

May 19, 2020

Westley Hackley
P.O. Box 6804
Capitol Heights, MD 20791



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-18030
Maryland Park, Lot 110

Dear Applicant:

This **revised notification** is in replacement of the notice you received, dated May 5, 2020, with PGCPB Resolution No. 2020-55.

This is to advise you that, on **April 30, 2020**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of the final notice **May 5, 2020** of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

Detailed Site Plan DSP-18030
Maryland Park, Lot 110
PGCPB Resolution No. 2020-55 **Revised Notice**
May 19, 2020
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Please be advised that, pursuant to Council Resolution 10-2020, adopted on March 17, 2020, the District Council suspended certain time periods that may be applicable to an appeal of the matter approved by the Planning Board in the attached resolution. For questions concerning your right to appeal, please contact the Office of the County Clerk at Clerkofthecouncil@co.pg.md.us.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Jill Kosack
Reviewer

PGCPB Resolution No. **2020-55**

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record

MN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PP
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14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

May 5, 2020

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James R. Hunt, Chief
Development Review Division

By: 
Reviewer

Attachment: PGCPB Resolution No. **2020-55**

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on April 9, 2020, regarding Detailed Site Plan DSP-18030 for Maryland Park, Lot 110, the Planning Board finds:

- Request:** The subject detailed site plan (DSP) proposes to construct a new single-family detached dwelling unit 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), and requests to amend the transit district development standards. The TDDP requires DSP review and approval by the Prince George’s County Planning Board for new single-family residential dwellings.

2. Development Data Summary:

	EXISTING	APPROVED
Zone	R-55/T-D-O	R-55/T-D-O
Use	Vacant	Single-Family Detached
Total Acreage	0.12	0.12
Total Gross Floor Area (square feet)	0	2,184

Parking and Loading		
Use	Number of Spaces Required	Number of Spaces Provided
Single Family Dwelling Standard (9.5 x 19 feet)	2	2

- Location:** The subject property is in Planning Area 72 and Council District 7, and is described as Lot 110, as shown on Tax Map 73 in Grid B-1. More specifically, the site is located on the north side of Balsam Street, at 5800 Balsam Street, approximately 249 feet west of Park Drive.
- Surrounding Uses:** The subject property is bounded to the north, east, and west by single-family detached dwellings located in the R-55/T-D-O Zones, within the Capitol Heights TDDP. South of the subject property is Balsam Street, with single-family detached dwellings located in the R-55/T-D-O Zones beyond.
- Previous Approvals:** The subject property is proposed on a vacant lot, within an existing neighborhood. The Capitol Heights TDDP retained the subject property in the R-55 Zone and placed a T-D-O Zone on it.

There are no previous Planning Board approvals of relevance to the subject review. The record plat for the subject site, approximately 5,082 square feet, was recorded in 2000 in Plat Book VJ-191, on Plat 53, in the Prince George's County Land Records.

The property is also the subject of Stormwater Management (SWM) Concept Plan 59682-2016-00, approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The subject property is exempt from SWM requirements because the application proposes less than 5,000 square feet of disturbance.

6. **Design Features:** The application proposes to locate a two-story dwelling in the central portion of the site facing Balsam Street, 36 feet behind the existing right-of-way. The perimeter of the property is bounded by a mix of existing wooden board-on-board and existing metal chain-link fences that vary in height from four to six feet on its west, north, and east boundaries. The proposed single-family dwelling includes a vehicular driveway access proposed from the roadway, on the northwest portion of the site. The driveway appears to be 12 feet wide, however, dimensions are not reflected on the DSP, and a condition has been included herein requiring the plan to demonstrate that sufficient size for two parking spaces is provided.

Architecture

The applicant has proposed a two-story, 2,184-square-foot, single-family dwelling with a gabled roofline that is approximately 28 feet in height. The use of durable, quality materials is proposed on the building and includes vinyl siding, aluminum, and glass, with an entrance proposed on the front building face. The building is accented by a covered porch, which spans 27 feet along the front width of the house. The front elevation is further accented by a combination of five windows and louvered shutters that break up the face of the building. The rear and side elevations are finished with vinyl siding matching the front elevation, and includes an option for a bay window off the dining room on the rear elevation. The left-side elevation includes a second entry and a single window on the second story, while the right elevation does not include any architectural features. The Planning Board required a minimum of two architectural features on the right-side elevation, to enhance the appearance of the building. Features such as accent, or standard windows will add visual interest to the elevation while increasing natural light in the house. A condition is included herein requiring this modification.

