



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 Alternative Compliance Brighton Hills Condominiums

**DSP-94052-03**  
**AC-95023-01**

REQUEST	STAFF RECOMMENDATION
<p><b>DSP:</b> Development of 24 multifamily dwellings units.</p> <p><b>AC:</b> Alternative compliance from Section 4.7 of the 2010 <i>Prince George's County Landscape Manual</i>.</p>	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none"> <li>•Approval of Detailed Site Plan DSP-94052-03</li> <li>•Approval of Alternative Compliance AC-95023-01</li> <li>•Approval of Type II Tree Conservation Plan TCPII-112-94-02</li> </ul>

<b>Location:</b> 2,800 feet east of the intersection of Livingston Road and MD 210.	
Gross Acreage:	1.99
Zone:	RMF-12
Prior Zone:	R-30C
Reviewed per prior Zoning Ordinance:	Section 27-1903(c)
Dwelling Units:	24
Gross Floor Area:	N/A
Planning Area:	76A
Council District:	08
Municipality:	N/A
<b>Applicant/Address:</b> La Lomita, LLC 8451 Hilltop Road, Suite D Fairfax, VA 22031	
<b>Staff Reviewer:</b> Andrew Bishop <b>Phone Number:</b> 301-952-4897 <b>Email:</b> <a href="mailto:Andrew.Bishop@ppd.mncppc.org">Andrew.Bishop@ppd.mncppc.org</a>	



Planning Board Date:	10/27/2022
Planning Board Action Limit:	11/03/2022
Staff Report Date:	10/12/2022
Date Accepted:	06/08/2022
Informational Mailing:	03/13/2020
Acceptance Mailing:	05/26/2022
Sign Posting Deadline:	09/27/2022

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/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

## Table of Contents

EVALUATION.....	3
FINDINGS.....	3
1. Request .....	3
2. Development Data Summary .....	4
3. Location .....	4
4. Surrounding Uses .....	4
5. Previous Approvals.....	4
6. Design Features .....	5
COMPLIANCE WITH EVALUATION CRITERIA .....	8
7. Prince George’s County Zoning Ordinance.....	8
8. Preliminary Plan of Subdivision 4-94109 .....	8
9. Detailed Site Plan DSP-94052 and its amendments.....	9
10. 2010 Prince George’s County Landscape Manual .....	9
11. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance.....	11
12. Prince George’s County Tree Canopy Coverage Ordinance.....	12
13. Referral Comments .....	12
RECOMMENDATION .....	15

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-94052-03  
Alternative Compliance AC-95023-01  
Brighton Hills Condominiums

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

**EVALUATION**

The property is within the Residential, Multifamily-12 (RMF-12) Zone. However, this application is being reviewed and evaluated under its previous zoning, Multifamily Low Density Residential Condominium (R-30C), pursuant to Section 27-1903(c) of the Zoning Ordinance, which allows certain development proposals to be reviewed under the prior Prince George's County Zoning Ordinance. Therefore, the amendment to a detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Multifamily Low Density Residential Condominium (R-30C) Zone of the prior Prince George's County Zoning Ordinance;
- b. The conditions of Preliminary Plan of Subdivision 4-94019;
- 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 and Tree Canopy Coverage Ordinance; and
- e. Referral comments.

**FINDINGS**

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

1. **Request:** This detailed site plan (DSP) is for development of 24 multifamily dwelling units in a four-story building on Parcel 10. There was a previous approval for the subject site (DSP-94052-02), but it has expired. This application is similar to the approved DSP, but

minor modifications are proposed, including the cul-de-sac at the terminus of Marcy Avenue and technical adjustments for building placement and parking.

**2. Development Data Summary**

	<b>PREVIOUSLY APPROVED</b>	<b>PROPOSED</b>
Zone(s)	R-30C	R-30C
Use	Multifamily dwelling units	Multifamily dwelling units
Total Gross Acreage	1.99	1.99
Floodplain	0.002	0.002
Right-of-way Dedication	0.00	0.07
Total Net Acreage	1.97	1.92
Parcels	1	1
Multifamily Dwelling Units	24	24

Note: \*The DSP application does not include the gross floor area of the proposed multifamily building and this information should be shown. Therefore, a condition is included herein, requiring the application be revised to provide this information.

