



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Magruder Pointe

DSP-18005

REQUEST	STAFF RECOMMENDATION
To develop 15 single-family attached units and 16 single-family detached units on the upper parcel.	APPROVAL with conditions

Location: In the southeast quadrant of the intersection of Hamilton Street and 40th Avenue	
Gross Acreage:	8.26
Zone:	R-55 & D-D-O
Dwelling Units:	31
Gross Floor Area:	N/A
Planning Area:	68
Council District:	02
Election District:	16
Municipality:	Hyattsville
200-Scale Base Map:	206NE03
Applicant/Address: Werrlein WSSC, LLC 522 Defense Highway Annapolis, MD 21401	
Staff Reviewer: Henry Zhang Phone Number: 301-952-4151 Email: Henry.Zhang@ppd.mncppc.org	



Planning Board Date:	06/11/2020
Planning Board Action Limit:	06/16/2020
Staff Report Date:	05/28/2020
Date Accepted:	04/07/2020
Informational Mailing:	03/19/2018
Acceptance Mailing:	03/31/2020
Sign Posting Deadline:	05/12/2020

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-18005
Magruder Pointe

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This detailed site plan application was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Development District Overlay (D-D-O) Zone standard of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*;
- b. The requirements of the Prince George's County Zoning Ordinance for the One-Family Detached Residential (R-55) Zone, Development District Overlay (D-D-O) Zone, and site design guidelines;
- c. The requirements of Conceptual Site Plan CSP-18002;
- d. The requirements of Preliminary Plan of Subdivision 4-18001;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- h. Referral comments.

FINDINGS

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

1. **Request:** The subject detailed site plan (DSP) application proposes to develop 15 single-family attached units and 16 single-family detached units on the upper parcel, where the former Washington Suburban Sanitary Commission (WSSC) Headquarters building was located.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zones	R-55/D-D-O	R-55/D-D-O
Use	Office	Single-Family Detached and Attached
Gross Acreage	8.26	8.26*
Dwelling Units	0	31
Single-family detached units	-	16
Single-family attached units	-	15

Note: *The applicant is proposing development on the upper 3.59-acre parcel only with a total of 31 residential dwelling units. The lower 4.66-acre parcel shows infrastructure only and is identified as an outparcel, in accordance with Preliminary Plan of Subdivision 4-18001, for future development.

Architectural Model	Based Finished Square Footage (BFSF)	Below Grade BFSF	Total BFSF	Garage
Single-family detached				
Alexandra	2,064	1,176	3,240	
Camella	2,122	1,428	3,550	
Claudia	2,540	960	3,500	
Julia	1,680	880	2,560	
Theresa	1,200	640	1,840	
Detached Garage			528	2-car
Single-family attached				
Chelsea	1,599	445	2,044	2-car
Isabella	1,799	481	2,280	2-car

Parking Spaces	Min. Required*	Max.	Provided
15 single-family attached units	15	30	30
16 single-family detached units	16	32	32
Total	31	62	62

Note: *In accordance with D-D-O-Zone standards for parking in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (page 148).

3. **Location:** The larger 8.26-acre property is located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, in Planning Area 68, Council District 2. The upper parcel, where the development is proposed in this DSP, is located north of Gallatin Street, south of Hamilton Street, and east of 41st Avenue. The lower parcel, which is known as proposed Outparcel 1, is located between 40th Place and Magruder Park. The subject site is also located within the Traditional Residential Neighborhood (TRN) Character Area of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA).
4. **Surrounding Uses:** To the north and east of the property, beyond Hamilton Street and 41st Avenue, are existing single-family detached houses in the One-Family Detached Residential (R-55) Zone; to the west, beyond 40th Avenue, is an existing public park known as Magruder Park, owned by the City of Hyattsville, and Magruder Woods Park owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Open Space (O-S) Zone; to the south are midrise apartment buildings in the Multifamily High Density Residential Zone. All surrounding properties are in the TRN Character Area and in the Development District Overlay (D-D-O) Zone.
5. **Previous Approvals:** The subject property is located on Tax Map 50 in Grid B1, consists of 35 existing lots, and contains a total of 8.26 acres. Lots 80–93 of Wine and Johnson's Revised 1st Addition to Hyattsville 1882, recorded in Plat Book LIB A-20 on June 12, 1884, and a portion of land west of Lots 88 and 88½, recorded in Liber 21981 folio 165, comprise 3.6 acres of the subject property and are zoned R-55. Lots 23–33 and Lots 52–61 of Block 1 of Holladay Company's Addition to Hyattsville, MD recorded in Plat Book LIB A-30 on May 19, 1887, comprise 4.1 acres of the subject property and are zoned O-S. The Gateway Arts District Sector Plan and SMA also placed a D-D-O Zone over the property and retained the R-55 Zone, but downzoned the 4.66-acre parcel to the O-S Zone.

The Prince George's County Planning Board approved a Conceptual Site Plan, CSP-18002, on July 26, 2018 to recommend rezoning the 4.66-acre southern portion of the property from the O-S to R-55 Zone, and amending the list of allowed uses to allow townhouses to be developed on the property, in addition to single-family detached houses. On January 15, 2019, the Prince George's County District Council remanded CSP-18002 back to the Planning Board to consider specific issues. On March 14, 2019, the Planning Board reheard the case, but took no position, and provided an amended resolution (PGCPB Resolution No. 18-74(A)). On May 13, 2019, the District Council reheard the CSP and on June 10, 2019, they issued an order to approve the rezoning from O-S to R-55 with three conditions, to facilitate R-55 development of the entire 8.26 acres for single-family attached units and single-family detached units.

On March 12, 2020, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-18001 for 31 lots, 2 parcels, and 1 outparcel for development of 15 townhouses and 15 single-family detached dwelling units, subject to 13 conditions (PGCPB Resolution No. 2020-35). PPS 4-18001 is pending final signature approval as of writing of this staff report.

The subject site also has a Stormwater Management (SWM) Concept approval 10823-2018-00, which is valid through March 22, 2022.

6. **Design Features:** The subject DSP proposes development of the upper 3.59-acre parcel with 15 single-family attached units and 16 single-family detached units. The lower 4.66-acre parcel, which was formerly used as the WSSC surface parking lot, is shown with infrastructure only and labeled as proposed Outparcel 1. The 3.59-acre upper parcel is bounded on three sides by public rights-of-way (ROWs), specifically, to the east by 41st Avenue, to the north by Hamilton Street, and to the south by Gallatin Street. Hamilton Street and Gallatin Street create a Y-intersection on the west side of the site, and on the east side of the site both intersect perpendicularly with 41st Avenue to create a triangular site.

The proposed 16 single-family detached dwellings are located in two groups, one fronting on 41st Avenue and the other on Hamilton Street. This creates compatible streetscapes with the existing neighborhoods across both 41st Avenue and Hamilton Street. An alley divides the proposed single-family detached and attached units and has two access points, one off Gallatin Street, and the other off Hamilton Street. All garages for single-family detached units are accessed via the alley, except for Lot 21, which is accessed from 41st Avenue. The alley also serves the 15 townhouse units, divided into two sticks that are perpendicular to each other, with all fronting Parcel A1, which is an open space with a SWM facility, along Gallatin Street. All of these townhouse units will have first-floor interior garages, accessed off the alley. One single-family detached unit stands alone, north of the intersection of Gallatin Street and 40th Place, with two surface parking spaces off the alley behind it.

In addition, two single-family detached units on Lots 21 and 30 have detached parking garages. The building form of the single-family detached units with the detached garages should be consistent with the existing single-family detached units across 41st Avenue and Hamilton Street. Buildings, including the detached garages, on Lots 1, 2, 10, 11, 16, 17, 21, 29, 30, and 31 are highly visible units that need special treatments of the front and side elevations that are visible from the public streets. A condition has been included in the Recommendation section to require the applicant to provide highly visible elevation treatments for the lots identified.

Architecture: A total of seven architectural models are proposed in this DSP, five single-family detached models and two single-family attached models.

The five single-family detached models, as listed in the above Finding 2, have a base finished square footage varying from 1,200 to 2,540. With options including below grade finished areas, the total square footage of the models varies from 1,840 to 3,550. All houses will have a two-car attached garage, except for two lots that have detached garages and one that has a rear parking pad. The design of the single-family detached models draws heavily from the existing single-family detached neighborhoods across both Hamilton Street and 41st Avenue. The models feature pitched and hip roofs with cross gables, front and side porches, balconies, dormers, and various colors of Hardie-board siding that are consistent with the existing houses. For those units on Lots 1, 17, 21, 29, 30, and 31 that are highly visible from public streets, additional design or material treatments, such as adding a brick water table to both the front and side elevations, should be provided. In addition, the applicant should avoid siting two identical units adjacent to each other or directly across

the street from each other to create a visually diverse subdivision. A condition requiring this has been included in the Recommendation section of this report.

Two townhouse models with a base finished square footage of 1,599 and 1,799 and an interior, rear-loaded, two-car garage are proposed. Total finished gross floor area with all options can be up to 2,044 or 2,280 square feet. The townhouse models are designed similarly to the single-family detached models by using pitched roofs and double porches with railings. For those units on Lots 2, 10, 11, and 16, that are highly visible from public streets and the alley, additional design or material treatments, such as adding a brick water table to both the front and side elevations, should be provided. A condition requiring this has been included in the Recommendation section of this report.

Security in compact townhouse developments, such as this project, has been a concern among County residents. Maximizing natural surveillance, which is one of the key components of crime prevention through environmental design, in townhouse model design can greatly improve the security of individual units and help to create a safer neighborhood. The townhouse model design should provide security options, including but not limited to, a highly visible front entrance, doorbell camera, front entrance door with side lights, wider door frame, and more windows on all elevations to the extent practical. The builder should either include the security options in the model selection at the time of purchase, or provide possible rough-ins to facilitate homeowner's future installation.

Sustainable site and green building techniques: Per the applicant, the detached and attached houses proposed in this DSP are anticipated to incorporate numerous green building features. In terms of the building envelope, all houses will meet or exceed current energy codes, including such things as R-49 insulation in the roof and R-20 insulation in the walls. All windows installed will be double glazed. All appliances within the houses will be Energy Star rated. The plumbing fixtures will all be selected with water conservation in mind. Every detached house will be provided with at least one installed rain barrel. Every house will have an electric car charging station.

All houses will have deep eaves (most of them with porches), which will help to reduce the energy required to keep the house cool in the summer. All roofing materials will be lighter in color so as to absorb less heat in the summer. The houses will have numerous, tall windows that will enhance daylighting, which will reduce the energy required for lighting. All of the houses will be ready to be equipped with solar panels, especially the townhouses, which have a flatter roof condition. All the houses will be within a 20-minute walk of the West Hyattsville Metro Station, within a 2-minute walk of a bus stop and will come with a membership to the Capital Bikeshare system. There will be a bikeshare station installed within a 2-minute walk from all of the houses.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-55 and D-D-O Zones and site design guidelines of the Prince George's County Zoning Ordinance, as follows:
 - a. Since the site is within the D-D-O Zone superimposed by the Gateway Arts District Sector Plan and SMA, the D-D-O Zone standards replace all those contained in the

Zoning Ordinance (page 142), including the site design guidelines for site plans. The proposed single-family detached use is permitted in the TRN Character Area, and the proposed single-family attached use is permitted, as approved in CSP-18002.

- b. Footnote 2 on page 144 of the Gateway Arts District Sector Plan and SMA states:

R-55 zoned properties in the TRN character area within the incorporated City of Hyattsville are exempt from the development standards and will abide by the requirements of the R-55 Zone.

However, in this case, the applicant obtained a conceptual site plan approval, CSP-18002, that rezoned the 4.67-acre lower parcel from the O-S Zone to the R-55 Zone and allowed for the single-family attached (townhouse) use on the subject property. In so doing, the District Council order conditioned that a DSP be required and that it be subject to the D-D-O Zone standards applicable to the Traditional Residential Neighborhood Character Area. This conformance is discussed in Finding 8 below.

The Council order also approved CSP-18002 with the maximum density for single-family attached development at nine dwelling units per acre and the maximum density for single-family detached, as permitted in the R-55 Zone, at 6.7 dwelling units per acre, and indicates a total density of 72 units (31 units on Parcel 1, upper and 41 units on Parcel 2, lower), in accordance with Applicant's Exhibit 1, provided with CSP-18002.

The exhibit indicates that, when combining the dwelling unit types on Parcel 1, the density would result in approximately 8.6 dwelling units per acre on Parcel 1 and approximately 8.8 dwelling units per acre on Parcel 2, based on the gross acreages. The DSP is consistent with the CSP approval in regard to density and staff finds the proposed bulk standards achieve a context-sensitive, high-quality, single-family residential development, in accordance with Condition 3 of CSP-18002. Therefore, the proposed dwelling unit density conforms to the CSP approval.

The applicant shall provide the proposed density on the DSP, in accordance with the approved CSP. The Density Calculation Table as provided is misleading, showing a net acreage of 5.24, and should be revised to reflect what was approved with the CSP. A condition to that effect has been included in the Recommendation section of this report.

- c. The Gateway Arts District Sector Plan and SMA states, in the D-D-O Zone standards under Site Design, Parking and Loading (page 148), the following:

Standard 5. - Parking for residential and live/work use shall consist of a minimum of 1 and a maximum of 2 on-site spaces per lot. If the dwelling lot fronts on a street with on-street residential parking, each 20 feet of linear frontage may be substituted for 1 space.

The DSP proposes a total of 31 residential dwelling units. The minimum required parking spaces are 31, and maximum allowed parking spaces are 62. The applicant provides 62 on-site parking spaces, in conformance with this standard. In addition,

the applicant identifies that the subject site is surrounded on three sides by public ROW and on-street parking may be available.

8. **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 Gateway Arts District Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Gateway Arts District area. The land use concept of the Sector Plan divides the Gateway Arts District into seven interrelated areas for the purpose of examining issues and opportunities and formulating recommendations. Detailed recommendations are also provided for the seven distinct areas within the Sector Plan.

The subject site is located within the TRN, which calls for a development character that reinforces the existing single-family detached residential neighborhoods as calm, low-traffic, and child-safe. In order to achieve this land use vision, the Gateway Arts District Sector Plan and SMA prescribes D-D-O Zone standards under three categories of Site Design, Building Design, and Public Open Space that governs the development of the subject site.

Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets applicable development district standards. The applicant has submitted a statement of justification (SOJ) that provides a detailed explanation of how the proposed development conforms to each development district standard and, if not, why and what amendments are required.

The DSP meets most of the applicable standards, with the exception of seven development district standards for which the applicant has requested amendments. In order to allow the plan to deviate from the development district standards, in accordance with Section 27-548.25(c), the Planning Board must find that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the Sector Plan. The amendments that the applicant has requested are discussed below under the three categories of standards.

SITE DESIGN

Building and Streetscape Siting

12. **On properties zoned R-55, the minimum lot area for new dwellings shall be 5,000 square feet. Where the depth of the lot is less than 100 feet, the minimum net lot area shall be 4,800 square feet. (page 146)**

All single-family detached lots meet the 5,000 square foot minimum, except for Lots 23 (4,150 square feet) and 29 (4,080 square feet). A comparative small lot (less than 5,000 square feet) is not uncommon within the close vicinity of the subject site. In fact, approximately two dozen existing homes within four blocks have lot sizes less than 5,000 square feet. The site design maintains a similar lot width at the street frontage to create a consistent lotting pattern that achieves a compatible streetscape with the existing single-family homes across Hamilton Street and 41st Avenue. The minor reduction of the lot size for two lots only will not be easily perceptible and will ensure context-sensitive development.

In addition, for the single-family attached (townhouse) lots, a 1,400 square feet minimum lot size has been requested. The County has previously approved similar or smaller townhouse lot sizes in the close vicinity of this site, some as small as 1,000 square feet. Given the infill nature of this development, the proposed lot size will allow sufficient usable space and urban living within the established traditional neighborhood.

Therefore, the alternate lot size standards for two single-family detached units and single-family attached units will benefit the development and development district and will not substantially impair implementation of the Sector Plan. The architecture is commensurate in details and design to the neighborhood to further enhance compatibility. Staff recommends **approval** of this amendment.

16. The front yard shall not have more than 20 percent impervious surface and shall not include a paved area for parking between the dwelling and the street sidewalk. (page 146)

All proposed single-family detached lots meet this impervious surface requirement, except for Lot 21, which is located at the intersection of Hamilton Street and 41st Avenue. Due to its corner lot location and the presence of various utility easements, Lot 21 does not have enough lot depth in either direction to accommodate normal house siting and has to utilize a stand-alone garage, in order to create a consistent streetscape along 41st Avenue. The driveway to the garage increases the total impervious surface over the maximum allowed 20 percent. Staff supports this amendment because this slight increase of impervious surface area is limited to Lot 21 only and will not substantially impair implementation of the Sector Plan. However, the applicant should provide the specific percentage of the impervious surface of Lot 21 on the site plan, prior to certification of this DSP. Staff recommends **approval** of this amendment.

24. Accessory buildings shall be set back a minimum of 40 feet from the front lot line. (page 147)

All accessory buildings on the site plan are set back more than 40 feet from the front lot line, except for Lot 21. As discussed previously, Lot 21 is a corner lot that has a limited lot depth and is unable to meet this setback requirement for the stand-alone garage. In order to create a consistent development pattern along 41st Avenue, the garage is set back 20 feet, similar to the houses, and thus necessitates this amendment. This alternate standard will benefit the development and the development district and will not substantially impair implementation of the Sector Plan. Staff recommends **approval** of this amendment.

25. Side yards for one-family detached dwellings shall be a minimum of 8 feet wide on both sides but may be reduced as much as 4 feet on each side where the resulting building would be less than 14 feet in width. (page 147)

The proposed residential development included in this DSP is an infill development project on the site where the former WSSC headquarters building was located. The proposed development will further strengthen the existing single-family traditional neighborhood characteristics by creating a compatible development pattern and streetscape through observing uniform front building setbacks and lot widths, as recommended by the Gateway Arts District Sector Plan and SMA. In order to make full use of the existing infrastructure and public service already in the area, the DSP utilizes a zero-lot line concept to push the building to one side as much as possible, for a minimum side yard setback of three feet, versus the required eight feet. This creates one usable side yard for outdoor activities since the rear yard area is largely occupied by the garages and driveways. However, all single-family detached lots have a minimum combined side yard of 18 feet, which is 2 feet larger than the total of 16 feet if the minimum 8 feet was provided on each side. Except for Lot 22, which has a combined side yard of 10 feet, all the single-family detached lots have a combined side yard of 18 to 25 feet. Most of the houses have a porch element on the side, which would create covered outdoor space, in addition to the larger side yard.

In addition, several existing houses across Hamilton Street, and even existing houses within one block of the site, have similar narrower side yard setbacks. This alternate side yard setback of three feet will benefit the development and the development district and will not substantially impair implementation of the Sector Plan. Staff recommends **approval** of this amendment.

27. One-family detached dwellings shall have a rear yard a minimum of 25 feet in depth. (page 147)

As discussed above, the DSP proposes a redevelopment of a commercial site with urban single-family dwelling units that feature higher density, narrow frontage, and an alley system to maximize unit yield. Except for Lot 21, all single-family detached units will be accessed via an alley and have walking paths to the front yards directly from the surrounding public streets. Most of the garages are attached to the rear of the buildings and therefore can only have a rear yard of 11 feet, instead of the required 25 feet.

In addition, the applicant also presents several reasons for creating irregular rear yards, which include allowing garages and tandem driveway parking, the existing Magruder Park is within walking distance, Parcel A-1 and A-2 are open space parcels on the site and urban living is not based on yard space. This alternate standard will benefit the development and the development district and will not substantially impair implementation of the Sector Plan. Staff recommends **approval** of this amendment.

Siting and Access

6. Driveways or private drive-aisles shall have a maximum width of 12 feet. (page 149)

Insufficient parking has been a persistent issue in established neighborhoods in the County, including the neighborhoods surrounding the subject site. In order to minimize parking spill-over into the existing neighborhood, as is common with infill projects, this DSP proposes two-car garages for every unit, and an alley system with 19.5-foot-wide driveways that can accommodate additional parking. Given the fact that all wider driveways will be located interior to the site, except for one, this alternate standard will benefit the development and the development district by reducing parking spill-over into the existing neighborhood and will not substantially impair implementation of the Sector Plan. Staff recommends **approval** of this amendment.

PUBLIC SPACE

Streetscape

6. Street trees shall be shade trees and shall be a minimum of 2.5- to 3-inch caliper. (page 155)

The subject site has frontage on three surrounding public ROWs and will be required to provide street frontage improvements outside of the ROWs, in accordance with the County's standards. Technically, this standard is not readily applicable to the DSP. However, the applicant proposes to plant as many shade trees, in accordance with the required caliper size in the site areas on individual lots, adjacent to Hamilton Street, Gallatin Street, and 41st Avenue to functionally serve as street trees. Planting additional shade trees on the subject site will help reduce the heat island effect of the developed areas within the dense neighborhood and will benefit the development and the development district. Staff recommends **approval** of this amendment.

9. Conceptual Site Plan CSP-18002: The District Council approved Remanded CSP-18002 on June 10, 2019 with three conditions. The conditions that are relevant to the review of this DSP are discussed as follows:

2. At the time of Detailed Site Plan, as required in PGCC § 27-548.26, Applicant shall:

a. Provide evidence that impact to the floodplain has been approved by the authority having jurisdiction.

In a letter (Hajazi to Freiland) dated September 27, 2018, the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) approved a Floodplain Waiver for this subject site. The DSP satisfies this condition.

b. Provide sidewalks on both sides of all internal streets, excluding alleys, as appropriate.

The subject site is bounded on three sides by the ROWs of Hamilton Street, 41st Avenue, and Gallatin Street. One alley has been provided through the site that links Gallatin Street to Hamilton Street. Sidewalks have been provided along the three frontages of the site. Additional pedestrian paths have been provided in front of the townhouse buildings and on Parcel A2 linking Hamilton Street to Gallatin Street. The DSP meets the requirements of this condition.

3. **Prior to issuance of any building permit, Applicant shall, pursuant to PGCC § 27-548.26, obtain approval of a Detailed Site Plan (DSP) for the entire 8.26 acres. The DSP shall be subject to all Development District Overlay (D-D-O) Zone standards applicable to the Traditional Residential Neighborhood Character Area. Additional bulk requirements shall be established with the approval of the DSP to implement the applicable goals and recommendations of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, to achieve context-sensitive, high-quality, single-family residential development.**

The applicant has filed this DSP, for the entire 8.26 acres; but shows only first phase of 31 dwelling units for development of the upper parcel, in accordance with this condition. The DSP has been reviewed for conformance with the applicable D-D-O Zone conditions, as discussed in the above Finding 8. The DSP meets all applicable D-D-O Zone standards, except for seven standards that the applicant has requested amendments to, in accordance with Section 27-548.25(c). The additional bulk requirements achieve a context-sensitive, high-quality, single-family development. The DSP satisfies this condition.

10. **Preliminary Plan of Subdivision 4-18001:** The Planning Board approved 4-18001 with 13 conditions (PGCPB Resolution No. 2020-35). The conditions that are relevant to the review of this DSP warrant the following discussion:

1. **Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to provide density information in the general notes, in accordance with the approved Conceptual Site Plan, CSP-18002.**

As of preparation of this staff report, PPS 4-18001 has not obtained signature approval yet. A condition has been included in the Recommendation section of this report requiring 4-18001 to receive signature approval, prior to certification of the DSP.

3. **Total development within the subject property shall be limited to uses that would generate no more than 23 AM and 26 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new PPS, with a new determination of adequacy transportation facilities.**

In accordance with the review by the Transportation Planning Section (Hancock to Zhang), dated May 12, 2020, the proposed development is within the trip cap.

4. **Prior to signature approval of the preliminary plan of subdivision, the applicant shall provide written verification from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) whether unsafe soils are present on-site. If present, the detailed site plan shall clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by DPIE.**

DPIE has provided written communication to both the applicant and the Environmental Planning Section regarding soil safety for this site. The written correspondence has been incorporated into the official file for this case. DPIE's written findings conclude that there are no building soil safety factor lines required, but restrictions regarding Christiana Clays and unconsolidated fill apply to the site, specifically for SWM devices. The correspondence indicates that water infiltration and discharge on this site is prohibited. Geosynthetic liner is required under any proposed SWM devices. Downspouts shall all be connected to an extension that discharges into the nearest stormdrain inlet. These issues will be enforced by DPIE at the time of permitting.

5. **In conformance with the 2004 *Approved Sector Plan for the Prince George's County Gateway Arts District* and 2009 *Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along the frontages of Hamilton Street, Gallatin Street, and 41st Avenue. Wide sidewalks shall be provided along the frontage of Hamilton Street and Gallatin Street where feasible. Sidewalks shall be shown on the detailed site plan, prior to acceptance.**

The DSP has been revised to show the required sidewalks on the site plan, as conditioned.

7. **Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (10823-2018-00) and any subsequent revisions.**

The DSP is consistent with the approved SWM Concept Plan 10823-2018-00.

10. **If, at the time of detailed site plan, an amendment to the development district standards is approved to allow a reduced lot size, 31 lots may be platted pursuant to the applicant's sketch plan, given all other lot and density standards are met.**

Seven amendments to the D-D-O Zone standards, including the lot size for two single-family detached units and for single-family attached units, have been requested and staff recommends approval of all of them because the alternate standards will benefit the development and the development district and will not substantially impair implementation of the sector plan.

11. **Prince George's County Landscape Manual:** The D-D-O Zone includes development district standards that override all of the requirements of the Zoning Ordinance. On page 142 of the Gateway Arts District Sector Plan and SMA, it states:

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. If an aspect of the physical development of a project is not included in the development district standards, the character area goals and the intent statement of those standards most closely relating to that aspect shall apply.

The subject site is located in the TRN Character Area. The following D-D-O Zone standards related to landscaping are applicable to this DSP.

SITE DESIGN

Landscaping

- 1. Existing trees should be preserved where feasible. (page 151)**

There are a few existing trees on this upper parcel that have been preserved, where feasible.

- 2. Shade trees with a minimum of 2.5- to 3-inch caliper shall be provided at the rate of one shade tree per every 5,000 square feet of the gross site area (exclusive of street dedications). Existing trees and street trees to be planted within the abutting right-of way may be counted toward meeting this standard.**

This standard requires 28 shade trees that have been provided on the site.

PUBLIC OPEN SPACE

Parks and Plazas

- 1. At least one tree with a minimum 2.5- to 3-inch caliper should be planted per every 1,000 square feet of proposed open space.**

This standard requires 29 shade trees that have been provided on the site.

- 3. A minimum of 1 shrub should be provided for every 100 square feet of area, and there should be a minimum of 3 varieties for spaces greater than 300 square feet.**

This standard requires 287 shrubs that have been provided on the site.

In addition, landscaping based on the 2010 *Prince George's County Landscape Manual*, requirements of Section 4.1, Residential Requirements, have been provided on each individual lot. Additional shade trees, with a minimum 2.5- to 3-inch caliper, are also provided along all frontages of Hamilton Street, Gallatin Street, and 41st Avenue. Moreover, the requirements of Section 4.9, Sustainable Landscaping Requirements, have been

exceeded as the landscape plan shows that 100 percent of the provided shade trees, evergreen trees, ornamental trees, and shrubs are native species.

- 12. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the site has less than 10,000 square feet of woodland on-site and no previously approved tree conservation plans. A Standard Woodland Conservation Exemption Letter (S-043-2018) was submitted with the DSP application.

