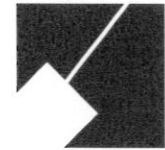


The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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

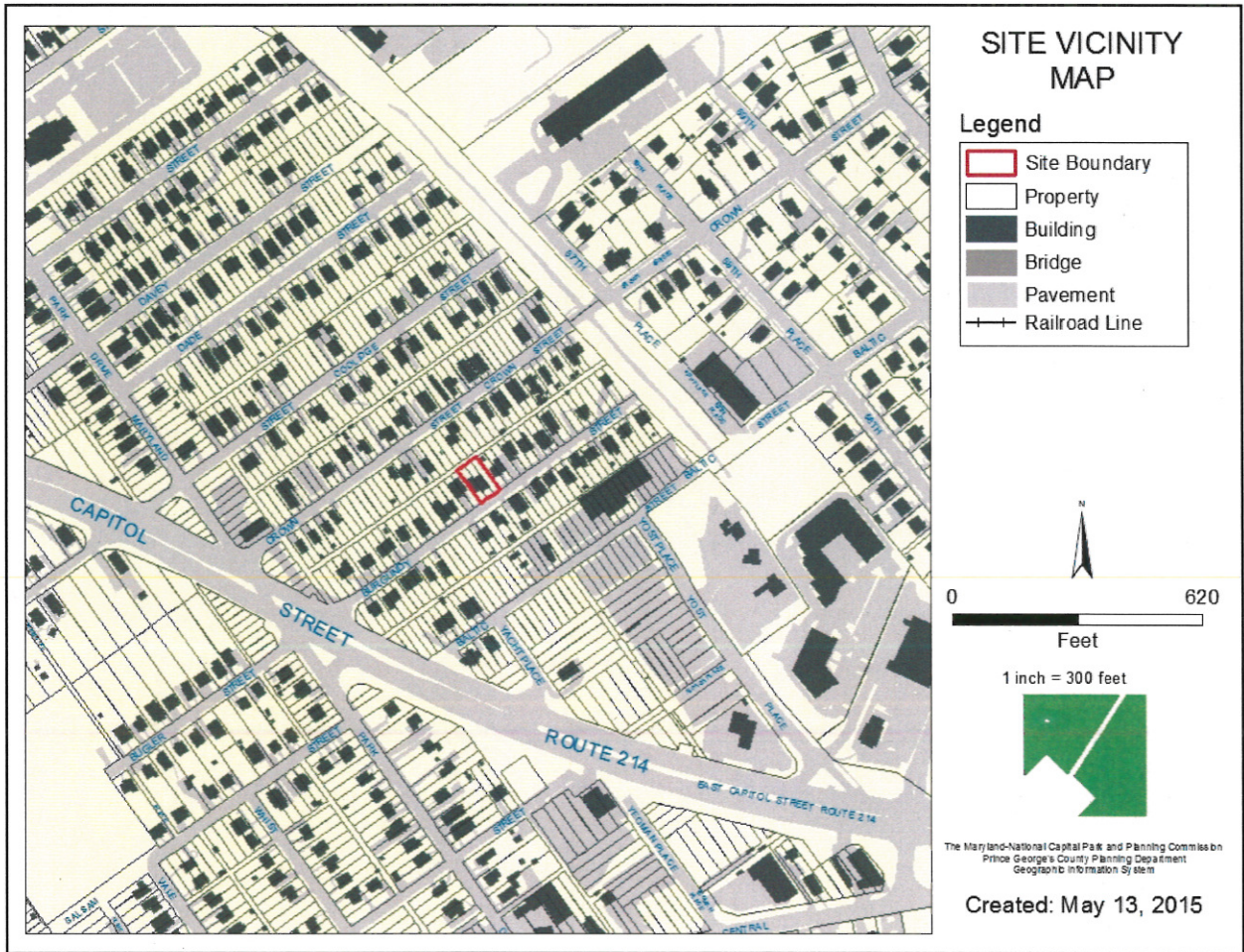
Detailed Site Plan

DSP-14032

Application	General Data	
<p>Project Name: 5900 Burgundy Street, Lots 21-23, Block 7 Tolson Heights, Addition to Maryland Park</p> <p>Location: On the north side of Burgundy Street, approximately 500 feet northeast of its intersection with East Capitol Street (MD 214).</p> <p>Applicant/Address: Francisco Nadal 5900 Burgundy Street Capitol Heights, MD 20743</p>	Planning Board Hearing Date:	06/4/15
	Staff Report Date:	05/21/15
	Date Accepted:	03/26/15
	Planning Board Action Limit:	06/04/15
	Plan Acreage:	0.138
	Zone:	R-55/T-D-O
	Dwelling Units:	1
	Gross Floor Area:	3,440 sq. ft.
	Planning Area:	72
	Council District:	07
	Election District:	18
	Municipality:	N/A
200-Scale Base Map:	201SE05	

Purpose of Application	Notice Dates	
To validate the construction of a new single-family detached residence within the One-Family Detached Residential (R-55) Zone and the Transit District Overlay (T-D-O) Zone of the 2008 <i>Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment</i> (TDDP).	Informational Mailing:	11/19/14
	Acceptance Mailing:	03/26/15
	Sign Posting Deadline:	05/05/15

Staff Recommendation		<p>Staff Reviewer: Meika Fields, MLA Susan Lareuse, RLA</p> <p>Phone Number: 301-952-4277</p> <p>E-mail: Susan.Lareuse@ppd.mncppc.org</p>	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-14032
5900 Burgundy Street, Lots 21–23, Block 7
Tolson Heights, Addition to Maryland Park

Urban Design staff has completed its 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 was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the 2008 *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment*;
- b. The requirements of the Prince George's County Zoning Ordinance for the One-Family Detached Residential (R-55) and Transit District Overlay (TDO) Zones;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- f. Referrals.

FINDINGS

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

1. **Request:** The subject proposal is to validate the construction of a new single-family detached residence within the One-Family Detached Residential (R-55) Zone and the Transit District Overlay (T-D-O) Zone of the 2008 *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Capitol Heights TDDP). The TDDP requires detailed site plan (DSP) review and approval by the Prince George's County Planning Board for new single-family residential dwellings.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	R-55/T-D-O	R-55/T-D-O
Use(s)	Single-Family Residential	Single-Family Residential
Acreage	0.138	0.124
Lots	3	3
Total Gross Floor Area	3,441	3,441
Finished Floor Area	3,123	3,123

Prior to certification of the DSP, the existing and proposed gross floor area should be provided in a plan note.

3. **Location:** The address for the subject site is 5900 Burgundy Street in Capitol Heights, Maryland. The 0.138-acre lot is located on the north side of Burgundy Street, approximately 500 feet northeast of its intersection with East Capitol Street (MD 214).
4. **Surrounding Uses:** Surrounding the subject property are single-family detached dwellings located in the R-55/T-D-O Zones within the Capitol Heights TDDP. South and east of the subject property are R-55 and One-Family Triple-Attached Residential (R-20)-zoned properties within the 2000 *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* and the Development District Overlay (D-D-O) Zone.
5. **Previous Approvals:** There are no previous Planning Board approvals of relevance to the subject review. The subject property is composed of Lots 21 through 23, Block 7–Tolson Heights, Addition to Maryland Park. The record plat was recorded circa 1935 as Plat BDS 1–7 in the Prince George’s County Land Records. The property is located on Tax Map 66 in Grid B–4, and is approximately 6,000 square feet. Tax Records indicate that a single-family residence was constructed on the property in 1929.
6. **Design Features:** The subject property is comprised of three narrow rectangular-shaped lots with frontage on Burgundy Street. The property is currently improved with a partially-constructed two-story dwelling with a garage. It is believed that the previous structure on the property was demolished around 2005.

With the subject DSP, the applicant proposes to complete construction of the existing dwelling, which was constructed without required permits. In addition to finishing the currently unfinished exterior, the applicant proposes removing an existing concrete stoop and a second concrete driveway.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2008 Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The subject property is located in the Urban Neighborhood character area of the Capitol Heights TDDP. The vision for this area is to infill undeveloped lots with single-family detached dwellings with a design and scale that matches the existing neighborhood. Such features will include 10- to 15-foot setbacks, parking garages that are parallel

with the front façades of residences, and building lot coverages ranging from 35 to 70 percent, with building heights not to exceed 35 feet.

- a. The subject application meets the following development district standards:

Urban Neighborhood—Single-Family Detached Character Area

- (1) **Buildings shall be between two and 2½ stories in height. No building shall exceed 35 feet in height.**

Comment: The building is 27.5 feet in height and conforms to the above standard.

- (4) **Buildings shall have side yards with a combined minimum width of 17 feet. No side yard shall be less than four feet wide. Buildings shall have rear yards no less than 25 feet deep.**

Comment: The side yard setbacks are 8 and 17 feet in width, and the rear yard setback is 31 feet. All setbacks are delineated on the plan and conform to the above requirement.

- (5) **Parking access shall be from the rear where an alley is present; otherwise, parking access shall be from the street.**

Comment: The site does not have alley access; therefore, the parking garage will be accessed from the street.

- (6) **Parking garages, carports and pads shall sit no closer to the street than the front façade of the residence that they serve. They shall be designed to accommodate no more than 2 fourwheeled vehicles parked side by side.**

Comment: The two-car garage is set back seven feet from the front façade, in keeping with this requirement.