**Parking Requirements**

	<b>PROVIDED</b>
<b>Total Parking Provided</b>	<b>59</b>
Proposed surface spaces	37
Parking garage Spaces	22
Standard (9 x 18 feet) – 90-degree parking spaces	36
Compact (8.5 x 18 feet)- 90-degree compact parking spaces	20
Handicap Van-accessible (3 required)	3

**3. Location:** The property is located at 1160 Marcy Avenue in Oxon Hill, which is at the terminus of Marcy Avenue, approximately 2,800 feet east of its intersection with Livingston Road, in Planning Area 76A and Council District 8.

**4. Surrounding Uses:** The property to the north is zoned RMF-20 and is developed with multifamily apartment units; to the south is the public right of way of Marcy Avenue, and beyond that is property zoned Residential, Single-Family-Attached (RSF-A) and developed with townhouses. There is vacant property to the east zoned Residential, Single-Family-95 (RSF-95), and to the west there is undeveloped land in the Residential, Multifamily-12 (RMF-12) Zone, which is proposed to be the future location of the Oxon Hill Volunteer Fire Department. Access to the development is provided by the 60-foot right-of-way of Marcy Avenue.

**5. Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 4-94019 (PGCPB Resolution No. 94-218), which was approved by the Prince George’s County Planning Board on June 23, 1994, for 21 multifamily residential dwellings, subject to four conditions.

Multiple DSP amendments have been approved by the Planning Board for this property. DSP-94052 (PGCPB Resolution No. 95-79) was approved by the Planning Board on April 6, 1995, for the construction of 21 multifamily dwelling units, subject to two conditions. Final Plat of Subdivision 5-95205 was subsequently approved and recorded in Plat Book VJ 173 plat number 99.

DSP-94052-01 (PGCPB Resolution No. 96-309) was approved by the Planning Board on October 24, 1996, for the addition of three units to the multifamily building for a total of 24 dwelling units, subject to two conditions. The increase was approved based upon allowed density in the underlying zone.

DSP-94052-02 (PGCPB Resolution No. 08-3158) was approved by the Planning Board on October 30, 2008, for the construction of a multifamily building containing dwelling units, subject to two conditions.

There was no construction of any development pursuant to these prior approvals.

The property has a Stormwater Management (SWM) Concept Plan, 6411-2019-01, which was approved on November 1, 2021 and will expire on October 28, 2022.

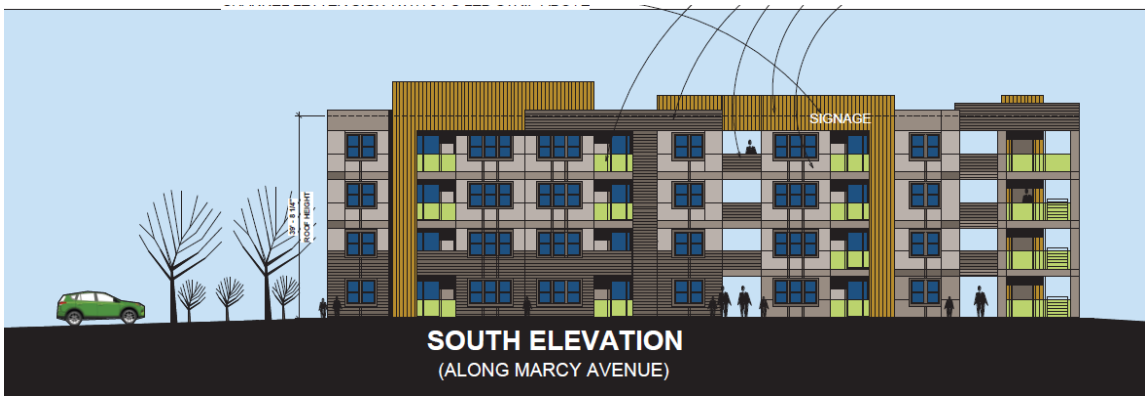
6. **Design Features:** The subject site is approximately 1.99 acres and is accessed from Marcy Avenue on the southwest side of the property. A drive aisle and surface parking are located on the south and east sides of the building and lead to 22 garage parking spaces that are located below the residential building. Staff recommends that a minimum of two electric vehicle charging stations be added to the site for residents of the building and a condition has been included herein.