An approved Natural Resources Inventory (NRI-013-11) was submitted with the application. The site is comprised of two parcels with existing parking areas and buildings with small areas of open landscaped areas. No woodland exists on the site. The lower parcel contains primary management area (PMA) consisting of floodplain, stream buffer, and wetland buffer. Existing parking and landscaping are within the PMA. There are four specimen trees on the upper parcel, which are to be removed. Since, the site is exempt from woodland conservation requirements, no variance request for specimen tree removal is required.

- 13. Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. The subject site is in the R-55 Zone, which requires 15 percent of the site be covered in tree canopy. The upper parcel, where the development is located, measures 3.6 acres, and 0.54 acre (23,522 square feet) of TCC is required. A TCC schedule has been provided with this DSP that shows 23,625 square feet of TCC meets the requirements. The TCC requirement for Outparcel 1 will have to be met separately at time of development of that area.

- 14. Referral Comments:** The subject application was referred to the concerned agencies and divisions. Their referral memorandums have been included in this staff report by reference, and the major comments are summarized, as follows:

- a. **Community Planning**—In a memorandum dated May 7, 2020 (Mierow to Zhang), the Community Planning Division provided the following summarized comments:

The Gateway Arts District Sector Plan and SMA retained the portion of the subject property between Hamilton and Gallatin streets in the R-55 Zone but reclassified the former parking lot portion of the property between 40th Avenue and 40th Place from the R-55 Zone to the O-S Zone, noting “Rezoning to O-S creates the opportunity to expand parkland and reinforce the vision of the traditional residential neighborhood character area” (page 123). The SMA further superimposed the D-D-O Zone, placing the entire property in the TRN character area. Note that R-55-zoned properties in the TRN character area within the incorporated City of Hyattsville are exempt from the development district standards and abide by the requirements of the R-55 Zone (page 144). The TRN goals and recommendations are still applicable, however, regardless of the zone.

The Community Planning Division staff listed nine amendments that the applicant initially requested. In the revised SOJ submitted on May 14, 2020, the applicant reduced the amendments to seven standards only. Detailed discussion has been provided in Finding 8 of this report.

In conclusion, the Community Planning Division staff finds that, pursuant to Section 27-548.25(c), this applicant requests development standards which differ from the development district standards of the Gateway Arts District Sector Plan and SMA that will benefit the development and will not substantially impair implementation of the Sector Plan.

- b. **Transportation Planning**—In a memorandum dated May 12, 2020 (Hancock to Zhang), the Transportation Planning Section offered comments on the subject application summarized, as follows:

PPS 4-18001 established the trip generation in each peak hour that was used for the analysis for the residential trip cap. The development of Phase 1 at full buildout is projected to generate 23 (4 inbound, 19 outbound) and 26 (17 inbound, 9 outbound) vehicle trips during the AM and PM peak hours, respectively.

There are two access points for Phase 1; one on Gallatin Street and one on Hamilton Street. An internal alley, currently labeled Alley 1, will connect both access points and provide internal access to most of the homes in the subdivision. One house located on Lot 21 will not have access to Alley 1, rather it has access to 41st Avenue. Staff has coordinated with the City of Hyattsville and they are in agreement with the access for Lot 21. The access plan and circulation on this site is acceptable.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.

- c. **Historic Preservation**—In a memorandum dated April 9, 2020 (Stabler to Zhang), the Historic Preservation Section indicated that the subject property was the site of WSSC Headquarters (68-10-082), a documented property constructed in 1939. The building was demolished in 2019. There are no Prince George’s County historic sites or resources on or adjacent to the subject property.

A Phase I archeology survey is not recommended on the subject property. As part of the pre-application review, the southern portion of the subject property that was formerly used as a parking lot, was thought to have some potential of containing intact archeological resources. However, the plan shows a sewer line, a gas line, and a drainage channel running through various portions of the subject site. The installation of these utilities has likely extensively disturbed any intact archeological resources that may have been present. Therefore, a Phase I archeology survey is not recommended.

- d. **Trail**—In a memorandum dated May 6, 2020 (Smith to Zhang), the Transportation Planning Section provided comments on nonmotorized transportation issues, summarized as follows:

All internal roads are proposed as alleys and therefore do not require sidewalks. The submitted plans indicate the existing 4-foot-wide sidewalks along Gallatin Street, Hamilton Street, and 41st Avenue. An additional 5-foot wide sidewalk connection is also included between Hamilton Street and Gallatin Street.

The subject site is adjacent to residential neighborhoods, and Magruder and Hamilton Parks, which are all connected via sidewalks. Staff find that the proposed pedestrian and bicycle circulation, along with the below recommendations, will be safe, efficient, and convenient for both pedestrians and motorists, pursuant to Sections 27-283 and 27-274(a)(2)(C) of the Zoning Ordinance, and site design guidelines.

Three master-planned trails impact the subject site, including planned shared roadways along Hamilton Street, Gallatin Street, and 40th Place.

The submitted plans include sidewalks along all roadway frontages; however, staff recommends a minimum of 5-foot-wide sidewalks be provided along all roadway frontages. Per PPS 4-18001, the proposed development is subject to a bikeway fee for the placement of signage along Hamilton Street, Gallatin Street, and 40th Place, which is an important component of a bicycle-friendly network.

Based on the findings presented above, staff concludes that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27-283 of the Zoning Ordinance, and meets the findings required by Section 27-285(b) of the Zoning Ordinance for a DSP for transportation purposes, and conforms to the prior development approvals, and the Gateway Arts District Sector Plan and SMA.

- e. **Environmental Planning**—In a memorandum dated May 12, 2020, (Schneider to Zhang), the Environmental Planning Section provided an analysis of the DSP, and the relevant comments are summarized, as follows:

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

The applicant has submitted the same SOJ for the impacts to the on-site regulated environmental features that was approved with PPS 4-18001, with this application. No new impacts are proposed with this DSP.

The approved PMA impacts include one area (Impact 1 from the PPS), which totals 2.54 acres for on-site stormdrain pipe installation and grading associated with the removal of impervious asphalt. The installation of the proposed floodplain compensatory storage required to serve the development on the lower parcel has not been requested, nor approved. All of the on-site impacts are located on proposed Outparcel 1, which has been previously impacted with existing paved parking areas, a stormdrain, and a stormdrain outfall. The existing stormdrain system will be upgraded with a new system to support the proposed development of the upper parcel.

Stormwater Management/Unsafe Soils

A SWM Concept Approval Letter 10823-2018-00 and associated plan were submitted with the application for this site. The approval was issued on March 22, 2019 with this project from DPIE. The concept plan shows two of the proposed six micro-bioretenion facilities on the upper parcel. The remaining four, as well as a compensatory floodplain storage area are not proposed with this application at this time.

The site contains Christiana clays and DPIE has stated that the site must follow unconsolidated clay requirements. DPIE has also stated that no buildings will be permitted on recycled materials or demolition debris. These recycled materials or demolition debris shall be removed from the site. A geotechnical certification will be required to confirm that removal before issuance of a Fine Grading permit. All asphalt from parking lot areas shall be recycled only at asphalt plants.

The Environmental Planning Section recommends approval of DSP-18005 with no conditions.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated May 8, 2020 (Sun to Zhang), DPR provided comments, as follows:

In conformance with PPS 4-18001, the requirements for mandatory parkland dedication will be addressed by a fee-in-lieu payment. As per Condition 6 of PGCPB Resolution No. 2020-35, the fee in-lieu payment shall be made, prior to approval of the final plat.

The plans indicate that Outparcel 1 is for infrastructure only and will be used for flood plain compensatory 100-year storage that will be needed for this development. The outfall for the stormdrain system is shown on the adjacent property, which is owned by M-NCPPC. The applicant has not contacted DPR with regards to our consent for the outfall to be located on park property. DPR suggests that the applicant look at re-engineering the plans to not have the outfall on park property or to have any adverse impacts to park property.

DPR recommends approval of this DSP, subject to one condition that has been included in the Recommendation section of this report.

- g. **City of Hyattsville**—In a letter dated May 20, 2020 (Mayor Hollingsworth to Chairman Hewlett), the Hyattsville City Council requested that the applicant and the Planning Board delay its consideration of the DSP application until the City’s legal appeal of the parent CSP application has been resolved. The City of Hyattsville believes that the District Council’s decision to allow townhouses on an R-55-zoned property in the subject Traditional Residential Neighborhood is unlawful and contradictory to the goals and intent of the Gateway Arts District. The City Council provided eight requirements, if the Planning Board proceeds to consider this application, as follows:

- (1) All single-family attached units present on the upper lot of the site shall incorporate pitched roofs (as opposed to low-slope roofs), consistent with the architecture of the single-family detached dwelling units.
- (2) The shared driveway area between Lots 20 and 22, which does not reside on private property, shall be entrusted to the site’s homeowners association for ownership and maintenance, as proposed in the City’s Exhibit 1, submitted for the record.

Or

All lots should have dedicated driveway aprons, as proposed in the City's Exhibit 2, submitted for the record.

- (3) All single-family detached lots shall meet the minimum lot area standard of 5,000 square feet, without exception.
- (4) Three-foot side-yards of adjacent houses shall not abut.
- (5) Buyers of single-family detached homes that are not outfitted with a wraparound porch shall have an option to include a separate side porch in the design and construction of the dwelling.
- (6) The applicant shall ensure all walkways and entrances can accommodate individuals with accessibility and mobility issues.
- (7) For those units without rooftop decks, the roof of the garage shall match the pitch and style of the accompanying dwelling unit.
- (8) In order to mirror a more natural egress, a structured pathway shall be included on the west side of the site to give individuals a direct pathway from Hamilton Street to Magruder Park.

The City's requirements, as agreed to by the applicant, have been included as conditions herein, except for the requirement to meet the minimum lot area standard of 5,000 square feet. The applicant has requested, and staff recommends approval of, an amendment to the lot size standard for two lots. The applicant also indicated that they prefer the second option under Requirement 2, to include the driveways to Lots 20 and 22, as part of the alley that will be dedicated to the City.

- h. **Prince George's County Police Department**—In a memorandum dated April 14, 2020 (Contic to Planner Coordinator), the Police Department offered no comments on the subject application.
- i. **Prince George's County Health Department**—In a memorandum dated April 13, 2020 (Adepoju to Zhang), the Health Department provided comments that have been transmitted to the applicant. The subject site is located within the established area of the County and is close to numerous service and retail facilities, including grocery stores and restaurants. The site plan also demonstrates pedestrian connections to the neighboring communities, especially the Magruder Park to the southwest of the site. Notes regarding dust and noise impacts during demolition/construction shall be added to the plan, as conditioned herein.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—As of the writing of this technical staff report, DPIE did not offer comments on the subject application.

15. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, this DSP will, if approved with conditions, represent a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
16. As required by Section 27-285(b)(2), this DSP is in general conformance with the approved CSP-18002.
17. Section 27-285(b)(4) provides the following required finding for approval of a DSP:
 - (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

All regulated environmental features are on the lower parcel, proposed Outparcel 1, which includes only infrastructure improvements at this time. The PPS 4-18001 approval included approval of impacts to the regulated environmental features. No new impacts are proposed with this DSP. Therefore, it can be said that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

RECOMMENDATION

Based on the forgoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE amendments to the Development District Overlay (D-D-O) Zone Standards, as follows:
 1. **Site Design, Building and Streetscape Siting, Standard 12** (page 146): To allow the minimum lot area of Lots 23 and 29 to be smaller than the requirement, at 4,150 and 4,080 square feet, respectively. In addition, to allow the townhouse lots to be a minimum of 1,400 square feet.
 2. **Site Design, Building and Streetscape Siting, Standard 16** (page 146): To allow Lot 21 to exceed the maximum allowed 20 percent impervious surface area, as shown on the site plan.
 3. **Site Design, Building and Streetscape Siting, Standard 24** (page 147): To allow the accessory building (stand-alone garage) on Lot 21 to be set back 20 feet from the front lot line, instead of the required 40 feet, as shown on the site plan.
 4. **Site Design, Building and Streetscape Siting, Standard 25** (page 147): To allow a minimum side yard of 3-feet-wide on single-family detached lots, with a minimum combined side yard of 10 feet.
 5. **Site Design, Building and Streetscape Siting, Standard 27** (page 147): To allow a minimum rear yard depth of 11 feet for the single-family detached lots.

6. **Site Design, Siting and Access, Standard 6** (page 149): To allow driveways or private drive aisles to be a maximum of 19.5 feet wide, instead of the required 12 feet, in order to maximize on-site parking.
7. **Public Space, Streetscape, Standard 6** (page 155): To allow additional shade trees of the required caliper size to be planted on the subject site areas that are adjacent to the public streets to function as street trees.

B. APPROVE Detailed Site Plan DSP-18005, Magruder Pointe, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Obtain signature approval of Preliminary Plan of Subdivision 4-18001, and revise the DSP, as necessary.
 - b. Revise site plan to be consistent with Development District Overlay Zone standard information included in the revised Statement of Justification.
 - c. Provide specific impervious area for Lot 21 on the site plan.
 - d. Provide a correct Density Calculation Table, in accordance with the approved Conceptual Site Plan, CSP-18002.
 - e. Include a structured pathway on the west side of the site to give individuals a direct pathway from Hamilton Street to Magruder Park.
 - f. Revise the site plan to show that all lots shall have a separate dedicated driveway apron, as shown in the City of Hyattsville's Exhibit 2.
 - g. Provide the following architecture-related and general plan notes:

“All highly-visible single-family attached (townhouse) end units located on Lots 2, 10, 11 and 16, shall have, at a minimum, the water table or first floor finished with brick, or other masonry, with a minimum of three architectural features in a balanced and harmonious composition.”

“The two side elevations of all highly visible single-family detached units, located on Lots 1, 17, 21, 29, 30 and 31, shall have, at a minimum, the water table or first floor finished with brick, or other masonry, with a minimum of three architectural features in a balanced and harmonious composition.”

“No two single-family detached units that are adjacent to or across the street directly facing each other shall use the same model.”

“All single family attached units present on the upper lot of the site shall incorporate pitched roofs (as opposed to low-slope roofs), consistent with the architecture of the single-family detached dwelling units.”

“Three-foot side-yards of adjacent houses shall not abut each other.”

“Single-family detached homes that are not outfitted with a wraparound porch shall have an option to include a separate side porch in the design and construction of the dwelling.”

“For those units without rooftop decks, the roof of the garage shall match the pitch and style of the accompanying dwelling unit.”

“The applicant shall ensure all walkways and entrances can accommodate individuals with accessibility and mobility issues.”

“During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code. “

- h. Provide the stormwater management (SWM) plan for review and approval by the Prince George’s County Department of Parks and Recreation (DPR) to assess the impact of stormdrain outfalls on adjacent parkland. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent parkland. If the outfalls require drainage improvements on land owned by the Maryland-National Capital Park and Planning Commission, DPR shall review and approve the location and design of these facilities. DPR shall also require, at a minimum, a Right of Entry Agreement, along with a grading and restoration bond for the park property affected. Should the SWM plan be revised to eliminate the outfall on park property, this condition shall be voided.

ITEM:

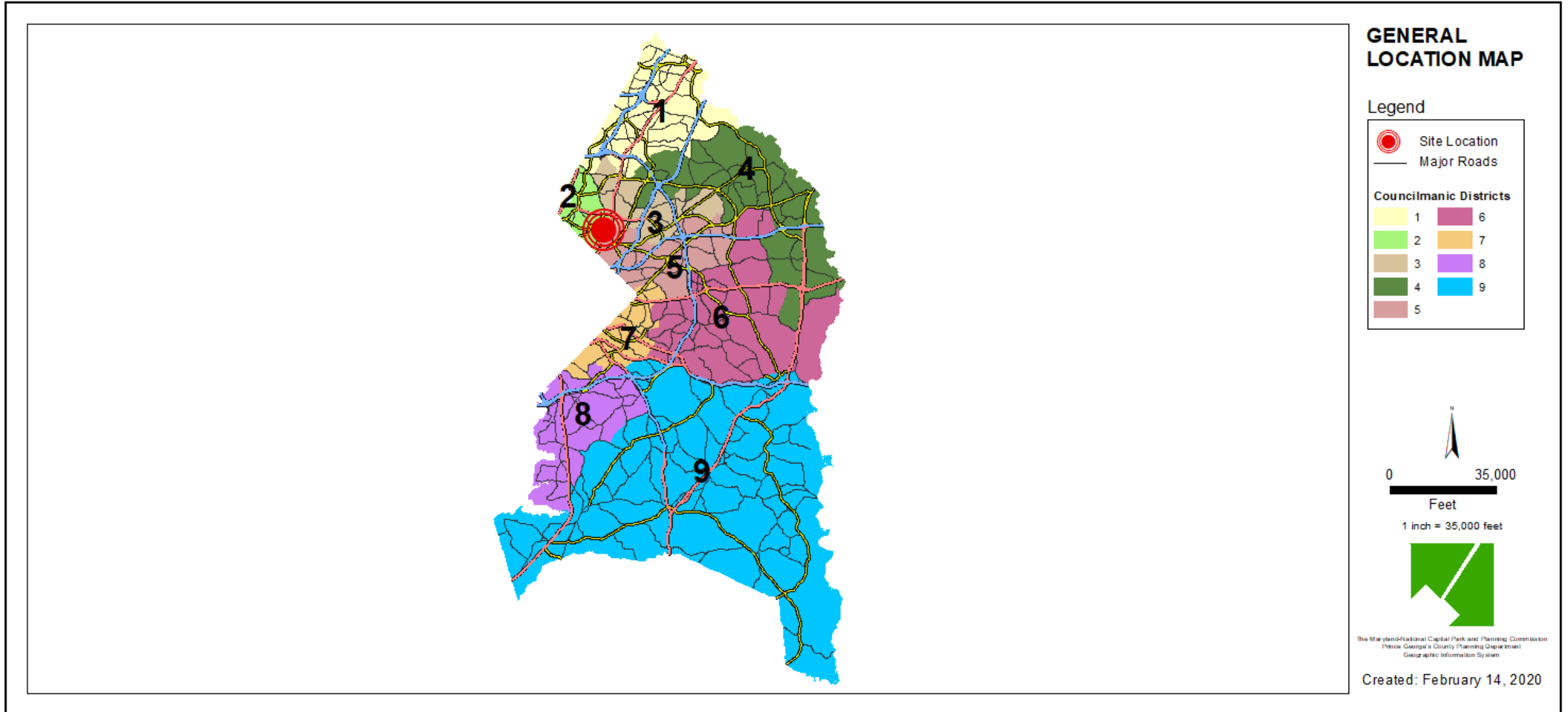
CASE: DSP-18005

MAGRUDER POINTE

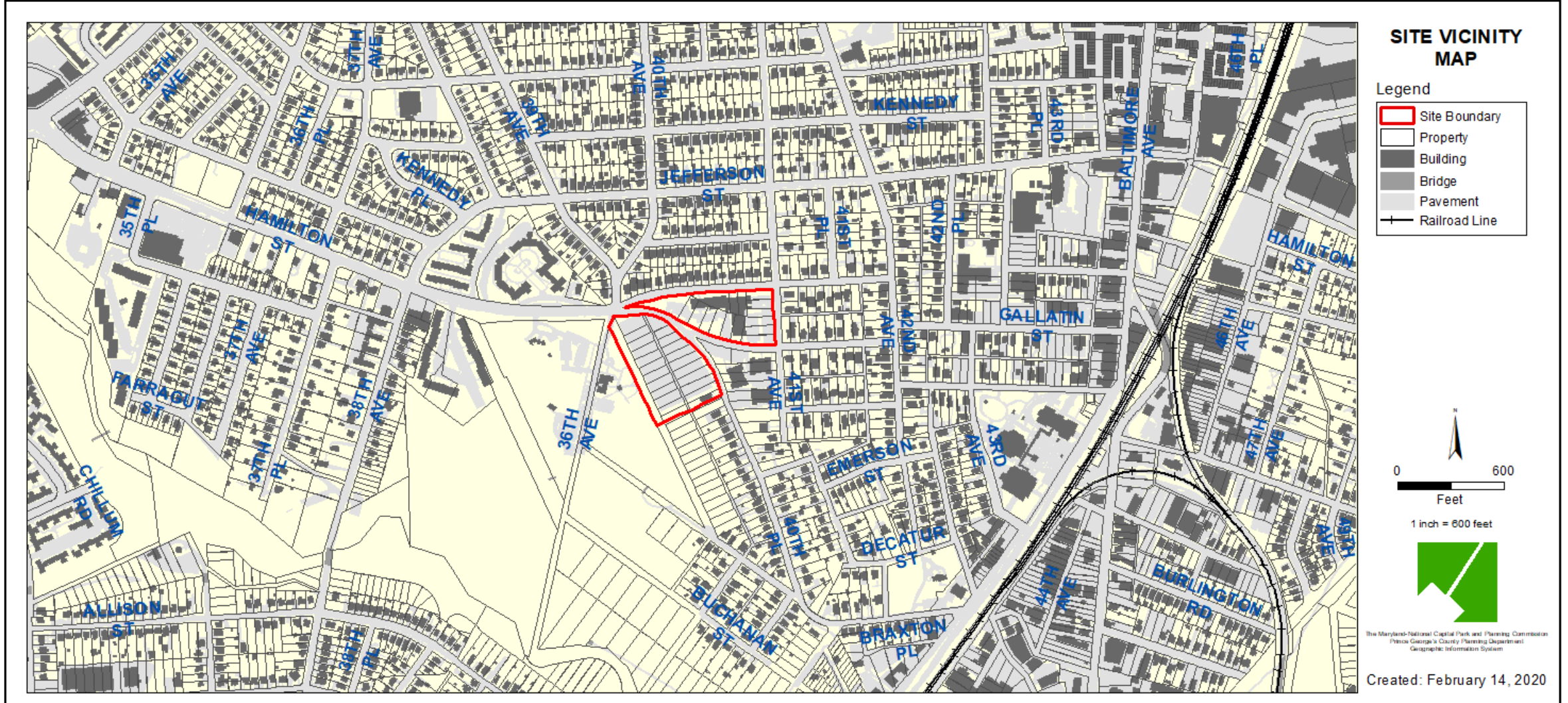
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



