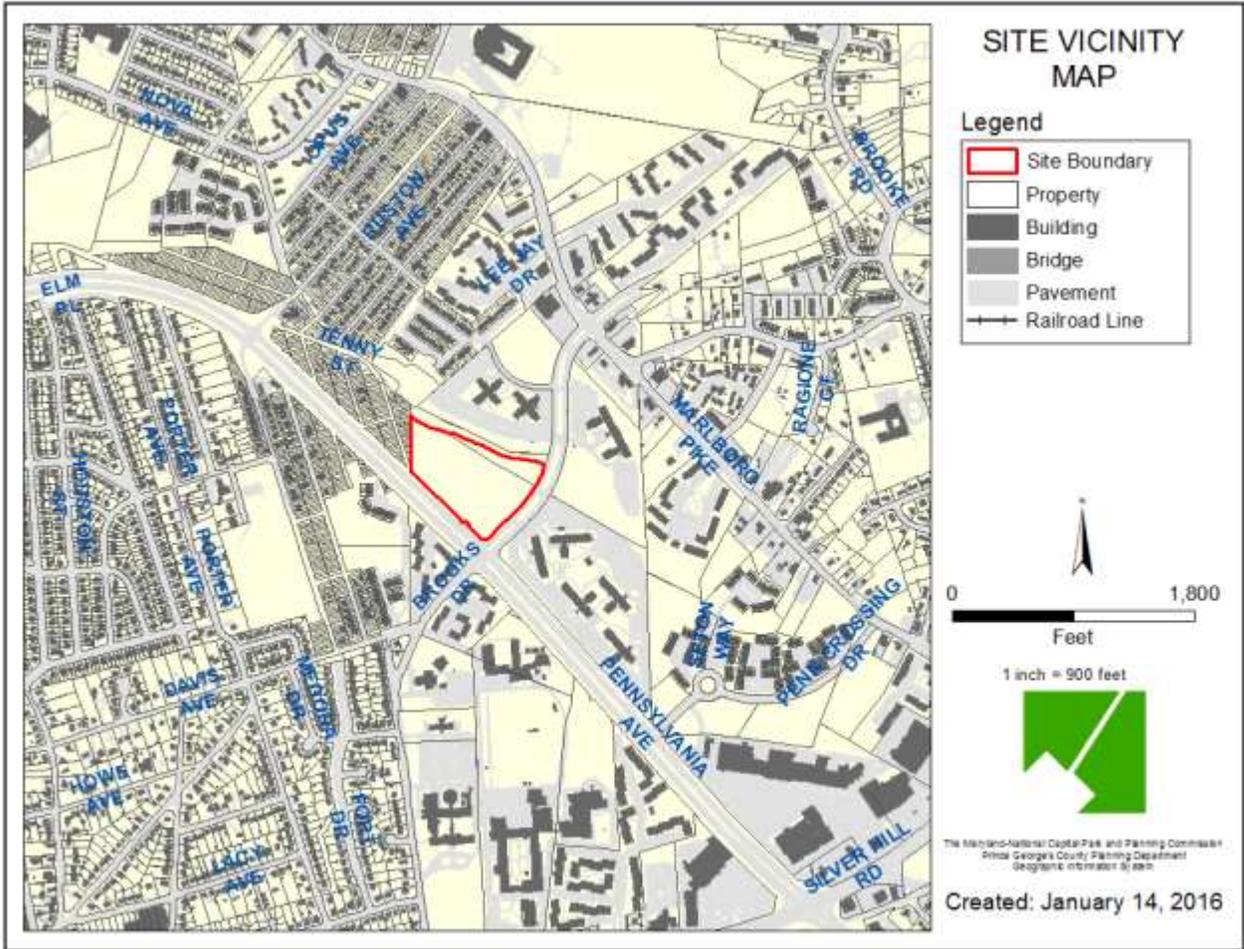
Detailed Site Plan

DSP-15038

Application	General Data	
Project Name: Brooks Drive South Location: Northwestern quadrant of the intersection of Brooks Drive and Pennsylvania Avenue (MD 4). Applicant/Address: Oakcrest West LLC 300 North Lee Street, Suite 200 Alexandria, VA 22314	Planning Board Hearing Date:	05/05/16
	Staff Report Date:	04/18/16
	Date Accepted:	02/29/16
	Planning Board Action Limit:	05/09/16
	Plan Acreage:	11.04
	Zone:	R-10
	Dwelling Units:	300
	Gross Floor Area:	N/A
	Planning Area:	75A
	Council District:	07
	Election District	06
	Municipality:	N/A
	200-Scale Base Map:	203SE05

Purpose of Application	Notice Dates	
Detailed site plan for infrastructure for 300 multifamily units.	Informational Mailing:	11/03/15
	Acceptance Mailing:	02/25/16
	Sign Posting Deadline:	04/05/16

Staff Recommendation		Staff Reviewer: Ruth Grover, MUP, AICP Phone Number: 301-952-4317 E-mail: Ruth.Grover@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-15038
Type 2 Tree Conservation Plan TCP2-005-2016
Brooks Drive South

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

The detailed site plan has been reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance;
- b. The requirements of Preliminary Plan of Subdivision 4-12002;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- f. Referral Comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The application requests approval of a detailed site plan (DSP) for infrastructure for 300 multifamily units.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	R-10	R-10
Use	Vacant	Residential
Acreage	11.04	11.04
Parcel	2	2
No. of Multifamily Units	0	300

3. **Location:** The subject property is located in the northwestern quadrant of the intersection of Brooks Drive and Pennsylvania Avenue (MD 4). The project is also located in Planning Area 75A and Council District 7.