#### **Architecture**

The four-story multifamily residential building includes open breezeways, stairs, and an elevator to access the units. The building is contemporary with a varied roofline and is approximately 40 feet tall. The building has been designed to incorporate a variety of materials including fiber cement siding, cement panels, metal, and glass. Interest has been incorporated into the façades through the application of different building colors, volumes, and mass. The overall design of the building creates a clean and contemporary design, which will complement the surrounding development. The main entrance to the building faces south towards Marcy Avenue and the parking area. The façades are well articulated using a combination of projecting bays, private patios, and vertical accent panels to provide visual interest.



*Figure 1: North Elevation*



*Figure 2: South Elevation*



*Figure 3: East Elevation*



*Figure 4: West Elevation*

### **Lighting**

A photometric plan was submitted with this application and proposes a combination of building-mounted lights and streetlights to illuminate the site. The photometric plan demonstrates that there is adequate lighting for pedestrians and vehicles within the parking areas and pedestrian walkways on-site, with minimum spillover at property lines. However, details of the building-mounted lighting and the pole have not been provided. Therefore, a condition has been included herein, requiring the applicant to provide details of the building-mounted lights and the pole for the streetlights on-site.

### **Signage**

One building-mounted sign is proposed. The aluminum channel letter sign is illuminated and is approximately 8 inches high by 6 feet long. The submitted elevations show the sign on the southern building elevation, but details to fully evaluate the sign have not been provided. A condition has been included herein, requiring the applicant to provide scaled details of the signs and elevation drawings showing its design.

### **Loading and Trash Facilities**

Loading is not required for the multifamily building, due to the number of units, and trash is located on the east side of the building and is adequately screened by an enclosure. Photographs of the enclosure have been provided, but construction details of this enclosure are still needed. Therefore, a condition has been included herein, requiring the applicant to provide this detail.

### **Green Building Techniques**

Green building techniques are not proposed with this application, but are encouraged through the use of native plantings, installation of green building materials, electric charging stations, and environmental site design stormwater techniques, to mitigate the facility's environmental impact and enhance the property.

### **Recreational Facilities**

At the time of PPS 4-94019, it was determined that the mandatory parkland dedication requirement would be met for the development through a fee-in-lieu. This was satisfied prior to record plat. While no recreational facilities are required for this application, staff recommends that a seating area, gazebo, grilling area, or other amenities be installed on-site.

for the enjoyment of the residents. A condition requiring the additional amenities is included herein.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance and found to be in conformance with the requirements of the R-30C Zone and the site plan design guidelines of the prior Zoning Ordinance.

- a. The subject application is in conformance with the requirements of Section 27-441, Uses Permitted, of the prior Zoning Ordinance, that governs permitted uses in the R30-C Zone. The multifamily residential condominium building proposed is permitted, subject to Footnote 6, which requires recordation of a condominium plat.
- b. The DSP shows a site layout that is consistent with the requirements of Section 27-442 of the prior Zoning Ordinance and meets the specific regulations for development in residential zones relating to setbacks.
- c. This DSP is in conformance with the applicable site design guidelines, as referenced in Section 27-283, and contained in Section 27-274 of the prior Zoning Ordinance. The proposed plan meets all of the site design guidelines by providing vehicular and pedestrian access to the site from the public right-of-way; architecture that is high-quality and employs a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials. The approval of the proposed multifamily building will contribute to an attractive, coordinated development that is designed to be safe, efficient, and convenient for both pedestrians and drivers. Adequate parking, circulation, lighting, and amenities are provided on-site, as conditioned.

8. **Preliminary Plan of Subdivision 4-94109:** PPS 4-94109 was approved by the Planning Board on June 23, 1994 (PGCPB Resolution No. 94-218). This PPS approved one parcel for the development of 21 multifamily dwellings, subject to four conditions. The conditions relevant to the subject application are as follows:

1. **Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/11/94). The following note shall be placed on the Final Plat:**

**“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/11/94), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25.”**

General Note 1 on Record Plat 173-99 provides the note, as required by this condition.