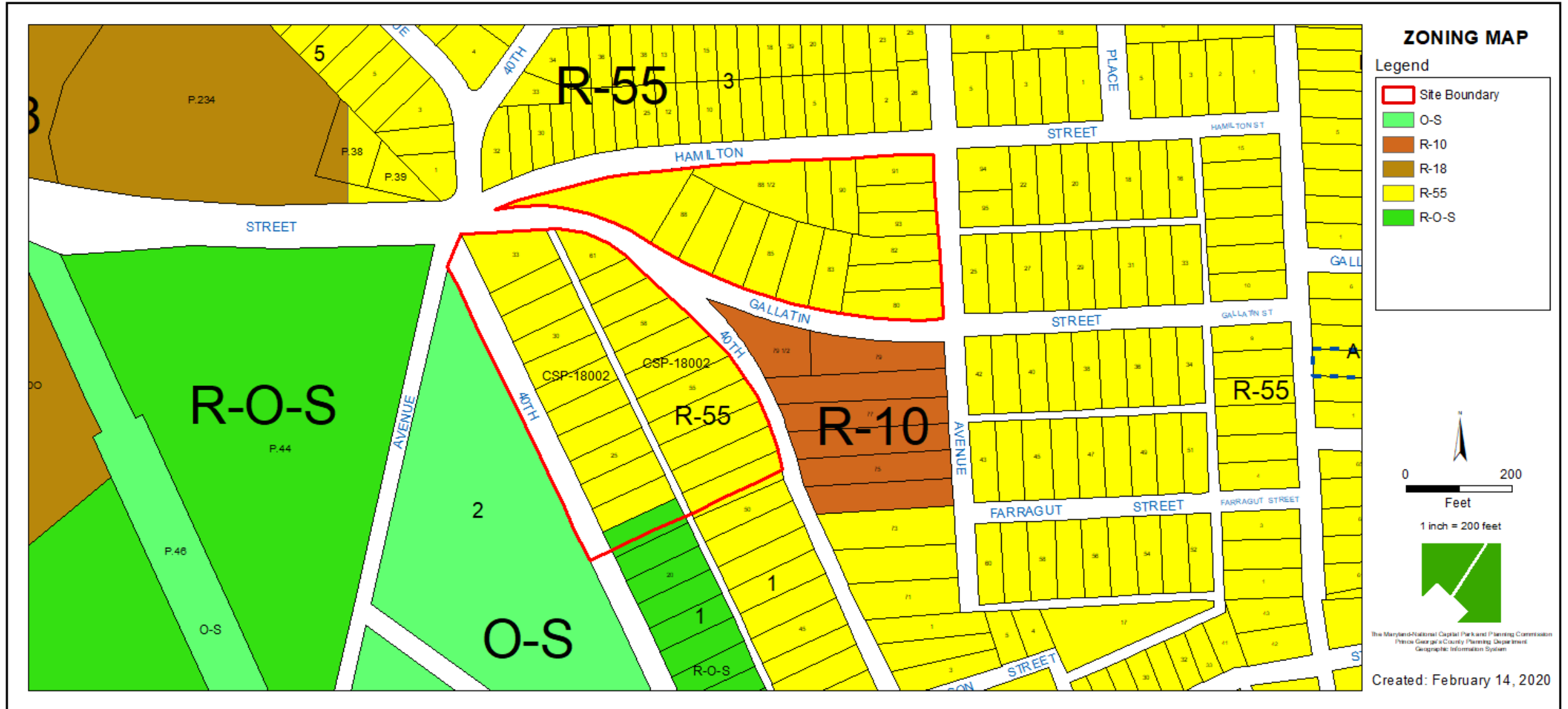
GENERAL LOCATION MAP



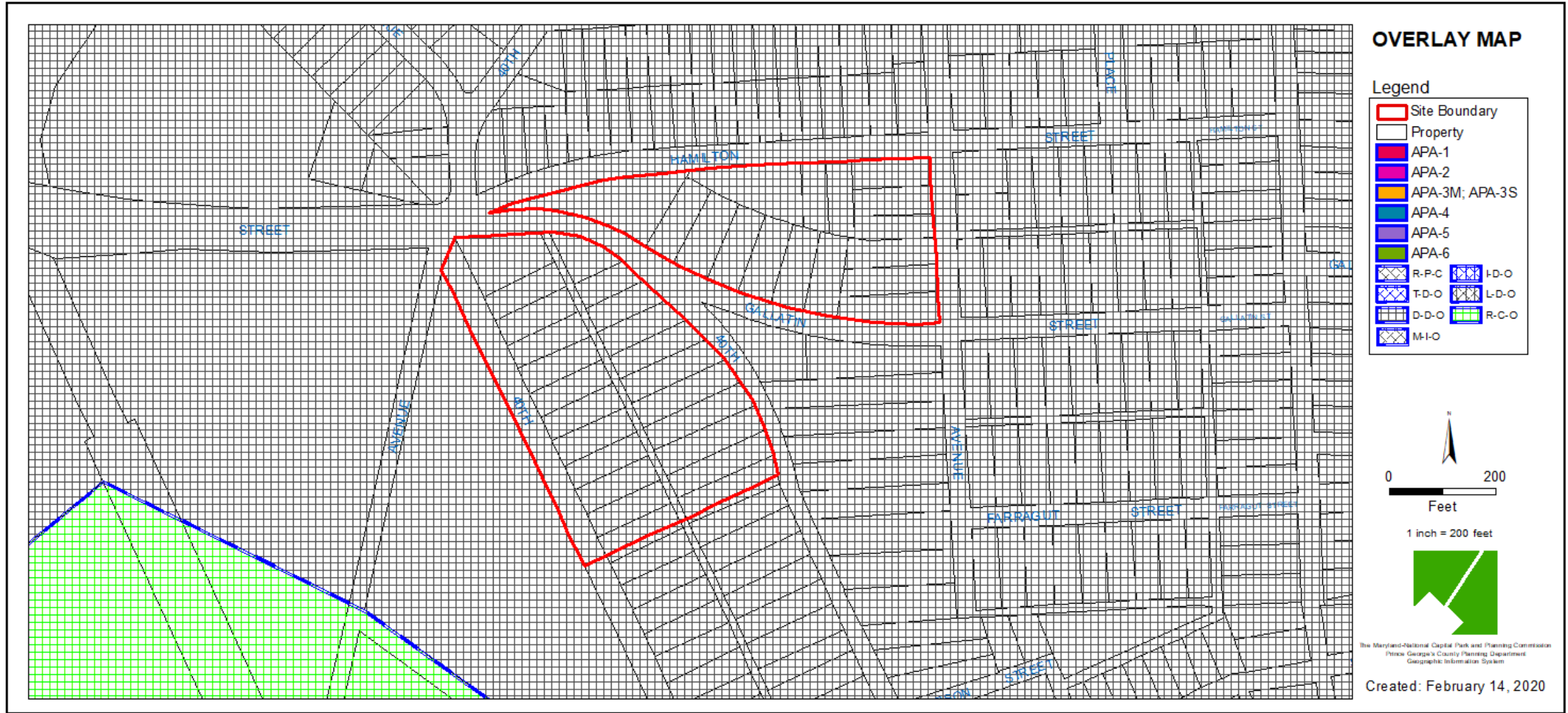
SITE VICINITY



ZONING MAP



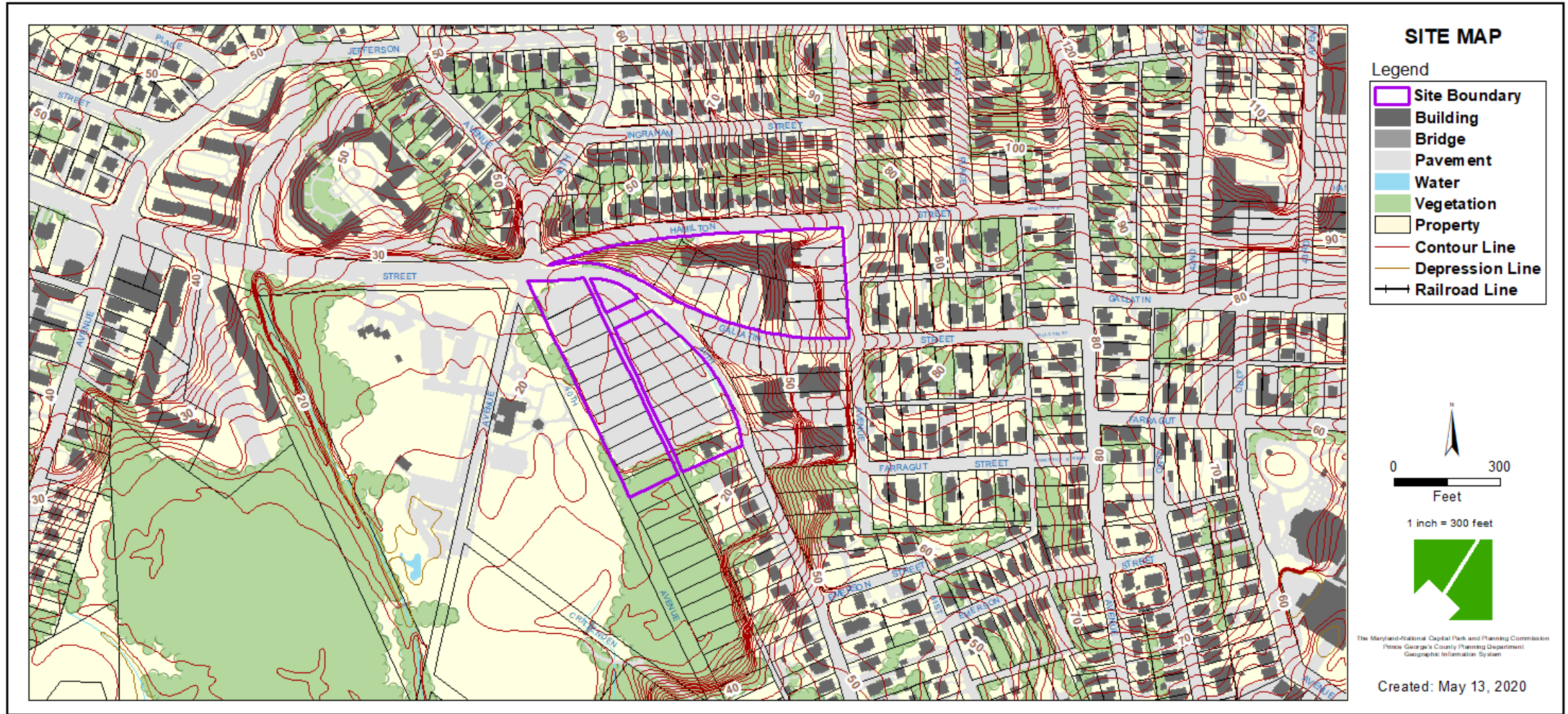
OVERLAY MAP



AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

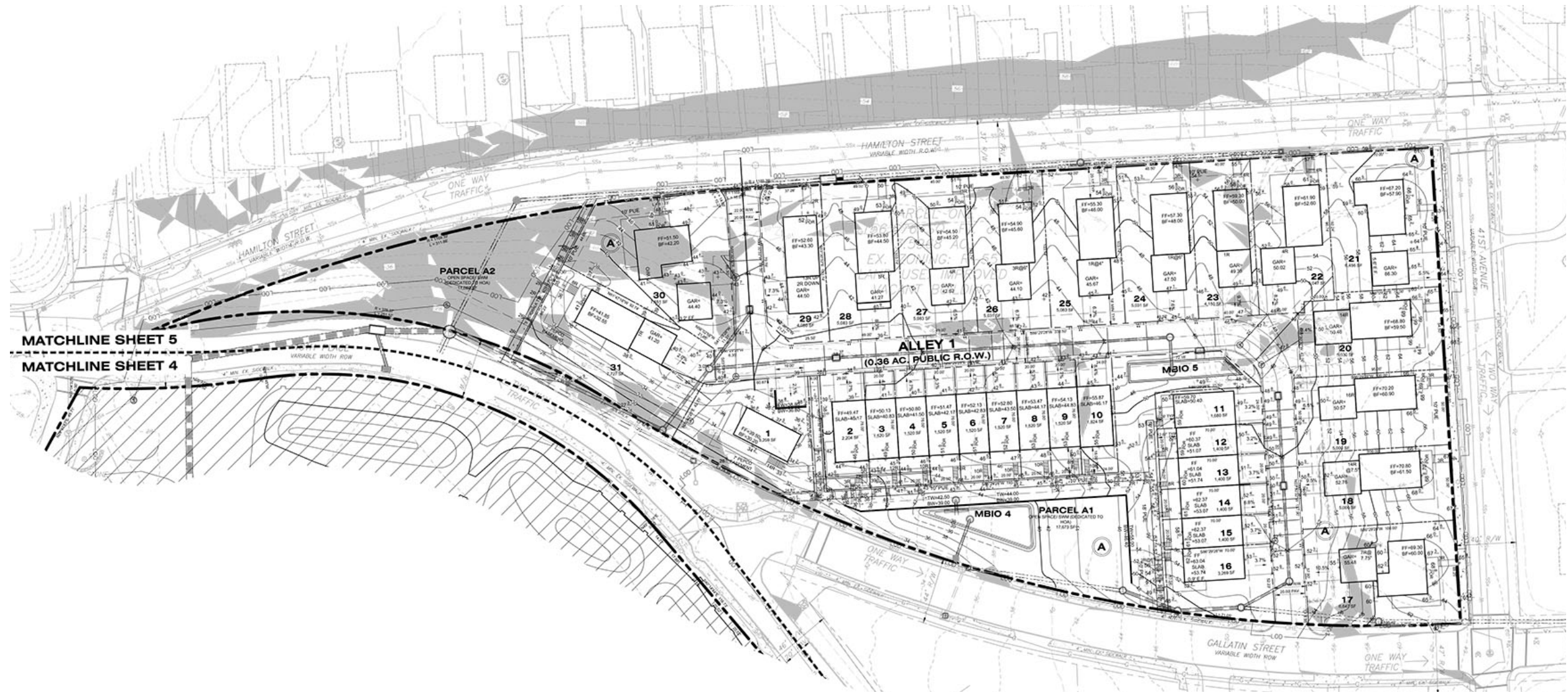


SITE RENDERING



Site Rendering

SITE PLAN



MATCHLINE SHEET 5
MATCHLINE SHEET 4

ARCHITECTURE



UNIT INFORMATION
 Number / Name
 1. Alexandra
 Type
 Single Family House
 Footprint
 36' wide x 32'-8" deep
 Area
 3,240 s.f.
 Bedrooms
 4 (opt. 5)
 Bathrooms
 3.5 (opt. 4.5)



UNIT INFORMATION
 Number / Name
 2. Claudia
 Type
 Single Family House
 Footprint
 24' wide x 40' deep
 Area
 3,500 s.f.
 Bedrooms
 4 (opt. 5)
 Bathrooms
 3.5 (opt. 4.5)



UNIT INFORMATION
 Number / Name
 3. Julia
 Type
 Single Family House
 Footprint
 22' wide x 40' deep
 Area
 2,560 s.f.
 Bedrooms
 4
 Bathrooms
 3.5



UNIT INFORMATION
 Name
 Camella
 Type
 Single Family House
 Footprint
 34' wide x 42' deep
 Area
 3,550 s.f.
 Bedrooms
 5
 Bathrooms
 4.5



UNIT INFORMATION
 Number / Name
 5. Theresa
 Type
 Single Family House
 Footprint
 32' wide x 20' deep
 Area
 1,840 s.f.
 Bedrooms
 3
 Bathrooms
 3



UNIT INFORMATION
 Number / Name
 6. Isabella
 Type
 Townhouse
 Footprint
 24' wide x 40' deep
 Area
 2,280 s.f.
 Bedrooms
 4
 Bathrooms
 3.5



UNIT INFORMATION
 Name
 7. Chelsea
 Type
 Townhouse
 Footprint
 20' (or 22' wide x 39'-4" (or 40') deep
 Area
 2,044 s.f.
 Bedrooms
 4
 Bathrooms
 4



Name
 Garage
 Type
 Garage
 Footprint
 22' wide x 21' deep
 Area
 528 s.f. (on 2nd flr option)
 Bedroom
 1
 Bathrooms
 1

TABLE OF CONTENTS SUMMARY OF TYPES

	A1
GROUP ELEVATIONS - SINGLE FAMILY	A1.1
GROUP ELEVATIONS - TOWNHOME	A1.2
GROUP ELEVATIONS - TOWNHOME	A1.3
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HOUSE TYPE 2 - CLAUDIA	A2.1
HOUSE TYPE 3 - JULIA	A2.2
HOUSE TYPE 4 - CAMELLA	A2.3
HOUSE TYPE 5 - ISABELLA	A2.4
HOUSE TYPE 6 - CHELSEA	A2.5
HOUSE TYPE 7 - THERESA	A2.6
GARAGE	A2.7

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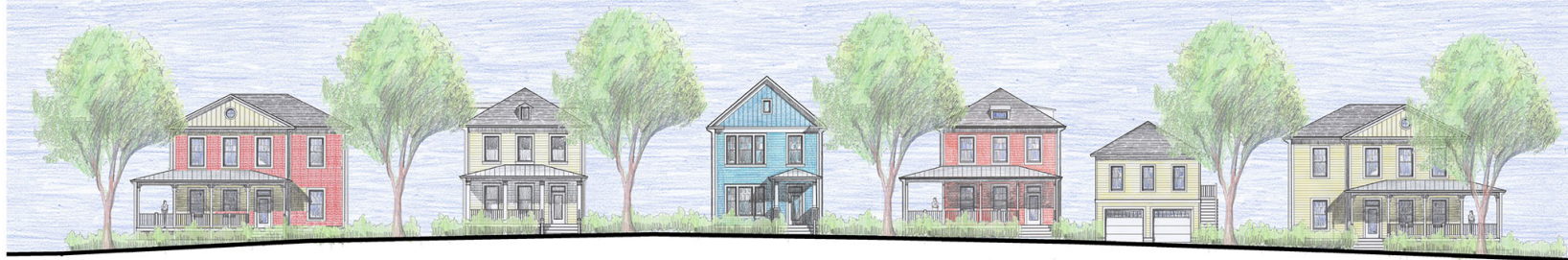
SCHEMATIC DESIGN
 for
MAGRUDER POINTE
 CLIENT: WERBLEIN PROPERTIES DATE: JANUARY 25, 2018

SUMMARY

A1



ARCHITECTURE



1 STREET ELEVATION - 41ST AVE. - PROPOSED WEST
 A1.1 3/32" = 1'-0"



1 STREET ELEVATION - HAMILTON STREET - PROPOSED SOUTH, EAST HALF
 A1.1 3/32" = 1'-0"



2 STREET ELEVATION - HAMILTON ST. - PROPOSED SOUTH, WEST HALF
 A1.1 3/32" = 1'-0"



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SCHEMATIC DESIGN
 for
 MAGRUDER POINTE
 CLIENT: WERKLEIN PROPERTIES DATE: JANUARY 25, 2018

GROUP
 ELEVATIONS

A1.1



ARCHITECTURE



1 FRONT ELEVATION
A1.2 3/16" = 1'-0"



2 FRONT ELEVATION
A1.2 3/32" = 1'-0"



3 REAR ELEVATION
A1.2 3/32" = 1'-0"



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SCHEMATIC DESIGN
for
MAGRUDER POINTE
CLIENT: WEBERLEIN PROPERTIES
DATE: JANUARY 25, 2018

GROUP
ELEVATIONS

A1.2



ARCHITECTURE



1 FRONT ELEVATION -
A1.3 3/16" = 1'-0"



2 FRONT ELEVATION -
A1.3 3/32" = 1'-0"



3 FRONT ELEVATION -
A1.3 3/32" = 1'-0"



4 FRONT ELEVATION -
A1.3 3/32" = 1'-0"



5 REAR ELEVATION - TYPICAL
A1.3 3/32" = 1'-0"



6 SIDE ELEVATION - TYPICAL
A1.3 3/32" = 1'-0"

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SCHEMATIC DESIGN
for
MAGRUDER POINTE
CLIENT: WERBLEIN PROPERTIES
DATE: JANUARY 25, 2018

GROUP
ELEVATIONS
A1.3



ARCHITECTURE



2 SIDE ELEVATION
A2 1/8" = 1'-0"



3 REAR ELEVATION
A2 1/8" = 1'-0"



4 SIDE ELEVATION
A2 1/8" = 1'-0"

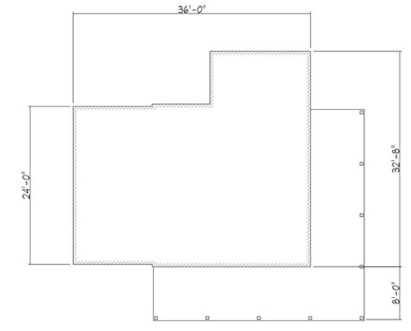


1 FRONT ELEVATION
A2 1/4" = 1'-0"

- ELEVATION KEYNOTES:**
- 1 30 YR. ARCHITECTURAL GRADE ASPHALT SHINGLES
 - 2 HARDE-BOARD SIDING AND TRIM
 - 3 HARDE-BOARD BOARD AND BATTEN SIDING
 - 4 PREFINISHED ALUM. GUTTER / DOWNSPOUTS
 - 5 VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
 - 6 PAINTED PVC PORCH
 - 7 METAL ROOF

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER POINTE
 Model Name: 1 ALEXANDRIA
 *Total Base Finished Area: 3,250
 *Total Finished Area with all Options:
 Above-grade finished area: 2,054
 Below-grade finished area: 1,176
 Total Unfinished Area: 572
 • Above-grade: _____
 • Below-grade: _____
 • Garage (1-car, 2-car): 2 CAR
 • Two-storage foyer or vaulted ceiling: Dimensions: _____
 *This information along with the building footprint shall be provided on the Site Plan Cover Sheet.
 Signature: _____ Date: JANUARY 25 2018



5 FOOTPRINT
A2 1/8" = 1'-0"

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SCHEMATIC DESIGN
 for
MAGRUDER POINTE
 CLIENT: WERRELEIN PROPERTIES
 DATE: JANUARY 25, 2018

UNIT INFORMATION
 Number / Name
 1. Alexandra
 Type
 Single Family House
 Footprint
 36' wide x 32'-8" deep
 Area
 3,348 s.f.
 Bedrooms
 4 (opt. 3)
 Bathrooms
 3.5 (opt. 4.5)

A2



ARCHITECTURE



2 SIDE ELEVATION
A2.1 1/4" = 1'-0"



3 REAR ELEVATION
A2.1 1/4" = 1'-0"



4 SIDE ELEVATION
A2.1 1/4" = 1'-0"



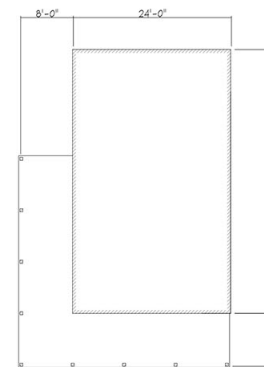
1 FRONT ELEVATION
A2.1 1/4" = 1'-0"

ELEVATION KEYNOTES:

- 1 30 YR. ARCHITECTURAL GRADE ASPHALT SHINGLES
- 2 HARDIE-BOARD SIDING AND TRIM
- 3 HARDIE-BOARD BOARD AND BATTEN SIDING
- 4 PREFINISHED ALUM. GUTTER / DOWNSPOUTS
- 5 VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
- 6 PAINTED PVC PORCH
- 7 METAL ROOF

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER PONTE
 Model Name: 2. CLAUDIA
 *Total Base Finished Area: 3,500
 *Total Finished Area with all Options:
 Above-grade finished area: 2,540
 Below-grade finished area: 960
 Total Unfinished Area: 572
 • Above grade: _____
 • Below-grade: _____
 • Garage (1-car, 2-car): 2 CAR
 • Two storage bays or vaulted ceiling: Dimensions: _____
 *This information along with the building footprint shall be provided on the Site Plan Cover Sheet.
 Signature: _____ Date: JANUARY 23, 2018



5 FOOTPRINT
A2.1 1/4" = 1'-0"

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 Indianapolis, IN 46202
 info@romerocollaborative.com

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SCHEMATIC DESIGN
 for
MAGRUDER PONTE
 CLIENT: WERBLEIN PROPERTIES
 DATE: JANUARY 23, 2018

UNIT INFORMATION
 Number / Name
 2. Claudia
 Type
 Single Family House
 Footprint
 24' wide x 40' deep
 Area
 3,500 s.f.
 Bedrooms
 4 (opt. 5)
 Bathrooms
 3.5 (opt. 4.5)

A2.1



ARCHITECTURE



2 SIDE ELEVATION
A2.2 1/8" = 1'-0"



3 REAR ELEVATION
A2.2 1/8" = 1'-0"



4 SIDE ELEVATION
A2.2 1/8" = 1'-0"



1 FRONT ELEVATION
A2.2 1/4" = 1'-0"

- ELEVATION KEYNOTES:**
- 1 30 YR. ARCHITECTURAL GRADE ASPHALT SHINGLES
 - 2 HARDE-BOARD SIDING AND TRIM
 - 3 HARDE-BOARD BOARD AND BATTEN SIDING
 - 4 PREFINISHED ALUM. GUTTER / DOWNSPOUTS
 - 5 VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
 - 6 PAINTED PVC PORCH
 - 7 METAL ROOF

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER POINTE

Model Name: 3, Julia

*Total Base Finished Area: 2,560

*Total Finished Area with all Options:

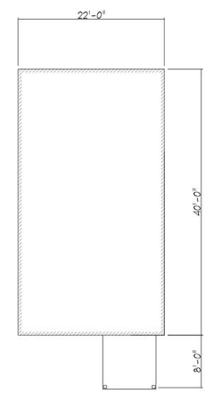
Above-grade finished area	<u>1,680</u>
Below-grade finished area	<u>880</u>

Total Unfinished Area: 572

- Above-grade: _____
- Below-grade: _____
- Garage (1.44x 2.44x): 2 CAR
- Two-storage bays or vaulted ceiling: yes Dimensions: _____

*This information along with the building footprint shall be provided on the Site Plan Cover Sheet.

Signature: _____ Date: JANUARY 25 2018



5 FOOTPRINT
A2.2 1/8" = 1'-0"

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SCHEMATIC DESIGN
for
MAGRUDER POINTE
CLIENT: WERRELLIN PROPERTIES DATE: JANUARY 23, 2018

UNIT INFORMATION

Number / Name	3, Julia
Type	Single Family House
Footprint	22' wide x 40' deep
Area	2,560 s.f.
Bedrooms	4
Bathrooms	3.5

A2.2



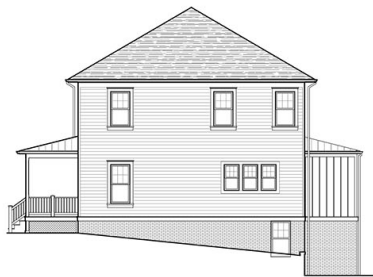
ARCHITECTURE



2 SIDE ELEVATION
A2.3 1/8" = 1'-0"



3 REAR ELEVATION
A2.3 1/8" = 1'-0"



4 SIDE ELEVATION
A2.3 1/8" = 1'-0"



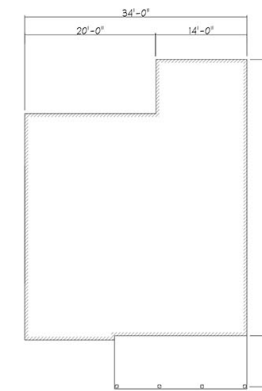
1 FRONT ELEVATION
A2.3 1/4" = 1'-0"

ELEVATION KEYNOTES:

- [1] 30 YR ARCHITECTURAL GRADE ASPHALT SHINGLES
- [2] HARDIE-BOARD SIDING AND TRIM
- [3] HARDIE-BOARD BOARD AND BATTEN SIDING
- [4] PREFINISHED ALUM. GUTTER / DOWNSPOUTS
- [5] VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
- [6] PAINTED PVC PORCH
- [7] METAL ROOF

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER POINTE
 Model Name: 4 CAMELLIA
 *Total Above Finished Area: 3,550
 *Total Finished Area with all Options:
 Above-grade finished area: 2,122
 Below-grade finished area: 1,428
 Total Unfinished Area: 528
 • Above-grade: _____
 • Below-grade: _____
 • Garage (1-car, 2-car): 2 CAR
 • Two storage bays or vaulted ceiling: Y Dimensions: _____
 *This information along with the building footprints shall be provided on the Site Plan Cover Sheet.
 Signature: _____ Date: JANUARY 25 2018



5 FOOTPRINT
A2.3 1/8" = 1'-0"

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SCHEMATIC DESIGN
 for
MAGRUDER POINTE
 CLIENT: WERLEIN PROPERTIES DATE: JANUARY 25, 2018

UNIT INFORMATION
 Name: CAMELLIA
 Type: Single Family House
 Footprint: 34'-wide x 42'-deep
 Area: 3,550 s.f.
 Bedrooms: 5
 Bathrooms: 4.5

A2.3



ARCHITECTURE

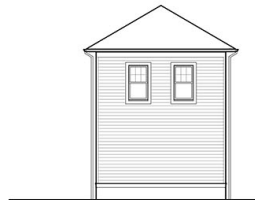


2 SIDE ELEVATION
A2.4 1/8" = 1'-0"

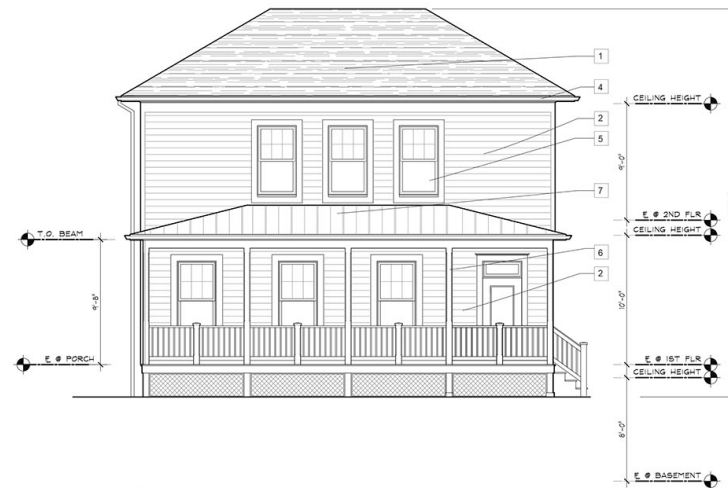


1 FRONT ELEVATION
A2.4 1/4" = 1'-0"

3 REAR ELEVATION
A2.4 1/8" = 1'-0"



4 SIDE ELEVATION
A2.4 1/8" = 1'-0"

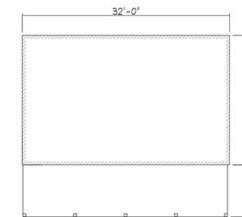


ELEVATION KEYNOTES:

- [1] 30 YR. ARCHITECTURAL GRADE ASPHALT SHINGLES
- [2] HARDIE-BOARD SIDING AND TRIM
- [3] HARDIE-BOARD BOARD AND BATTEN SIDING
- [4] PREFINISHED ALUM. GUTTER / DOWNSPOUTS
- [5] VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
- [6] PAINTED PVC PORCH
- [7] METAL ROOF

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER PONTE
 Model Name: S. THERESA
 *Total Base Finished Area: 1,840
 *Total Finished Area with all Options:
 Above-grade finished area: 1,200
 Below-grade finished area: 640
 Total Unfinished Area: 572
 • Above-grade: _____
 • Below-grade: _____
 • Garage (1 car, 2 cars): 2 CAR Dimensions: _____
 • Two storage bays or vaulted ceiling: _____
 *This information along with the building footprint shall be provided on the Site Plan Cover Sheet
 Signature: _____ Date: JANUARY 25, 2018



5 FOOTPRINT
A2.4 1/8" = 1'-0"

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SCHEMATIC DESIGN
 for
MAGRUDER PONTE
 CLIENT: WERBLEIN PROPERTIES DATE: JANUARY 25, 2018

UNIT INFORMATION
 Number / Name
 S. Theresa
 Type
 Single Family House
 Footprint
 32' wide x 20' deep
 Area
 1,840 s.f.
 Bedrooms
 3
 Bathrooms
 3

A2.4



ARCHITECTURE



3 SIDE ELEVATION - 2-STORY PORCH
A2.5 1/8" = 1'-0"



2 FRONT ELEVATION - 1-STORY PORCH
A2.5 1/4" = 1'-0"



1 FRONT ELEVATION - 2-STORY PORCH
A2.5 1/4" = 1'-0"



4 SIDE ELEVATION - 1-STORY PORCH
A2.5 1/8" = 1'-0"



5 REAR ELEVATION
A2.5 1/8" = 1'-0"



6 FRONT ELEVATION
A2.5 1/8" = 1'-0"

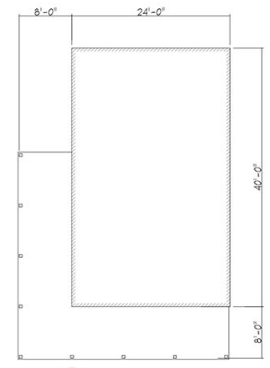
- ELEVATION KEYNOTES:**
- 1 30 YR. ASPHALT SHINGLES
 - 2 HARDBOARD SIDING AND TRIM OR PAINTED BRICK
 - 3 PREFINISHED ALUM. GUTTER / DOWNSPOUTS
 - 4 VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
 - 5 PAINTED PVC PORCH
 - 6 METAL ROOF
 - 7 EPDM LOW SLOPE ROOFING
 - 8 PAINTED BRICK/STAMPED CONCRETE WITH BRICK PATTERN



7 SIDE ELEVATION - NO PORCH
A2.5 1/8" = 1'-0"



8 SIDE ELEVATION - NO PORCH - SIDING
A2.5 1/8" = 1'-0"



9 FOOTPRINT
A2.5 1/8" = 1'-0"

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name:	MAGRUDER PONTE
Model Name:	6, ISABELLA
*Total Base Finished Area:	2,280
*Total Finished Area with all Options:	1,799
Above-grade finished area:	481
Below-grade finished area:	
Total Unfinished Area:	572
Above-grade:	
Below-grade:	
Garage (1-car, 2-car):	2 CAR
Two-storage foyer or vaulted ceiling:	yes <input checked="" type="checkbox"/> Dimensions:

*This information along with the building footprint shall be provided on the Site Plan Cover Sheet.