4. **Surrounding Uses:** The site is bounded to the south by Pennsylvania Avenue (MD 4), with multifamily residential land use in the Multifamily Medium Density Residential (R-18) Zone beyond; to the east by Brooks Drive, with multifamily residential land use in the Multifamily High Density Residential (R-10) Zone beyond; to the north by vacant land and multifamily residential land use in the R-10 Zone beyond; and to the west by Tenny Street, with multifamily residential land use in the One-Family Detached Residential (R-55) Zone beyond.
5. **Previous Approvals:** Preliminary Plan of Subdivision 4-12002 was approved for the site on July 11, 2013. On July 25, 2015, the Prince George’s County Planning Board adopted PGCPB Resolution No.13-81 formalizing that approval. The site is also the subject of approved Stormwater Management Concept Plan 19543-2014-00, approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) on June 26, 2014, and valid until June 2017.
6. **Design Features:** The site is roughly trapezoidal in shape, with Brooks Drive, a 120-foot-wide right-of-way, bounding the property to the east. A paper street, known as Tenny Street, which bounds the property to the west, is askew from being parallel with Brooks Drive on the site’s eastern boundary. Brooks Drive will provide the sole access to the property, and that driveway access and the portion of the roadway which will extend into the site is indicated on the subject plan, comprising the infrastructure that qualifies the subject project as a DSP for infrastructure, as defined in Section 27-285 of the Prince George’s County Zoning Ordinance. See Finding 7 for a detailed discussion of the project’s conformance with the requirements of the above-cited portion of the Zoning Ordinance.

The topography of the site is generally flat or gently sloping, but has some steep grades in the site’s southeastern corner and along the northerly portion of the site, where it is bounded by the parking for a multifamily residential development. The northerly portion of the site is also where sensitive environmental features, such as 100-year floodplain, are present and a primary management area (PMA) has been defined.