2. **A Type II Tree Conservation Plan shall be approved for this site by the Planning Director or her designee prior to the issuance of any grading permits.**

A Type II tree conservation plan (TCPII) was submitted with this DSP application, in accordance with this condition. Conditions regarding its revision are included in the Recommendation section of this technical staff report.

3. **Approval of a Conceptual Stormwater Management Plan prior to submission of a Final Plat of Subdivision.**

This condition was satisfied prior to submission of Record Plat 173-99. An approved SWM Concept Plan (6411-2019-01) was submitted with the subject application.

4. **With submission of the Final plat of Subdivision, the applicant, his heirs, successors and/or assigns, shall make payment of a fee-in-lieu of park dedication.**

This condition was satisfied prior to submission of Record Plat 173-99. The DSP should include a general note stating that, in accordance with Section 24-135(a) of the prior Prince George's County Subdivision Regulations, mandatory dedication of parkland requirements was met by payment of a fee-in-lieu, at the time of final plat of subdivision.

9. **Detailed Site Plan DSP-94052 and its amendments:** DSP-95042 was approved by the Planning Board on June 15, 2017 (PGCPB Resolution No. 17-79), and was subject to two conditions, with multiple subconditions. Those conditions are related to building permits and will be enforced at that time. The other conditions of approval were required at the time of certification, which was already completed.

10. **2010 Prince George's County Landscape Manual:** The property is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The proposed development is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The required plantings and schedules are provided, in conformance with the Landscape Manual, with the exception of Section 4.3, Parking Lot Requirements and Section 4.7, Buffering Incompatible Uses. These buffers require additional schedules or plantings as outlined below.

The site is adjacent to multifamily dwellings, which is a compatible use on the north, and a perimeter landscape strip is needed where the parking lot is adjacent to the property to meet Section 4.3. This has not been shown and is required to be provided.

In addition, schedules have not been provided for the following boundaries on the property for Section 4.7.

An existing townhouse development and vacant parcel are located along the southern boundary of the site. A Type “A” bufferyard is required, but a schedule has not been provided for this area. Staff notes that the landscape plan should be revised to add labels on the landscape plan showing conformance to this requirement.

The eastern boundary is adjacent to a vacant single-family zone, and the required buffer can be met by existing woodland. This bufferyard can be accommodated by existing woodland both on this site and the adjacent vacant property. It is recommended that 50 percent of this bufferyard be provided on-site, and 50 percent be provided on the adjacent vacant property when it is developed.

The Oxon Hill Volunteer Fire Department, Company 42, located to the west is designated as a high-impact use, in accordance with Section 4.7 of the Landscape Manual. The applicant is seeking relief on this western boundary from the requirements of Section 4.7, Buffering Incompatible Uses, for a reduced landscaped yard and building setback. A Type “D” buffer, with a minimum 40-foot-wide landscaped yard and a minimum 50-foot-wide building setback, is required for high-impact adjoining uses via Alternative Compliance AC-95023-01. However, since the property is located within the Developed Tier, those requirements may be reduced by 50 percent, if a 6-foot-high, sight-tight fence or wall is provided within the bufferyard. The applicant has proposed a 6-foot-high, sight-tight fence along the property line, reducing the minimum required landscaped yard to 20 feet and the minimum building setback to 25 feet.

The applicant is seeking relief from these requirements, as follows:

**Section 4.7 Buffering Incompatible Uses**

**REQUIRED: Section 4.7, Buffering Incompatible Uses, along the western property line adjacent to a high-impact use**

Minimum width of landscape buffer	20 feet*
Minimum building setback	25 feet *
Linear feet of bufferyard	213 feet
Plant units (160 per 100 linear feet)	171*

**Note:** \*The minimum requirement is reduced by proposing a board-on-board fence.

**PROVIDED: 4.7 Buffering Incompatible Uses, multifamily residential adjacent to warehouse use**

Landscaped Yard	13 feet
Building Setback	18 feet
Fence	Yes, 6-foot-high, sight-tight
Plant units	170

The proposed multifamily building and parking are situated on the western portion of the property. The applicant indicates that the proposed layout is designed to avoid the woodland conservation area, specimen trees, and steep slopes on the eastern portion of the site, and states that moving the building footprint further east to meet the required

20-foot-wide landscaped yard and 25-foot-wide building setback would impact the woodland conservation area on-site established by TCPII-11-94.