In addition, it is noted that two front elevations have been submitted, but they do not accurately reflect what is being proposed. These architectural elevations include the Mt. Airy II value plan and the Mt. Airy II enhanced plan. The value plan offers a second entry on the left-side elevation, and a small covered porch on its front. The enhanced plan offers an option with a garage and family room on the left elevation, with a deck on the rear, and covered porch on the building's front. The submitted application proposes a combination of options shown in both the value and enhanced plan, and should clarify which options are being included with this DSP. A condition requiring clarification is included in this approval.

Lighting

The applicant proposes building-mounted lighting on the front and left-side of the building to illuminate the building entries. Existing streetlights along Balsam Street are being used to illuminate the site access and driveway on the property. A detailed lighting plan, showing lighting to illuminate the building entrances and parking area, is required by the Capitol Heights TDDP (page 38). The proposed lighting should provide a balanced pattern on the property while not causing a glare onto adjoining properties. A condition has been included herein requiring that a detailed lighting plan be provided.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2008 Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The Capitol Heights TDDP sets forth goals, concepts, guidelines, recommendations, and design standards to achieve the development character desired for future development within the metro station area. The TDDP contains a comprehensive rezoning element, known as the TDOZMA, intended to implement the land use recommendations of the development plan for the foreseeable future. On December 6, 2007, the Planning Board approved the preliminary TDDP and the proposed TDOZMA (PGCPB Resolution No. 07-219). On July 1, 2008, the Prince George's County District Council, by adopting County Council Resolution CR-66-2008, approved the TDDP and TDOZMA for Capitol Heights.

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, building lot coverages ranging from 35 to 70 percent, and building heights that do not exceed 35 feet.

The submitted application and justification materials generally meet the applicable transit district development standards, for the construction of the single-family dwelling and site improvements on Lot 110. However, the applicant is requesting to deviate from a number of transit district development standards to accommodate the house as proposed on the subject property. Per Section 27-548.08(c)(3) of the Prince George's County Zoning Ordinance, these alternate standards may be approved if they can be found to benefit the proposed development and the transit district, and not substantially impair implementation of the Capitol Heights TDDP. These alternate standard requests, along with other standards, warrant discussion, as follows (all page numbers reference the Capitol Heights TDDP):

- a. The subject application is subject to the following for the Urban Neighborhood—Single-Family Detached Character Area development district standards (page 75):

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

The building is two stories and 28 feet in height, which is in conformance with 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.**

The side yard setbacks are approximately 10 and 12 feet in width, and the rear yard setback is 38 feet. The setbacks conform to the above requirements but are not clearly delineated on the plan and should be dimensioned for clarification. A condition requiring the applicant to dimension the building setbacks on the DSP has been included herein.

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

The site does not have alley access; and the parking will be accessed from the street.

- b. The subject application requires amendment of the following transit district development standards:

Urban Neighborhood—Single-Family Detached Character Area

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

The building setback from the curb is not delineated on the plan; however, it is shown at approximately 36 feet from the right-of-way of Balsam Street to the covered front porch. The proposed building does not meet this standard and an amendment is necessary. The Planning Board approved the amendment and noted that the proposed building location is generally consistent with the adjacent properties and will not substantially impair the implementation of the Capitol Heights TDDP.

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

The building covers 1,298 square feet, or approximately 25.5 percent of the lot and 53 percent of the street frontage. Therefore, the building coverage does not meet this standard. This is a vacant in-fill lot and is being designed in a similar manner to the surrounding properties. Should the applicant choose to expand the structure in the future, an expansion would be in keeping with the above

requirement. The Planning Board approved the alternate standard to allow a lot coverage of 25.5 percent and finds that it will not have an adverse effect on the neighborhood, or substantially impair the implementation of the Capitol Heights TDDP.