- b. The subject application requires amendment of the following development district standards, as discussed below:

Urban Neighborhood—Single-Family Detached Character Area

- (2) **Buildings shall sit between 10 and 15 feet from the edge of the curb.**

Comment: The building setback from the curb is not delineated on the plan; however, it is measured to be approximately 17 feet. The newly proposed front stoop is approximately 11 feet from the curb. The existing building does not meet this standard and an amendment is necessary. Staff recommends that the amendment be approved, as the two additional feet of setback is minor, and the building location is generally consistent with adjacent properties. Further, staff recommends that the site plan be amended to dimension the exact proposed distance from the building to the curb.

- (3) **Buildings shall cover between 35 percent and 70 percent of their lot and shall occupy at least 35 percent of their street frontage.**

Comment: The building covers 1,782, or 33 percent, of the lot and 60 percent of the street frontage. The building coverage does not meet the sector plan requirements. Staff suggests that an amendment of this standard be approved. Should the applicant choose to expand the structure in the future, an expansion would be in keeping with the above requirement.

Although this single-family dwelling was constructed without a permit, it appears to have been built with dimensions that are not dissimilar from other nearby structures built before the approval of the new standards. Staff believes that the approval of the amended standards will not have an adverse effect on the neighborhood or the plan's vision for the area.

8. **2010 Prince George's County Landscape Manual:** The site, as new residential construction, is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as modified by the Capitol Heights TDDP. The following standards apply:
 - a. **Section 4.1, Residential Requirement**—The subject lot is less than 9,500 square feet in size and is required to be planted with a minimum of two major shade trees and two ornamental or evergreen trees per lot. Existing plant material may be used to meet this requirement. A Section 4.1 schedule should be placed on the plan, and the site and landscape plans should demonstrate conformance with this section.
 - b. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. Prior to certification of the plan, if new plantings are required to meet the requirements of Section 4.1, the planting schedule and Section 4.9 schedule should be consistent with regard to native plantings.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance because the site is less than 40,000 square feet in size and has no previous tree conservation plan approval. The exemption letter is valid until January 8, 2017. A natural resources inventory (NRI) equivalency letter has been issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted. The NRI equivalency letter is valid until January 6, 2020.
10. **Prince George's County Tree Canopy Coverage Ordinance:** The project is not subject to the requirements of Subtitle 25, Division 3: Tree Canopy Coverage Ordinance because the disturbance on the site is less than 5,000 square feet.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Community Planning Division**—In a memorandum dated April 24, 2015, the Community Planning Division provided the following analysis:

- (1) **Plan Prince George's 2035:** The *Plan Prince George's 2035 Approved General Plan* designates this area as a local transit center, which is one of its four local and suburban centers. The local transit center consists of smaller scale mixed-use centers that are primarily residential areas (average 30 to 100 DU/acre), well connected by transit, and a viable street grid offering local-serving retail with limited office uses.
- (2) **Capitol Heights TDDP:** The 2008 Capitol Heights TDDP envisions a new mixed-use center at the Capitol Heights Metro Station and a revitalized business district along East Capitol Street (MD 214). The character areas to the north, east, and south of the Metro center core will feature less density and transit- and pedestrian-oriented design to support the Metro station, while protecting existing neighborhoods.

Although this single-family dwelling was constructed without a permit, it appears to have been built with dimensions that are not dissimilar from other nearby structures built before the approval of the new standards, and will not have an adverse effect on the neighborhood or the plan's vision for the area. The size of the structure's rear yard, side yards, and building height appear to comply with the new standards.

- b. **Subdivision Review Section**—In a memorandum dated April 29, 2015, the Subdivision Review Section provided comment on the subject application.
 - (1) **Exemption from Preliminary Plan of Subdivision:** Pursuant to Section 24-111(c)(2) of the Subdivision Regulations, a site is exempt from the requirement of filing a preliminary plan of subdivision if the proposed use is for a single-family dwelling and uses accessory thereto. As previously discussed, the DSP indicates that the proposed use is for a single-family dwelling and accessory uses, therefore, a preliminary plan and final plat is not required.
 - (2) **Plan Revisions:** The DSP shows right-of-way dedication of 25 feet from centerline for the subject property. However, the total square footage of the dedication is not provided, and the resulting reduction in square footage for the subject site is not shown. The plan should be revised to provide this information. The deed reference in Site Note 8 does not appear to be related to the subject property. The note should be revised to reference the correct liber/folio (L. 35997/F. 427).
- c. **Historic Preservation Section**—There are no adjacent historic sites or resources.
- d. **The Environmental Planning Section**—The Environmental Planning Section (EPS) reviewed the referral package stamped as received by EPS on March 27, 2015. The proposal is for construction of a single-family house.

The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance because the site is less than 40,000 square feet in size and has no previous tree conservation plan approval. The exemption letter is valid until January 8, 2017. A NRI equivalency letter has been issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted. The NRI equivalency letter is valid until January 6, 2020.

A stormwater management concept approval letter (24088-2011-00) issued by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) stated that no stormwater management is required because less than 5,000 square feet of disturbance is proposed.

The site does not front on any designated scenic or historic roadway. No other environmental requirements have been identified for this application.

e. **Permit Review Section**—The following permit history for the subject property is provided:

- 1929:** The original dwelling on the subject property was built in 1929 per Real Property Data.
- 1984:** Permit 3143-1984-R was approved, issued, and closed for general rehabilitation of the existing house.
- 2005:** Permit 13387-2005-RGU was approved for a 37.42-foot by 16.33-foot second story addition to the existing house and a 10-foot-wide by 25-foot-wide driveway by Maryland-National Capital Park and Planning Commission (M-NCPPC); however, the permit expired.
- 2005:** Permit 37556-2005 complaint was filed for building a garage without a permit.
- 2005:** The property was foreclosed.
- 2009:** Permit 12312-2009 – violation notice issued—permit has expired, obtain a raze permit and remove structure.
- 2011:** 13977-2011 – violation notice issued—obtain permit for new single-family dwelling or revise permit to reflect same, or remove.
- 2012:** 10765-2012-R – interior work only—permit not issued.
- 2012:** 13692-2012-RGU, new single-family home ref. permit 13387-2005—permit not referred to any agencies.
- 2012:** 13693-2012-SGU – permit abandoned.
- 2012:** 33910-2012-SGU – permit abandoned.
- 2014:** 16455-2014-SGU – permit abandoned.

It is the understanding of permit review staff that one of the prior owners razed the existing house that had been on this lot since 1929 in 2005, and began to construct a new dwelling on the existing foundation with no permits issued by Prince George's County.

Since the residential use had ceased and no one was occupying the dwelling when the Capitol Heights TDDP came into effect and there was not a valid permit issued by the County that constructed the house, the standards of the TDDP should be met.

f. **Prince George's County Health Department**—In a memorandum dated May 6, 2015, the Health Department stated that the Environmental Engineering Program of the Health Department completed a health impact assessment review of the subject DSP and had the following recommendations:

(1) 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.

Comment: A note to this effect should be provided on the plan.

(2) 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.

Comment: A note to this effect should be provided on the plan.

g. **Prince George's County Police Department**—In a memorandum dated April 2, 2015, the Police Department stated that, after visiting the site, there are no crime prevention through environmental design (CPTED) issues.

h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—A stormwater management concept approval letter has been issued (24088-2011-00) by DPIE stating that no stormwater management is required because less than 5,000 square feet of disturbance is proposed. A condition of the stormwater concept approval is that the plan provide dedication along Burgundy Street. The plan shows ten feet of proposed dedication along Burgundy Street, consistent with this requirement.

i. **Town of Capitol Heights**—In an e-mail dated May 15, 2015, the Town indicated a position of no opposition to the subject DSP.

12. As required by Section 27-285(b) of the Zoning Ordinance, the DSP represents 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.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-14032, 5900 Burgundy Street, Lots 21–23, Block 7, subject to the following:

A. Staff recommends APPROVAL of the alternative development district standards for:

1. **Urban Neighborhood—Single-Family Detached Character Area, Build-to-Line:** To allow the building setback from the face of curb to be increased from 10–15 feet to 15–20 feet.

2. **Urban Neighborhood—Single-Family Detached Character Area, Lot Coverage:** To allow 33 percent lot coverage.
- B. Staff recommends APPROVAL of Detailed Site Plan DSP-14032, 5900 Burgundy Street, Lots 21–23, Block 7, subject to the following conditions:
1. The following revisions shall be made to the detailed site plan, or information provided, prior to signature approval.
 - a. Provide the square footage of right-of-way dedication and the resulting lot area.
 - b. Provide the correct deed reference in Site Note 8 (L. 35997/F. 427).
 - c. Provide the dimensions of the deck on the site plan.
 - d. Provide a note on the plan to indicate the applicant’s intent to comply with construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - e. Provide a note on the plan to indicate the applicant’s intent to comply with construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.
 - f. Add a note to the site plan indicating that the site is within the Capitol Heights Transit District Overlay (T-D-O) Zone and the Urban Neighborhood character area.
 - g. Dimension the proposed building setback from the curb line and the right-of-way.
 - h. Provide a completed Section 4.1, Residential Requirement, schedule on the plan demonstrating conformance with its requirements.