Signature: _____ Date: JANUARY 25, 2018

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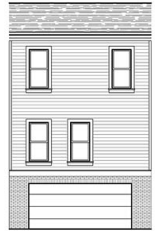
SCHEMATIC DESIGN
for
MAGRUDER PONTE
DATE: JANUARY 25, 2018
CLIENT: WERBLEIN PROPERTIES

UNIT INFORMATION
Number / Name
6, Isabella
Type
Townhouse
Footprint
24' wide x 40' deep
Area
2,280 s.f.
Bedrooms
4
Bathrooms
3.5

A2.5



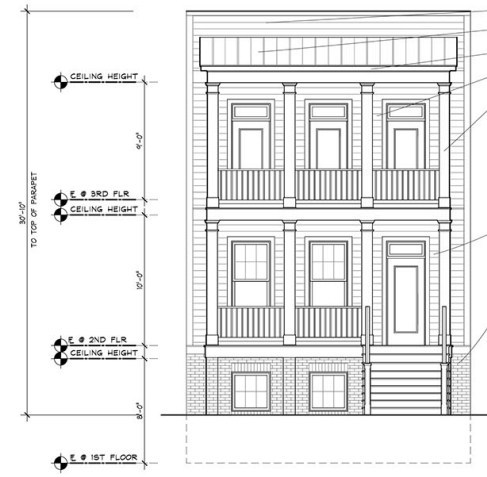
ARCHITECTURE



2 REAR ELEVATION
A2.6 1/8" = 1'-0"



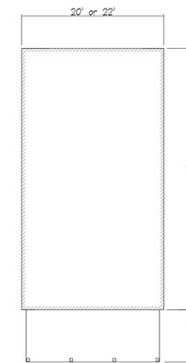
3 FRONT ELEV - 1-STORY PORCH
A2.6 1/4" = 1'-0"



1 FRONT ELEVATION - 2-STORY PORCH
A2.6 1/4" = 1'-0"

ELEVATION KEYNOTES:

- 1 30 YR. ASPHALT SHINGLES
- 2 HARDIE-BOARD SIDING AND TRIM OR PAINTED BRICK
- 3 PREFINISHED ALUM. GUTTER / DOWNSPOUTS
- 4 VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 4
- 5 PAINTED PVC PORCH
- 6 METAL ROOF
- 7 EPDM LOW SLOPE ROOFING
- 8 PAINTED BRICK/STAMPED CONCRETE WITH BRICK PATTERN



4 FOOTPRINT
A2.6 1/8" = 1'-0"

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER POINTE
 Model Name: 7_CHELSEA
 *Total Base Finished Area: 2,054
 *Total Finished Area with all Options:
 Above-grade finished area: 1,199
 Below-grade finished area: 445
 Total Unfinished Area: 572
 • Above-grade: _____
 • Below-grade: _____
 • Garage (F-Code, 2-car): 2 CAR
 • Two-storage bays or vaulted ceiling: yes Dimensions: _____
 *This information along with the building footprint shall be provided on the Site Plan Cover Sheet.
 Signature: _____ Date: JANUARY 25 2018

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SCHEMATIC DESIGN
 for
MAGRUDER POINTE
 CLIENT: WERRLEIN PROPERTIES DATE: JANUARY 25, 2018

UNIT INFORMATION
 Name: 7, Chelsea
 Type: Townhouse
 Footprint: 20' (or 22') wide x 40' deep
 Area: 2,044 s.f.
 Bedrooms: 4
 Bathrooms: 4

A2.6



ARCHITECTURE



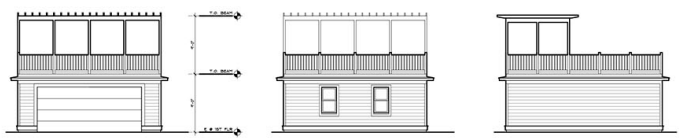
2 ELEVATIONS - TWO STORY
A2.7 1/8" = 1'-0"



3 ELEVATIONS - TWO STORY PLUS ROOFTOP DECK
A2.7 1/8" = 1'-0"



4 ELEVATIONS - ONE STORY
A2.7 1/8" = 1'-0"

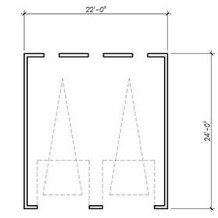


5 ELEVATIONS - ONE STORY PLUS ROOFTOP DECK
A2.7 1/8" = 1'-0"



2 FRONT ELEVATION (2 STORY)
A2.7 1/4" = 1'-0"

- ELEVATION KEYNOTES:
- [1] 30 YR. ASPHALT SHINGLES
 - [2] HARD-BOARD SIDING AND TRIM
 - [3] PREFINISHED ALUM. GUTTER / DOWNSPOUTS
 - [4] VINYL DOUBLE HUNG WINDOW, 1 OVER 1 OR 6 OVER 1
 - [5] PAINTED PVC PORCH
 - [6] METAL ROOF
 - [7] EPDM LOW SLOPE ROOFING
 - [8] PAINTED BRICK/STAMPED CONCRETE WITH BRICK PATTERN



1 PROPOSED FOOTPRINT
A2.7 1/4" = 1'-0"

STATEMENT OF FINISHED SQUARE FOOTAGE

Project Name: MAGRUDER POINTE

Model Name: 8. GARAGE

*Total Base Finished Area: 528

*Total Finished Area with all Options:

Above-grade finished area: 528

Below-grade finished area: 528

Total Unfinished Area: 528

Above-grade: _____

Below-grade: _____

• Garage (1-car, 2-car): 2 CAR

• Truss-roof type or vaulted ceiling: yes Dimensions: _____

*This information along with the building footprint shall be provided on the Site Plan Cover Sheet.

Signature: _____ Date: JANUARY 25 2018

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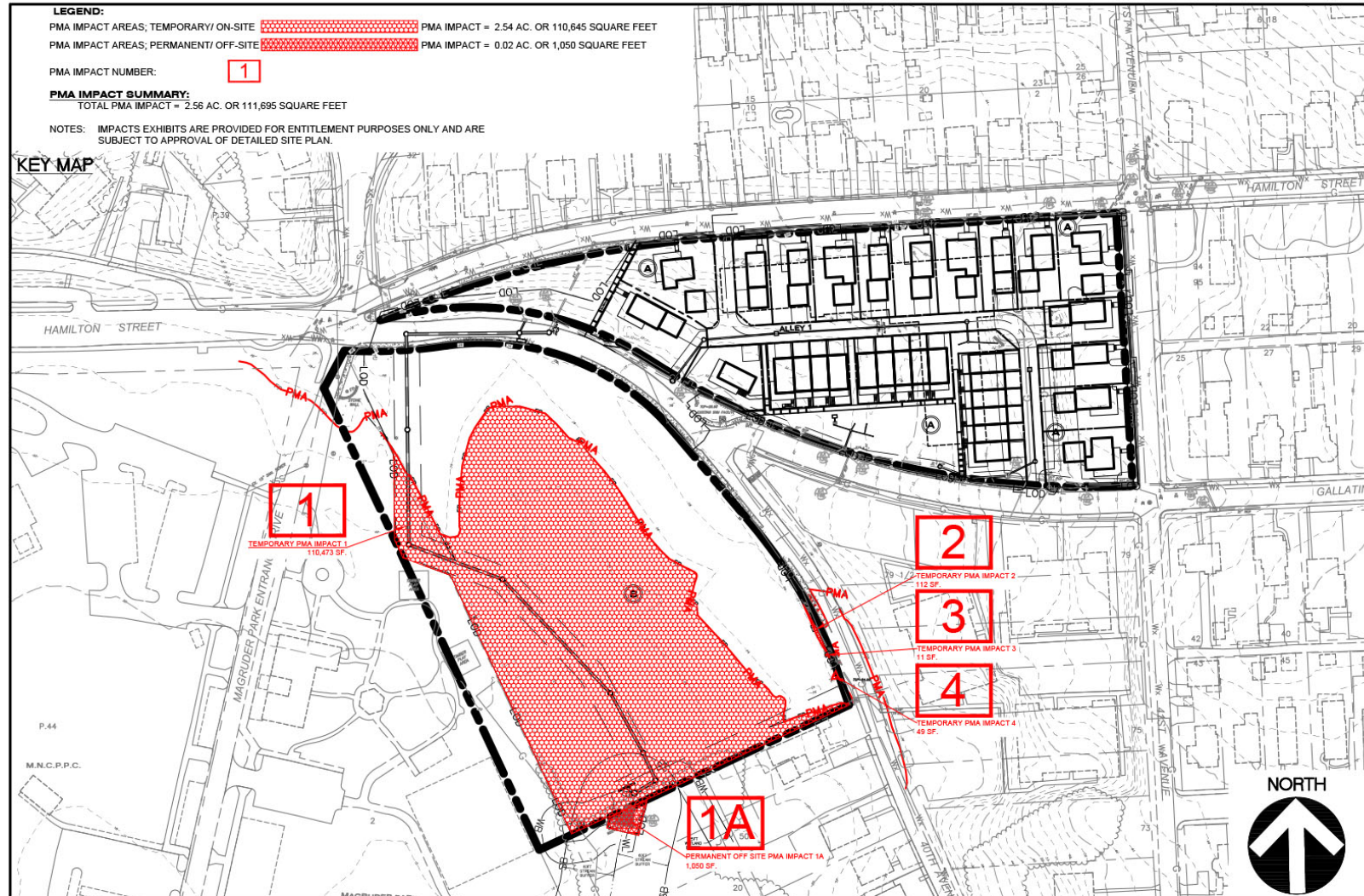
SCHEMATIC DESIGN
for
MAGRUDER POINTE
CLIENT: WERBLEIN PROPERTIES DATE: JANUARY 25, 2018


UNIT INFORMATION

Name	Garage
Type	Garage
Footprint	22' wide x 24' deep
Area	528 sf (on 2nd flr option)
Bedroom	1
Bathrooms	1

A2.7





 <p>Dewberry Dewberry Engineers Inc. 4601 FORBES BOULEVARD SUITE 300 LANHAM, MD 20706 301.731.5551 301.731.0188 (FAX) www.dewberry.com</p>	TITLE	DESIGN: -	SCALE: 1"=150'
	PROJECT	DRAWN: ALD	SHEET NO. 1 OF 5
		CHECKED: RM	PROJECT NO. 50099455
		DATE: OCT 2019	

TITLE: PMA IMPACT EXHIBITS COVER SHEET

PROJECT: MAGRUDER POINTE

Case No.: CSP-18002
Magruder Pointe
(On Remand)

Applicant: Werrlein WSSC, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — APPROVAL OF CONCEPTUAL SITE PLAN

IT IS ORDERED that, Conceptual Site Plan 18002 (CSP-18002), a request to change the underlying zone of a portion of the subject property from Open Space (O-S) to R-55 (One-Family Detached Residential) and the list of allowed uses in the Development District, to facilitate R-55 development of the entire 8.26 acres, in Councilmanic District 2, is hereby APPROVED.

A. Introduction

CSP-18002 is before the Council on remand from Planning Board. Prior to remand, the Board's motion to recommend rezoning of a portion of the property from O-S to R-55 carried 3-2.¹ Council held a hearing on the Board's favorable recommendation to rezone a portion of the property. Subsequently, Council adopted an Order of Remand directing the Board to review specific issues. On remand, the Board's motion to recommend rezoning of a portion of the property tied 2-2,² which resulted in a no recommendation. The Board's no recommendation was forwarded to Council for final action to determine whether to grant Applicant's request to rezone a portion of the property.

¹ Motion by Commissioner Doerner. Commissioners Doerner, Washington and Bailey voting in favor. Commissioners Geraldo and Hewlett voted against the motion. PGCPB No. 18-74, p. 16, (7/26/2018, Tr.).

² Motion by Commissioner Washington. Commissioners Washington and Bailey voting in favor. Commissioners Doerner and Hewlett voted against the motion. Commissioner Geraldo was absent. PGCPB No. 18-74(A), p. 24, (3/14/2019, Tr.).

Council held a hearing on remand of the Board's no recommendation and voted favorably to conditionally rezone a portion of the property from O-S to R-55, to facilitate R-55 development of the entire 8.26 acres.³

B. Subject Property

The property is in the incorporated City of Hyattsville. It is located at the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north of Gallatin Street and west of 40th Place, in Planning Area 68, Councilmanic District 2.

The 8.26-acre property is divided into two parcels. The front/upper parcel is 3.6 acres and is developed with the former Washington Suburban Sanitary Commission (WSSC) headquarters building on Hamilton Street to the north. The back/lower parcel is 4.66-acres and served as the developed parking lot to the former WSSC's headquarters.

Prior to 2004, both parcels (8.26 acres) were in the R-55 Zone. In 2004, Council adopted the 2004 *Gateway Arts District Sector Plan and Sectional Map Amendment and the Development District Overlay (D-D-O) Zone* (2004 Plan). The 2004 Plan retained the front/upper 3.6-acre parcel in the R-55 Zone and rezoned the back/lower 4.66-acre parcel to O-S. The entire property is within the incorporated City of Hyattsville. Among other zoning requirements, development of the property is subject to the 2004 Plan and the County's 2014 General Plan (Plan 2035). PGCPB No. 18-74, pp. 1-2.

³Except as otherwise stated herein, where applicable, Council adopts, as if fully restated herein, findings of fact and conclusions of law set forth in Order of Remand. Notice of Decision, 1/28/2019.

C. Applicable Law

In relevant part, Council may, pursuant to PGCC § 27-548.26(b), change the underlying zone or list of allowed uses in the Development District. To approve a change to the underlying zone or list of allowed uses in the Development District, Council shall find that the amended standards will benefit the proposed development, will further the purposes of the applicable Development District, and will not substantially impair implementation of any applicable Master Plan or Sector Plan. Before approving an application and site plan on the amendments, Council shall find that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, of Sector Plan, meets applicable site plan requirements, and does not otherwise substantially impair the implementation of any comprehensive plan applicable to the proposed development. Moreover, approval of a Conceptual Site Plan is subject to approval of a Detailed Site Plan before permits to develop may be obtained. PGCC § 27-548.26(b).

D. Application

In 2018, after certain amendments, Applicant, in accordance with PGCC § 27-548.26(b), requested approval of a Conceptual Site Plan to rezone the back/lower 4.66-acre parcel of the property from O-S to R-55, and amend the list of allowed uses, to facilitate R-55 development of the entire 8.26-acres with single-family attached townhomes and detached single-family homes. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019.

E. The 2004 Plan

The 2004 Plan defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Gateway Arts District area. The land use concept Plan divides the Gateway Arts District into seven interrelated areas including, Town Center (TC), Arts Production and Entertainment (APE), Neighborhood Arts and Production (NAP), Multifamily Residential Community (MRC), Traditional Residential Neighborhood (TRN), Neighborhood Commercial (NC), and Stream Valley Park (SVP) for examining issues and opportunities and formulating recommendations. Detailed recommendations are also provided for seven distinct areas within the sector plan. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

The Plan retained the portion of the subject property (between Hamilton and Gallatin Streets) in the R-55 Zone, but reclassified the parking lot portion of the property (between 40th Avenue and 40th Place) from the R-55 Zone to the O-S Zone, noting that “[r]ezoning to O-S creates the opportunity to expand parkland and reinforce the vision of the traditional residential neighborhood character area.” 2004 Plan, p. 123. The Plan also superimposed a D-D-O Zone, placing the entire property in the TRN Character Area. R-55 zoned properties in the TRN Character Area, within the incorporated City of Hyattsville, are exempt from the development district standards and are required to abide by the requirements of the R-55 Zone. The WSSC headquarters is classified as a contributing structure (as opposed to a Historic Structure) within the Hyattsville National Register Historic District. The headquarters is not being preserved, reused, integrated, or

otherwise incorporated in the proposed project. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

Among other things, goals for the TRN area are “[t]o promote development of both family- and artist-oriented residential development in the R-55, R-35, R-20, and R-T Zones.” “To preserve the single-family residential neighborhood character as the anchor of the Arts District, while supporting artists who produce and teach from their homes.” And “[e]nhance the ‘built-in’ natural surveillance of public areas by active neighbors on porches, in yards, and on the sidewalk.” 2004 Plan, p. 138. Moreover, a recommendation of the TRN Character Area is to “[r]einforce existing single-family detached residential neighborhoods as community oriented, quiet, low-traffic, and child-safe.” 2004 Plan, p. 27.

F. Plan 2035

Under Plan 2035, the property is in the Established Communities Area. The Plan classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of regional transit districts and local centers as established communities. Established communities are most appropriate for context-sensitive infill and low-to medium-density development. Infill development takes place on vacant or underutilized parcels within an area that is already characterized by urban development and has access to urban services. Density is defined to include single-family detached dwellings that range from less than 1 to 6 per acre on a single lot, townhouses from 6 to 12 units per acre, and multifamily units from 12 to 48 units per acre in one structure. Moreover, Plan 2035 recommends maintaining and enhancing existing public services

(police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas. Plan 2035, pp. 20, 284, 288, PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

G. R-55 Zone Approval

The property is surrounded by R-55 and R-10 zoned properties. The purposes of the R-55 Zone include 1) to provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, to better utilize the natural terrain; 2) to facilitate the planning of higher density one-family residential developments with small lots and dwellings of various sizes and styles; 3) to encourage the preservation of trees and open spaces; and 4) to prevent soil erosion and stream valley flooding. PGCC § 27-430. The adjoining properties in the R-55 Zone are developed with single-family homes with a density of approximately 3.6 to 7.9 dwellings units per acre (average lot size is 0.126—0.3 acre). The purposes of the R-10 Zone include providing (1)(A) suitable sites for high-density multifamily residential development, (B) at locations recommended by a Master Plan, or at other locations which are found to be suitable by the District Council, and (C) in close-proximity to principal commercial and cultural centers of the County. PGCC § 27-439. Property zoned R-10, between 40th Place and 41st Avenue, is developed with 3 existing multi-family apartment buildings, with approximate density of 20 dwelling units per acre but it permitted to have up to 48 dwelling units per acre. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

R-55 zoning is recommended for any infill development that will preserve the traditional single-family residential neighborhood character in the TRN area. Council has adopted several bills, which have encouraged high-density, single-family dwellings in the R-55 Zone, including townhouses. The subject property is in the Revitalization Tax Credit District and a D-D-O Zone. Property located within a Revitalization Tax Credit District, Transit District Overlay Zone, or Development District Overlay (D-D-O) Zone, conditionally permit townhouses. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

Rezoning a portion of the property to R-55, to facilitate R-55 development of the entire 8.26 acres, and to allow 9 dwelling units per acre (or 1 more dwelling unit per acre) for single-family attached units and 6.7 dwelling units per acre (as permitted in R-55) for single-family detached units, will benefit the proposed development, further the purposes of the Development District, and rezoning will not substantially impair implementation of the 2004 Plan or Plan 2035. Density in the proposed Conceptual Site Plan will enable density transition from the higher multi-family zone to the lower single-family zone, support transit and other basic urban services, and promote compact development that is consistent with smart growth policies in Hyattsville, while maintaining economic viability. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

Rezoning a portion of the property to R-55 will promote context-sensitive and sustainable development in existing neighborhood. Numerous studies confirm that, as density increases

reasonably, there are generally decreases in water and energy use, stormwater run-off, air pollution, and greenhouse gas emissions. Higher-density development supports feasible, multi-modal, public transportation and other basic community services, improves economic productivity, improves real estate value and business activity. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

Rezoning will achieve the purposes and recommendations of the Plan for family and artist oriented residential development, and the opportunity to expand parkland and reinforce the vision of the traditional residential neighborhood character area will become a reality. 2004 Plan, p. 123. When rezoned to R-55, *only* 2.8 acres will be developed with dwelling units. Applicant will transfer the remaining 1.8 acres of the parcel to the City of Hyattsville for open space/parkland, which will implement the Plan’s vision to expand parkland and reinforce the vision of the traditional residential neighborhood character area.⁴ Statement of Justification, pp. 2-3, 6/27/2018, Department of Parks and Recreation (DPR) Memorandum, 7/6/2018 (The “Lower Parcel” adjacent to Magruder Park is proposed to be all townhomes with a portion of the property to be added to Magruder Park). PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.).

⁴ To facilitate orderly R-55 development of the 8.26-acre property, and expansion of parkland with the City of Hyattsville, Applicant proposes an overall density of 72 units. 31 units are proposed for the upper lot and 41 units are proposed for the lower lot. Applicant’s Ex. 1, Slide 13.

Rezoning of the portion of the property to R-55, to facilitate R-55 development of the entire 8.26 acres, will allow redevelopment of an under-utilized property into a residential subdivision, with a mix of single-family detached and attached dwelling units that will be compatible with the surrounding neighborhood. PGCPB Nos. 18-74, 18-74(A), Staff Report, 7/18/2018, Statement of Justification, 6/27/2018, Staff Supplemental Memo, 2/25/2019, (3/14/2019, Tr.), (5/13/2019, Tr.). Testimony was overwhelming and persuasive that the abandoned WSSC building and vacant parking lot on the property are an “eyesore” and should be removed. Id.

The photographic evidence in the record (below) corroborates the testimony from residents who live in the surrounding area. The abandoned WSSC headquarters and parking lot considered an “eyesore” by many residents in the area are not compatible with the surrounding residential neighborhood.



In stark contrast to the abandoned WSSC headquarters and parking lot, the proposed Conceptual Site Plan demonstrates that the subject property will be compatible with the surrounding residential neighborhood when a portion of the property is rezoned to R-55, to facilitate R-55 development of the entire 8.26-acres with single-family attached townhomes and detached single-family homes.



For the reasons set forth above, rezoning a portion of the property to R-55, to facilitate R-55 development of the entire 8.26 acres, 1) will further the purposes of the development district, 2) will conform with the purposes and recommendations for the development district, 3) will represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without distracting substantially from the utility of the proposed development for its intended use, and 4) will not otherwise substantially impair the implementation of the 2004 Plan or Plan 2035. PGCC §§ 27-276(b)(1), 27-548.26(b).

APPROVAL of Conceptual Site Plan CSP-18002, to rezone a portion of the subject property to R-55 and change the list of allowed uses in the development district, to facilitate R-55 development of the entire 8.26 acres, is subject to the following conditions:

1. Prior to certification, the Conceptual Site Plan shall be revised, or additional information shall be provided, as follows:
 - a. Delineation of the existing and revised 100-year floodplain.
 - b. Revise the plan to include the legal description of all lots included in the CSP.
 - c. Reflect approval of the uses, zones, and densities allowed.
2. At the time of Detailed Site Plan, as required in PGCC § 27-548.26, Applicant shall:
 - a. Provide evidence that impact to the floodplain has been approved by the authority having jurisdiction.
 - b. Provide sidewalks on both sides of all internal streets, excluding alleys, as appropriate.
3. Prior to issuance of any building permit, Applicant shall, pursuant to PGCC § 27-548.26, obtain approval of a Detailed Site Plan (DSP) for the entire 8.26 acres. The DSP shall be subject to all Development District Overlay (D-D-O) Zone standards applicable to the Traditional Residential Neighborhood Character Area. Additional bulk requirements shall be established with the approval of the DSP to implement the applicable goals and recommendations of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, to achieve context-sensitive, high-quality, single-family residential development.

ORDERED this 10th day of June, 2019, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.

Opposed:

Abstained:

Absent:

Vote: 11-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Todd M. Turner, Chair

ATTEST:

Donna J. Brown
Acting Clerk of the Council

R E S O L U T I O N

WHEREAS, Werrlein WSSC, LLC is the owner of 8.26-acres of land known as Parcels One and Two, located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north and south of the convergence of 40th Place and Gallatin Street, respectively. Said property being in the 16th Election District of Prince George's County, Maryland, and being in the Development District Overlay (D-D-O) Zone; and

WHEREAS, on December 20, 2019, Werrlein WSSC, LLC filed an application for approval of a Preliminary Plan of Subdivision for 30 lots; and

WHEREAS, Werrlein, LLC included in its application a sketch plan showing a 31-lot configuration and a request that, should it obtain additional approvals for its detailed site plan and meet certain standards, it be allowed to plat 31 lots in accordance with its sketch plan;

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-18001 for Magruder Pointe was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 12, 2020, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended Approval of the application with conditions; and

WHEREAS, on March 12, 2020, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-18001, including a Variation from Section 24-122(a), for 31 lots, 2 parcels and 1 outparcel for development of 15 townhouses and 15 single family detached dwelling units with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to provide density information in the general notes, in accordance with the approved Conceptual Site Plan, CSP-18002.
2. Prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$1,260.00 to the Prince George's County Department of Public Works and Transportation for the placement of three bikeway signage assemblies, one each along Hamilton Street, Gallatin Street, and 40th Place. A note shall be

placed on the final plat for payment to be received, prior to the issuance of the first building permit.

3. Total development within the subject property shall be limited to uses that would generate no more than 23 AM and 26 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new PPS, with a new determination of adequacy transportation facilities.
4. Prior to signature approval of the preliminary plan of subdivision, the applicant shall provide written verification from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) whether unsafe soils are present on-site. If present, the detailed site plan shall clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by DPIE.
5. In conformance with the 2004 *Approved Sector Plan for the Prince George's County Gateway Arts District* and 2009 *Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along the frontages of Hamilton Street, Gallatin Street, and 41st Avenue. Wide sidewalks shall be provided along the frontage of Hamilton Street and Gallatin Street where feasible. Sidewalks shall be shown on the detailed site plan, prior to acceptance.
6. Prior to approval of a final plat, in accordance with Section 24-135(a) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide a fee-in-lieu payment for mandatory park dedication. The fee-in-lieu payment shall be applied to the NB Park Community (Account Code 841205).
7. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (10823-2018-00) and any subsequent revisions.
8. Prior to approval, the final plat of subdivision shall include:
 - a. The granting of public utility easements, in accordance with the approved preliminary plan of subdivision and approved variation from Section 24-122(a) of the Prince George's County Subdivision Regulations.
 - b. Right-of-way dedication of the alley to public use, in accordance with the approved preliminary plan of subdivision.
 - c. Any required building restriction lines associated with unsafe land, unless the Prince George's County Department of Permitting, Inspections and Enforcement approves proposed mitigation that eliminates the need for a building restriction line.
9. Any nonresidential development of the subject property shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.