As the subject application is being filed as a DSP for infrastructure pursuant to Section 27-286, Limiting the review, design features such as architecture, landscaping, hardscaping, signage, and the details of site design have not been included in the submission for the project. These items will be addressed when the applicant submits a full-scale DSP for the project.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The proposed multifamily residential use is a permitted use in the R-10 Zone, as described in the Zoning Ordinance in Section 27-441, Uses Permitted in Residential Zones. As the subject application is for infrastructure only, conformance with the other applicable requirements of the Zoning Ordinance for the use in the R-10 Zone will be evaluated when a full-scale DSP for the project is submitted. These requirements include, but are not limited to Section 27-286, Limiting the review; Section 27-419(a), Bedroom percentages for multifamily dwellings; Section 27-420, Fences and walls; Section 27-439, R-10 (Multifamily High-Density Residential); Section 27-442, Regulations for the Multifamily High-Density Residential (R-10) Zone; Part 11, Parking and Loading; and Part 12, Signs, of the Zoning Ordinance.

8. **Preliminary Plan of Subdivision 4-12002:** Preliminary Plan of Subdivision 4-12002 was approved by the Planning Board on July 11, 2013, subject to 18 conditions. The Planning Board then adopted PGCPB Resolution No. 13-81 on August 7, 2013, formalizing that approval. The relevant condition is included below in **boldface** type below, followed by staff comment:

2. Development of this site shall be in conformance with Stormwater Management Concept Plan 31374-2009-00 and any subsequent revisions.

Comment: In a memorandum dated March 16, 2016, DPIE stated that the subject DSP-15038 is consistent with approved Stormwater Management Concept Plan 19543-2014 dated June 26, 2014, and valid until June 26, 2017. A representative of DPIE later confirmed that Stormwater Management Concept Plan 19543-2014 is a revision of Stormwater Management Concept Plan 31374-2009-00, which is in conformance with the requirement.

3. Prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. Private on-site recreational facilities shall be reviewed by the M-NCPPC Development Review Division as part of the Detailed Site Plan. An appropriate mix of recreational facilities shall be specified at that time.

Comment: Conformance with this requirement will be reviewed when a full-scale DSP is reviewed for the subject project.

7. Total development shall be limited to uses which generate no more than 156 (31 in; 125 out) AM peak-hour trips, and 180 (117 in; 63 out) PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.

Comment: In a memorandum dated April 5, 2016, the Transportation Planning Section indicated that, as the same number of multifamily units are proposed in this DSP as was considered when Preliminary Plan 4-12002 (PGCPB Resolution No. 13-81(C)) was approved, the subject project is staying with in the established trip caps for the project.

9. **2010 Prince George's County Landscape Manual:** Conformance with the requirements of Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7,

Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the *Prince George's County Landscape Manual* will be evaluated at the later time of review and approval of a full-scale DSP for the subject site.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** In a memorandum dated April 6, 2016, the Environmental Planning Section stated that the project is subject to the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because a preliminary plan of subdivision has been approved for the project under the current regulations. The Environmental Planning Section recommends approval of this infrastructure DSP with conditions.
11. **Prince George's County Tree Canopy Coverage Ordinance:** Conformance with the requirements of the Prince George's County Tree Canopy Coverage Ordinance will be evaluated at the time of full-scale DSP.
12. **Referral Comments:** The DSP has been referred to the concerned agencies and divisions for comments. The referral comments are summarized as follows:

- a. **Transportation Planning Section**—In a memorandum dated April 5, 2016, the Transportation Planning Section offered comments on the transportation-related conditions of Preliminary Plan of Subdivision 4-12002 (PGCPB Resolution No. 13-81 (C)) and other general transportation-related issues. The other transportation-related conditions of that approval will be addressed in later stages of the development review process.

The general comments on the project offered by the Transportation Planning Section are summarized below.

Site Access Evaluation

The single-access point to Brooks Drive appears to be adequate for the development and to conform to the transportation planning-related conditions of prior approvals.

Master Plan Roads

The site is adjacent to two roadways. Brooks Drive was removed from the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment*. The current plan does not designate it as a master plan road. Pennsylvania Avenue (MD 4) is designated as an expressway. No structures or improvements are shown in its right-of-way.