ITEM:

CASE: DSP-14032

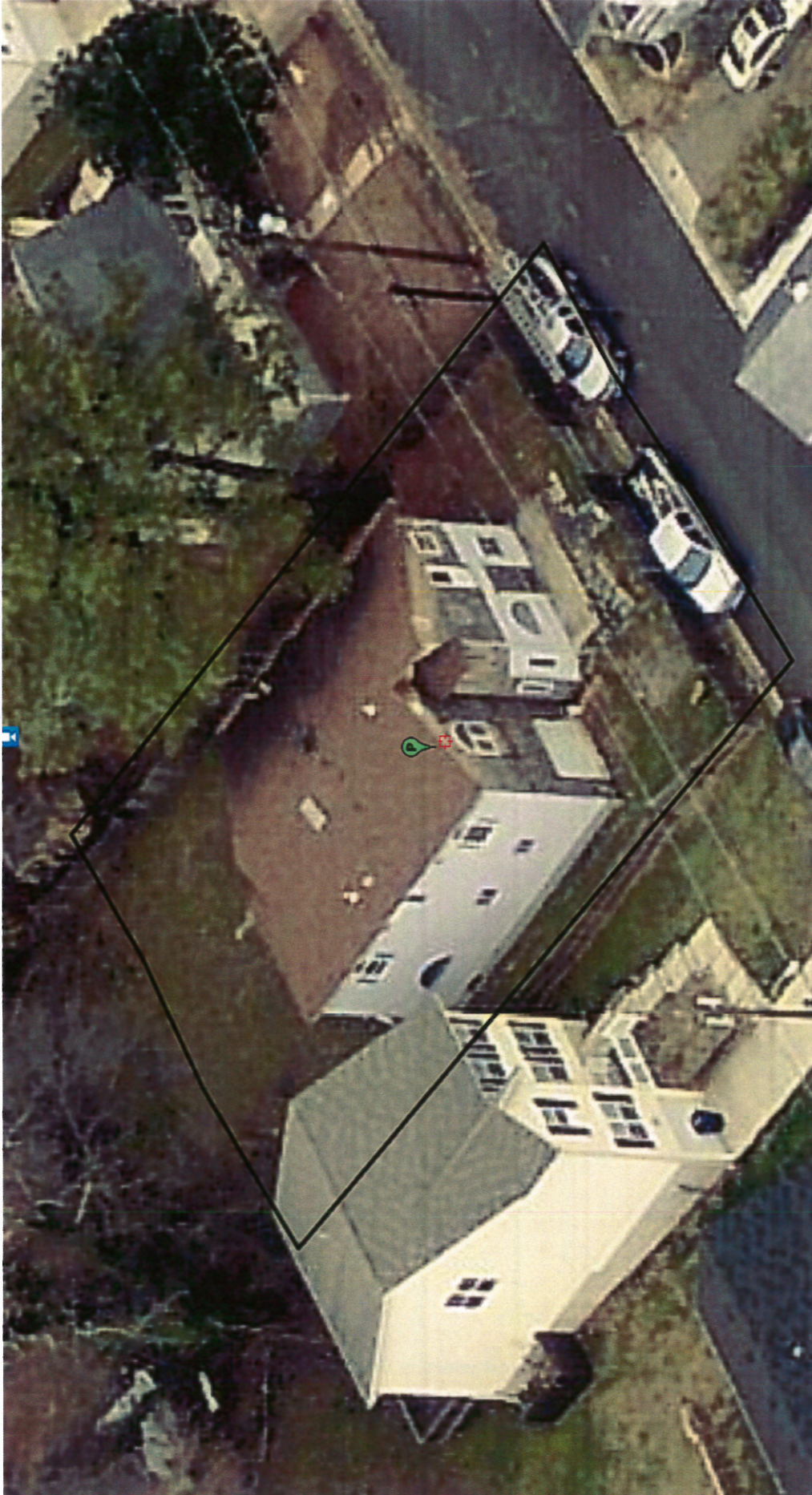
**5900 BURGUNDY STREET
LOTS 21-23, BLOCK 7**

TOLSON HEIGHTS, ADDITION TO MARYLAND PARK

THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



ITEM:

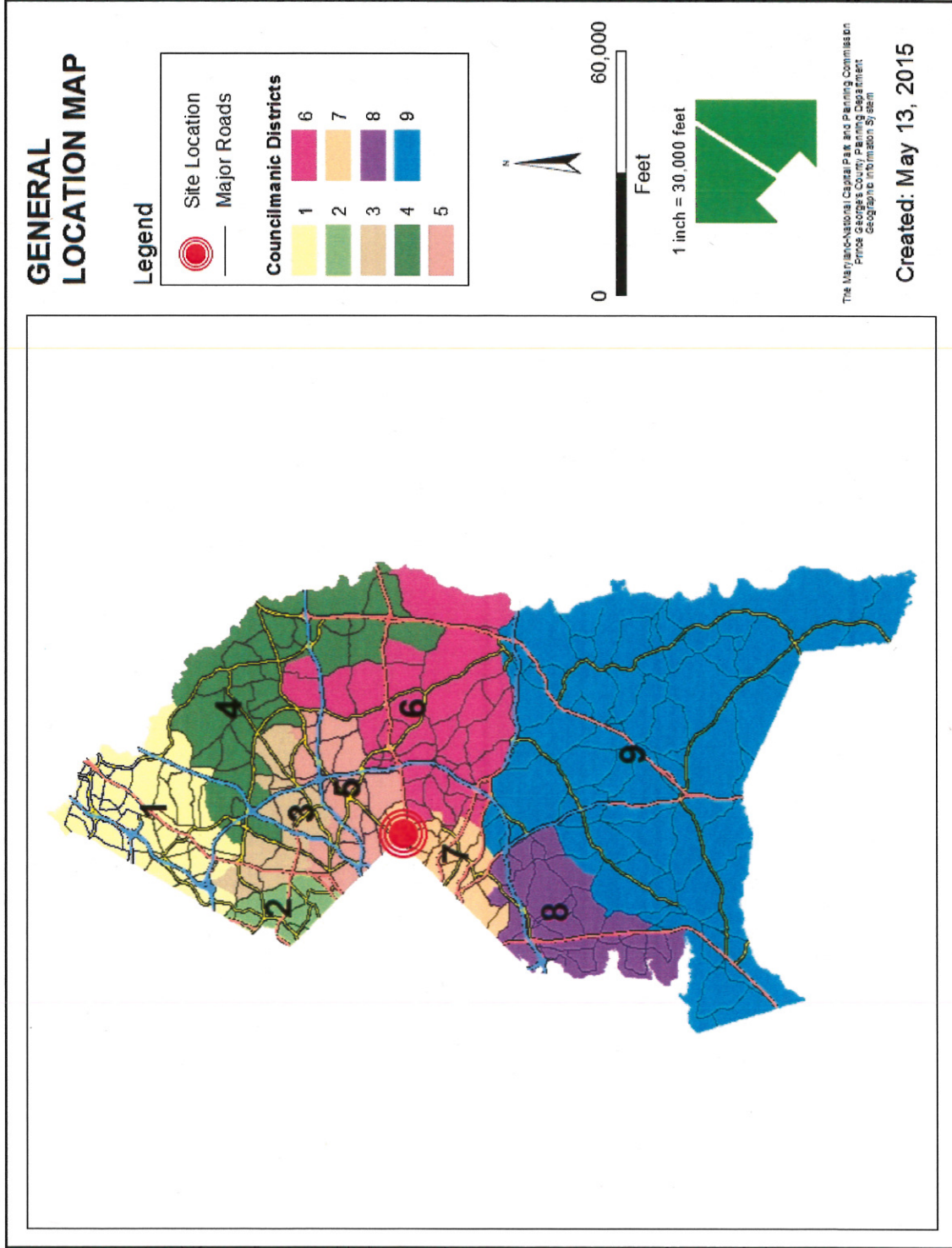
CASE: DSP-14032

**5900 BURGUNDY STREET
LOTS 21-23, BLOCK 7
TOLSON HEIGHTS, ADDITION TO MARYLAND PARK**

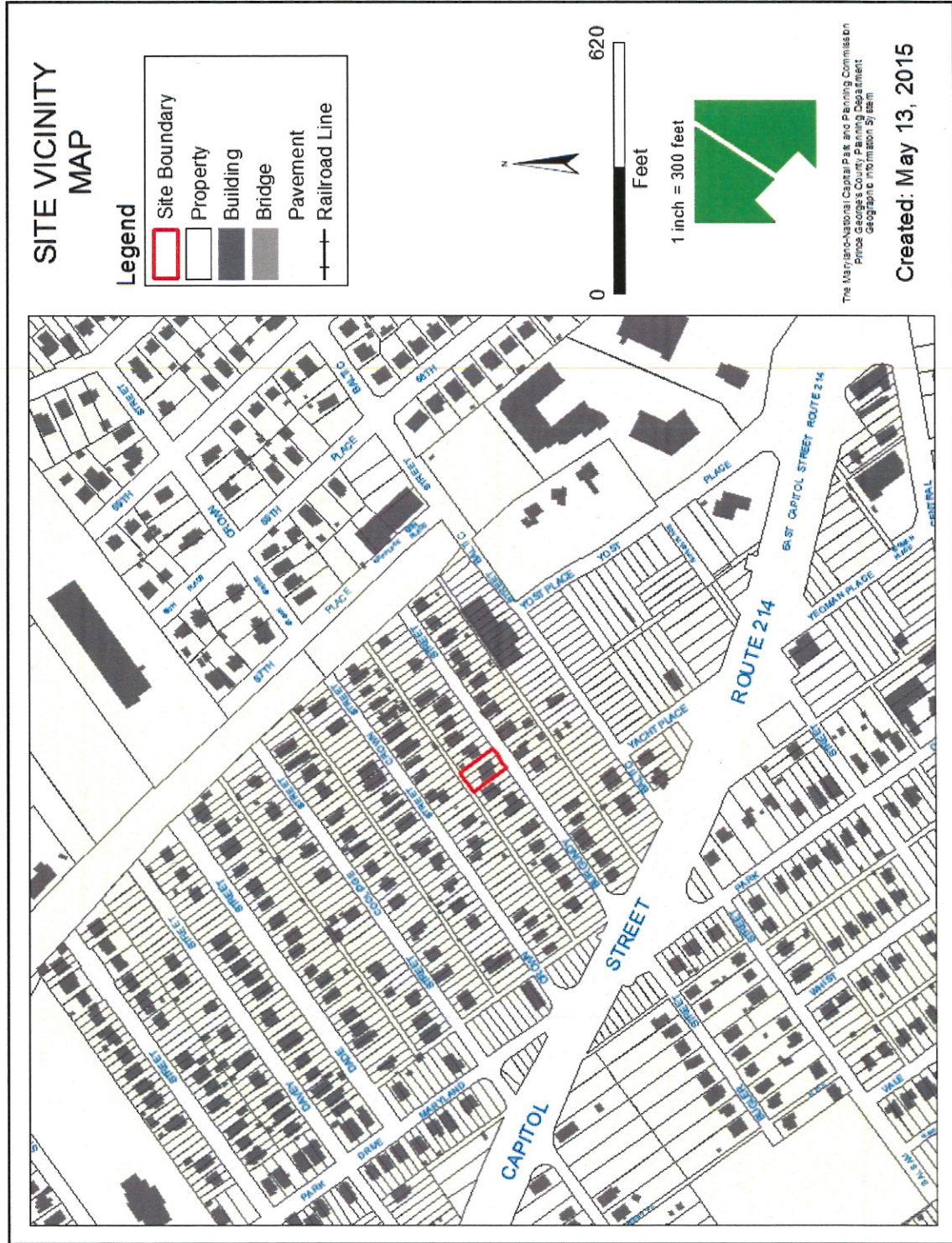
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