- (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.**

A portion of the two-car driveway pad is proposed in front of the front façade and is not wide enough to accommodate two vehicles side-by-side. It is noted that an alternate standard has been requested to allow two, four-wheeled vehicles parked in a stacked configuration, to be located closer to the street than the front facade. The other homes in the vicinity are configured in a similar fashion and were constructed before the approval of the Capitol Heights TDDP. The Planning Board found that the approval of this alternate standard is in keeping with the surrounding neighborhood and will not have an adverse effect on the neighborhood, or substantially impair the implementation of the Capitol Heights TDDP.

- (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.**

No sidewalk is proposed with this DSP and is not recommended based on the following discussion. The subject site is in the middle of the block and there are no sidewalks on either side of the development along Balsam Street. In addition, it is noted that the existing right-of-way along Balsam Street is not wide enough to accommodate a sidewalk, and additional right-of-way dedication is not required with this application. Since this is an infill development, within an existing single-family residential neighborhood, it is unlikely that enough development will occur to create a comprehensive sidewalk network.

8. **Prince George's County Zoning Ordinance:** The DSP has been reviewed for compliance with the requirements of the R-55 and T-D-O Zones, and the site plan design guidelines of the Zoning Ordinance as follows:

- a. The proposed single-family dwelling is permitted in the R-55 Zone, within the Capitol Heights TDDP.
- b. Pursuant to Section 27-548.08(c)(2), the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:

- (A) **The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The DSP requests construction of a single-family dwelling and proposes three amendments to the transit district development standards. However, if revised as conditioned, these amendments will not substantially impair implementation of the TDDP and will benefit the proposed development and transit district.

- (B) **The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;**

The DSP is generally consistent with the Capitol Heights TDDP and proposes development that is consistent with the surrounding properties. Where strict compliance is not possible or practical, an amendment was requested in accordance with the Zoning Ordinance. The Planning Board has approved these amendments as described in Finding 7 above.

- (C) **The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;**

The subject DSP has been reviewed for conformance with all the requirements and applicable regulations of the R-55 Zone and T-D-O Zone, and meets these requirements, except where an amendment has been requested. The Planning Board approved these amendments and found that the DSP meets the requirements of the T-D-O and R-55 Zones, as conditioned.

- (D) **The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

The building design and site improvements proposed with this application are high quality and adequate to meet the purposes of the T-D-O Zone. The DSP, as conditioned, meets the purposes of the T-D-O Zone and intent of the Urban Neighborhood Character Area to create attractive, moderate-density, pedestrian-friendly, urban, single-family neighborhoods with convenient access to local services and public transit.

- (E) **Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and**

The DSP proposes a single-family-detached dwelling that is compatible with the adjacent residential dwellings in the immediate vicinity of the subject property and is compatible with the vision, guidelines, and standards of the Capitol Heights TDDP.

- (F) **Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 of the Zoning Ordinance, meets the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

Requests for the reduction from the minimum required parking are not being made with the DSP.

- c. The DSP is in general conformance to the applicable site design guidelines as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For instance, the development of the proposed single family dwelling on the vacant in-fill lot will contribute to an attractive, coordinated development that is appropriately scaled and designed consistently with the adjacent properties, and includes vehicular access to the site from the public right-of-way.
9. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as modified by the Capitol Heights TDDP. Specifically, the property is subject to the requirements of Section 4.1, Residential Requirements and Section 4.9, Sustainable Landscaping Requirements. The required plantings and schedules are provided, in conformance with the Landscape Manual, and are acceptable.
10. **2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The subject DSP is exempt from the Woodland and Wildlife Habitat Conservation Ordinance because the site has less than 10,000 square feet of existing woodlands on the site, and the property has no previous tree conservation plan approvals. Initially, a Standard Letter of Exemption (S-183-16) was issued for the property, which has expired, and it is noted that the applicant has applied for a new standard letter of exemption on March 5, 2020, which is currently under review. The approved exemption letter should be provided prior to certification and is conditioned herein.
11. **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.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions and their referral comments are summarized, as follows:

- a. **Historic Preservation and Archeological Review**—The Planning Board adopted, herein by reference, a memorandum dated February 12, 2020 (Stabler to Bishop), which stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, or known archeological sites.
- b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated March 05, 2020 (White to Bishop), which offered an in-depth discussion of the DSP's conformance with the Capitol Heights TDDP that has been incorporated into Finding 7 above. In addition, an analysis was provided relative to the Plan Prince George's 2035 Approved General Plan.
- c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated March 12, 2020 (Barnett to Bishop), which offered analysis of the site design with respect to the vehicular and pedestrian circulation on site and offered a discussion of the relevant transit district development standards which have been incorporated into findings above.