Conclusion

The site is adjacent to Brooks Drive and Pennsylvania Avenue (MD 4). The status of Brooks Drive being designated as a master-plan roadway was removed by the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment*. Pennsylvania Avenue (MD 4) is designated as an expressway. There are no structures or improvements shown in its right-of-way as is normally required.

The Transportation Planning Section concluded that in the overall view of the transportation-related issues raised by the subject project, the plan could be found acceptable and meeting the Zoning Ordinance transportation-related required findings for a detailed site plan.

- b. **Subdivision Review Section**—In a memorandum dated April 11, 2016, the Subdivision Section stated that the project is the subject of Preliminary Plan of Subdivision (PPS) 4-12002 which was approved, with 18 conditions, by the Planning Board on July 13, 2013 (PGCPB Resolution No. 13-81) which is valid through December 31, 2017. The PPS was approved for 5 parcels and 300 multifamily residential dwelling units. Any additional development will require a new preliminary plan of subdivision. Further, the Subdivision Section offered the following discussion of Conditions 2 through 18 of that approval:

- 2. Development of this site shall be in conformance with Stormwater Management Concept Plan 31374-2009-00 and any subsequent revisions.**

General Note 10 notes a subsequent Stormwater Concept Approval, No. 19543-2014-00 approved June 26, 2014.

- 3. Prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. Private on-site recreational facilities shall be reviewed by the M-NCPPC Development Review Division as part of the Detailed Site Plan. An appropriate mix of recreational facilities shall be specified at that time.**

- 4. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for the construction of private recreational facilities on the subject property for approval prior to submission of the final plat. The RFA will list the facilities and establish triggers for construction. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber and folio reflected on the plat.**

- 5. Prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on subject property.**

DSP-15038 is for infrastructure only, Conditions 3, 4 and 5 regarding recreational facilities would not apply.

- 6. At the time of final plat, the applicant shall grant a ten-foot-wide public utility easement (PUE) along the public rights-of-way of Brooks Drive and Pennsylvania Avenue (MD 4) as delineated on the approved preliminary plan of subdivision.**

Detailed Site Plan DSP-15038 is for infrastructure only, so the applicant can obtain a grading permit. After the approval of DSP-15038, a record plat will need to be filed prior to approval of the grading permit. The

record plats shall record the proposed parcels as outlots. The record plat shall reflect the ten-foot-wide public utility easement (PUE) along the rights-of-way of Brooks Drive and Pennsylvania Avenue (MD 4).

- 7. Total development shall be limited to uses which generate no more than 156 (31 in; 125 out) AM peak-hour trips, and 180 (117 in; 63 out) PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.**
- 8. Prior to the issuance of a building permit for the subject property, the following road improvement shall (a) have full financial assurances, (b) have been designed per the appropriate operating agencies and (c) have been permitted for construction through the operating agency's access permit process: Construct northbound left-turn lane on Brooks Drive at the proposed access point. The left-turn lane shall be constructed in accordance with DPW&T standards.**

Detailed Site Plan DSP-15038 is for infrastructure only, Conditions 7 and 8 regarding trip cap and road improvements would not apply.

- 9. At the time of final plat, the following notes shall be placed on the plat:**
 - a. "This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012)."**
 - b. "Access is denied along the frontage of Pennsylvania Avenue (MD 4) and Brooks Drive with the exception of one access driveway along Brooks Drive unless one additional vehicular access is approved by DPW&T along Brooks Drive with the DSP/SE."**

The record plat shall reflect the notes requested in Condition 9.

- 10. Nonresidential development on the subject property that significantly affect Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.**

This condition is mentioned for informational purposes only.

- 11. Prior to approval of the final plat, an executed private access easement agreement for Parcels 1–5 shall be submitted and approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The easement is to provide inter-parcels connection and access to Brooks Drive. The access easement, authorized pursuant to Section 24-128(b) (9) of the Subdivision**

Regulations, shall set forth the rights, responsibilities, and liabilities of the lot owners. The easement document shall include utility access if appropriate and be recorded in the land records of Prince George's County, and the liber and folio reflected on the final plat prior to recordation.