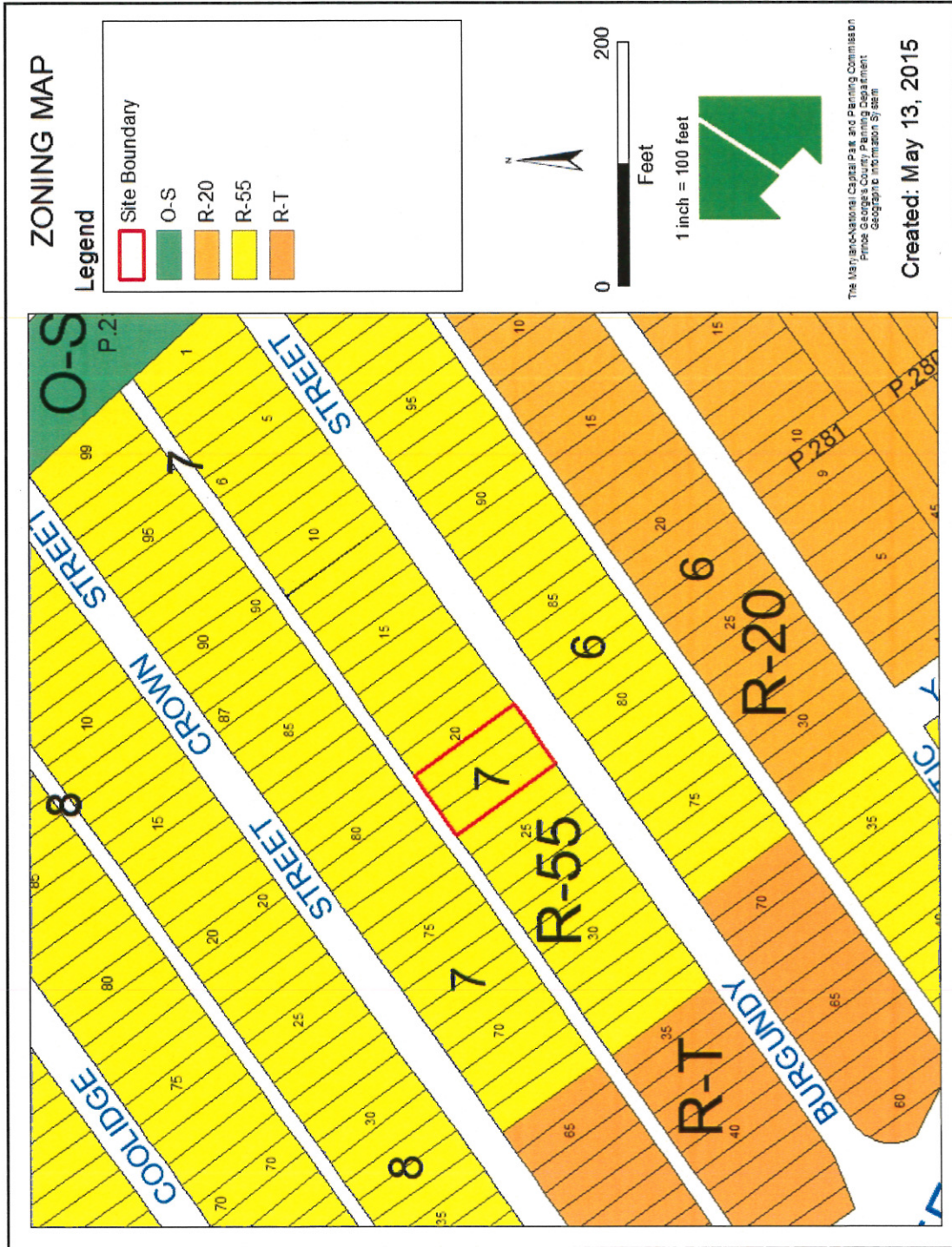
GENERAL LOCATION MAP



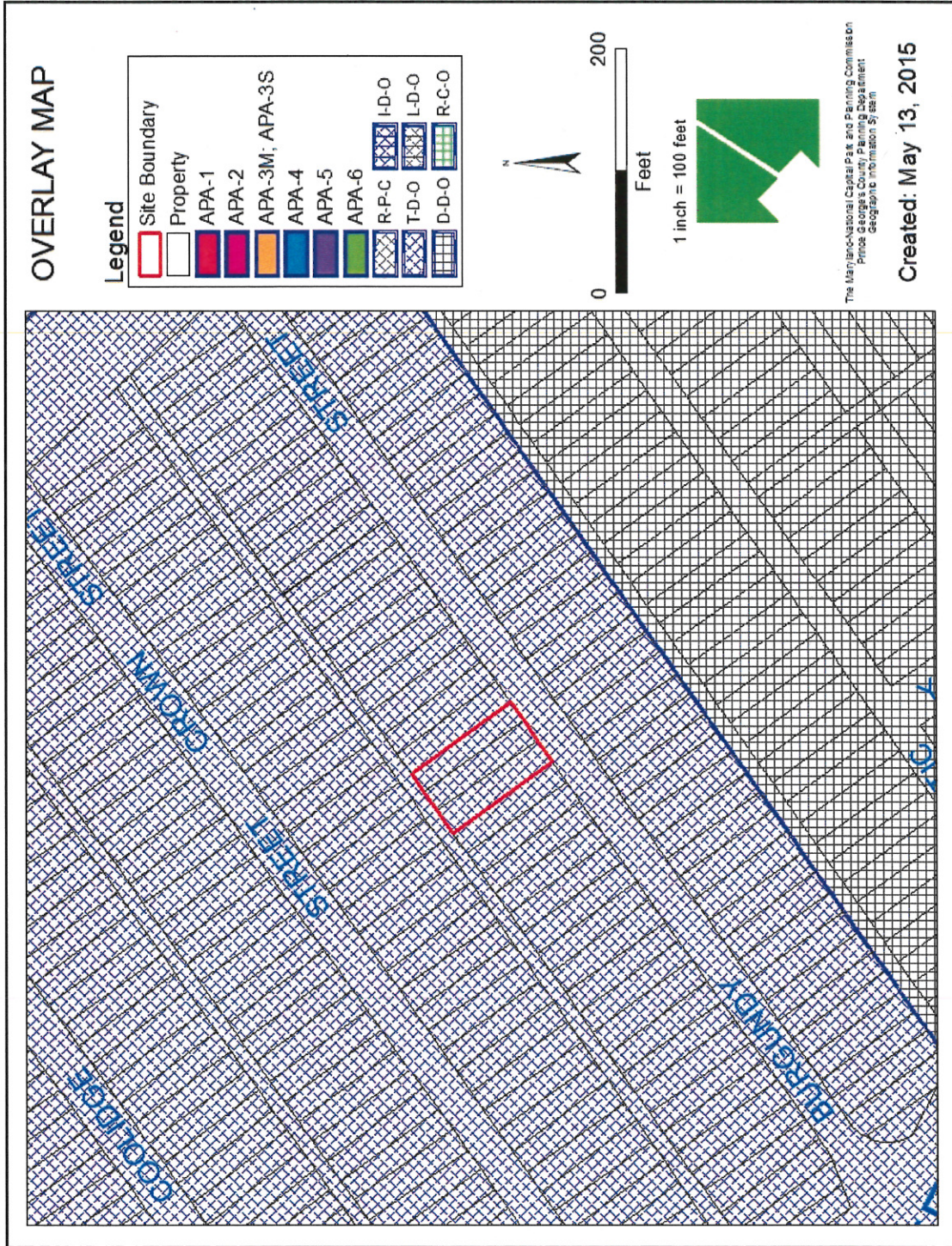
SITE VICINITY



ZONING MAP



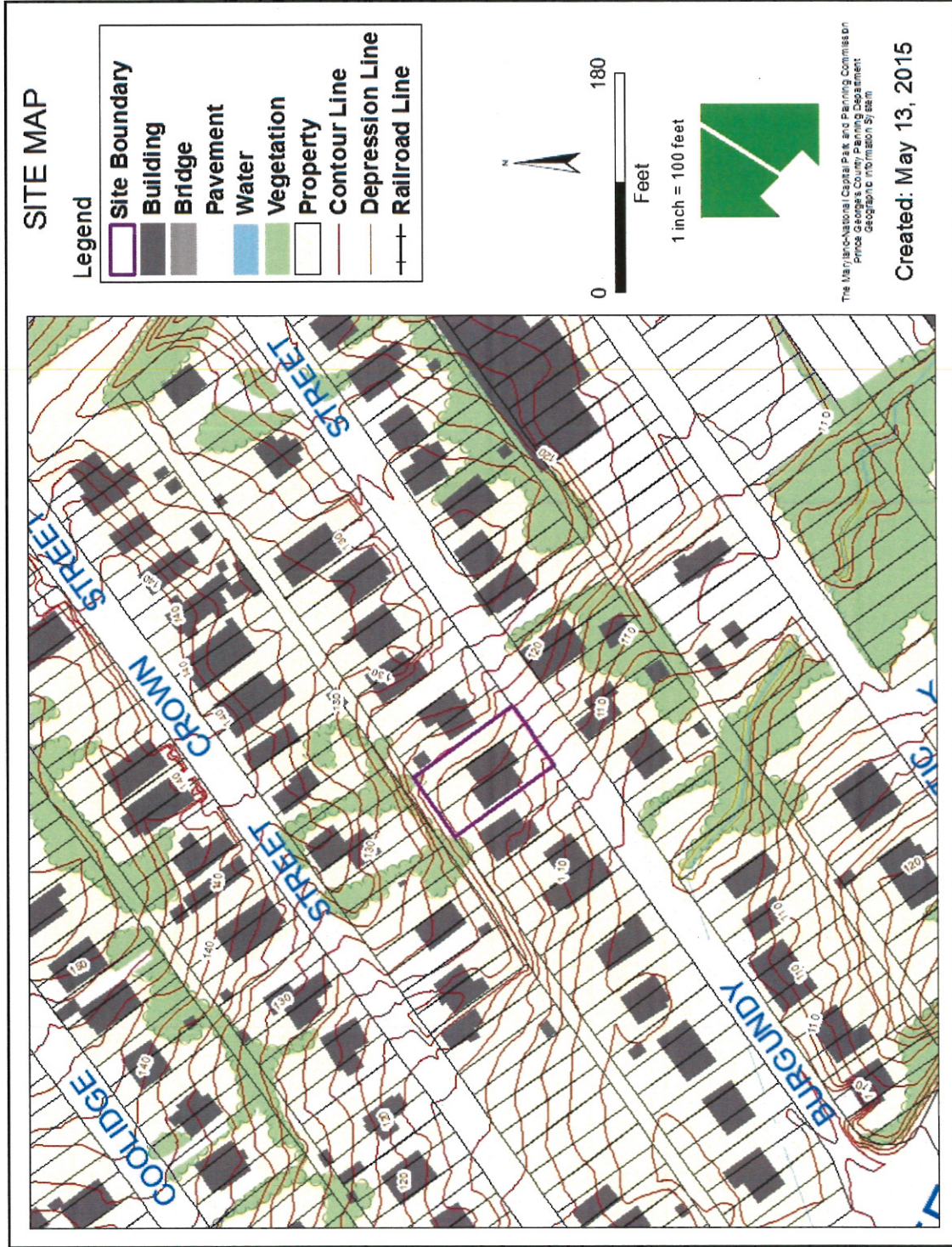
OVERLAY MAP



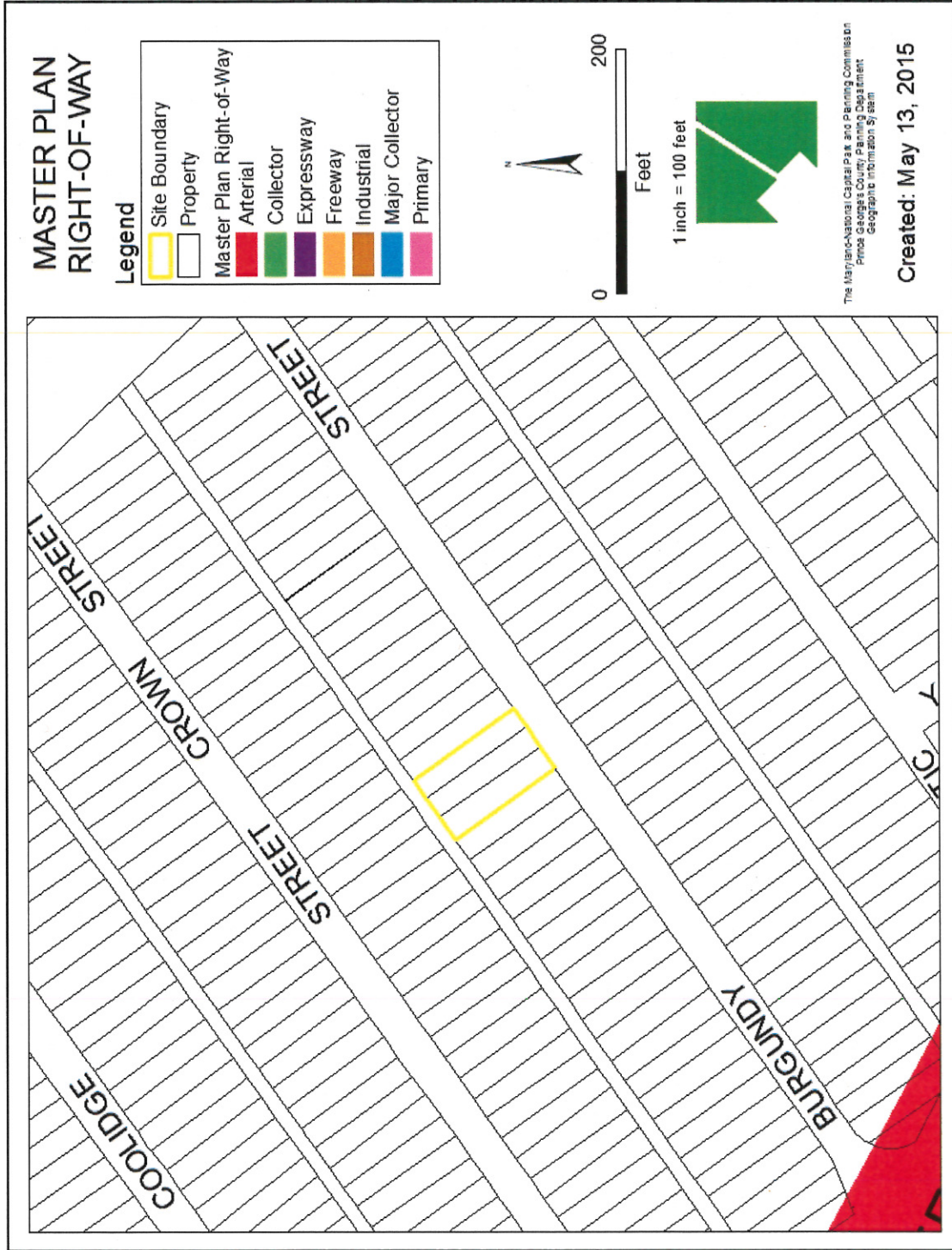
AERIAL MAP



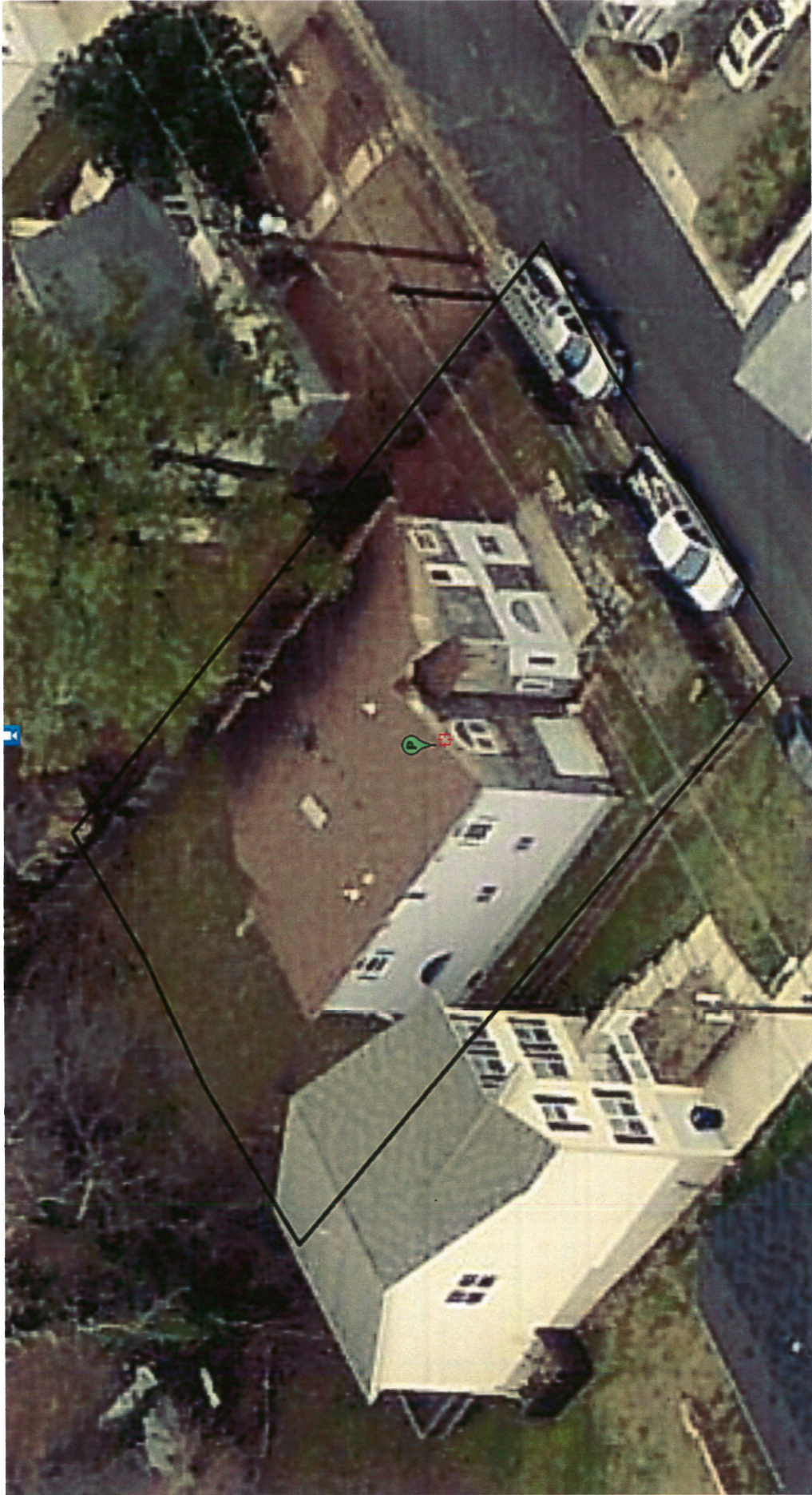
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



ARCHITECTURAL ELEVATIONS



HOUSE FRONT ELEVATION



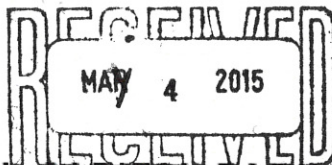
HOUSE LEFT SIDE ELEVATION



HOUSE REAR SIDE ELEVATION



HOUSE RIGHT ELEVATION



Prince George's County Planning Department
Community Planning Division

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3972

April 24, 2015

MEMORANDUM

TO: Meika Fields, Senior Planner, Urban Design Section
VIA: Dave A. Green, Supervisor, Community Planning Division, Central Section
FROM: John Wooden, Senior Planner, Community Planning Division, Central Section
SUBJECT: **5900 Burgundy Street, DSP-14032**

DETERMINATIONS

This application is consistent with the Plan Prince George's 2035 Approved General Plan which designates this area as a Local Transit Center.

The application is for a new single-family dwelling that appears to have been built in 2006 when only a permit for an addition had been previously obtained. The structure however, generally is in conformance with the land use recommendations of the 2008 Approved Transit District Development Plan for Capitol Heights located in the Urban Neighborhood Character Area.

BACKGROUND

- Location: The subject property is located on the north side of Burgundy Street.
- Size: Lots 21-23, Block 7; 6000.00 square feet
- Existing Uses: Single Family Dwelling
- Proposal: The applicant is seeking to complete construction of a single-family dwelling fronting on Burgundy Street in the vicinity of the Capitol Heights Metro Station.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The Plan Prince George's 2035 Approved General Plan designates this area as an Local Transit Center, which is one of its four Local and Suburban Centers. The Local Transit Center consists of smaller scale mixed use centers that are primarily residential areas (avg. 30 to 100 DU/acre), well connected by transit, and a viable street grid offering local serving retail with limited office uses.

Master/Sector Plan: The 2008 Approved Transit District Development Plan for Capitol Heights envisions a new mixed-use center at the Capitol Heights Metro Station and a

revitalized business district along Old Central Avenue. Character areas to the north, east and south of the Metro center core, will feature less density, transit-and pedestrian-oriented design to support the Metro station, while protecting existing neighborhoods.

Planning Area/

Community: 72/Landover & Vicinity

Land Use: Suburban single family detached

Environmental: Please see the Environmental Section's referral for details regarding relevant environmental recommendations. The property does not include any regulated areas, evaluation areas, or network gaps identified by the Green Infrastructure Plan.

Historic Resources: There are no historic resources in the vicinity of the subject property.

Transportation: Access is provided by East Capitol Street Extended (MD 214), a six-lane state highway within a 120-foot right-of-way.

Public Facilities: There are no public facilities located in the immediate vicinity of the subject property.

Parks & Trails: Maryland Park (Neighborhood) is the closest park site to the subject property located on the west end of Bugler street.

Aviation/ILUC: The property is located in Joint Base Andrews Imaginary Runway Surface F. In this zone, the maximum height requirement is 500 feet.

SMA/Zoning: The Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for Capitol Heights retained the subject property in the R-55 Zone.

PLANNING ISSUES

The application is for a single-family dwelling that was built when only a permit for an addition was obtained in 2006. In addition to the existing dwelling, the site plan shows the removal of a second driveway on the east side of the existing dwelling as well as a stoop connecting to Burgundy Street. Neither of these are visible from the latest aerial map.