10. If, at the time of detailed site plan, an amendment to the development district standards is approved to allow a reduced lot size, 31 lots may be platted pursuant to the applicant's sketch plan, given all other lot and density standards are met.
11. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
12. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Subdivision and Zoning Section to ensure that the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat prior to recordation.
13. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association, land as identified on the approved preliminary plan of subdivision or as modified by the detailed site plan. Land to be conveyed shall be subject to the following:
 - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision and Zoning Section of the Development Review Division, Upper Marlboro.
 - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operation that is consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division.
 - f. The Prince George's County Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**– The subject property is located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north and south of the convergence of 40th Place and Gallatin Street. The property consists of 8.26 acres, is within the One-Family Detached Residential (R-55) Zone and is located within the Traditional Residential Neighborhood (TRN) character area of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA) and the Development District Overlay (D-D-O) Zone. This preliminary plan of subdivision (PPS) includes two tracts of land described as Parcels One and Two, recorded in Liber 21981 folio 165, among the Prince George's County Land Records. Parcel One (3.6 acres) is located south of Hamilton Street and north of Gallatin Street, and is proposed for 30 lots and 2 parcels as part of this application. Parcel Two (4.66 acres) is located south of Gallatin Street, on the west side of 40th Place, and is proposed as an outparcel as part of this application. The subject properties are the site of the former Washington Suburban Sanitary Commission (WSSC) headquarters building on Hamilton Street to the north, and the parking lot serving the building to the south, across Gallatin Street.

The applicant submitted a sketch plan showing 31 lots, in lieu of the 30 lots shown on the PPS, for the land area north of Gallatin Street (existing Parcel One). The applicant intends to apply for an amendment to the standard lot size requirement of the D-D-O Zone standards at the time of detailed site plan (DSP), in accordance with Section 27-548.26 of the Prince George's County Zoning Ordinance and, if approved, may allow for one additional lot. Since this amendment may only be approved at the time of DSP, the 30-lot subdivision satisfies the current lot size standards, however, the adequacy analysis contained herein evaluates the additional lot provided in the applicant's sketch plan in the instance the DSP allows for the lot size amendment. The additional lot poses a de minimis impact to the PPS and is consistent with the findings contained herein. Therefore, if the lot size amendment is approved at the time of DSP, the subdivision may be platted with 31 lots as shown in the applicant's sketch plan, in lieu of the 30 lots shown on the PPS.

The development is subject to a PPS, in accordance with Section 24-107 of the Subdivision Regulations.

Section 24-122(a) of the Subdivision Regulations requires that a 10-foot-wide public utility easement (PUE) be provided along public rights-of-way. The applicant requested approval of a variation for alternative location of the required PUE along a portion of the site's public road frontage on Hamilton Street and Gallatin Street, adjacent to Parcels A-1 and A-2 and Lots 16, 17, and 30, Block A, which is discussed.

3. **Setting**— The property is located on Tax Map 50 in Grid B1, in Planning Area 68, and is zoned R-55 within a D-D-O Zone. To the north and east of the property, beyond Hamilton Street and 41st Avenue, are existing single-family detached houses in the R-55 Zone; to the west, beyond 40th Avenue, is an existing public park known as Magruder Park, owned by the City of Hyattsville, and Magruder Woods Park, owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Open Space (O-S) Zone; and between the two parcels are midrise apartment buildings in the Multifamily High Density Residential Zone. All surrounding properties are in the TRN character area and in the D-D-O Zone.
4. **Development Data Summary**—The following information relates to the subject PPS application.

	EXISTING	APPROVED
Zone	R-55/D-D-O	R-55/D-D-O
Use(s)	Vacant	Residential
Acreage	8.26	8.26
Lots	0	31
Parcels	2	2
Outparcels	0	1
Dwelling Units	0	31
Variance	No	No
Variation	No	Yes Section 24-122(a)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on January 10, 2020. The variation requested from Section 24-122(a) was received on December 6, 2019 and also heard at the January 10, 2020 SDRC meeting, as required in accordance with Section 24-113 of the Subdivision Regulations.

5. **Previous Approvals**—The site was previously recorded as Lots 80–93 of Wine and Johnson’s Revised 1st Addition to Hyattsville 1882, recorded in Plat Book LIB A-20 on June 12, 1884; and a portion of land west of Lots 88 and 88½, recorded in Liber 21981 folio 165, which comprise 3.6 acres of the subject property known as Parcel 1. Lots 23–33 and Lots 52–61 of Block 1 of Holladay Company’s Addition to Hyattsville, MD, recorded in Plat Book LIB A-30 on May 19, 1887, along with a portion of Clover Street, comprise 4.66 acres of the subject property, known as Parcel Two.

The Gateway Arts District Sector Plan and SMA placed a D-D-O Zone over the subject property and retained the R-55 Zone on the 3.6-acre parcel (Parcel 1), but downzoned the 4.66-acre parcel (Parcel 2) to the O-S Zone.

A Conceptual Site Plan (CSP-13010), approved by the Prince George's County Planning Board on July 31, 2014, amended the D-D-O use table to allow a Bed and Breakfast Inn in the Reserved Open Space, O-S, Residential-Agricultural, Residential-Estate, Rural Residential, R-55, and One-Family Detached Residential (R-80) Zones.

The O-S zoning of Parcel 2 was changed by CSP-18002, approved by the Prince George's County District Council on June 10, 2019, subject to three conditions, to the R-55 Zone. An amendment to the D-D-O use table was also approved by CSP-18002, to allow townhouse development on the subject site, including applicable density.

6. **Community Planning**—Conformance with *Plan Prince George's 2035 Approved General Plan* (Plan 2035), the Gateway Arts District Sector Plan and SMA, and the standards of the D-D-O Zone are evaluated, as follows:

General Plan

Plan 2035 classifies this application site in the Established Communities Growth Policy Area. Established Communities are “most appropriate for context-sensitive infill and low- to medium-density development.” Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities and recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (page 20).

Sector Plan

The Gateway Arts District Sector Plan and SMA places the subject property in TRN character area. The sector plan states the vision of the TRN is “(i)n many ways, the traditional residential neighborhood character areas suggest a glimpse of small-town Americana. They overlay land zoned for single-family housing (attached and detached). The historic houses and streetcar suburban pattern of inter-connecting narrow streets and shaded sidewalks within easy access to town centers and Metro are assets to be protected from encroachment or significant loss of integrity” (page 14).

The goal for the TRN is “(t)o promote development of both family- and artist-oriented residential development in the R-55, R-35, R-20, and R-T Zones. To preserve the single-family residential neighborhood character as the anchor of the Arts District, while supporting artists who produce and teach from their homes. To enhance the “built-in” natural surveillance of public areas by active neighbors on porches, in yards, and on the sidewalk” (page 138).

SMA/Zoning

The Gateway Arts District Sector Plan and SMA retained the portion of the subject property between Hamilton and Gallatin streets in the R-55 Zone but reclassified the former parking lot portion of the property between 40th Avenue and 40th Place from the R-55 Zone to the O-S Zone, noting “(r)ezoning to O-S creates the opportunity to expand parkland and reinforce the vision of the traditional residential neighborhood character area” (page 123). The SMA further superimposed the D-D-O Zone standards, placing the entire property in the TRN character area.

Note that R-55-zoned properties in the TRN character area within the incorporated City of Hyattsville are exempt from the development district standards and abide by the requirements of the R-55 Zone (page 144). The TRN goals and recommendations are still applicable, however, regardless of the zone.

In 2019, the District Council conditionally approved a request to change the portion of the subject property zoned O-S to R-55. This decision also allows the development of single-family attached dwelling units in the R-55 zone. Further, Condition 3 of the approval requires that a DSP for the entire 8.26 acres shall be subject to all D-D-O Zone standards applicable to the TRN character area. This PPS is in conformance with Section 24-121(a)(5).

7. **Stormwater Management/Unsafe Soils**—In accordance with Section 24-120(a)(8) of the Subdivision Regulations, a Stormwater Management (SWM) Concept Approval Letter (10823-2018-00) and associated plan were submitted with this application for this site. The approval of the SWM Concept was issued on March 22, 2019 from the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). The concept plan shows the entire development (both existing Parcels 1 and 2) and proposes to construct six micro-bioretenment facilities and one floodplain compensatory storage area. An existing stormwater outfall will be removed and a new off-site SWM outfall is proposed to the east. No SWM fee for on-site attenuation/quality control measures is required. The concept shows two micro-bioretenment facilities on Parcel 1, as well as an outfall through Parcel 2.

The site contains Christiana clays and DPIE may require soil testing for unsafe soils. The applicant will be required by DPIE to follow the guideline for developing over consolidated clays. Gravel, asphalt rubble, and concrete fragments will need to be removed and disposed off-site, as directed by DPIE.

8. **Parks and Recreation**—The above PPS was reviewed and evaluated for conformance with the requirements and recommendations of the Gateway Arts District Sector Plan and SMA, CSP-18002, and Subtitle 24 of the Prince George’s County Subdivision Ordinance, as they pertain to public parks and recreational facilities.

The site is divided into two existing parcels, the area fronting on Hamilton Street, the Upper Parcel (Parcel 1) and the Lower Parcel (Parcel 2) south of Gallatin Street. The Lower Parcel is adjacent to Magruder Park (to the west), which is owned and operated by the City of Hyattsville and Magruder Woods Park (M-NCPPC owned parkland) at the southeast corner, which is unimproved.

The subject development is located in the TRN character area of the Gateway Arts District Sector Plan and SMA, which seeks to maintain a traditional neighborhood concept. The goal of the sector plan, with respect to parks and recreation is “(t)o encourage widespread pedestrian and recreational use of the Arts District and vicinity through the improvement of existing public spaces and the addition of new public spaces where appropriate for festivals, events and increased community pride.”

As per Section 24-134 of the Subdivision Regulations, mandatory dedication of parkland applies to any residential subdivision, as follows:

- (a) **In all residential subdivisions, except as provided in paragraphs (2), (3), and (4) of this Subsection, the Planning Board shall require the platting and conveyance to the Commission or to a municipality located within the Regional District but not within the Maryland-Washington Metropolitan District, upon request of such municipality, of suitable and adequate land for active or passive recreation, or the payment of a monetary fee in lieu thereof, or the provision of recreational facilities as otherwise provided by this Division.**

Based on the size, configuration, and density of the proposed subdivision, a fee-in-lieu payment by the applicant would best meet and serve the needs of the future residents for this Community. This is permissible per Section 24-135(a) of the Subdivision Regulations. The fee-in-lieu payment shall be applied to the NB Park Community (Account Code 841205).

9. **Trails**—This PPS was reviewed for conformance with prior approvals, the *Approved Countywide Master Plan of Transportation* (MPOT) and the Gateway Arts District Sector Plan and SMA to provide the appropriate pedestrian and bicycle transportation recommendations.

Previous Conditions of Approval

Approved CSP-13010 included no conditions related to bike and pedestrian transportation. Approved CSP-18002 included the following condition related to bike and pedestrian transportation:

2. At the time of detailed site plan, the applicant shall:

- b. Provide sidewalks on both sides of all internal streets, excluding alleys, as appropriate.**

Per Condition 2.b. of CSP-18002, sidewalk access shall be provided and evaluated at time of DSP.

Review of Proposed On-Site Improvements

All internal roads are proposed as alleys and therefore do not require sidewalks. The submitted plans indicate the existing sidewalks along Gallatin Street, Hamilton Street, and 40th Place.

The submitted PPS does not include blocks over 750 feet long and therefore does not need to provide additional walkway facilities and mid-block crossing facilities, pursuant to Section 24-121(a)(9).

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to residential neighborhoods and Magruder and Hamilton Parks, which are all connected via sidewalk.

Review Master Plan of Transportation Compliance

Three master-planned trails impact the subject site, including planned shared roadways along Hamilton Street, Gallatin Street, and 40th Place. The Complete Streets element of the MPOT reinforces the need for these recommendations and includes the following policies regarding sidewalk and bikeway construction, and the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Sidewalks shall be provided along all road frontages. This will be evaluated at time of DSP. The proposed development will be subject to a bikeway fee for the placement of signage, in compliance with the MPOT.

Review Area Sector Plan Compliance

The sector plan includes the following recommendations regarding sidewalk and bikeway construction and the accommodation of pedestrians and bicyclists (page 46):

5. A variety of routes were identified that are currently used by bicyclists and pedestrians and most efficiently connect the West Hyattsville and Prince George’s Plaza Metro Stations with US 1. These routes primarily focus on serving the local neighborhoods. These routes may also be designated as Artways with specific themes or features (such as banners or artwork) unifying the entire corridor.

b. West Hyattsville Metro to 38th Street and US 1

(2) Hamilton Street

(a) Provide standard or wide sidewalks along both sides of Hamilton Street, where feasible and practical.

c. West Hyattsville Metro to Gallatin Street and US 1

(3) Gallatin Street

(a) Widen sidewalks, where feasible.

(b) Provide directional signage where Gallatin Street is not continuous, and users must briefly turn onto 42nd Street.

Per the sector plan, the applicant shall provide standard sidewalks along the frontages of Hamilton Street and Gallatin Street. Wide sidewalks shall be provided, where feasible, as part of the site's frontage improvements.

10. **Transportation**—This PPS was reviewed for conformance with the MPOT and the Gateway Arts District Sector Plan and SMA to provide the appropriate recommendations. Findings related to transportation adequacy are made with this application, along with any determinations related to dedication, access, and general subdivision layout. Circulation is proposed by means of a system of public alleys and driveways. Alley access is proposed from two existing local public roads; one at Gallatin Street west of 41st Avenue and the other at Hamilton Street east of 40th Avenue, along the north and south edges of the site.

In accordance with the “Transportation Review Guidelines, Part 1” (Guidelines) vehicular traffic counts dated November 5, 2019 were provided by the applicant. The traffic impact analysis (TIA), dated November 20, 2019, was referred to the Prince George's County Department of Public Works and Transportation and DPIE.

The TIA for the Magruder Pointe subdivision includes two areas of residential development. Existing Parcel One is the sole focus of this review, as it is proposed for 16 single-family units and 15 townhouse units with this application. A trip cap for this subdivision is listed below. Existing Parcel Two is approved as an outparcel with this PPS, which will require a separate future PPS for any proposed development and will have a separate trip cap.

The subject property is located within Transportation Service Area (TSA) 1, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections:

Level of Service E.

Operating Critical Lane Volume (CLV) of 1,600 or better in the TSA.

Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the Guidelines.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections a three-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed:
 (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The table below summarizes trip generation in each peak hour that will be used in reviewing conformance with the trip cap for the site:

Trip Generation Summary: 4-18001: Magruder Pointe								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Proposed Development for 4-18001								
Single-Family Detached	16	units	2	10	12	9	5	14
Townhouse	15	units	2	9	11	8	4	12
Total Proposed Trips for 4-18001			4	19	23	17	12	26
Recommended Trip Cap for 4-18001					23			26

The following tables represent results of the analyses of critical intersections under existing, background, and total traffic conditions:

EXISTING TRAFFIC CONDITIONS				
<u>Intersection</u>	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 208 & Hamilton Street/38th Street	926	1,061	A	B
Hamilton (Eastbound) & Gallatin Streets/40th Avenue	11.1	15.3*		
Hamilton & Gallatin (Northbound) Streets/40th Avenue	13.0	14.4*		
Gallatin Street (Northbound) & 40th Place	11.9	13.2*		
Jefferson Street & 41st Avenue (Southbound)	12.3	12.8*		
US 1 & 42nd Place/Crittenden Street	1,046	993	B	A
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

One approved development, Armory Apartments, is identified in the study area for the purpose of developing background traffic. A 0.5 percent annual growth rate for a period of six years has been assumed.

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 208 & Hamilton Street/38th Street	1,008	1,361	B
Hamilton (Eastbound) & Gallatin Streets/40th Avenue	11.3	16.2*		
Hamilton & Gallatin (Northbound) Streets/40th Avenue	13.4	15.0*		
Gallatin Street (Northbound) & 40th Place	12.2	13.7*		
Jefferson Street & 41st Avenue (Southbound)	12.4	13.0*		
US 1 & 42nd Place/Crittenden Street	1,117	1,047	B	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The total traffic generated by the PPS would impact the intersections, interchanges, and links previously identified. The programmed improvements and total future traffic were developed using the Guidelines, including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 208 & Hamilton Street/38th Street	1,016	1,379	B
Hamilton (Eastbound) & Gallatin Streets/40th Avenue	11.6	17.4*		
Hamilton & Gallatin (Northbound) Streets/40th Avenue	14.0	15.7*		
Gallatin Street (Northbound) & 40th Place	12.5	14.3*		
Jefferson Street & 41st Avenue (Southbound)	12.6	12.9*		
US 1 & 42nd Place/Crittenden Street	1,137	1,066	B	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

It has been determined that all critical intersections operate acceptably under total traffic in both peak hours. A trip cap consistent with the trip generation assumed for the site, 23 AM and 26 PM peak-hour vehicle trips, is approved.

Master Plan Roads

The MPOT shows the Hamilton Street/Jefferson Street corridor as a master plan collector; however, this recommendation is only for the section west of 40th Avenue and does not affect the subject property.

Based on the findings presented in this section, adequate transportation facilities will exist to serve the subdivision as required by Section 24-124 of the Subdivision Regulations.

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Prince George’s County Council Resolution CR-23-200. The analysis and the results are as follows:

Impact on Affected Public School Cluster by Dwelling Units

Affected School Clusters #	Elementary	Middle School	High School
Single-family Detached Dwelling Units	16 DU	16 DU	16 DU
Single-family Attached Dwelling Units	15 DU	15 DU	15 DU
Pupil Yield Factor – Detached	0.177	0.095	0.137
Pupil Yield Factor – Attached	0.145	0.076	0.108
Total Future Subdivision Enrollment	5	3	4
Actual Enrollment in 2018	9,602	4,452	5,514
Total Future Enrollment	9,607	4,455	5,518
State Rated Capacity	8,780	4,032	5,570
Percent Capacity	109%	110%	96%

Section 10-192.01 of the Prince George’s County Code establishes school facilities surcharges and an annual adjustment for inflation, unrelated to the provision of Subtitle 24. The current amount is \$9,741 per dwelling if a building is located between I-495/I-95 and the District of Columbia. This fee is to be determined by and paid to Prince George’s County at the time of issuance of each building permit.

12. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated February 7, 2020 (Thompson to Conner), incorporated herein by reference.

Referrals were received from DPIE, the Prince George’s County Fire/EMS Department, and the Prince George’s County Police Department in regard to water and sewer, fire, and police regulatory requirements, respectively. Site and/or building design for fire suppression and crime prevention will be evaluated further at DSP and permit review.

13. **Use Conversion**—This PPS was analyzed based on the proposal for a residential development with 15 townhouses and 16 single-family detached units in the R-55 Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy

findings, that revision of the mix of uses would require approval of a new PPS, prior to approval of any building permits.

14. **Public Utility Easement (PUE)**—Section 24-122(a) requires that, when utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights of way. The subject site fronts on the public rights-of-way of Hamilton Street, Gallatin Street, and 40th Place. However, the PPS provides for the location of PUEs abutting the development lots rather than directly abutting the public rights-of-way. The applicant requested approval of a variation from the standard requirement, in accordance with the findings outlined below.

Variation Request—Section 24-122(a) requires the following (in **BOLD**), followed by review comments:

Section 24-122. Public Facilities Requirements.

- (a) **When utility easements are required by a public utility company, the subdivider shall include the following state in the dedication document: Utility easements are granted pursuant to a declaration record among the County Land Record in Liber 3703 at Folio 748.**

In this instance, all public streets serving the proposed lots are existing and do not currently include PUEs, as all dry utilities are located within the respective rights-of-way. The applicant submitted a request to the Potomac Electric Power Company to confirm that PUEs are not required along the north side of Gallatin Street and provided a utility plan exhibit showing the alternative PUE placement.

The applicant requested a variation from the standard PUE requirement, in accordance with Section 24-113, which sets forth the following required findings for approval of a variation (in **BOLD**), followed by review comments:

Section 24-113 Variations

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that**

the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The granting of the variation will not be detrimental to public safety, health, or welfare, or injurious to other property. The abutting streets are existing rights-of-way which do not currently include PUEs along the abutting platted lots, as all dry utilities are located within the right-of-way. All proposed and existing lots in the vicinity will continue to be adequately served by public utilities without the addition of a designated PUE adjacent to the rights-of-way. Although utilities are currently located in the right-of-way, the PPS includes PUEs for future placement of utilities on-site abutting the proposed lots and the utility exhibit submitted shows that all existing and proposed lots will be adequately served. A variation from the standard requirement for a PUE in this location will have no effect on public safety, health, or welfare of residents and will not be injurious to other properties.

- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

As noted above, the condition unique to the property is that dry utilities are existing and are located within the existing right-of-way with no PUE currently in place. Therefore, a PUE is not necessary in order to accommodate utilities adjacent to the right-of-way, as is typical along most proposed roadways. Moreover, existing stormdrain and/or sanitary sewer systems are located outside the right-of-way in some areas and are within the area where a PUE would typically be provided on-site. In addition, many areas adjacent to the right-of-way do not meet PUE standards due to grade and site constraints, such as steep slopes and specimen trees. A PUE has been provided on-site along the abutting rights-of-way where feasible and alternatively located where necessary to best serve the proposed lots.

- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

The variation from Section 24-122(a) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation. This application was also referred to the public utility companies, none which opposed this request. Further coordination with the utility companies will be required at the site planning and permitting stages of the development.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

Particular physical surroundings include existing utilities within existing rights-of-way, no existing PUEs and grade and site conditions that are not ideal for the provision of PUEs even if they were necessary. Due to the particular physical surroundings, provision of unnecessary PUEs would result in a particular hardship to the applicant. As noted above, the area where the PUE would typically be required is encumbered by stormdrain, steep slopes, specimen trees, etc. Removal and/or disturbance for a utility easement that is not necessary to serve existing or proposed uses would constitute a particular hardship to the applicant.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is zoned R-55; therefore, this provision does not apply.

The site is unique to the surrounding properties, and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations.

Therefore, the variation from Section 24-122(a) for the location of the required PUE, in accordance with the applicant's PUE exhibit dated January 28, 2019, is **approved**.

15. **Historic**—The subject property was the site of WSSC Headquarters (68-10-082), a documented property constructed in 1939. The original building and subsequent additions were architecturally noteworthy as products of their time and exemplified the stylistic evolution from the Art Deco details of the 1939 original building, and the modern influence of the 1953 addition, with the full-blown modernistic expression of the 1964 addition. While all three additions were distinctive in treatment and clearly expressed, the architects endeavored to create a unified and consolidated building that continued to represent the public identity of the WSSC. The building was demolished in 2019.

A Phase I archeology survey is not required on the subject property. As part of the pre-application review, the southern portion of the subject property that was formerly used as a parking lot, was thought to have some potential of containing intact archeological resources. However, the plan shows a sewer line, a gas line, and a drainage channel running through various portions of the

subject site. Installation of these utilities has likely extensively disturbed any intact archeological resources that may have been present. Therefore, a Phase I archeology survey is not required. There are no Prince George’s County historic sites or resources on, or adjacent to, the subject property.

16. **Environmental**—The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan Exemption #	Authority	Status	Action Date	Resolution Number
NRI-047-2018	N/A	Staff	Approved	10/13/2018	N/A
CSP-18002	S-043-2018	District Council	Approved	06/10/2019	District Council Order
4-18001	S-043-2018	Planning Board	Pending	Pending	Pending

Proposed Activity

This PPS proposes to construct 15 townhouses and 16 single-family detached dwellings, interior roadways, and various SWM structures. The overall project area is comprised of two existing parcels (Parcels 1 and 2); however, this PPS is for the residential development on Parcel 1 only, along with some supporting infrastructure (stormdrain pipe and off-site stormwater outfall) on Parcel 2.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new PPS.

Site Description

A review of the available information indicates that the site contains regulated environmental features such as a stream buffer, wetlands buffer, and 100-year floodplain. The soil types found on-site according to the United States Department of Agriculture Natural Resources Conservation Services Web Soil Survey are Christiana-Downer-Urban land complex, Codorus-Hatboro-Urban land complex, and Russett-Christiana-Urban land complex soils. Marlboro clay does not occur on-site, but Christiana clays are found on-site. According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. There is a high spot on Parcel 1 in the northeast and the site drains to the southwest towards Parcel 2 and the off-site stream system. This site is in the Anacostia River watershed, which flows into the Potomac River. The site has frontage on 40th Avenue, which has been identified as an historic roadway. The site is located within the Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map as designated by Plan 2035.

Master Plan Conformance

The site is located within the Gateway Arts District Sector Plan and SMA. The Environmental Infrastructure section of sector plan contains goals, policies, recommendations, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

1.c. Stormwater Management: Existing regulations require adequate control of stormwater runoff (Subtitle 4, Division 2, Prince George's County Code).

This proposal is for the construction of a residential subdivision on a fully developed site with some open landscaped areas. The SWM design is required to be reviewed and approved by DPIE to address surface water runoff issues, in accordance with Subtitle 32, Water Quality Resources and Grading Code. This requires that the environmental site design be implemented to the maximum extent practicable. The site has an approved SWM concept plan. A SWM Concept Approval Letter (10823-2018-00) and associated plan were submitted with the application for this site. The concept plan shows the entire development (Parcels 1 and 2) and proposes to construct six micro-bioretenment facilities and one area for floodplain compensatory storage. This proposed development shows Parcel 1 with two micro-bioretenment facilities and no stormwater outfalls.

Also, to serve the proposed development on Parcel 1, Parcel 2 will be impacted with one off-site stormwater outfall, which impacts the on-site and off-site wetlands, stream, associated buffers, and 100-year floodplain.

1.g. Protection and Restoration of Woodlands: The Woodland Conservation Ordinance requires the conservation of woodlands through preservation, reforestation and afforestation of woodland and specimen trees by meeting minimum woodland conservation thresholds (Subtitle 25, Prince George's County Code).

This property is exempt from the provisions of the 2010 Prince George's County Woodland and Wildlife Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size but contains less than 10,000 square feet of existing woodland. A Standard Woodland Conservation Exemption Letter (S-043-2018) was submitted with the PPS.

2. Incorporate low-impact development design features and implement green building techniques that include the latest environmental technologies.

The development applications for the subject property that will require architectural approval should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy

consumption. The use of green building techniques and energy conservation techniques are encouraged to be implemented to the greatest extent possible.

3. **Affirm county and state Smart Growth initiatives and the policies and strategies of the General Plan. New development and redevelopment should enhance existing green infrastructure elements such as wetlands, woodlands, open space, landscaped areas, street tree corridors, and sensitive species habitats. It should also establish open space linkages where they do not currently exist.**
4. **Seek opportunities to create new connected green infrastructure elements. New development or redevelopment project proposals should establish landscaped areas and open space connections, wherever possible.**

The application area is currently developed with paved parking areas and a building with small open maintained landscaped areas. No woodlands are located on-site. Only paved parking areas with overlapping regulated environmental features such as a 100-year floodplain, stream buffer, and wetlands buffer are present only on Parcel 2. The SWM concept plan shows development on Parcel 2; however, the current PPS only includes infrastructure on Parcel 2. Opportunities for restoration exist on Parcel 2 and will be evaluated when development is proposed in this area. Open space and landscaped areas are further discussed by the Urban Design finding.

5. **Require the following tree cover areas based on ten-year tree canopies: 10 percent tree cover on all properties not in the CBCA I-D-O overlay and within the industrial areas, 15 percent tree cover on property containing an L-D-O (limited development overlay), 20 percent tree cover within mixed-use or commercial areas, and 26 percent tree cover within residential areas. Establish street trees along main transportation corridors. Count trees planted in the public right-of-way but within 16 feet of a property line toward a development's tree coverage.**

This application includes a residential use, and as such the 26 percent tree cover requirement standard applies. Open space and landscaped areas are further discussed within the Urban Design finding.