The applicant also indicates that the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* (Eastover/Forest Heights/Glassmanor Sector Plan and SMA) states that the abutting fire station will be relocated and replaced with multifamily housing, which would eliminate the need for an incompatible use bufferyard in the future. However, at the time of the writing of this memorandum, staff does not have correspondence from the Prince George's County Fire/EMS Department indicating if or when that will take place.

Where alternative compliance is being requested for the width of the landscaped yard and building setback, a mixture of shade trees, ornamentals trees, and shrubs provide a buffer between the abutting property and the multifamily development. The planting materials proposed are native species or are part of the approved lists in the Landscape Manual, thus ensuring quality, durability, and hardiness. The applicant has provided the required amount of planting units, with a total of 170 along the western property boundary. However, the selection of trees does not provide a year-round buffer from the fire station, since no evergreens are proposed to be provided. The applicant has also provided an additional nine planting units to bolster the bufferyard. However, these are provided along the northern property boundary, which abuts a multifamily use and will not contribute to buffering the multifamily development from the fire station to the west.

The Alternative Compliance Committee is aware of the space constraints created by the woodland conservation area and specimen trees on-site and is appreciative of the attempt to preserve those environmental features, as well as provide additional plantings along the northern boundary of the site. However, staff finds that the applicant's proposal does not meet the standard of "equally effective as normal compliance" and recommends that the applicant provide additional noise mitigation through the use of architectural and/or structural techniques, as well as evergreen plantings along the western boundary of the property, prior to certification of the DSP. With these additions, the Planning Director believes that the proposed alternative design will be equally effective as normal compliance with Section 4.7 façade(2)(A) of the Landscape Manual.

The Planning Director recommends **APPROVAL** of Alternative Compliance AC-95023-01, for Brighton Hills Condominiums, from the requirements of Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual*, along the western property line, subject to conditions that have been included in this report.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet and is part of a previously approved TCPII. TCPII-112-94-02 was submitted with this application.

The overall site contains a total of 1.90 acres of net tract woodlands, with a woodland conservation threshold of 0.40 acre (20 percent). This site proposes to clear 1.49 acres of woodland, resulting in a woodland conservation requirement of 0.78 acre. Currently, the TCPII proposes to meet the woodland requirement with 0.41 acre of on-site preservation, 0.19 acre of off-site woodland credits, and 0.18-acre of fee-in-lieu. As part of the previous

TCPII-112-94-01 approval, the 0.18 acre of fee-in-lieu was collected, as part of Permit 6999-96.

The TCPII shows the proposed development of a 24-unit condominium building, surface parking, maintenance road, stormwater structures, woodland preservation, and to finish the construction of an adjacent cul-de-sac. The revised DSP and TCPII show a maintenance road following the existing stormdrain line is in an easterly direction. A portion of this stormdrain line was previously constructed as part of the previous approval.

The TCPII requires minor changes to the tree conservation plan approval block and woodland conservation worksheet, and conditions have been included herein.