The Capitol Heights TDDP/TDOZ is subdivided into six character areas, each with a distinct set of development standards and guidelines, offering a range of building types that will accommodate changing lifestyles for current residents and provide options attractive to new ones.

The subject property is located in Urban Neighborhood character area of the Capitol Heights TDDP. The vision for this area is to infill undeveloped lots with single family detached dwellings with a design and scale that matches the existing neighborhood. Such features will include 10-15 foot setbacks, parking garages that are parallel with the front facades of residences, and building lot coverages ranging from 35 to 70 percent, with building heights not to exceed 35 feet.

Although this single-family dwelling was constructed without a permit, it appears to have been built with dimensions that are not dissimilar from other nearby structures built before the approval of the new

standards, and will not have an adverse effect on the neighborhood or the plan's vision for the area. The size of the structure's rear yard, side yards, and building height appear to comply with the new standards. Moreover, there appears to be a pending variance application that would address the structure's failure to meet the desired lot coverage, floor height and parking requirements.

Despite the above mentioned zoning discrepancies, the structure generally conforms to the zoning and land use recommendations of the Capitol Heights TDDP/TDOZ.

RECOMMENDED CONDITIONS

cc: Ivy A. Lewis, Chief, Community Planning Division
Long range agenda notebook

Fields, Meika

From: Reiser, Megan
Sent: Tuesday, April 21, 2015 9:59 AM
To: Fields, Meika
Subject: 5900 Burgundy Street DSP-14032

Hi Meika,

The Environmental Planning Section (EPS) has reviewed the referral package stamped as received by EPS on March 27, 2015. The proposal is for construction of a single family house.

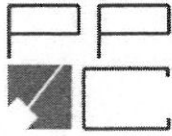
The site has been issued a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance because the site is less than 40,000 square feet in size and has no previous TCP approval. The exemption letter is valid until January 8, 2017. An NRI equivalency letter has been issued based on the standard woodland conservation exemption and that no regulated environmental features will be impacted. The NRI equivalency letter is valid until January 6, 2020.

A stormwater management concept approval letter has been issued (case #24088-2011-00) by the Department of Permitting, Inspections, and Enforcement (DPIE) stating that no stormwater management is required because less than 5,000 square feet of disturbance is proposed.

The site does not front on any designated scenic or historic roadway. No other environmental requirements have been identified for this application.

Thanks,
Megan Reiser
Planner Coordinator, Environmental Planning Section
Prince George's County Planning Department
The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772
301-952-3752 Fax:301-952-3799
megan.reiser@ppd.mncppc.org

MN
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
 www.mncppc.org/pgco

LETTER OF EXEMPTION
 STANDARD EXEMPTION FOR THE SITE
 PRINCE GEORGE'S COUNTY WOODLAND CONSERVATION ORDINANCE

Property Identification: 201SE05 5900 Burgundy Street Capitol Heights, MD 20743 LOTS 21-23, BLOCK 7	Receipt #: waived per NRI-207-14
	Date Issued: January 8, 2015
	Expiration Date: January 8, 2017

TO: Francisco Nadal
 213 Harry S. Truman Drive
 Largo, MD 20774

FROM: Ernest J. Fields Jr., Principal Planning Technician, Environmental Planning Section *ef*

Your request for a standard letter of exemption from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. The property is identified as 5900 Burgundy Street, Capitol Heights, Maryland. The property is further identified as Lots 21-23, Block 7. The property is zoned R-55 and totals 0.13 acres. There are no previously approved tree conservation plans (TCPs) associated with this property.