6. **Decrease impervious surfaces by sharing parking to the fullest extent, constructing green roofs, and following the County's Department of Environment Resources requirements to the fullest extent.**

The application area contains two parcel areas (Parcels 1 and 2), which are mostly developed with impervious surfaces. The submitted PPS shows development on Parcel 1 only; however, the approved SWM concept plan shows proposed development on Parcel 2 that is not approved with the current PPS

application. This application proposes to remove impervious surfaces and to treat and convey the stormwater associated with the development of Parcel 1, in accordance with an approved SWM concept.

7. Use micromanagement stormwater treatment methods on new development or redevelopment projects.

The SWM concept plan approved by DPIE shows the entire development (Parcels 1 and 2) and proposes to construct six micro-bioretenion facilities and one area for floodplain compensatory storage.

Conformance with the *Green Infrastructure Plan*

According to the *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), Parcel 1 contains no network areas, but Parcel 2 contains a regulated area within the designated network of the plan. The regulated area is within the 100-year floodplain, stream buffer, and wetlands buffer. Both Parcel 1 and 2 have already been impacted with parking areas and buildings with small areas of open landscaped areas. This application includes that Parcel 2 and the regulated area will be impacted for installation of a new stormdrain pipe system and an off-site stormwater outfall.

The following policies support the stated measurable objectives of the Green Infrastructure Plan:

Policy 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

Parcel 2 contains a regulated area that contains existing paved parking areas and a stormdrain pipe system. The impacts on Parcel 2 are for the installation of a new stormdrain pipe system and an off-site stormwater outfall. The current application does not show final development on Parcel 2. Future applications for development of Parcel 2 must be evaluated for opportunities for restoration of regulated environmental features.

Policy 2: Preserve, protect, and enhance surface and ground water features and restore lost ecological functions.

As discussed in previous sections, the site has an approved stormwater concept, which addresses surface water runoff issues, in accordance with Subtitle 32 Water Quality Resources and Grading Code. The primary management areas (PMA) associated with this application are located within Parcel 2.

This application includes regulated environmental feature impacts for a stormdrain pipe system (100-year floodplain, stream buffer, and wetlands buffer) and an off-site stormdrain outfall (100-year floodplain, stream wetlands, and associated buffers). No PMA woodlands are located within the application area.

Policy 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern of the 2002 General Plan.

The 2002 *General Plan* has been superseded by Plan 2035. The property is subject to the WCO. No woodlands are located on-site and a woodland conservation exemption letter has been submitted with this application.

Environmental Review

Natural Resource Inventory Plan/Existing Features

An approved Natural Resources Inventory, NRI-013-11 was submitted with the application. The site is comprised of two parcels (Parcels 1 and 2) with existing parking areas and buildings with small areas of open landscaped areas. This site slopes to the south toward an off-site stream system. No woodlands are found on the parcels, but Parcel 1 has four specimen trees. Parcel 2 contains 100-year floodplain, stream buffer, and wetlands buffer, which comprise the PMA.

No additional information is required with regard to the NRI.

Woodland Conservation Plan

This property is exempt from the provisions of the WCO because the property is greater than 40,000 square feet in size but contains less than 10,000 square feet of existing woodland. A Standard Woodland Conservation Exemption Letter (S-043-2018) was submitted with this PPS.

Specimen Trees

The removal of four on-site specimen trees is a component of the proposed development. Since the site is exempt from woodland conservation requirements, no variance request for specimen tree removal is required.

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities.

Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the

outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

Impacts to the PMA are proposed for stormdrain pipe and outfall installation and grading activities associated with removal of pavement. A statement of justification (SOJ) was received with the application on February 6, 2020 and a revised SOJ was received on February 19, 2020 for the proposed impacts to the PMA.

Statement of Justification

The SOJ includes a request to impact 2.54 acres of on-site PMA and 0.02 acre of off-site PMA for removal of impervious asphalt paving and the installation of a stormdrain pipe and outfall to serve the development proposed on Parcel 1. All of the on-site PMA is located on Parcel 2, which is currently paved parking areas and an existing stormdrain outfall. There is an existing stormdrain outfall system on-site, but this stormdrain system needs to be upgraded to meet current storm water design requirements due to the proposed development. While there is proposed removal of asphalt paving that is to occur on Parcel 2, the removal of the impervious surfaces is credited, in part, to serve the SWM requirements for the development of Parcel 1.

Analysis of Impacts

A total of two impacts (1 on-site and 1A off-site) are described below:

Impact 1—2.54 acres for on-site stormdrain pipe installation and grading for the removal of impervious asphalt.

Impact 1A—0.02 acre for off-site stormdrain outfall, stormdrain pipe installation, and grading. This proposed impact is not within the area of this application but is needed to adequately discharge stormwater to the stream. Final review and approval of this impact will be addressed at time of permit review.

Approval of impact 1, associated with the stormdrain pipe and outfall installation and grading activities associated with removal of pavement, is approved. Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

17. **Urban Design**—Conformance with CSP-18002, the D-D-O Zone standards, and the Prince George's County Zoning Ordinance are evaluated, as follows:

Conformance with the Requirements of Previous Approval

CSP-18002 was approved by the District Council on June 10, 2019, with three conditions, to rezone a portion of the property (4.66 acres) from the O-S Zone to the R-55 Zone and revise the list of allowed uses in the development district to permit development of single-family attached dwellings (townhomes) on the property. The CSP also approves the maximum density for

single-family attached development at 9 dwelling units per acre and the maximum density for single-family detached, as permitted in the R-55 Zone, at 6.7 dwelling units per acre, and indicates a total density of 72 units (31 units on Parcel 1 and 41 units on Parcel 2). Conformance with all applicable conditions attached to CSP-18002 will be evaluated at time of DSP review.

The last part of Condition 3 of the CSP is relevant to the review of this PPS because it requires the approval of any additional standards not included in the D-D-O Zone standards, through the DSP process, as follows:

- 3. Prior to issuance of any building permit, Applicant shall, pursuant to PGCC §27-548.26, obtain approval of a Detailed Site Plan (DSP) for the entire 8.26 acres. The DSP shall be subject to all Development District Overlay (D-D-O) Zone standards applicable to the Traditional Residential Neighborhood Character Area. Additional bulk requirements shall be established with the approval of the DSP to implement the applicable goals and recommendations of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District, to achieve context-sensitive, high-quality, single-family residential development.**

This PPS includes both single-family detached and attached lots. The D-D-O Zone standards (pages 144–156) have specific requirements for Site Design, Building Design, and Public Space that have specific standards for lot size for the single-family detached units, as follows:

a. Building and Streetscape Siting:

- 12. On properties zoned R-55, the minimum lot area for new dwellings shall be 5,000 square feet. Where the depth of the lot is less than 100 feet, the minimum net lot area shall be 4,800 square feet (page 146).**

The single-family detached homes proposed have been revised to meet this standard, however, the minimum lot size for single-family attached lots in the R-55 zone is not specified by the D-D-O Zone and should be approved with the DSP as stated and required by Condition 3 of CSP-18002.

In addition, the D-D-O Zone also has standards for lot width for both single-family detached and attached units, as follows:

- 19. On properties zoned R-55, R-35 or R-20, the minimum lot frontage and minimum lot width shall be 20 feet. Lots with a smaller lot width that predate the approval of the Arts District SMA may be developed if it is documented that more than one dwelling exists on the street on a lot with a similar or lesser frontage (page 146).**

The single-family detached and attached lots have been revised to meet this standard.

20. Townhouses shall have a minimum lot width of 18 feet and shall not front a parking lot (page 146).

The single-family attached lots have been revised to meet this standard.

The District Council's final decision for CSP-18002 included in the analysis that density be 6.7 dwelling units per acre for single-family detached and 9 dwelling units per acre for single-family attached dwellings. However, the District Council's final decision also contains a footnote indicating an overall density of 72 units (31 units on Parcel 1 and 41 units on Parcel 2) for the property, in accordance with Applicant's Exhibit 1 provided with CSP-18002.

The exhibit indicates that, when combining the dwelling unit types on Parcel 1, the density would result in approximately 8.6 dwelling units per acre on Parcel 1 and approximately 8.8 dwelling units per acre on Parcel 2, based on the gross acreages. The PPS is consistent with the CSP approval and will be further evaluated at the time of DSP for bulk standards, in accordance with Condition 3 of CSP-18002. The applicant shall provide the proposed density on the PPS, in accordance with the approved CSP.

Conformance with the Development District Overlay (D-D-O) Zone Standards of the 2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment

The development of single-family detached and attached units will be subject to DSP approval. The site's conformance with the applicable D-D-O Zone standards of the Gateway Arts District Sector Plan and SMA will be fully evaluated at time of DSP review.

Conformance with 2010 Prince George's County Landscape Manual

The D-D-O Zone standards and the Gateway Arts District Sector Plan and SMA (page 142), replace the requirements of the 2010 *Prince George's County Landscape Manual*. Conformance with these standards will be evaluated at the time of DSP.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that disturb more than 5,000 square feet. The site is required to provide a minimum of 15 percent of the gross tract area in TCC. This total area of the property is 8.26 acres, which results in 1.23 acres (or 53,578 square feet) of required TCC for the site. Conformance with this requirement will be evaluated at time of DSP.

18. **City of Hyattsville**—In a correspondence dated February 19, 2020, (Hollingsworth to Hewlett), incorporated by reference herein, the City of Hyattsville stated that the City Council requests the public hearing associated with this application be postponed until judicial review regarding CSP-18002 has concluded.

The City indicates that as an issue of practicality, if the District Council's decision regarding CSP-18002 is overturned, PPS-18001 will be greatly affected in the standards and density requirements that are applied. Delaying the application until resolution has been reached can help avoid significant future time resources and effort to repeat the application process for this PPS.

It is the City's opinion that all parties would be best served waiting a short period of time to reach resolution regarding the parent case to this application and that the Planning Board would be doing itself a disservice in considering this application, though the City understands and respects that this decision is at the discretion of the Board.

The Hyattsville City Council asked the Planning Board to not consider this PPS application until the City's legal appeal of the parent CSP application has been resolved. At the Planning Board hearing, the Planning Board informed the City and other opponents of the application that mandatory action requirements prevent the Planning Board from delaying consideration of this application. The City requested the Planning Board consider the following revisions to the application, as conditions for approval, which were evaluated as follows:

- “1. The applicant shall eliminate Lot 26 from the application, reducing the number of proposed single-family homes from sixteen to fifteen. All lots shall meet the minimum lot size standard of 5,000 SF.”

The current 30-lot PPS plan demonstrates compliance with the minimum lot size requirement. The ability to achieve 31 lots as shown on the applicant's sketch plan will be further determined at DSP review.

- “2. The applicant shall align the property borders of Lots 21 and 22 and the property borders of Lots 19 and 20 to allow for a more uniform lotting pattern.”

The lotting pattern, as shown on the PPS, includes a jog in the property lines of these lots to accommodate the curvature of the proposed alley providing access to these lots. However, the jog is not indicative of an irregularity in the placement of future dwelling units and would not be distinguishable given the concept development, as shown on the approved SWM concept plan. Minor adjustment to the lots will be further evaluated at time of DSP when dwellings are proposed to ensure adequate circulation and a consistent development pattern.

- “3. The applicant shall use Lots 11 & 12 for open green space and/or supplemental stormwater management. Lots 11 & 12 shall not contain townhouse units.”

At this time, the need for additional open space or SWM areas has not been demonstrated. However, site constraints and possible conflicts of dwellings with necessary infrastructure should be evaluated further at time of DSP, when buildings are proposed, which may result in the loss of lots. The orientation and architecture of the proposed units will also be evaluated at time of DSP to ensure the most beneficial relationship for the placement of dwellings.

“4. All townhouse units shall front Parcel A1 without obstruction.”

The reduction of townhouse units fronting on Parcel A1 may open views into the alley and rears of the lots along the alley. The orientation of dwellings will be evaluated further at the time of DSP to ensure the most beneficial relationship for the placement of dwellings.

“5. The upper parcel of the Magruder Pointe project shall contain no more than ten (10) single-family attached (townhouse) units total. The reduction in unit count will bring the development into compliance with the District Council’s decision, as well as allow for wider townhouses and increased interior parking. The applicant’s proposed townhouse density exceeds that which has been approved by the District Council. Staff’s calculations were derived using the density calculation methodology based on discussions with M-NCPPC staff. Staff calculated density as part of their analysis as the applicant did not provide this calculation as part of their application, as required. Further complicating this matter are a) the presence of two-unit types on the subject property, and b) the lack of standards or guidance—by code or resolution—regarding the size of the townhomes as they are not typically allowed in R-55.”

The lots’ widths have been designed to meet the minimum 20-foot width as required, in accordance with the D-D-O Zone standards. The requirements for density, as approved for this site with CPS-18002, are further the discussed in the Urban Design. The PPS is consistent with the CSP approval.

“6. The internal alleyway shall be designed and constructed to a public standard and dedicated to the City as a public right-of-way. The site plans and any future dedication of plat shall incorporate language stating that the alleyway shall be publicly dedicated to the City of Hyattsville.”

The alley shown on the PPS is proposed for public right-of-way dedication and conforms to the Prince George’s County Urban Street Standard minimum for alleys. The public dedication of the alley will be required at the time of final plat, pursuant to the approved PPS. It is noted that dedication is to public use, and since the City of Hyattsville maintains jurisdiction over the public roads in this area, the same will be true of this public right-of-way dedication.

“7. Overhead lighting shall be designed and constructed to Pepco standards for acceptance into the public utility system. The lighting shall be placed at the entrance/exit of the site at Hamilton Street, at the corner closest to lot 11, and at the entrance/exit of the site on Gallatin Street.”

The review of lighting details is applicable at the time of DSP review. Lighting within the right-of-way is further subject to the approval of the operating agency.

- “8. The applicant shall provide adequate Public Utility Easements (PUEs) for the provision of public utilities to ensure all proposed lots receive both wet and dry utility services. If public utility services can be provided through the existing utility systems and/or within the existing public utility easement, no additional land dedication or easement is required.”

A utility plan and proposal for the location of PUEs has been provided with this application and is further discussed in Finding 11.

- “9. The stormwater management plan for the upper parcel of the Magruder Pointe Project shall be limited to the boundaries of the upper parcel and not reliant upon compensatory storage on the lower parcel, limiting the applicant’s ability to dispose of the individual parcels to new owners for separate and distinct projects or uses.”

The approval of the SWM concept plan is under the authority of DPIE, which has been approved for all land area included in this PPS. Although no lots are being approved for the lower parcel with this PPS, any future development must be in conformance with the SWM approval or subsequent revisions.

- “10. The applicant shall include the replacement of a current Magruder Park bridge as an off-site facility improvement within their Bicycle and Pedestrian Impact Statement.”

This site is not located within a center or corridor and is therefore not subject to the requirement to provide off-site bicycle and pedestrian improvements. However, at the Planning Board hearing, the applicant agreed to consider this improvement.

19. Planning Board Hearing—At the Planning Board meeting on March 12, 2020, exhibits were entered into the record consisting of letters of opposition (Exhibits 1.a-g.). Opponents of the application who were present also provided verbal testimony expressing concerns regarding the underlying CSP approval and pending judicial review, stormwater and floodplain impacts, density and questions as to how density is calculated, transportation and impacts to the neighboring Magruder Park. Exhibits to the verbal testimony was entered as Exhibits 2 and 3. Response to the testimony was provided from the Planning Board’s Legal Counsel, technical staff, the Applicant’s Legal Counsel and addressed as part of the findings of this resolution. Specifically, this PPS does not set forth the zoning parameters but it is found that this PPS conforms to the approved CSP, all public notices were provided in accordance with applicable law, documents of this application were provided to the public when requested and public hearings were held for this application and the CSP in order to allow public participation.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 12, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of April 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TS:nz

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May 14, 2020

Mr. Henry Zhang, Master Planner
Urban Design Section
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: Magruder Point Detailed Site Plan (DSP-18005)
DDOZ Standards Request Revision (Supplement)

Dear Mr. Zhang:

The following is a supplement to our prior DDOZ standard modifications request to reflect our subsequent discussions. We appreciate your input as it allows us to refine our request to address the Code requirements and Sector Plan. As you know, the proposed standards requested to be modified are governed by Sections 27-548.25 and 27-548.26 of the Code (see below). With your input, we were able to reduce the modifications from twelve (12) of those that apply to five (5) or 41% of what we sought initially. Your suggestions were well taken and incorporated into the revised plan and herein. Hopefully, this should allow agreement by the Applicant and staff to enable a Resolution on June 18th subject to your review.

Section 27-548.25. Site Plan Approval.

* * * * *

(b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.

Comment: The application addressed all applicable standards as either met or the applicant requested a modification as addressed below.

(c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the

District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Comment: The applicant addresses the requested modifications below.

Sec. 27-548.26. Amendment of Approved Development District Overlay Zone.

* * * * *

(b) Property Owner.

(1) Notwithstanding the provisions of subsection (a), above, a property owner may request that the District Council amend development requirements for the owner's property, as follows:

* * * * *

(i) A request for changes to the underlying zone or list of allowed uses may include requested amendments to the applicable Development District Standards for the applicable D-D-O Zone.

(ii) In determining whether to approve such amendments to the Development District Standards, the District Council shall find that the amended standards will benefit the proposed development, will further the purposes of the applicable Development District, and will not substantially impair implementation of any applicable Master Plan or Sector Plan.

* * * * *

(5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, meets applicable site plan requirements, and does not otherwise substantially impair the implementation of any comprehensive plan applicable to the subject development proposal.

Lastly, as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

Comment: It is the applicant's position that the modifications requested which were substantially reduced after staff input and discussion are now the minimum necessary to address the goals and

recommendations of the Traditional Neighborhood Character Area (TRN) and represent the most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. The site is unique in that it was a part of the prior WSSC Headquarters which is surrounded on all sides (3) by public roads in a roughly triangular shape. It abuts residential homes and the former parking lot to the south and Magruder Park which creates a challenge from a land planning standpoint and engineering-wise due to the topography. To allow the project to be functional and compatible with the neighborhood some modifications we believe are justified as such changes reflect site and design aspects of the existing neighborhood.

Traditional Neighborhood Character Area (TRN)

The Gateway Arts District Sector Plan and SMA sets forth the following goal and recommendations for the TRN area (page 26-7). The subject site is located within the TRN and received approval of CSP-18002 by the District Council and Preliminary Plan 4-18001 by the Planning Board. The findings in those case confirmed the site meets the above goals and recommendations as follows.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Comment: All of the units proposed are single-family dwellings as required. Thirty-one (31) single family dwellings are proposed with this DSP with sixteen (16) single-family detached and fifteen (15) single-family attached units (SFA). This proposal replaces a vacant office building which is not in keeping with this goal. The units will allow artists space for their craft.

Recommendations:

1. Rezone to implement the proposed development district standards and guidelines.

Comment: The R-55 Zoning is in place and CSP-18002 found the layout, density and uses for this site in concert with the TRN, Ordinance and findings for approval.

2. Reinforce existing single-family residential neighborhoods as community-oriented, quiet, low-traffic, and child-safe.

Comment: The proposed single-family neighborhood concept completely addresses this goal as it replaces the prior office use. The overall concept is community oriented, largely self-contained as to parking and access, and safe. We have done a traffic study, which was approved with the preliminary plan that more than meets the APF guidelines. There are sidewalks on the site and to the adjacent Magruder Park. The addition of 1.8 acres in the Lower Parcel to Magruder Park will

enhance the parkland and recreational opportunities in accord with the Gateway Arts District Plan (GAD) SMA (page 123).

3. Maintain the integrity of residential streetscape. Front yards should not be paved, nor should wide driveway aprons be constructed.

Comment: No front yards shall be paved nor driveway aprons constructed onto a public street except for Lot 21 which could not access the detached garage. In fact, all units except one will have access through internal public alleys. In addition, the City has committed to maintain the internal alleys to enhance viability of access and for maintenance. This will allow each unit to provide four (4) parking spaces on site and reduce the need for off-site parking in the City and allow guest parking. A revised parking chart is provided per your request.

4. Support arts and handcraft home occupations.

Comment: We concur and believe the traditionally designed homes will inherently support art and home occupations due to their size and adjacency to the nearby Arts District. The detached garage and/or rooftop decks can be used for artists.

DDOZ Standards/Modification Requests and Justifications

SITE DESIGN:

12. On properties zoned R-55, the minimum lot area for new dwellings shall be 5,000 square feet. Where the depth of the lot is less than 100 feet, the minimum net lot area shall be 4,800 square feet.

Request: Only Lot 23 and 29 are under 5000 SF. This was reduced from four initially through redesign.

Approximately two dozen homes exist within the neighborhood (within four blocks) that have lot sizes less than 5,000 SF. The addresses of those properties is noted below as evidence there are many lots with similar lot sizes, as is common in this area.

4907 42nd place

4909 42nd place

5201 42nd place

5225 42nd place

5227 42nd place

5229 42nd place

5004 43rd avenue

5006 43rd avenue

5008 43rd avenue

4008 Emerson street

4100 Emerson street

4102 Emerson street

4104 Emerson street

4106 Emerson street

4108 Emerson street

4110 Emerson street

4112 Emerson street

4113 Emerson street

4105 Crittenden street

4302 Jefferson street

4203 Longfellow street

4205 Longfellow street

4207 Longfellow street

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: As the streetscape is redesigned to be consistent with the surrounding homes on Hamilton Street and 41st Avenue in terms of spacing as noted by the Sector Plan Illustration 9 on page 160, the two lots do not impair the TRN goal to reinforce the single-family character of the neighborhood along the two public streets noted. The minor reduction of the lot size for two lots will not be perceived as compared to the existing homes as many are also under 5000 SF. Therefore, there is not a substantial impairment of the TRN goals and recommendations. The architecture is commensurate in detail and design to the neighborhood to further enhance compatibility.

16. The front yard shall not have more than 20 percent impervious surface and shall not include a paved area for parking between the dwelling and the street sidewalk.

Request: Only Lot 21 is not in conformance with this standard.

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: Due to the unique nature of the site as to the relationship to 41st Avenue and Hamilton Street, Lot 21 was not able to be designed with proper easements for utilities and the consistent streetscape we sought to access the internal alley as the other lots. Thus, we had to utilize a detached garage. As such, the garage must be served by a driveway which was designed to allow tandem parking to again allow four (4) spaces for this unit and not impair the integrity of the neighborhood and cause a parking issue as on street parking is limited.

24. Accessory buildings shall be set back a minimum of 40 feet from the front lot line.

Request: This request is for Lots 21, 30, and 31 which have garages as accessory buildings and less than 40' from the front street line.

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: Again, due to the unique nature of the site, Lot 21 was not able to be designed with proper easements for utilities and the consistent streetscape we sought to access the internal alley. Thus, we had to utilize a detached garage. The garage was located to be even with the fronts of all units on 41st Avenue to create a consistent streetscape in accord with the existing homes on 41st Avenue which is a goal of the TRN. The structure will not create an inconsistent view from 41st Avenue (see attached Illustration 7 on page 159 and No. 9 on page 160). We also requested this standard be applied to Lots 30/31 as the alley design to allow proper access and to accommodate the fact that Hamilton Street and Gallatin Street going west create a point and the alley access is from Hamilton which creates a unique layout to allow proper access, garage placement, and again allow the fronts to face the public streets. These three (3) modifications out of thirty-one (31) lots is not a substantial impairment of the TRN and still reinforces the single family character of the TRN without impairing parking in the area.

25. Side yards for one-family detached dwellings shall be a minimum of 8 feet wide on both sides but may be reduced as much as 4 feet on each side where the resulting building would be less than 14 feet in width.

Request: We request the amendment for 3' side yards to have a uniform streetscape which mirrors the existing units on Hamilton Street and 41st Avenue.

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: This is consistent the neighborhood which is the goal for the TRN as well as the City and residents. The overall goal for the houses as asked for by the neighbors, the City and City Planning Committee, along Hamilton and 41st Avenue is to match the pattern and character of across the street: big porches, a variety of siting and massing, etc. In fact, 4020, 4022, 4024, 4026, 4028 Hamilton are the addresses across the street with this offset condition. Also, 5104, 5106, 5108 42nd Avenue (one block east of site) also have this condition.

The request for 3' side setback for all single family detached lots combines this overall goal with a goal to maximize outdoor space for the homeowners. The 3' setback on one side allows for each house to have a larger side yard on the other. Most of the houses have a porch element on the side, which would create covered outdoor space in addition to the larger side yard. Some houses do not. The inclusion or exclusion of a side porch is immaterial to the original goal of maximizing the outdoor space. Realistically, not everyone will want a side porch and we want a varied streetscape in any case. In addition, some lots are smaller than others so we would rather provide more lawn area than take up most of the side yard with a porch. Having a mix of amenities like porches within a given development is a self-evident strategy. It strikes a reasoned balance between building homes that create great streets and that will be attractive for homeowners.

27. One-family detached dwellings shall have a rear yard a minimum of 25 feet in depth.

Request: Lots 17-31 are detached units and have rear yards less than 25'. They are all 20' rear yards. Lots 22-29 have 20' rear yards as measured from the rear of the garage. However, a modification to allow the 3' side yards allows more usable yard and a garage with more parking. Lots 17-20 do not have a 25' rear yard but almost 25' in usable side yard again because of our concept. Lot 30 has a great deal of front and side yard while not rear yard it is still is usable open area. The rear yard is affected by the alley loading but again, Lot 30 has a great deal of yard area. Lot 1 does not have a 25' rear yard but is adjacent to Parcel A-2 which is an open space parcel.

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: The rear yards are reduced to be less than 25' for the following reasons:

1. Allows garages and tandem driveway parking.

2. The Magruder Park is very close in walking distance.
3. Parcel A-1 and A-2 are open space parcels.
4. Urban Living is not based on yard space.

The ability to park four space per unit on-site is a tremendous benefit to preserve the single-family neighborhood. The overall design of the CSP and adjacency to Magruder Park, metro, bus stops and other recreational opportunities in the U.S. 1 Corridor is more critical to urban living. The standard rear yard across the board from O-S to R-20 is a 25' rear yard which is not in keeping with infill development and here a unique parcel. We are trying to meet various needs such as on-site parking, alley access, and an even streetscape so all needs must be balanced.

Lots 17-31 are detached units and have rear yards less than 25'. They are all 20' rear yards. Lots 22-29 have 20' rear yards as measured from the rear of the garage. However, modification to allow the 3' side yards above allows more usable yard and a garage with more parking. Lots 17-20 do not have a 25' rear yard but almost 25' in usable side yard again because of our concept. Lot 30 has a great deal of front and side yard. The rear yard is affected by the alley loading but again, Lot 30 has a great deal of yard area. Lot 1 does not have a 25' rear yard but is adjacent to Parcel A-2 which is an open space parcel.

Given, the improved functionality of the garage for all units but Lot 1 which has a tandem parking pad, the project is self-sustaining. Rear yards are only one component of usable or passive open space which is a home buyer's choice. There is a plethora of opportunities for buyers who can prioritize their needs. Magruder Park is nearby, metro/bike/pad access offers other opportunities, there is open space on site, the Bog area to the south and the Arts District to the east. We believe this addresses the intent of the plan and does not impair to any discernible degree.

B. ACCESS AND CIRCULATION:

2. Sidewalks a minimum of five feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings, recycling, and dumpster areas.