12. **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 or building permit for more than 5,000 square feet of disturbance. Properties zoned R-30C are required to provide a minimum of 15 percent of the gross tract area to be covered in tree canopy. The subject application appears to provide enough tree canopy area to satisfy the requirement. However, the application does not provide the required TCC schedule, showing the amount of TCC. Therefore, a condition is included herein, requiring the schedule to be provided showing the correct amount of TCC, in conformance with Section 25-128 of the Prince George's County Code.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments and major findings are summarized, and incorporated herein by reference as follows:
  - a. **Historic Preservation and Archeological Review**—In a memorandum dated June 27, 2022 (Stabler and Smith to Bishop), the Historic Preservation Section noted that the property is within the Eastover/Forest Heights/Glassmanor Sector Plan area. The sector plan contains goals and policies generally related to historic preservation. However, these are not specific to the subject site nor applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. It was determined that the proposed development will have little or no impact on the historic site and will not affect any known archeological resources.
  - b. **Community Planning**—In a memorandum dated August 11, 2022 (Tariq to Butler), the Community Planning Division noted that, pursuant to Section 27-548.26(b)(2)(A) and (b)(5) of the prior Zoning Ordinance, the proposed construction conforms with the recommended land use, as stated in the Eastover/Forest Heights/Glassmanor Sector Plan and SMA.
  - c. **Transportation Planning**—In a memorandum dated September 9, 2022 (Patrick to Bishop), the Transportation Planning Section offered an analysis of the prior approval, which is included in the findings above, and noted that the subject application proposes a single access point to the site via the Marcy Avenue extension at the site's terminus. Surface parking is provided to the east and south of the proposed building. Sidewalks are provided along the building, adjacent to the proposed surface parking lots. The internal vehicle circulation and sidewalk

connections allow for adequate pedestrian and vehicular movements on-site. From the standpoint of transportation, and in consideration of the findings contained herein, it is determined that this plan is acceptable, as conditioned.

- d. **Subdivision**—In a memorandum dated July 25, 2022 (Gupta to Bishop), the Subdivision Section provided an analysis of the subject DSP’s conformance with the prior approvals, as included in Finding 8 above. It was determined that the DSP does not propose a substantial revision to the use or number of the units previously approved on the site. Technical revisions to the site plan and general notes are recommended and have been conditioned herein.
- e. **Prince George’s County Department of Parks and Recreation (DPR)**—At the time of the writing of this technical staff report, DPR did not provide comments on the subject application.
- f. **Environmental**—In a memorandum dated September 26, 2022 (Schneider to Bishop), the Environmental Planning Section offered the following:

**Natural Resources Inventory/Existing Conditions**

The site has an approved natural resources inventory (NRI-087-2019) equivalence letter, approved on July 15, 2019, that was provided with this application. The previously approved development plan and tree conservation plans for the application area show no regulated environmental features. A revised floodplain study was requested by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). There is a stream located on the adjacent property. The previous plans showed no on-site floodplain, but this newly approved floodplain delineation locates a small floodplain area between the existing stormdrain line and the property line. The TCPII shows all the required information correctly, in conformance with the previously approved plans and the floodplain study.

**Specimen Trees**

Section 25-122(b)(1)(G) of the County Code requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

The site contains three specimen trees (36-inch DBH Shagbark Hickory, 30-inch DBH Tulip Polar, and 35-inch DBH Tulip Polar) in good condition, and are all proposed to be retained within the on-site preservation area.

**Soils**

The soils found to occur on this site, according to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, are Beltsville-Urban land complexes, Sassafras and Croom soil, and Zekiah and Issue soils. Marlboro clays or Christiana complexes are not identified on or in the vicinity of this property.

This application proposes tall retaining walls just north and east of the proposed parking lot. At the time of fine grading and retaining wall permit applications, a submission of the retaining wall design including the wall plan, drawing, structural calculations, and a global stability analysis shall be reviewed and approved by DPIE. The retaining wall design shall be performed in conformance with the Prince George's County requirements, Techno-Gram 002-2021.

### **Stormwater Management**

The site has an approved SWM Concept Plan (6411-2019-01) that was submitted with the subject application. 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 application proposes permeable pavement and three micro-bioretenment facilities with an underdrain. A SWM fee-in-lieu of on-site attenuation/quality control measures is not required. No further action regarding SWM is required with this DSP review.

The on-site development was previously started and stopped. As part of this construction, a portion of the on-site stormdrain and outfall structure were installed. The outfall structure was located off-site between the property line and adjacent stream. This existing stormdrain and outfall system are private and must be maintained. As part of this application, DPIE has approved an on-site maintenance road, off the proposed parking area and along the proposed on-site woodland preservation area to the existing stormdrain pipeline. This maintenance road ends at the stormdrain outfall and to the last existing utility access hole adjacent to the property line. No floodplain area will be impacted due to this new road impact.