Detailed Site Plan DSP-15038 is for infrastructure only, Condition 11 regarding access easement would not apply at this time.

- 12. Prior to issuance of building permits, certification prepared by a professional engineer with competency in acoustical analysis using the certification template shall be submitted. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.**

Detailed Site Plan DSP-15038 is for infrastructure only, Condition 12 regarding acoustical analysis would not apply.

- 14. The following note shall be placed on the final plat:**

“Prior to signature approval of a TCP2 for this property, pursuant to Section 25-122 (d) (1) (B), all woodland preserved, planted, or regenerated on-site shall be placed in a woodland conservation easement recorded in land records and the liber/folio of the easement shall be indicated on the TCP2.”

- 15. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-001-13). The following note shall be placed on the final plat:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-001-13 or most recent revision), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

The record plat shall be in conformance with Type 1 Tree Conservation Plan TCP1-001-13, and shall reflect the notes requested in Conditions 14 and 15.

- 16. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or waters of the U.S., the applicant shall submit**

copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

This condition is mentioned for informational purposes only.

- 17. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

The record plat shall be in conformance with the conservation easement, and shall reflect the easement and note requested in Condition 17.

- 18. Prior to issuance of grading permits, the applicant shall submit evidence from the Prince George’s County Health Department that the tires found on the property have been hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility.**

This condition will be reviewed at time of grading permit.

Comment: Conditions 2, 3 and 7 are relevant to this review. See Finding 8 for a more detailed discussion of Conditions 2, 3 and 7. Conditions 4, 6, 9, and 11, 14, and 17 are triggered prior to submission/approval of a final plat for the subject site. Conditions 5, 8, 12, and 15 are triggered prior to issuance of building permits. Condition 16 is triggered at the time of issuance of permits which impact wetlands, wetland buffers, streams, or waters of the U.S. Condition 18 is triggered prior to the issuance of grading permits. Condition 10 applies only to nonresidential development which is not a part of the subject approval.

In closing, noting that failure of the DSP and record plat to match would result in permits being placed on hold until the plans are corrected, the Subdivision Section suggested that the following conditions be included in the Recommendation section of this report:

1. Prior to approval of the DSP, the following corrections should be made to the plans:
 - a. Revise the plans to remove parcel labeling and reflect “Outlots 1–5.”
 - b. Add a General Note “Access along Brooks Drive is denied with

the exception of one driveway to ensure the consolidation of vehicular traffic for all five future parcels, unless otherwise modified by the Department of Public Works and Transportation prior to approval of final plat.”

2. The conversion of outlots to buildable parcels in accordance with the approved preliminary plan of subdivision (PPS) shall be done during the validity period of 4-12002 or a new PPS will be required.
3. Prior to approval of permits for buildings or structures, a detailed site plan shall be approved and a new final plat required to remove the outlot designation.

Comment: The Subdivision Section’s proposed conditions have been included in the Recommendation section of this report.

- c. **Trails**—At the time of this writing, staff has not yet received comment from the trails coordinator regarding the subject project.
- d. **Environmental Planning Section**—In a memorandum dated April 6, 2016, the Environmental Planning Section stated that they had previously reviewed Type 1 Tree Conservation Plan TCP1-001-13. Brooks Drive South, which was approved by the Planning Board on July 11, 2013 was formalized in the adoption of PGCPB Resolution No. 13-81. The Environmental Planning Section also stated that they had signed Natural Resource Inventory NRI-027-12 for the subject site on December 17, 2012. The Environmental Planning Section stated that the project is subject to (not “grandfathered” from) the environmental regulations of Subtitles 24, the Subdivision Regulations and 27, the Zoning Ordinance, of the County Code that came into effect on September 1, 2010 and February 1, 2012 because the a preliminary plan of subdivision was approved for the site under the new regulations.