This Letter of Exemption is issued because the property is less than 40,000 square feet in size and has no previous TCP approvals. The information was obtained from a 2011 aerial photography and the PGAtlas.com environmental layer. Also used in the determination of the site, is a Site Plan prepared by Capitol Development Design, Inc., dated September 2014. The proposed use of the property is to build a single-family residential dwelling. This Letter of Exemption is issued solely for that purpose.


A copy of this letter must be submitted at time of development activity or permit application.

EF:ef

NATURAL RESOURCE INVENTORY (NRI)
 EQUIVALENCY LETTER FOR A DEVELOPMENT ACTIVITY
 PRINCE GEORGE'S COUNTY

Map Number: 201SE05 Location: 5900 Burgundy Street Capitol Heights, MD 20743 Lots 21-23	Date Issued: January 6, 2015
	Expiration Date: January 6, 2020
	NRI-207-14 Associated TCP2 Number: N/A

TO: Francisco Nadal
 235 Harry S. Truman Drive
 Largo, MD 20774

FROM: Chuck Schneider, Senior Planner, Environmental Planning Section 

The request for an NRI Equivalency Letter for a specific development activity has been reviewed and is hereby **approved**. The project area is located at 5900 Burgundy Street, Capitol Heights, Maryland and further identified as Lots 21-23. The property is zoned R-55 and is 0.138 acres in size. The evaluation of this request was based on the site plan prepared by Capitol Development Design, Inc., which is dated September 2014. The existing on-site information was verified using the 2011 Color Imagery aerial photography and the PGAtlas.com environmental layers. This letter is valid for five years from the date of issuance, or until such time as a different development activity is proposed on the site, whichever is less.

The proposed development activity is to renovate the existing residential dwelling. If the scope of the proposed development changes significantly or if the limits of disturbance change significantly, a full NRI may be required and this NRI Equivalency Letter shall be declared null and void, and a new application for an Equivalency Letter or NRI plan shall be required. This letter is issued solely for the activity shown on the site plan described above.

This Equivalency Letter is issued based on the following information:


1. The site qualifies for a **Standard Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is less than 40,000 square feet in size and has no previous TCP approvals; and
2. A proposed site plan, which is undated was submitted which shows the proposed development activity and that no on-site regulated environmental features will be impacted.


A copy of this Equivalency Letter must be submitted for all stormwater management and development review applications that would otherwise require a Natural Resource Inventory.

April 29, 2015

MEMORANDUM

TO: Meika Fields, Urban Design Section

VIA: Whitney Chellis, Subdivision Section 

FROM: Williamayah, Subdivision Section 

SUBJECT: 5900 Burgundy Street, DSP-14032

The subject property is composed of Lots 21 through 23, Block 7 – Tolson Heights, Addition to Maryland Park. The record plat was recorded circa 1935, as Plat BDS 1-7 in the County Land Records. The property is located on Tax Map 66 in Grid B-4, and is approximately 6,000 square feet. The site is currently improved with one single-family dwelling. The purpose of this DSP is for the construction of one single-family dwelling.

Pursuant to Section 24-111(c)(2) of the Subdivision Regulations, a site is exempt from the requirement of filing a preliminary plan of subdivision if the proposed use is for a single-family dwelling and uses accessory thereto. As previously discussed, the DSP indicates that the proposed use is for a single-family dwelling and accessory uses, therefore a PPS and final plat is not required.

Site Comments:

The DSP plan shows right-of-way dedication of 25 feet from centerline for the subject property. However, the total square footage of the dedication is not provided and the resulting reduction in square footage for the subject site is not shown. The plan should be revised to provide this information. The deed reference in Site Note 8 does not appear to be related to the subject property. The note should be revised to reference the correct liber/folio (L. 35997/F. 427).

The Subdivision Section recommends the following conditions:

1. Prior to certification of the detailed site plan the following technical corrections shall be required:
 - a) Provide the square footage of right-of-way dedication.
 - b) Provide the correct deed reference in Site Note 8 (L. 35997/F. 427).

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

Date: April 13, 2015

MEMORANDUM

TO: Meika Fields, Urban Design Section
Development Review Division

FROM: Tempi Chaney, Permit Review Section
Development Review Division

SUBJECT: Referral comments for Tolson Heights, DSP-14032

1. This property is located in the Capitol Heights approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment, Urban Neighborhood Character Area.

A permit was applied for on November 6, 2012. After speaking with the applicant, it was determined the permit was to complete a dwelling that has been sitting unfinished and empty since 2005.

History of the property located at 5900 Burgundy Street:

Original dwelling built in 1929 per Real Property Data.

1984 – 3143-1984-R was approved, issued and closed for General Rehab of the existing house

2005 – 13387-2005-RGU for 37.42' X 16.33' second story addition to the existing house and a 10' X 25' driveway – Park and Planning approved the permit, permit expired.

2005 – 37556-2005 complaint - building a garage w/o permit

2005 – Bank foreclosed on property

2009 – permit 12312-2009 – violation notice issued - permit has expired, obtain a raze permit and remove structure.

2011 – 13977-2011 – violation notice issued - obtain permit for new single family dwelling or revise permit to reflect same or remove

2012 – 10765-2012-R – interior work only – permit not issued

2012 - 13692-2012-RGU - new single family home ref. permit 13387-2005 - permit not referred to any agencies

2012 – 13693-2012-SGU – permit abandoned

2012 – 33910-2012-SGU – permit abandoned

2014 –16455-2014-SGU – permit abandoned

It is my understanding one of the prior owners razed the existing house that had been on this lot since 1929 in 2005 and began to construct a new dwelling on the existing foundation with no permits issued by Prince George's County Permit Department.

Since the residential use had ceased and no one was occupying the dwelling when the TDDP came into effect and there was not a valid permit issued by the County that constructed the house, this should be looked at as a new dwelling and the standards for the TDDP should be met.

2. Provide the dimensions of the deck on the site plan.



**PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



MEMORANDUM

DATE: April 2, 2015

TO: Meika Fields, Senior Planner
Urban Design Section
Development Review Division

FROM: Corporal Richard Kashe #2357
Prince George's County Police Department
Community Services

SUBJECT: **5900 Burgundy St., DSP-14032**

After visiting the site and reviewing the plans there are no CPTED related issues at this time.

THE PRINCE GEORGE'S COUNTY GOVERNMENT



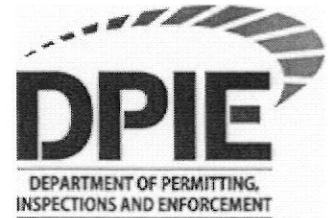
Department of Permitting, Inspections and Enforcement

Site/Road Plan Review Division

9400 Peppercorn Place, Suite 420

Largo, Maryland 20774

(301) 883-5710



STORMWATER MANAGEMENT CONCEPT APPROVAL

CASE NAME: Tolson Heights Lots 21-23 Block 7, 5900 Burgundy Street Residential CASE #: 24088-2011-00
Property
APPLICANT'S NAME: Dominion Consulting And
ENGINEER: Cddi Capital Design & Development Inc

REQUIREMENTS:

Technical Review is required for PUBLIC/PRIVATE Storm Drain/SWM Construction.

Type of Storm Drainage/SWM Construction is not designated.

These additional approvals are required: None.

These fees apply: None.

These bonds apply: None.

Required water quality controls: None.

Required water quantity controls: None.

No maintenance agreement is required.

No special conditions apply.

Required easements: None.

**Storm Water Management fee payment of none in lieu of providing on-site attenuation/quality control measures.
(Fee-In-Lieu subject to change during technical review.)**

CONDITIONS OF APPROVAL:

1. NO SWM REQUIRED - LESS THAN 5,000 SQ.FT. IS DISTURBED.
 2. RIGHT OF WAY DEDICATION IS REQUIRED FOR BURGUNDY STREET TO 25 FEET FROM THE CENTER LINE.
- REVIEWED BY RC.
NO CHANGE. EXTENSION ONLY. SUPERSEDES PREVIOUS APPROVAL DATED 10-06-11.
REVIEWED BY EEU.

APPROVED BY:

Rey De Guzman

APPROVAL DATE: January 9, 2015
EXPIRATION DATE: January 9, 2018

FOR OFFICE USE ONLY

ADC MAP:	5530-F9	200' SHEET:	201SE05
STREET NAME:	BURGUNDY ST		
WATERSHED:	07-Watts Branch		
NUMBER OF DU'S:	1	COST PER DWELLING:	0

CC: APPLICANT, SCD, PERMITS
P.G.C. FORM #3693 (REV 04/93)

JUSTIFICATION STATEMENT & AMENDMENT REQUESTS

Date: February 4, 2015 ✱
Case Name: Burgundy Street Existing House Renovation Completion
Case No. : Detailed Site Plan (DSP) – 14032
Ref: 5900 Burgundy St.
Capitol Heights, MD 20743

The referenced property is a vacant **70 % uncompleted renovation single unit, two-story building** that was proposed for **residential use** as per the R-55 zoning standard specifications. However, there are zoning discrepancies, as per the new **Approved Capitol Heights District Development Plan-TDDP** and the **Transit District Overlay Zoning Map Amendment-TDOZ**; more specifically: **Building Envelope and Site – 2.5 Urban Neighborhood- Single Family Detached Character Area**. Consequently, I am hereby requesting amendments and/or variance on the following issues.