- g. **Permit Review**—In a memorandum dated August 19, 2022 (Chaney to Bishop), incorporated herein by reference, the Permit Review Section offered comments that have been addressed by revisions to the plans, or have been included as conditions of approval in the Recommendation section of this technical staff report, as appropriate.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this technical staff report, DPIE had not offered comments on the subject application.
- i. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department had not offered comments on the subject application.
- j. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department had not offered comments on the subject application.
- k. **Prince George's County Health Department**—In a memorandum dated June 8, 2022 (Adepoju to Butler), incorporated herein by reference, the Health Department provided health-related recommendations on the property. These comments have been provided to the applicant and are included as conditions of

approval in the Recommendation section of this technical staff report, as appropriate.

- l. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, comments regarding the subject project have not been received from SHA.
  - m. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this technical staff report, WSSC had not offered comments on the subject application.
- 16.** Based on the foregoing analysis and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
- 17.** In accordance with Section 27-285(b)(4) of the prior Zoning Ordinance, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the TCPII. Existing stormdrain line impacts were approved under DSP-94052.

## **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-94052-03, Alternative Compliance AC-95023-01, and Type II Tree Conservation Plan TCPII-112-94-02 for Brighton Hills Condominiums, subject to the following conditions:

- 1. Prior to certificate approval of the detailed site plan, the applicant shall:

  - a. Label the property boundary bearings and distances, in accordance with the record plat.
  - b. Revise the “Development Program and Notes” to provide the correct recording reference for Parcel A.
  - c. Add a general note referencing Preliminary Plan of Subdivision 4-94019 as a prior applicable approval.
  - d. Add a general note stating that, in accordance with Section 24-135(a) of the prior Prince George’s County Subdivision Regulations, mandatory dedication of parkland requirements was met by payment of a fee-in-lieu, at the time of final plat of subdivision.
  - e. Show the 10-foot-wide public utility easement along Marcy Avenue, in accordance with the record plat.

- f. Provide a tree canopy coverage schedule demonstrating that the requirements of the Prince George's County Tree Canopy Coverage Ordinance are met in conformance with Section 25-128 of the Prince George's County Code.
- g. Add the following general note:
  - “During the construction phase, the applicant shall adhere to all applicable Prince George's County or State of Maryland regulations and laws regarding particulate matter, pollution, and noise.”
- h. Provide a minimum of two electric vehicle charging stations on-site or in the parking garage for residents.
- i. Provide on-site recreational facilities for the enjoyment of the residents, such as a seating area, gazebo, grilling area, or other similar feature.
- j. Provide details of the trash enclosure and the building mounted sign, in accordance with prior Section 27-618 of the prior Prince George's County Zoning Ordinance.
- k. Provide the total gross floor area of the multifamily building in the general notes.
- l. Provide details of the building-mounted lights and the pole for the site lighting.
- m. Provide four bicycle parking spaces at a location convenient to the entrance to the building. Include bike rack details showing an inverted-U, or a similar style bicycle rack that permit two points of connection to support and secure a bicycle.
- n. Demonstrate the actual setbacks from the building to each property line on the site plan.
- o. Provide a note demonstrating the property meets the density requirements of the Multifamily Low Density Residential-Condominium (R-30C) Zone.
- p. Correct the compact space dimension in the parking requirement notes to match the dimensions shown on the compact space template so they are consistent.
- q. Revise Record Plat 173-26 referenced on the site plan under Parcel A, Brighton Hill, and correct the plat reference in the notes section.
- r. Revise the landscape plan to provide the additional plantings and schedules for Sections 4.3 and 4.7, in conformance with the 2010 Prince George's County Landscape Manual.
- s. Revise the landscape plan and schedule to include an additional minimum of five evergreen trees along the western property line.
- t. Provide details of interior noise mitigation through the use of architectural and/or structural techniques along the western building facade.