Agreed

D. SITING AND ACCESS:

6. Driveways or private drive-aisles shall have a maximum width of 12 feet.

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: We proposed the double driveways to allow tandem parking to the garages and thereby reduce on-street parking to conform to the objectives advocated by the City and residents. This is a benefit not impairment to the TRN. Additionally, this provides the homeowners the ability to have parking for guests.

BUILDING DESIGN:

A. BUILDING HEIGHT:

4. The maximum height of townhouse buildings shall be 45 feet.

Agreed

6. The allowable height in R-55, R-35, and R-20 zones shall be 3 stories or 35 feet. If an additional side yard of ½ foot is added per 1 foot of height in excess of 35 feet, the height may be increased to the maximum of 40 feet. Height shall be measured from the highest elevation on the front street side of the building to the highest main roof ridgeline or parapet.

Agreed

B. ARCHITECTURE:

9. Accessory buildings exceeding 15 feet in height shall match the roof pitch and style of the main dwelling.

Agreed

PUBLIC SPACE

A. STREETSCAPE:

3. The neighborhood streetscape shall consist of a sidewalk a minimum of four feet in width and may include an additional strip five feet in width containing street trees, landscaping and pedestrian amenities.

Agreed. The Applicant is retaining the existing sidewalk, which is consistent with the City's position.

4. All streets shall have a sidewalk on both sides wherever possible.

Agreed

6. Street trees shall be shade trees and shall be a minimum of 2½- to 3-inch caliper.

Request: No new street is being constructed. The sidewalks and ROW will remain as they currently exist. This means there is extremely tight ROW in this circa 1900's subdivision. However, we are increasing the shade trees and shrubs on the front of lots proximate to the sidewalks to augment the greenspace.

Code: The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.

Justification: The intent to provide a landscaped street view is met by the implementation of additional shrubs and shade trees. This standard is applicable in non-infill areas where there are larger streets.

B. PARKS AND PLAZAS:

3. A minimum of 1 shrub should be provided for every 100 square feet of area, and there should be a minimum of 3 varieties for spaces greater than 300 square feet.

Agreed

Other Issues

A. Green Building Techniques:

The houses proposed in Magruder Pointe will incorporate numerous green building features. In terms of the envelope, all houses will meet or exceed current energy codes, with R-49 insulation in the roof, R-20 insulation in the walls, etc. All windows installed will be double glazed. All appliances within the houses will be Energy Star rated. The plumbing fixtures will all be selected with water conservation in mind. Every detached house will be provided with at least one rain barrel installed. Every house will have an electric car charging station.

All the houses will have deep eaves and porches which will help to keep the sun's hot rays off the building, reducing the energy required to keep the house cool in the summer. All roofing materials will be lighter in color so as to absorb less heat in the summer. The houses will have numerous, tall windows that will enhance the notion of 'daylighting', which will reduce the energy required for lighting. All of the houses will be ready to be equipped with solar panels, especially the lower townhouses, which have a more flat roof condition.

All the houses will be accessible by bus/bicycle \ the two nearby Metro stations Prince George's Plaza and West Hyattsville; have a Metro bus stop on Gallatin Street and the County's "the Bus" stops as well; and will come with a membership to the Capital Bikeshare program.

B. High Visibility Units

The side elevations of our end units are designed as fronts and are shown in the architectural submittal package of the DSP. As such, all of the sides have a variety of features that create interest for its visibility. The lots that are visible as ends are as follows:

- Lots 21-30 all front Hamilton so the only the side elevation of Lot 30 and Lot 21 is visible from Hamilton Street;
- On Gallatin Street, only the side of Lots 16 and 17 face the street;
- No lots have sides that face 41st Avenue.
- As to Lots 1, 30, 31 the sides are somewhat visible from the intersection of Hamilton and Gallatin at the point to the west (Parcel A-2) but that is an open space parcel with added trees/shrubbery for more buffering and as agreed upon above.

C. Density

The density was approved with CSP-18002 and again with PPS 4-18001. There are no Conditions requiring a unit per acre density. The CSP Condition No. 1, required the Applicant to "revise the plan to include the legal description of all lots included in the CSP". The CSP was then certified showing thirty-one (31) lots on this parcel which was relied upon by the staff and the Planning Board in the preliminary plan. Furthermore, the Council Order in Ex. 4, page 8, states:

"To facilitate orderly R-55 development of the 8.26 acre property, and expansion of parkland with the City of Hyattsville, Applicant proposed an overall density of 72 units. 31 units are proposed for the upper lot and 41 lots are proposed for the lower lot. Applicant's Ex. 1, Slide 13."

The Order approved 31 lots for the subject site for the above reasons and the CSP was certified by the MNCPPC.

Summary

We believe that this supplement addresses all outstanding items for review and approval of the plan and standard modifications which were greatly reduced in number as we discussed. With your input, the resulting product will be a benefit to the TRN, the City, existing residents and new owners. We can work with you on any reasonable comments we can address. Thank you for your attention to this matter.

Sincerely,

Norman D. Rivera

NDR:jls
Enclosures
C: Werrlein Properties
City of Hyattsville

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May 5, 2020

Mr. Henry Zhang, Senior Planner
Urban Design Section
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: Magruder Point Detailed Site Plan (DSP-18005)
Response to SDRC and other Comments

Dear Mr. Zhang:

The following is a point-by-point response to major issue comments received as a result of the SDRC meeting of April 17, 2020, and other issues raised by the City. Please accept the responses below as a supplement to the initial Statement of Justification:

City Comments (may be revised as they deliberate):

1. Only the corner lot (21) at 41st Avenue and Hamilton is over 20% impervious area in the front yard. It is at 26% mostly due to the driveway being on that side of the house.
2. The link with update architecture without the proposed townhouses for the lower lot is below.

<https://www.dropbox.com/s/euv37c11k3l33t3/Magruder%20Pointe%20-%20Architecture%20Package%2001132020%20w%3Ao%20A1.3%20%28flat%20roof%20townhouse%29.pdf?dl=0>

3. Brick

We can offer an option with painted brick on selected end townhouse units. Below is the overall argument against brick in general:

We believe inclusion of brick in this development is a misreading of the Sector Plan's language. which states that New Buildings should be faced with "quality materials such as brick, stone, wood, masonry, or stucco compatible with the character of the surrounding neighborhoods."

As the attached diagram shows, there are very few brick buildings in the surrounding area. The surrounding neighborhood largely consists of single-family homes clad with a variety of horizontal lap siding - wood, asbestos, cement board, and vinyl/aluminum. As such, the character of the surrounding neighborhood is overwhelmingly of horizontal lap siding. As such, cement-based siding is proposed on single-family detached units to maintain compatibility with the character of the surrounding neighborhood while ensuring lasting quality and durability.

In fact, in the 1976 nomination form for the establishment of the Historic District, it clearly emphasizes a period of late 19th century and early 20th century wood framed buildings as its unique selling point. It makes no reference to brick vis-a-vis the neighborhood's historic bona fides.

Urban Design

Staff Comment: Min. side yard setbacks for Lots 18,19, 23, 24, 25, 27, 28 & 29 should be revised to be 5 feet

RESPONSE: We disagree as this is consistent the neighborhood which is the goals for the TRN. The overall goal for the houses as asked for by the neighbors, the City and City Planning Committee, along Hamilton and 41st Avenue is to match the pattern and character of across the street: big porches, variety of siting and massing, etc. The request for 3' side setback for all single family detached lots combines this overall goal with a goal to maximize outdoor space for the homeowners. The 3' setback on one side allows for each house to have a larger side yard on the other. Most of the houses have a porch element on the side, which would create covered outdoor space in addition to the larger side yard. Some houses do not. The inclusion or exclusion of a side porch is immaterial to the original goal of maximizing the outdoor space. Realistically, not everyone will want a side porch and we want a varied streetscape in any case. In addition, some lots are smaller than others so we would rather provide more lawn area than take up most of the side yard with a porch. Having a mix of amenities like porches within a given development is a self-evident strategy. It strikes a reasoned balance between building homes that create great streets and that will be attractive for homeowners.

Staff Comment: Buildings, including the stand-alone parking garages, on Lot 1, 2, 10, 11 (SFAs) 16, 17, 21, 29, 30 & 31 are highly visible units that need special treatments of the main elevations and two side elevations that are visible from public streets.

RESPONSE: All garage rooftops will be consistent in character with their respective main house and, as such, with the surrounding neighborhood. We are proposing an option for decks on top of garages with the following rationale.

Most of the proposed lots have steep topography. In fact, many have garages that are a full floor below the street. Within these tight parameters, the goal is to maximize useable outdoor space for each property. A deck at the same level of the main living spaces is a reasonable solution to achieve this goal. Due to the grade of the site, it just so happens that this deck is on top of a garage. Attached is a site section showing the typical relationship between grade, street/alley, and the house/garage.

A more general point about rooftop decks: the notion of a rooftop deck as incongruous to traditional neighborhoods seems misplaced. In traditional urban neighborhoods, at a variety of densities, outdoor space is a scarcity. The rooftop deck is a common solution, especially on properties with topography. There's no tangible difference between a rooftop deck and a rear deck above grade, especially as it relates to the public street on the other side of the house.

Lastly, we are proposing garages and rooftop spaces with high quality materials that complement and enhance their surroundings. This attached precedent image demonstrates our aspiration.

Staff Comment: Lot 20 and 22 access to the garage needs to be adjusted. Lot 22 should be accessed through Hamilton Street. Or Lot 20 be accessed from 41st Ave.

RESPONSE: The plan allows adequate access to the alleys for Lot 20 and 22. This was discussed at the time of preliminary plan and the City raised the same issue. Access to Hamilton or 41st Avenue would create more driveway curb cuts and ruin the streetscape. We have been striving to be complementary to the neighborhood and this is a single purpose comment that does not involve the overall goals of the TRN.

Staff Comment: Building form of the SFDs including the free-standing garage should be in consistent with the existing SFDs.

RESPONSE: All units and for that matter garage rooftops will be consistent in character with their respective main house and, as such, with the surrounding neighborhood. We retained a local architect who literally lives 3 blocks away. We are proposing an option for decks on top of garages with the following rationale. The units are not required to be 100% in consistent with units that are decades old. The elements are respected.

Most of the proposed lots have steep topography. In fact, many have garages that are a full floor below the street. Within these tight parameters, the goal is to maximize useable outdoor space for each property. A deck at the same level of the main living spaces is a

reasonable solution to achieve this goal. Due to the grade of the site, it just so happens that this deck is on top of a garage. Attached is a site section showing the typical relationship between grade, street/alley, and the house/garage.

A more general point about rooftop decks: the notion of a rooftop deck as incongruous to traditional neighborhoods seems misplaced. In traditional urban neighborhoods (see Baltimore), at a variety of densities, outdoor space is a scarcity. The rooftop deck is a common solution, especially on properties with topography and we have been required to have mandatory decks in other hobs for this very reason by the Board. There’s no tangible difference between a rooftop deck and a rear deck above grade, especially as it relates to the public street on the other side of the house and is a very urban element as well as an option sought by the modern buyer. Homes in DC and Baltimore exhibit this characteristic and which allows more outdoor space, more enjoyment, and more value to the home. All good values.

Lastly, we are proposing garages and rooftop spaces with high quality materials that complement and enhance their surroundings. This attached image demonstrates our aspiration.

Subdivision and Zoning

Staff Comment: PPs file application for the lot size at time of DSP. Distance from the bioretention area. Min. Lot size 5,000 SFDs, Alley is minimum 22 feet. Density is a discussion at time of the PPS. Condition lot lines, orientation of units, curb radius. Substantial conformance with PPS

RESPONSE: The PPS as approved is for 31 lots total and there are only two lots under 5000SF. This was approved by the Planning Board. It can be reviewed at DSP, however, the sector plan clearly envisions a streetscape as proposed (see page 159-160). The DSP respects that goal. We are in conformance with the PPS and no comments to the contrary from staff.

Community Planning

The Community Planning Division provided the following chart relating to requested DDOZ modifications in its April 16th memo. Applicant responses have been added in the far right column in Bold:

DDOZ standard	Page number	Modification requested	CPD Comment	Applicant Response
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<p><u>Site Design</u> #12</p> <p>On properties zoned R-55, the minimum lot area for new dwellings shall be 5000sf. Where the depth of the lot is less than 100 feet, the minimum net lot area shall be 4800sf.</p>	146	<p>To establish a minimum net lot area of 1400sf for townhouse lots, and to allow 2 (Lots 23 and 29) detached single family units having less than the required 5000sf minimum.</p>	<p>Prior (PGCC 18-74) approval of townhouse use, with additional bulk requirements established with the approval of this DSP.</p>	<p>Approved for two lots below 5000 SF with the PPS. The streetscape is consistent with the goals of the TRN.</p>
<p>#25</p> <p>Side yards for one-family detached dwellings shall be a minimum of 8 feet wide on both sides but may be reduced as much as 4 feet on each side where the resulting building would be less than 14 feet in width.</p>	147	<p>“Side yards on one-family detached units are a minimum of 3 feet in order to maximize the side yard on the opposite side of the dwelling.”</p>	<p>Community Planning does not support this request. Maintain a minimum of 5’ side yard setback on both sides of detached dwellings to assure functionality of side yard and preserve the character of the neighborhood.</p>	<p>See detailed commentary in Urban Design comment response above. The intent of the standard is satisfied and consistent with the neighborhood as shown by the Sector Plan (Page 159-160).</p>
<p>#27</p> <p>One-family detached dwellings shall have a rear yard minimum of 25 feet in depth.</p>	147	<p>“The rear yards of some units will have detached garages within the rear yards and the depth may be adjusted on a lot-by-lot basis for engineering reasons.”</p>	<p>Community Planning does not support this request.</p> <p>The applicant should identify which lots will have rear yard setback adjustments, and the rear yard depth prior to approval.</p>	<p>Addressed above completely. Parking is a big issue and we do not want to affect neighborhood parking which is largely on street. The City will maintain the alleys.</p>
<p><u>Access and Circulation</u> #2</p> <p>Sidewalks a minimum of 5 feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings,</p>	147	<p>“Some front yards contain lead walks that are three feet wide.”</p>	<p>Community Planning does not support this request.</p> <p>The front walkways for Lots 1,30,21,17 should be widened to 5 feet to assure function as an accessible sidewalk</p>	<p>Again, this is done to be consistent with the area and to address another standard to minimize impervious area. Staff comments need to weigh all goals.</p>

recycling, and dumpster areas.				
<u>Siting and Access</u> #6 Driveways or private drive-aisles shall have a maximum width of 12 feet.	149	“Driveways exceed the minimum width of 12 feet to accommodate two parking spaces and to serve a two car garage.”	Only those driveways that are served by internal alleys are acceptable for driveway widths greater than the standard.	Only one unit has this condition as it cannot meet other requirements to access the alley and this was approved on the PPS.
<u>Landscaping</u> # 2 Shade trees with a minimum of 2.5 to 3 inch caliper shall be provided at the rate of one shade tree per every 5000sf of the gross site area (exclusive of street dedications). Existing trees and street trees to be planted within the abutting ROW may be counted toward meeting this standard.	151	The applicant proposes to provide 68 of the 72 trees required by this standard.	Community Planning does not support this request. The applicant should seek ways to meet this standard.	The plans have been updated to comply with this requirement to provide 72 trees.
<u>Building Design</u> #9 Accessory buildings exceeding 15 feet in height shall match the roof pitch and style of the main dwelling.	153	“Detached garages on some units will not match the roof pitch and style of the main dwelling as many will have rooftop decks.”	Community Planning does not support this request. Open air rooftop decks are inconsistent with the Traditional Residential Neighborhood Character Area and existing land use characteristics	See detailed commentary in Urban Design comment response above.
<u>Public Space Streetscape</u> #3 The neighborhood streetscape shall consist of a sidewalk a minimum of 4 feet in width and may include an	155	“All of the streets of this proposed subdivision are existing. Where sidewalk does not already exist, it is proposed to be at least 4 feet wide where feasible. While this is feasible for most of the street frontage it is not	Community Planning does not support this request. The application does not indicate where provision of a 4 feet wide sidewalk is infeasible. All of the developed area should meet this standard.	The sidewalks on the existing public streets are to be left as-is per the City.

additional strip 5 feet in width containing street trees, landscaping and pedestrian amenities.		everywhere due to existing site constraints.”		
#4 All streets shall have a sidewalk on both sides wherever possible.	155	“All streets have sidewalk on both sides except where site conditions make it infeasible.”	Provide sidewalks on both sides of streets.	Not possible as we do not control the r/w on both sides and again this is a City issue not the MNCPPC.
#6 Street trees shall be shade trees and shall be a minimum of 2.5-3 inch caliper.	155	“Existing street sections do not allow for street trees as there is no or limited room between the curb and the ROW.”	This standard should be met in all areas with adequate room for the tree’s growth.	The plans have been revised to comply.
A minimum of 1 shrub should be provided for every 100sf of area, and there should be a minimum of 3 varieties for spaces greater than 300sf.	156	“There is no room for the number of shrubs requested due to the spacing needs of the other plantings proposed.	This standard should be met within the developed area of this project site.	The plans have been revised to comply.

Transportation Planning

1. *Per condition 2 of 4-18001, the bikeway fee is required prior to the issuance of building permit.*

RESPONSE: Requirement of bikeway fee is acknowledged.

Staff Comment: Sidewalks at 4 feet, require five feet as standard sidewalk.

RESPONSE: See above.

Staff Comment: Lots 20 and 22 conflict, City meets next Wed to discuss

RESPONSE: Addressed with the City. There is no evidence of a conflict just a statement by staff. This condition occurs with alley loaded towns allow over the County.

Health:

1. *Health Department permit records indicate there are less than 5 existing carry-out/convenience stores and one grocery food facility within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. The applicant should consider setting aside retail space for a tenant that would provide access to healthy food choices in the area.*

RESPONSE: No commercial uses are proposed for this Traditional Residential Neighborhood development.

2. *Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community.*

RESPONSE: Sidewalks exist or are provided around the entirety of the development area. Internal sidewalks are proposed and will provide additional pedestrian access.

3. *During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.*

RESPONSE: Applicant intends to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control during demolition/construction.

4. *During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.*

RESPONSE: Applicant intends to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code during demolition/construction.

Environmental Planning:

1. *Need DPIE letter if soil study or safety factor limits are required for Christiana Clay area.*

RESPONSE: See attached correspondence between M.J. Labban of DPIE and Chuck Schneider of MNCPPC on this issue. The correspondence states that soil stability is not an issue on this project.

2. *Is DPIE satisfied with floodplain storage area?*

RESPONSE: Please see attached floodplain waiver letter from DPIE, dated September 27, 2018, indicating their satisfaction storage area.

Historic Preservation

Staff Comment: entrance way incorporated into the development?

RESPONSE: There is no proposed entrance feature and not required.

Staff Comment: Arch saved be relocated somewhere, need to be in open space.

RESPONSE: If feasible. Never was a condition.

Staff Comment: No phase 1 required. Art Deco elevation evaluation.

RESPONSE: Noted.

DPIE

Comment: At time of fine grading permit, delegation letter from the City Lots 20, 22 Floodplain SWM is O.k.

RESPONSE: This is a permit issue.

WSSC

Comment: Changes needed.

RESPONSE: Noted. We have your comments and are addressing. Again, a permit issues and we have been working the WSSC from the beginning of feasibility.

We believe that the updated plans and responses above adequately address all outstanding items and any reasonable comments we can address. Thank you for your attention to this matter.

Sincerely,

Norman D. Rivera

NDR:jls
Enclosures
C: Werrlein Properties
James Chandler/Kate Powers

April 9, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division
Tyler Smith, Historic Preservation Section, Countywide Planning Division

SUBJECT: DSP-18005 Magruder Pointe

The subject property comprises 8.26 acres located at the intersection of 40th Place and Gallatin Street in Hyattsville. The subject application proposes single family attached and detached dwellings. The subject property is Zoned O-S and R-55.

The subject property was the site of the Washington Suburban Sanitary Commission (WSSC) Headquarters (68-10-082), a documented property constructed in 1939. The original building and subsequent additions were architecturally noteworthy as products of their time and exemplified the stylistic evolution from the Art Deco details of the 1939 original building, and the modern influence of the 1953 addition, with the full-blown modernistic expression of the 1964 addition. While all three additions were distinctive in treatment and clearly expressed, the architects endeavored to create a unified and consolidated building that continued to represent the public identity of the WSSC. The building was demolished in 2019.

A Phase I archeology survey is not recommended on the subject property. As part of the pre-application review, the southern portion of the subject property that was formerly used as a parking lot, was thought to have some potential of containing intact archeological resources. However, the plan shows a sewer line, a gas line, and a drainage channel running through various portions of the subject site. The installation of these utilities has likely extensively disturbed any intact archeological resources that may have been present. Therefore, a Phase I archeology survey is not recommended.

There are no Prince George's County historic sites or resources on or adjacent to the subject property. Historic Preservation staff recommends approval of DSP-18005 Magruder Pointe with no conditions.

April 9, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division
Tyler Smith, Historic Preservation Section, Countywide Planning Division

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There are no Prince George's County historic sites or resources on or adjacent to the subject property. Historic Preservation staff recommends approval of DSP-18005 Magruder Pointe with no conditions.

Unrestricted



**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



M E M O R A N D U M

DATE: April 14, 2020
TO: Planning Coordinator, Urban Design Application Section
Development Review Division
FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division
SUBJECT: DSP-18005 Magruder Pointe

Upon review of the site plans, there are no comments at this time.

301-952-3680

May 12, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Review Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: *CSH* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: **DSP-18005 Magruder Pointe – Phase 1**

Proposal

The applicant is proposing the construction of a residential community with 15 single-family attached townhouses and 16 single-family detached units on approximately 3.6 acres, in the R-55 Zone.

Background

The subject project has been reviewed twice previously. Conceptual Site Plan (CSP)-18002 was reviewed in 2018 to rezone the property from R-55 and O-S Zones to the M-U-I Zone for a future single-family residential development. No site improvements were proposed in the CSP. The second review was as a Preliminary Plan of Subdivision (PPS) 4-18001 earlier this year (2020) for 31 residential units – 15 single-family-attached townhome units and 16 single-family detached units as well as two Parcels.

The subject property is within the R-55 Zone and the Traditional Residential Neighborhood character area of the 2004 Approved Gateway Arts District Sector Plan and SMA and the Development District Overlay Zone. Transportation adequacy is not a required finding for this application.

Analysis of Traffic Impacts

The previous submittal, PPS 4-18001 established the trip generation in each peak hour that was used for the analysis for the residential trip cap. The development of Phase 1 at full buildout is projected to generate 23 (4 inbound, 19 outbound) and, 26 (17 inbound, 9 outbound) vehicle trips during the AM and PM peak hours, respectively.

Access and Circulation

There are two access points for Phase 1 of this site; one on Gallatin Street and one on Hamilton Street. An internal alley, currently labeled Alley 1 will connect both access points and provide internal access to most of the homes in the subdivision. One resident located on Lot 21 will not have access to Alley 1, rather it has access to 41st Avenue. Lot 21, located in the northeast quadrant of the property. Staff has coordinated with the City of Hyattsville and they are in agreement with the access for Lot 21. This access plan is acceptable to staff.

The circulation on this site is acceptable.

During the PPS, staff reviewed the traffic impact analysis in accordance with the required findings at that time. It was determined that a trip cap for the site was established at 23 AM and 26 PM trips. The two transportation conditions identified in the PGCPB Resolution No. 2020-35 include:

- 3. Total development within the subject property shall be limited to uses that would generate no more than 23 AM and 26 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new PPS, with a new determination of adequacy transportation facilities.**

The 31 residential homes proposed for this site are within the established trip cap of 23 AM and 26 PM trips.

- 8. Prior to approval, the final plat of subdivision shall include:**

- b. Right-of-way dedication of the alley to public use, in accordance with the approved preliminary plan of subdivision.**

This condition, the public dedication of the alley will be required at the time of final plat, pursuant to the approved PPS.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.



Countywide Planning Division
Environmental Planning Section

301-952-3650

May 12, 2020

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section

VIA: Megan Reiser, Supervisor, Environmental Planning Section *MKR*

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section *MKR for CS*

SUBJECT: Magruder Pointe (4017 Hamilton Street and 40th Avenue); DSP-18005

The Environmental Planning Section (EPS) has reviewed the above referenced Detailed Site Plan stamped as received on April 7, 2020. Verbal and written comments were provided in a Subdivision Development Review Committee (SDRC) meeting on April 17, 2020. The Environmental Planning Section recommends approval of DSP-18005, with the conditions listed at the end of this memorandum for this approval.

Background

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-047-2018	N/A	Staff	Approved	10/13/2018	N/A
4-18001	S-043-2018	Planning Board	Approved	3/12/2020	2020-35
DSP-18005	S-043-2018	Planning Board	Pending	Pending	Pending

Proposed Activity

This Detailed Site Plan proposes to construct 16 townhouses and 15 single family lots, interior roadways and supporting stormwater management (SWM). The project area is comprised of Parcel 1 (existing Lots 80-93) and Parcel 2 (existing Lots 23-33 and Lots 52-61). The proposed residential lots are located on Parcel 1 only. Some supporting infrastructure (storm drain pipe and off-site stormwater outfall) are proposed on Parcel 2.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012 because the project is subject to approved Preliminary Plan, 4-18001.

Site Description

This 8.26-acre site is zoned R-55 and is located on two parcels (Parcel 1 and 2) of land. Parcel 1 is located on the south side of Hamilton Street where it intersects with 41st street to the east. Parcel 2 is located on the west side of 40th Street where it intersects with Gallatin Street. These areas are referred to as Parcels 1 and 2 for the purposes of this review.

A review of the available information indicates that the site contains regulated environmental features such as a stream buffer, wetlands buffer and 100-year floodplain. The soil types found on-site according to the United States Department of Agriculture Natural Resources Conservation Services (USDA NRCS) Web Soil Survey (WSS) are Christiana-Downer-Urban land complex, Codorus-Hatboro-Urban land complex, and Russett-Christiana-Urban land complex soils. Marlboro clay does not occur on-site, but Christiana clays are found on-site. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), there are no rare, threatened, or endangered species found to occur on or near this property. There is a high spot on Parcel 1 in the northeast and the site drains to the southwest towards Parcel 2 and the off-site stream system. This site is in the Anacostia River watershed which flows into the Potomac River. The site has frontage on 40th Avenue, which has been identified as a historic roadway. The site is located within the Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions applicable to this application that need to be addressed. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

The Environmental Planning Section previously reviewed Conceptual Site Plan (CSP)-18002 which was approved to establish the current R-55 Zoning for Parcel 2. The conditions of approval can be found in the County Council's Final Decision. No environmental conditions related to the DSP were stipulated as part of the approval.

Preliminary Plan 4-18001 was approved by the Planning Board on March 12, 2020. The conditions of approval can be found in PGCPB No. 2020-35.

- 4. Prior to signature approval of the preliminary plan of subdivision, the applicant shall provide written verification from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) whether unsafe soils are present on-site. If present, the detailed site plan shall clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by DPIE.**

DPIE has provided written communication to both the applicant and the Environmental Planning Section regarding soil safety for this site. The written correspondence has been provided to the Development Review Division for incorporation into the official file for this

case. DPIE's written findings conclude that there are no building soil safety factor lines required, but restrictions regarding Christiana Clays and unconsolidated fill apply to the site specifically for stormwater management devices. The correspondence indicates that water infiltration and discharge on this site is prohibited. Geosynthetic liner is required under any proposed SWM devices. Downspouts shall all be connected to an extension that discharge into the nearest storm-drain inlet.

7. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (10823-2018-00) and any subsequent revisions.