ZONING REQUIREMENT	ZONING CODE REFERENCE	AMENDMENT REQUEST
1. LOT COVERAGE	35% MIN. - TO 70%	33%
2. FLOOR HEIGHT	10' MIN. - 12' MAX.	8.25' MIN.
3. PARKING SPACE	2 PARKING SPACES	1 PARKING

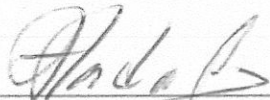
The property was purchased on January 30, 20014, and due to the fact that there was not full disclosure by the previous owner, of these code discrepancies, we are now requesting that an exception can be made for the continuance of house the renovation construction.

I am submitting attached hereto application DSP 14032 with the requested amendments on the site plan for your approval.

I would like to take the opportunity to beg for the expedition of this application as soon as possible, because the process to bring this house to code compliance has taken more than a year and the financial burden is excessive for my budget.

Thank you in advance for the consideration and your cooperation.

Sincerely,



Francisco Nadal, Homeowner



1. General Building Envelope and Site Standards and Guidelines

General Intent

To ensure the development of appropriate building forms that reinforce safe and attractive streets and ensure consistent siting of buildings close to the right-of-way, within an attached row or block of mixed-use, multifamily or commercial buildings, to create a comforting sense of enclosure that defines public space and contributes to a pedestrian-friendly environment.

Standards

(1) Building Siting:

Each developer, applicant, and applicant's heirs, successors and/or assignees shall be responsible for siting buildings according to the Capitol Heights TDDP requirements and shall be obligated to meet these requirements as part of any application for detailed site plan (DSP) and building/grading permits. No building or grading permits shall be issued without a DSP that conforms to all building envelope and site standards in the TDDP.

MET STANDARDS

(2) Alleys:

Alley construction within the rear setback shall be required for commercial and multifamily residential building lots and off-street parking facilities unless an alley already exists or the development site is "landlocked" by surrounding properties that are not part of the proposed redevelopment.

NOT APPLY

(3) Dedicated Right-Of-Way for Alleys:

Where an alley does not exist and is not constructed at the time of development, the developer shall dedicate the alley right-of-way within the rear setback to the county. Pending construction of the alley, the developer or owner shall maintain the dedicated right-of-way by, at a minimum:

- (a) Sodding and providing routine landscape maintenance to the area.

MET STANDARDS

(b) Keeping the area clear of debris, litter, stored materials, and vehicles. MET STANDARDS

4) *Building Entries:*

The primary entrance to a building shall be clearly visible from the street and shall front the street. Buildings facing public plazas or squares shall have their primary entrances facing the public space. Buildings on corner lots where streets of different rank intersect shall have their primary entrances on the more heavily traveled street. MET STANDARDS

5) *Treatment of Building Facades on Arterial Streets:*

Building facades facing East Capitol Street Extended shall be the primary entry facade or shall be of comparable quality in terms of architecture, materials and detailing. NOT APPLY

6) *Utility Connections and Service Areas:*

Utility boxes, meters and service areas such as trash enclosures shall not be visible from the street. If these features must be placed near the public street or other space, they shall be screened from direct public view. MET STANDARDS

7) *Applicability of Character Areas Boundaries:*

Building projects that straddle character areas shall comply with the requirements for building placement, parking and landscape of the most restrictive character area where necessary to provide reasonable compatibility with adjacent development. MET STANDARDS

8) *Visual Surveillance:*

Mixed-use, commercial and multifamily buildings that face streets or other public space shall be designed to allow visual surveillance of the open space by building occupants. MET STANDARDS

9) *ADA-Compliant Street Intersection Curb Cuts*

Street intersections shall have curb cuts for wheelchair/American with Disabilities Act (ADA) access on all corners. Sidewalk obstructions such as utility poles and streetlights are prohibited at these locations. NOT APPLY



2.5 Urban Neighborhood—Single-Family Detached Character Area

(See Map 9: Urban Neighborhood—Single-Family Detached Locator)

Intent

To create attractive, moderate-density, pedestrian-friendly, urban single-family neighborhoods with convenient access to local services and public transit.

Standards

- (1) Buildings shall be between two and 2½ stories in height. No building shall exceed 35 feet in height. MET STANDARDS
- (2) Buildings shall sit between 10 and 15 feet from the edge of the curb. MET STANDARDS
- (3) Buildings shall cover between 35 percent and 70 percent of their lot and shall occupy at least 35 percent of their street frontage. MET STANDARDS
- (4) Buildings shall have side yards with a combined minimum width of 17 feet. No side yard shall be less than four feet wide. Buildings shall have rear yards no less than 25 feet deep. MET STANDARDS
- (5) Parking access shall be from the rear where an alley is present; otherwise, parking access shall be from the street. MET STANDARDS
- (6) Parking garages, carports and pads shall sit no closer to the street than the front façade of the residence that they serve. They shall be designed to accommodate no more than 2 four-wheeled vehicles parked side by side. MET STANDARDS
- (7) Sidewalks shall be continuous and a minimum width of six feet. Sidewalk features such as utility poles and streetlights shall be placed so as not to impede pedestrian travel in either direction. NOT APPLY

REAR YARD: 31.62' > 25' - M/S
 BUILD-TO-LINE: 10' - M/S
 MINIMUM BUILDING FRONTAGE: 34.67'
 $34.67/60 \times 100 = 57.78\% > 35\%$ - M/S

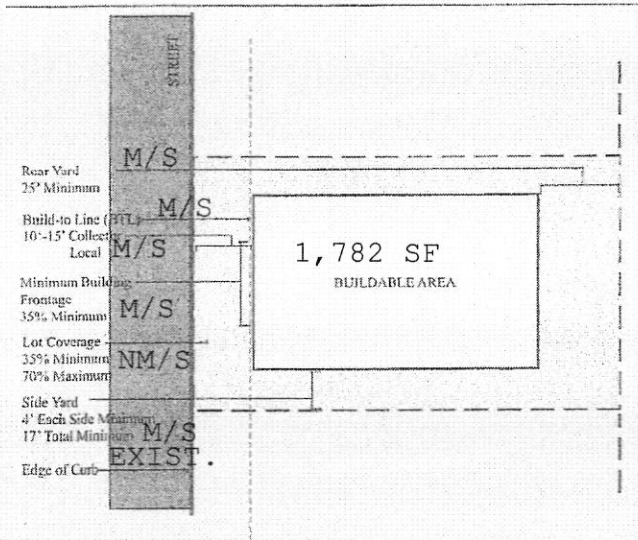
LOT COVERAGE CALCULATION

LOT AREA = 6,000 SF
 BTL DEDICATION = 600 SF
 NEW LOT SIZE = 5,400 SF
 HOUSE AREA = 1,782 SF
 LOT COVERAGE = $1782 / 5400 \times 100 = 33\%$
 33% < 35%, NOT M/S

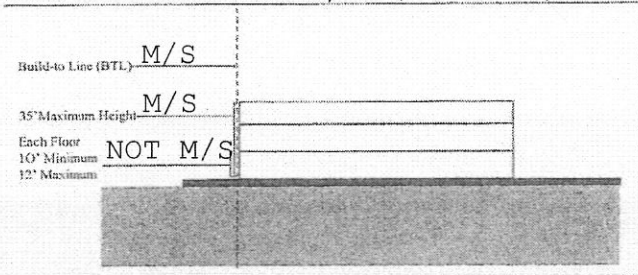
SIDE YARD: 8.38' + 17.22' = 25.60' > 17' - M/S

BUILDING HEIGHT AS PER SITE PLAN = 27.58' < 35'
 THEREFORE, M/S.

HEIGHT EACH FLOOR: 10' MIN. / 12' MAX.
 FIRST: 8.89' - NOT M/S
 SECOND: 8.25' - NOT M/S



M/S = MET STANDARDS, NM/S = NOT M/S



Guidelines

- Public streets should be well lit at night. N/A
- Sidewalks should be continuous and of a width sufficient to allow comfortable pedestrian travel in both directions. N/A
- Sidewalk obstructions such as utility poles and streetlights should be minimized. N/A
- Development sites should be graded and landscaped to minimize stormwater runoff and conserve mature trees on-site wherever practical. M/S
- Signal-controlled street intersections should be designed for traffic calming in order to make them safer for pedestrians. Consideration should be given to such devices as specially marked crosswalks, signage, traffic signal phasing, timed pedestrian signals with countdown displays, and curb extensions or bumpouts. N/A

Fields, Meika

From: Town Administrator <townadministrator@capitolheightsmd.com>
Sent: Friday, May 15, 2015 5:37 PM
To: Fields, Meika
Cc: Carlah Magee; 'Darrell Miller'; 'Elaine Williams'; 'Linda Monroe Town'; 'Marnitta L. King'; rcason@capitolheightsmd.com; Tamil N. Perry-Lloyd; vlj12@juno.com
Subject: Site Plan Review of 5900 Burgundy Street - DSP-14032

Ms. Fields,

The Town of Capitol Heights does not have an opposition for the site plans for the renovations of the house at 5900 Burgundy Street. If you should have any questions, please let me know.

Sincerely,

Stevie

Stevie Cox
Town Administrator
Town of Capitol Heights, MD
One Capitol Heights Blvd
Capitol Heights, MD 20743
(301) 336-0626 - Office
(301) 336-8706 – Fax
(202) 445-4899 - Cell
townadministrator@capitolheightsmd.com



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