The subject site includes many regulated environmental features such as wetlands, streams, steep slopes, 100-year floodplain, primary management area (PMA) and associated buffers and drains to the north to the on-site Oxon Run which in turn drains into the Potomac River. The predominant soils found to occur on-site according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRS), Web Soil Survey (WSS), are the Croom gravelly sandy loam, Potomac issue complex, Udorthents reclaimed gravel pits, and Udorthents-Urban land complex. According to available information, Marlboro clay and Christiana complex are not identified on the property. According to the Sensitive Species Project Review Area (SSSPRA) layer prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species on or in the vicinity of this property. The site has frontage on Pennsylvania Avenue, a master planned expressway road. This roadway has been evaluated for traffic-generated noise as residential uses are proposed. Brooks Drive and Pennsylvania Avenue are not designated scenic or historic roadway. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains Regulated and Network Gap Areas within the designated network of the plan.

The Environmental Planning Section then discussed environmentally-related Conditions 2 and 12 – 17 of the approval of Preliminary Plan of Subdivision (PPS) 4-12002. (See

Finding 7 of this staff report for a discussion of Condition 2 of that approval). Conformance with the requirements of Conditions 12–17 will be evaluated as they are triggered at later stages of the development review process. The Environmental Planning Section recommends approval of this DSP and TCP2 tree conservation plans with conditions that have been included in this report.

- e. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 16, 2016, DPIE offered comments regarding the requirements for needed roadway improvements for Brooks Drive, a County-maintained roadway, which will be enforced through DPIE’s separate permitting process. DPIE also stated that the subject DSP-15038 is consistent with Stormwater Management Concept Plan 19543 dated June 26, 2015, and valid until June 26, 2017.
 - f. **City of District Heights**—At the time of this writing, staff did not receive comment regarding the project from the City of District Heights.
 - g. **City of Capitol Heights**—In an e-mail dated April 8, 2016 a representative of the Town of Capitol Heights stated that the City had no comment on the subject project.
13. Based on the foregoing analysis and as required by Section 27-285(b)(3) of the Zoning Ordinance, the DSP for Infrastructure satisfies the site design guidelines as contained in Section 27-274 of the Zoning Ordinance, prevents off-site 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.
14. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. Based on the review by the Environmental Planning Section, as stated in Finding 12(d), this DSP is in full conformance.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-15038 and Type 2 Tree Conservation Plan TCP2-005-2016 for Brooks Drive South, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall provide the required information or make the following revisions to the plans:
 - a. The TCP II shall be revised as follows:
 - (1) The approval block shall be all associated case numbers, including TCP2-005-16.
 - (2) The existing woodland limits shall be shown on Sheets of 1 through 4.
 - (3) The 65 dBA Ldn noise contours shall be shown on Sheets 1 through 4.
 - (4) The 65 dBA Ldn noise contour symbol shall be added to the legend on Sheets 1 through 4.

- (5) The General Notes shall be moved to Sheet 5.
 - (6) The word “Freeway” shall be included after “Pennsylvania Avenue” on Sheets 2 and 3.
 - (7) The revised plans shall be signed and dated by the qualified professional who prepared.
- b. The following corrections shall be made to the plans:
- (1) The parcel labeling shall be replaced with “Outlots 1–5.”
 - (2) A General Note shall be added to the plans stating that:

“Access along Brooks Drive is denied with the exception of one driveway to ensure the consolidation of vehicular traffic for all five future parcels, unless otherwise modified by the Department of Public Works and Transportation prior to approval of final plat.”
2. The conversion of outlots to buildable parcels in accordance with the approved preliminary plan of subdivision (PPS) shall be done during the validity period of 4-12002 or a new PPS will be required.
 3. Prior to approval of permits for buildings or structures, a detailed site plan shall be approved and a new final plat required to remove the outlot designation.