The single residence with a single driveway creates no specific issues that trigger discussion of the general DSP requirements. The site is not within or adjacent to any master plan transportation facilities. It is determined that the DSP is acceptable from the standpoint of multimodal transportation, and meets the findings required for a DSP, as described in the Zoning Ordinance.

- d. **Permits**—The Planning Board adopted, herein by reference, a memorandum dated March 9, 2020 (Jacobs to Bishop), which offered numerous comments that have been addressed through revisions to the plans, or have been included as conditions in this approval.
- e. **Environmental Planning**—The Planning Board adopted, herein by reference, an email dated February 19, 2020 (Juba to Bishop), which offered an analysis of the application and noted the proposed limits of disturbance are less than 5,000 square feet in area and the site is exempt from SWM requirements per SWM Concept Approval Letter (59682-2016-00) and includes a valid Natural Resources Inventory Equivalency Letter (NRI-EL)-213-2016. At the time of structural review for construction of the single-family-detached dwelling, DPIE may request additional information regarding the presence or absence of Christiana complexes on-site.
- f. **Prince George's County Fire/EMS Department**—At the time of the writing of this resolution, the Fire/EMS Department did not offer comments on the subject application.
- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this resolution, DPIE did not offer comments on the subject application.

- h. **Prince George's County Police Department**— The Planning Board adopted, herein by reference, a memorandum dated February 19, 2020 (Contic to Urban Design), in which the Police Department indicated that they have no comments at this time.
 - i. **Prince George's County Health Department**— The Planning Board adopted, herein by reference, a memorandum dated February 13, 2020 (Adepoju to Bishop), in which the Health Department provided a health impact assessment of the subject DSP and offered numerous comments, which have been included as conditions in this approval as appropriate.
 - j. **Washington Suburban Sanitary Commission (WSSC)**— At the time of the writing of this resolution, WSSC did not offer comments on the subject application.
 - k. **Town of Capitol Heights**— At the time of the writing of this resolution, the Town of Capitol Heights did not offer comments on the subject application.
13. As required by Section 27-285(b)(4), for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, as this property does not contain any regulated environmental features.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and:

- A. APPROVED the alternative transit district development 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 a maximum of 37 feet.
 - 2. Urban Neighborhood—Single-Family Detached Character Area, Lot Coverage: To allow a minimum of 25.5 percent lot coverage.
 - 3. Urban Neighborhood—Single-Family Detached Character Area, Parking garages, carports and pads: To allow two, four-wheeled vehicles to be parked closer to the street than the front façade of the residence in a stacked configuration.
- B. APPROVED Detailed Site Plan DSP-18030 for Maryland Park, Lot 110, subject to the following conditions:
 - 1. Prior to certification of the detailed site plan, the following revisions shall be made to the plans:

- a. Add general notes to indicate that during the construction phases of this project:
 - (1) Noise should not be allowed to adversely impact activities on the adjacent properties. The development will conform to the construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
 - (2) No dust should be allowed to cross over property lines and impact adjacent properties. The development will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- b. Provide a dimension for the side and rear setbacks of the building.
- c. Provide dimensions on the driveway showing it to be a minimum of 9.5 feet wide and 38 feet long, outside of the public right-of-way.
- d. Provide a minimum of two architectural features on the right-side elevation.
- e. Provide a photometric plan demonstrating that appropriate lighting levels are being proposed site and that no light spill-over is proposed onto adjacent properties, to be reviewed by the Urban Design Section as the designee of the Prince George's County Planning Board.
- f. Clearly indicate the locations of and provide details and specifications for all proposed light fixtures.
- g. Provide a valid, approved Standard Letter of Exemption.
- h. Revise the detailed site plan to correctly identify and demonstrate all of the approved alternate transit development district standards.
- i. Revise the architectural elevations to clearly identify the building options and finishes proposed with this detailed site plan and reflect these improvements on a revised housing template.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

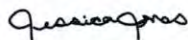
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PGCPB No. 2020-55
File No. DSP-18030
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey temporarily absent at its regular meeting held on Thursday, April 9, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of April 2020.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: April 14, 2020