The subject DSP is in conformance with the approved stormwater management concept plan.

11. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the United States, 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 shall be met at the time of permit.

Environmental Review

Natural Resource Inventory Plan/Existing Features

An approved Natural Resources Inventory (NRI-013-11) was submitted with the application. The site is comprised of two parcels (Parcel 1 and 2) with existing parking areas and buildings with small areas of open landscaped areas. No woodland exists on the site. Parcel 2 contains Primary management Area (PMA) consisting of floodplain, stream buffer and wetland buffer. Existing parking and landscaping are within the PMA. There are four specimen trees on Parcel 1.

No additional information is required with regard to the NRI.

Woodland Conservation Plan

This property is exempt from the provisions of the 2010 WCO because the property is greater than 40,000 square feet in size but contains less than 10,000 square feet of existing woodland. A Standard Woodland Conservation Exemption Letter (S-043-2018) was submitted with the detailed site plan application.

Specimen Trees

The application proposes to remove the four on-site specimen trees as part of the development. Since, the site is exempt from woodland conservation requirements no variance request for specimen tree removal is required.

Preservation of Regulated Environmental Features (REF)/Primary Management Area (PMA)

The applicant has submitted the same Statement of Justification for the Impacts to the On-site Regulated Environmental Features that was approved with Preliminary Plan 4-18001, with this application. No new impacts are proposed with this Detailed Site Plan.

The approved PMA impacts include one area (Impact 1 from the PPS) which totals 2.54 acres for on-site storm drain pipe installation and grading associated with the removal of impervious asphalt. The installation of the proposed floodplain compensatory storage required to serve the development on Parcel 2 has not been requested, nor approved. All of the on-site impacts are located on Parcel 2 which has been previously impacted with existing paved parking areas, a storm drain, and a storm drain outfall. The existing storm drain system will be upgraded with a new system to support the proposed development of Parcel 1.

Historic and Scenic Roadway

40th Avenue is designated as a historic roadway which is a Special Roadway. The applicable buffering and landscape requirements will be addressed by the Urban Design Section with this detailed site plan review.

Stormwater Management/ Un-Safe Soils

A Stormwater Management Concept Approval Letter (# 10823-2018-00) and associated plan were submitted with the application for this site. The approval was issued on March 22, 2019 with this project from the Prince George's County Department of Permits Inspections and Enforcement (DPIE). The concept plan shows two of the proposed 6 micro-bioretenion facilities on Parcel 2. The remaining 4, as well as a compensatory storage area are not proposed with this application at this time.

The site contains Christiana clays and DPIE has stated that the site must follow unconsolidated clay requirements. DPIE has also stated no buildings will be permitted on recycled materials or demolition debris. These recycled materials or demolition debris shall be removed from the site. A geotechnical certification will be required to confirm that removal before issuance of a Fine Grading permit. All asphalt from parking lot areas shall be recycled only at asphalt plants.

Summary of Recommended Conditions

The Environmental Planning Section recommends approval of DSP-18005 subject to no condition.

If you have any questions concerning these comments, please contact me at 301-883-3240 or by e-mail at alwin.schneider@ppd.mncppc.org.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
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May 6, 2020

MEMORANDUM

TO: Henry Zhang, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division

SUBJECT: Detailed Site Plan Review for Non-Motorized Transportation Master Plan Compliance

The following detailed site plan of subdivision (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2004 Approved Sector Plan for the Prince George's County Gateway Arts District* to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-18005

Development Case Name: Magruder Pointe

Type of Master Plan Bikeway or Trail

Private R.O.W.	<u> </u>	Public Use Trail Easement	<u> </u>
County R.O.W.	<u> </u>	Nature Trails	<u> </u>
SHA R.O.W.	<u> </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> </u>
Sidewalks	<u> X </u>	Trail Access	<u> X </u>

Subject to 24-124.01: No

Bicycle and Pedestrian Impact Statement Scope Meeting Date: n/a

Development Background	
Building Square Footage (non-residential)	n/a
Number of Units (residential)	15 townhomes, 16 single-family detached
Abutting Roadways	Hamilton Street, Gallatin Street, 40th Place, 40th Ave
Abutting or Nearby Master Plan Roadways	n/a
Abutting or Nearby Master Plan Trails	Shared roadways along Hamilton Street, Gallatin Street and 40th Place (planned)
Proposed Use(s)	Residential

Zoning	DDO, R-55
Centers and/or Corridors	n/a
Prior Approvals on Subject Site	CSP-13010, CSP-18002, 4-18001

Background

The subject application proposes 16 single-family detached and 15 attached homes at the intersection of Gallatin Street and 40th Place in the City of Hyattsville.

Previous Conditions of Approval

CSP-13010 included no conditions related to pedestrian or bicycle transportation. However, CSP-18002 and 4-18001 included the following conditions related to bicycle and pedestrian transportation:

CSP-18002

2. At the time of detailed site plan, the applicant shall:

- b. Provide sidewalks on both sides of all internal streets, excluding alleys, as appropriate.

4-18001

2. Prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$1,260.00 to the Prince George's County Department of Public Works and Transportation for the placement of three bikeway signage assemblies, one each along Hamilton Street, Gallatin Street, and 40th Place. A note shall be placed on the final plat for payment to be received, prior to the issuance of the first building permit.
5. In conformance with the 2004 *Approved Sector Plan for the Prince George's County Gateway Arts District* and 2009 *Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along the frontages of Hamilton Street, Gallatin Street, and 41st Avenue. Wide sidewalks shall be provided along the frontage of Hamilton Street and Gallatin Street where feasible. Sidewalks shall be shown on the detailed site plan, prior to acceptance.

Comment: While there is an internal alley within the subject site, there are no internal roadways included in this development that are subject to Condition 2 of CSP-18002. Regarding Condition 2 of 4-18001, the bikeway fee will not be included as a recommended condition for the detailed site plan but will be maintained from the preliminary plan and checked at the time of building permit.

The provisions stated in Condition 5 of 4-18001 have not been met per the submitted plans. Existing four-foot sidewalk is included in the submitted plans along the frontages of Hamilton Street and Gallatin Street, and an unlabeled sidewalk width along 41st Avenue. Staff recommend that standard five-foot wide sidewalks be placed along these streets.

Review of Proposed On-Site Improvements

All internal roads are proposed as alleys and therefore do not require sidewalks. The submitted plans indicate the existing four-foot wide sidewalks along Gallatin Street, Hamilton Street, and 40th Place. An additional five-foot wide sidewalk connection is also included between Hamilton Street and Gallatin Street.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to residential neighborhoods, and Magruder and Hamilton Parks, which are all connected via sidewalk.

Staff find that the proposed pedestrian and bicycle circulation, along with the below recommendations, will be safe, efficient, and convenient for both pedestrians and motorists, pursuant to Sections 27-283 and 27-274(a)(2)(C), site design guidelines.

Review Master Plan of Transportation Compliance

Three master planned trails impact the subject site, including planned shared roadways along Hamilton Street, Gallatin Street, and 40th Place. The Complete Streets element of the MPOT reinforces the need for these recommendations and include the following policies regarding sidewalk and bikeway construction, and the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 1:

Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2:

All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Comment: The submitted plans include sidewalk along all roadway frontages; however, staff recommend a minimum of five-foot wide sidewalk be provided along all roadway frontages to fulfill the intent of Policy 2. Per 4-18001, the proposed development is subject to a bikeway fee for the placement of signage along Hamilton Street, Gallatin Street, and 40th Place, which is an important component of a bicycle-friendly network and fulfill the intent of Policy 4.

Review Area Master Plan Compliance

The 2004 *Approved Sector Plan for the Prince George's County Gateway Arts District* include the following recommendations regarding sidewalk and bikeway construction and the accommodation of pedestrians and bicyclists (p.46):

5. A variety of routes were identified that are currently used by bicyclists and pedestrians and most efficiently connect the West Hyattsville and Prince George's Plaza Metro Stations with US Route 1. These routes primarily focus on serving the local neighborhoods. These routes may also be designated as Artways with specific themes or features (such as banners or artwork) unifying the entire corridor.

b. West Hyattsville Metro to 38th Street and US 1
(2) Hamilton Street

(a) Provide standard or wide sidewalks along both sides of Hamilton Street, where feasible and practical.

c. West Hyattsville Metro to Gallatin Street and US 1

(3) Gallatin Street

(a) Widen sidewalks, where feasible.

(b) Provide directional signage where Gallatin Street is not continuous, and users must briefly turn onto 42nd Street.

Comment: Staff recommend, per the area master plan, and the prior approved preliminary plan of subdivision, that the applicant provide standard sidewalks along the frontages of Hamilton Street and Gallatin Street. Wide sidewalks shall be provided along the frontages of Hamilton Street and Gallatin Street where feasible, as part of the site's frontage improvements.

Recommended Conditions of Approval

Based on the findings presented above, staff conclude that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27-283, and meets the findings required by Section 27-285(b) for a detailed site plan for transportation purposes, and conforms to the prior development approvals, and the 2004 *Approved Sector Plan for the Prince George's County Gateway Arts District*, if the following condition is met:

1. The applicant and the applicant's heirs, successors, and assignees shall provide the following prior to the acceptance of a detailed site plan.
 - A. Provide standard sidewalk along the frontages of Hamilton Street, Gallatin Street, and 41st Avenue, unless modified by the City of Hyattsville with written correspondence. Wide sidewalk is recommended where feasible.



Division of Environmental Health/Disease Control

Date: April 13, 2020

To: Henry Zhang, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-18005, Magruder Pointe

The Environmental Engineering / Policy Program of the Prince George's County Health Department have completed a desktop health impact assessment review of the detailed site plan and for Magruder Pointe property and has the following comments/recommendations:

1. Health Department permit records indicate there are less than 5 existing carry-out/convenience stores and one grocery food facility within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. The applicant should consider setting aside retail space for a tenant that would provide access to healthy food choices in the area.
2. Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community.
3. During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
4. During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.



Angela Alsobrooks
County Executive

Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health



Division of Environmental Health/Disease Control

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Environmental Engineering/Policy Program
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: May 8, 2020

TO: Henry Zhang, Master Planner
Urban Design Section
Development Review Division

VIA: Helen Asan, Supervisor
Land Acquisition/Management & Development Review Section
Park Planning and Development Division

FROM: Paul J. Sun, Land Acquisition Specialist
Park Planning and Development Division

SUBJECT: **DSP-18005 – Magruder Pointe**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above for Detailed Site Plan (DSP) application. In conformance with the Preliminary Plan of Subdivision (PPS) 4-18001, the requirements for Mandatory Parkland Dedication will be addressed by via a fee-in lieu payment. As per condition # 6 of the Prince George's County Planning Board Resolution #2020-35 for PPS 4-18001," *the fee in-lieu payment shall be made prior to approval of the final plat*".

The plans indicate that Outparcel 1 is for infrastructure only and will be used for flood plain compensatory 100-year storage that will be need for this development. The outfall for the compensatory storage is shown on the adjacent property, which is owned by the Commission. The applicant has not contacted DPR with regards to our consent for the outfall to be located on Park property. DPR suggests that the applicant look at re-engineering the plans to not have the outfall on park property or to have any adverse impacts to Park Property.

RECOMMENDATIONS

The staff of the Department of Parks and Recreation recommends that the above-referenced DSP-18005 be approved, subject to the following condition:

1. Prior to signature approval of the Detail Site Plan, the staff of DPR shall review and approve the stormwater management plan to assess the impact of storm drain outfalls onto adjacent parkland. Stormdrain outfalls shall be designed to avoid

adverse impacts on adjacent parkland. If the outfalls require drainage improvements on land owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR shall also require at a minimum a Right of Entry Agreement, along with a grading and restoration bond for the Park Property affected. Should the Stormwater Management Plan be approved with eliminating the outfall on park property, this condition shall be voided.

May 27, 2020

MEMORANDUM

TO: Henry Zhang, AICP, Master Planner, Urban Design Section, Development Review Division

VIA David A. Green, MBA, Master Planner, Community Planning Division *DAG*

FROM: Karen Mierow, AICP, Planner Coordinator, Neighborhood Revitalization Section, Community Planning Division

SUBJECT: **DSP-18005 Magruder Pointe KM**

FINDINGS

Community Planning Division staff finds that, pursuant to Section 27-548.25(c) of the Zoning Ordinance this applicant requests development standards which differ from the Development District Standards of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* that will benefit the development and will not substantially impair implementation of the Sector Plan.

BACKGROUND

Application Type: Detailed Site Plan in a Development District Overlay Zone

Location: The subject property is in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north of Gallatin Street and west of 40th Place.

Size: 8.26 acres, of which contains approximately 3.6 acres for this application

Existing Uses: Vacant

Proposal: This application proposes the development of 16 detached single-family dwelling units and 15 attached townhomes.

GENERAL PLAN, MASTER PLAN, AND ZONING

General Plan: Plan 2035 classifies this application site in the Established Communities Growth Policy Area. Established Communities are “most appropriate for context-sensitive infill and low- to medium-density development” Plan 2035 classifies existing residential neighborhoods and commercial areas

served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities and recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas. (Page 20.)

Sector Plan: The Approved Sector Plan for the Prince George’s County Gateway Arts District places the subject property in Traditional Residential Neighborhood (TRN) character area. The sector plan states the vision of the TRN is, “In many ways, the traditional residential neighborhood character areas suggest a glimpse of small-town Americana. They overlay land zoned for single-family housing (attached and detached). The historic houses and streetcar suburban pattern of inter-connecting narrow streets and shaded sidewalks within easy access to town centers and Metro are assets to be protected from encroachment or significant loss of integrity.” (Page 14.)

The goal for the TRN is “To promote development of both family- and artist-oriented residential development in the R-55, R-35, R-20, and R-T Zones. To preserve the single-family residential neighborhood character as the anchor of the Arts District, while supporting artists who produce and teach from their homes. To enhance the “built-in” natural surveillance of public areas by active neighbors on porches, in yards, and on the sidewalk.” (Page 138.)

Planning Area/ 68

Community: Hyattsville-Riverdale-Mount Rainier-Brentwood

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The 2004 *Approved Sectional Map Amendment for the Prince George’s County Gateway Arts District* retained the portion of the subject property between Hamilton and Gallatin streets in the R-55 (One-Family Detached Residential) Zone but reclassified the former parking lot portion of the property between 40th Avenue and 40th Place from the R-55 Zone to the O-S (Open Space) Zone, noting “Rezoning to O-S creates the opportunity to expand parkland and reinforce the vision of the traditional residential neighborhood character area.” (Page 123.) The SMA further superimposed the Prince George’s County Gateway Arts District Development Overlay, placing the entire property in the Traditional Residential Neighborhood (TRN) character area. Note that R-55-zoned properties in the TRN character area within the incorporated City of Hyattsville are exempt from the development district standards and abide by the requirements of the R-55 Zone (Page 144). The TRN goals and recommendations are still applicable, however, regardless of the zone.

Condition Three of the District Council approval of PGCC 18-74 in June 2019 requires that “...approval of a Detailed Site Plan (DSP) for the entire 8.26 acres shall be subject to all Development District Overlay Zone standards applicable to the Traditional Residential Neighborhood Character Area. Additional bulk requirements shall be established with the approval of the DSP to implement the applicable goals and recommendations of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District*, to achieve context-sensitive, high-quality, single-family residential development.” (PGCC 18-74).

DEVELOPMENT DISTRICT MANDATORY STANDARDS CONFORMANCE ISSUES

This application requests amendments to the following mandatory standards:

DDOZ standard	Page number	Modification requested	CPD Comment
<p><u>Site Design</u> #12 On properties zoned R-55, the minimum lot area for new dwellings shall be 5000sf. Where the depth of the lot is less than 100 feet, the minimum net lot area shall be 4800sf.</p>	146	To establish a minimum net lot area of 1400sf for townhouse lots, and to allow 2 (Lots 23 and 29) detached single family units having less than the required 5000sf minimum.	<p>Prior (PGCC 18-74) approval of townhouse use, with additional bulk requirements will be established with the approval of this DSP.</p> <p>Community Planning does not oppose this request.</p>
<p>#25 Side yards for one-family detached dwellings shall be a minimum of 8 feet wide on both sides but may be reduced as much as 4 feet on each side where the resulting building would be less than 14 feet in width.</p>	147	“Side yards on one-family detached units are a minimum of 3 feet in order to maximize the side yard on the opposite side of the dwelling.”	<p>Maintain a minimum of 5’ side yard setback on both sides of detached dwellings to assure functionality of side yard and preserve the character of the neighborhood.</p> <p>Community Planning does not support this request.</p>
<p><u>Access and Circulation</u> #2 Sidewalks a minimum of 5 feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings, recycling, and dumpster areas.</p>	147	“Some front yards contain lead walks that are three feet wide.”	<p>The front walkways for Lots 1,30,21,17 should be 5 feet in width to assure accessibility for all users.</p> <p>Community Planning does not support this request.</p>
<p><u>Landscaping</u> # 2</p>	151	The applicant proposes to provide 68 of the 72 trees required by this standard.	The applicant should seek ways to meet this standard.

<p>Shade trees with a minimum of 2.5 to 3-inch caliper shall be provided at the rate of one shade tree per every 5000sf of the gross site area (exclusive of street dedications). Existing trees and street trees to be planted within the abutting ROW may be counted toward meeting this standard.</p>			<p>Community Planning does not support this request.</p>
<p><u>Building Design</u> #9 Accessory buildings exceeding 15 feet in height shall match the roof pitch and style of the main dwelling.</p>	<p>153</p>	<p>“Detached garages on some units will not match the roof pitch and style of the main dwelling as many will have rooftop decks.”</p>	<p>Open air rooftop decks are inconsistent with the Traditional Residential Neighborhood Character Area and existing land use characteristics.</p> <p>Community Planning does not support this request.</p>
<p><u>Public Space Streetscape</u> #3 The neighborhood streetscape shall consist of a sidewalk a minimum of 4 feet in width and may include an additional strip 5 feet in width containing street trees, landscaping, and</p>	<p>155</p>	<p>“All of the streets of this proposed subdivision are existing. Where sidewalk does not already exist, it is proposed to be at least 4 feet wide where feasible. While this is feasible for most of the street frontage it is not everywhere due to existing site constraints.”</p>	<p>The application does not indicate where provision of a 4 feet wide sidewalk is infeasible. All the developed area should meet this standard.</p> <p>Community Planning does not support this request.</p>

pedestrian amenities.			
#4 All streets shall have a sidewalk on both sides wherever possible.	155	“All streets have sidewalk on both sides except where site conditions make it infeasible.”	Provide sidewalks on both sides of streets.
#6 Street trees shall be shade trees and shall be a minimum of 2.5-3-inch caliper.	155	“Existing street sections do not allow for street trees as there is no or limited room between the curb and the ROW.”	This standard should be met in all areas with adequate room for the tree’s growth.
A minimum of 1 shrub should be provided for every 100sf of area, and there should be a minimum of 3 varieties for spaces greater than 300sf.	156	“There is no room for the number of shrubs requested due to the spacing needs of the other plantings proposed.	This standard should be met within the developed area of this project site.

c: Long-range Agenda Notebook

Fred Stachura, Planning Supervisor, Neighborhood Revitalization Section, Community Planning Division

Additional Back-up

For

DSP-18005 Magruder Pointe

June 8, 2020

To: The Hyattsville Mayor and Council

Item: DPS 18005 – Magruder Pointe

Requested Action: Oppose Werrlein’s Detailed Site for Magruder Pointe
Defend the Gateway Arts District Sector Plan
Uphold the Law and Protect the Credibility of the Planning Process

Dear Mayor Hollingsworth and City Council Members:

I respectfully request that you deny Werrlein’s Detailed Site Plan for Magruder Pointe (DPS 18005). I oppose Magruder Pointe, and I believe that the City Council has been correct in opposing Werrlein’s Conceptual Site Plan and Preliminary Plan of Subdivision. I deeply appreciate that the City is challenging the District Council’s unlawful approval of CSP 18002. I believe that the District Council erred when it voted to rezone the lower parcel and foreclose the possibility of adding the entire parcel to Magruder Park. I also believe that the Council erred when it voted to allow Werrlein not only to build townhouses on the WSSC property but to build them at densities that radically exceed the densities in nearby R-55 neighborhoods. No one has demonstrated that jamming houses priced at \$750,000 and up and townhouses priced at \$650,000 and up onto this site would provide any compelling public benefits.

I oppose Werrlein’s plan to jam 41 townhouses onto the lower parcel. I also oppose Werrlein’s plan to take land that the City has maintained as parkland for decades, and to build the main Magruder Pointe stormwater facility on the same 1.8 acres that Werrlein proposes to sell to City.

I am also concerned that even though Werrlein plans to build at high densities on both parcels, it insists that the City and County now consider only the impacts of the company’s plan for the upper parcel. Good planning practice and basic fairness would require Werrlein to assess and disclose the full impacts of the entire project on the community, local schools, local roads, and local services, and on Magruder Park and on the environment. Our local schools already are badly over capacity, and there is no clear plan for replacing Hyattsville Elementary. Our local streets, including 40th Place, already are heavily burdened with cut-through traffic heading to and from Route 1.

I am deeply concerned that Werrlein has not been transparent and straightforward with the community about its plans for managing stormwater or restoring the floodplain. This is especially disturbing because global warming is bringing more severe storms and because the lower parcel sits adjacent to Hyattsville most heavily used park, a forested wetland and stream

valley, and a family's home. It is outrageous that Werrlein plans to build its main stormwater facility on the same land that the company plans to sell to the City while claiming that the proposed sale would meet the goal of expanding open space.

Additionally, I find it disturbing that Werrlein apparently had no valid demolition permit when it began to destroy the WSSC building. That action seems to demonstrate contempt for our community and for the law.

I believe that the credibility of the planning process is at stake here and has been at stake throughout the Magruder Pointe proceeding. Again, I respectfully urge the City Council to oppose DPS 18005.

Thank you for taking time to consider my request and for your service to the community. Please let me know what action you take or plan to take.

Sincerely,

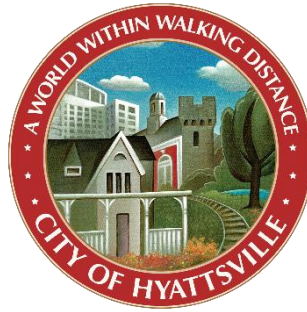
Jennifer Bosworth
5724 39th Avenue
Hyattsville, MD 20781

Additional Back-up

For

DSP-18005 Magruder Pointe

Candace B. Hollingsworth
Mayor



Tracey E. Douglas
City Administrator

May 20, 2020

Honorable Elizabeth Hewlett
Chairman
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RE: Magruder Pointe (upper parcel) Detailed Site Plan (DSP-18005)

Dear Chairman Hewlett:

On Monday, May 18, 2020, the Hyattsville City Council reviewed the application for Magruder Pointe (upper parcel) Detailed Site Plan (DSP-18005).

Consistent with past correspondence with the Planning Board and M-NCPPC Staff, the Hyattsville City Council respectfully requests the applicant and the Planning Board to delay its consideration of the detailed site plan application until the City's legal appeal of the parent CSP application has been resolved. Any action taken regarding this application may be reversed in the future depending on the outcome of the appeal. Specifically, the City of Hyattsville maintains that the District Council's decision to allow townhouses on an R-55 property in the subject Traditional Residential Neighborhood, allowing for a density of 9 units per acre, is unlawful and contradictory to the goals and intent of the Gateway Arts District. The proposed smaller townhouse lot sizes result in a density approaching 13 units per acre. The City holds that a lot size of 6,500 square feet per unit allows for R-55 properties is appropriate for the subject property.

Despite great opposition by the City, if the applicant and the Planning Board are to proceed with consideration of DSP-18005, the City requests the Planning Board consider the following revisions to the application as conditions for approval:

1. All single family attached units present on the upper lot of the site shall incorporate pitched roofs (as opposed to low-slope roofs), consistent with the architecture of the single family detached dwelling units.
2. The shared driveway area between Lots 20 and 22, which does not reside on private property, shall be entrusted to the site's HOA for ownership and maintenance, as proposed in the City's Exhibit 1, submitted for the record.

or

All lots shall have separate dedicated driveway aprons as proposed in the City's Exhibit 2, submitted for the record.

3. All single-family detached lots shall meet the minimum lot area standard of 5,000 square feet, without exception.
4. Three-foot side-yards of adjacent houses shall not abut.
5. Buyers of single-family detached homes that are not outfitted with a wraparound porch shall have an option to include a separate side porch in the design and construction of the dwelling.
6. The applicant shall ensure all walkways and entrances can accommodate individuals with accessibility and mobility issues.
7. For those units without rooftop decks, the roof of the garage shall match the pitch and style of the accompanying dwelling unit.
8. In order to mirror a more natural egress, a structured pathway shall be included on the west side of the site to give individuals a direct pathway from Hamilton Street to Magruder Park.

The City of Hyattsville respectfully requests the Planning Board incorporate as a condition of this detailed site plan, the adopted conditions of parent case CSP-18002, that Prior to Issuance of any building permit, the applicant shall obtain approval of a detailed site plan (DSP) for the entire (8.26 acres) site.

We thank the Planning Board in advance for consideration and look forward to your decision.

Sincerely,



Candace B. Hollingsworth
Mayor

cc: City Council
Henry Zhang, Planner Coordinator
Andre Gingles, Gingles, LLC

Exhibit 1. Lots 20 & 22, Shared Area Dedicated to HOA

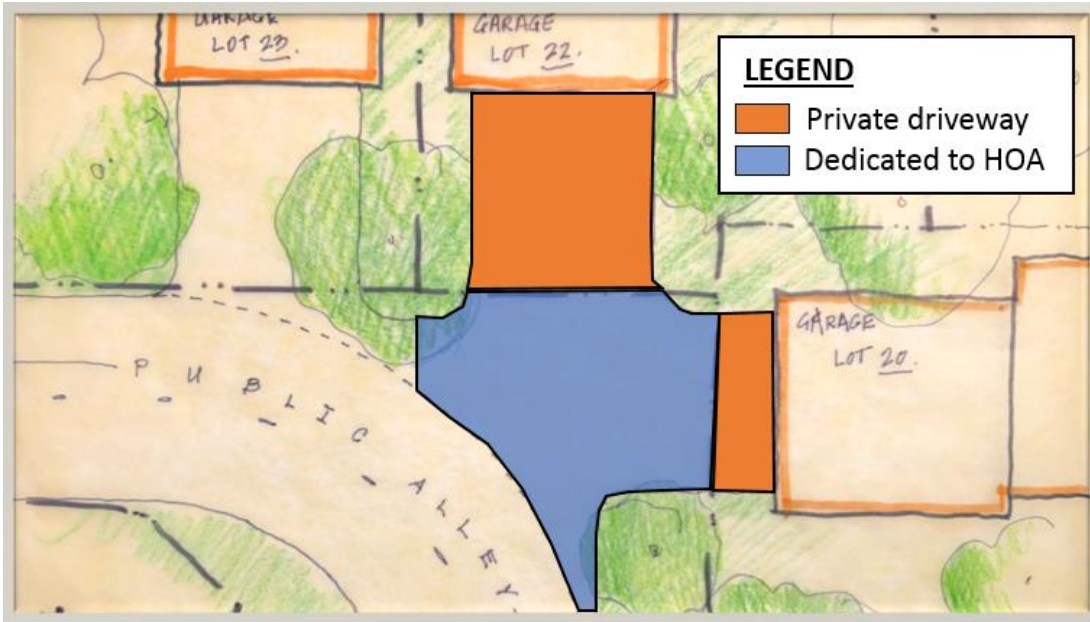


Exhibit 2. Lots 20 & 22, Extended Alley