2. Revise the Type II tree conservation plan (TCPII) as follows:
  - a. Add to the approval block on the "001B" approval line: "J Stasz, 10/1/2020, DSP-94052-02."
  - b. Update the TCPII to show the floodplain on the property.
  - c. Revise the woodland conservation worksheet to show the subject TCPII as the "02" revision.
  - d. Revise the Environmental Planning Section approval block to have an "02" approval signature line.

# BREIGHTON HILLS CONDOMINIUMS

Detailed Site Plan

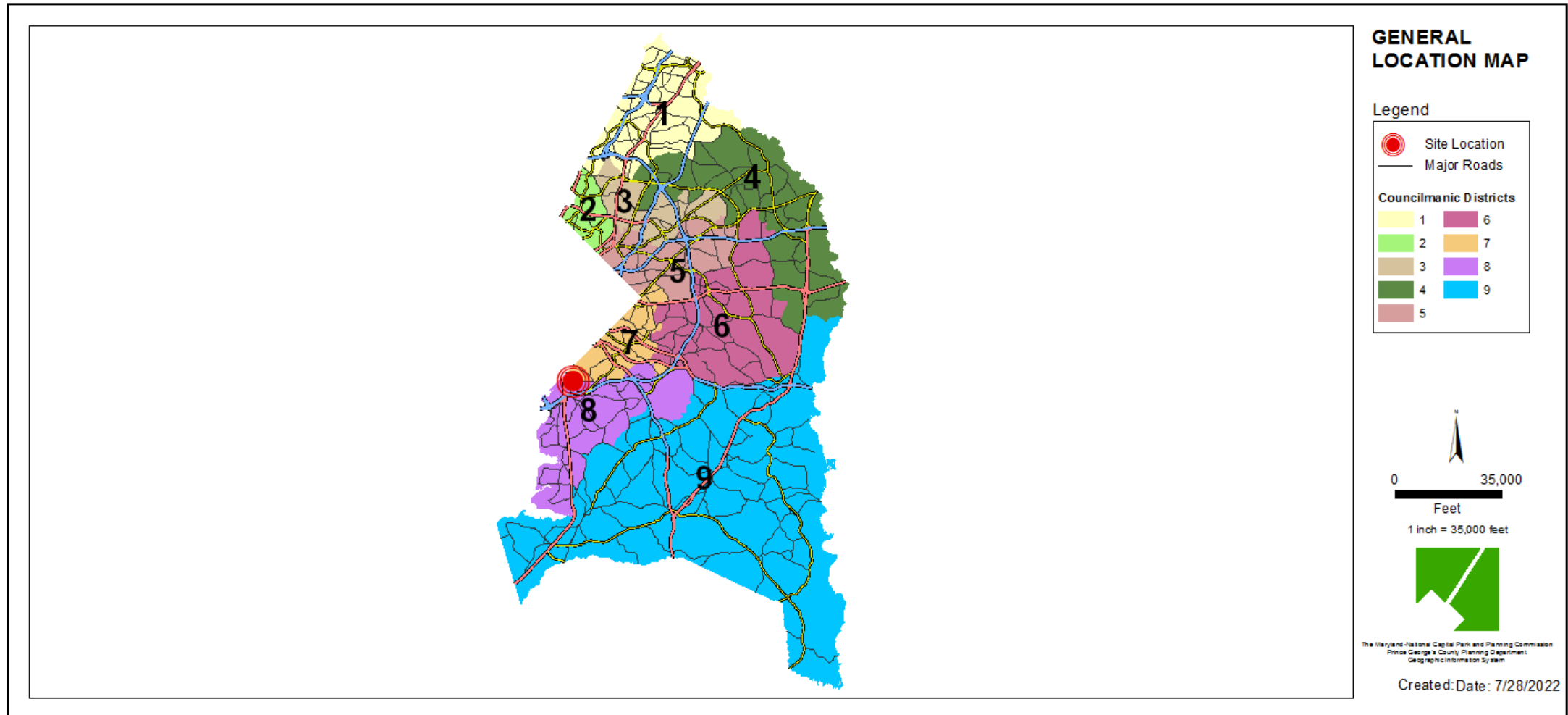
Alternative Compliance AC-95023-01

**Staff Recommendation: APPROVAL** with conditions

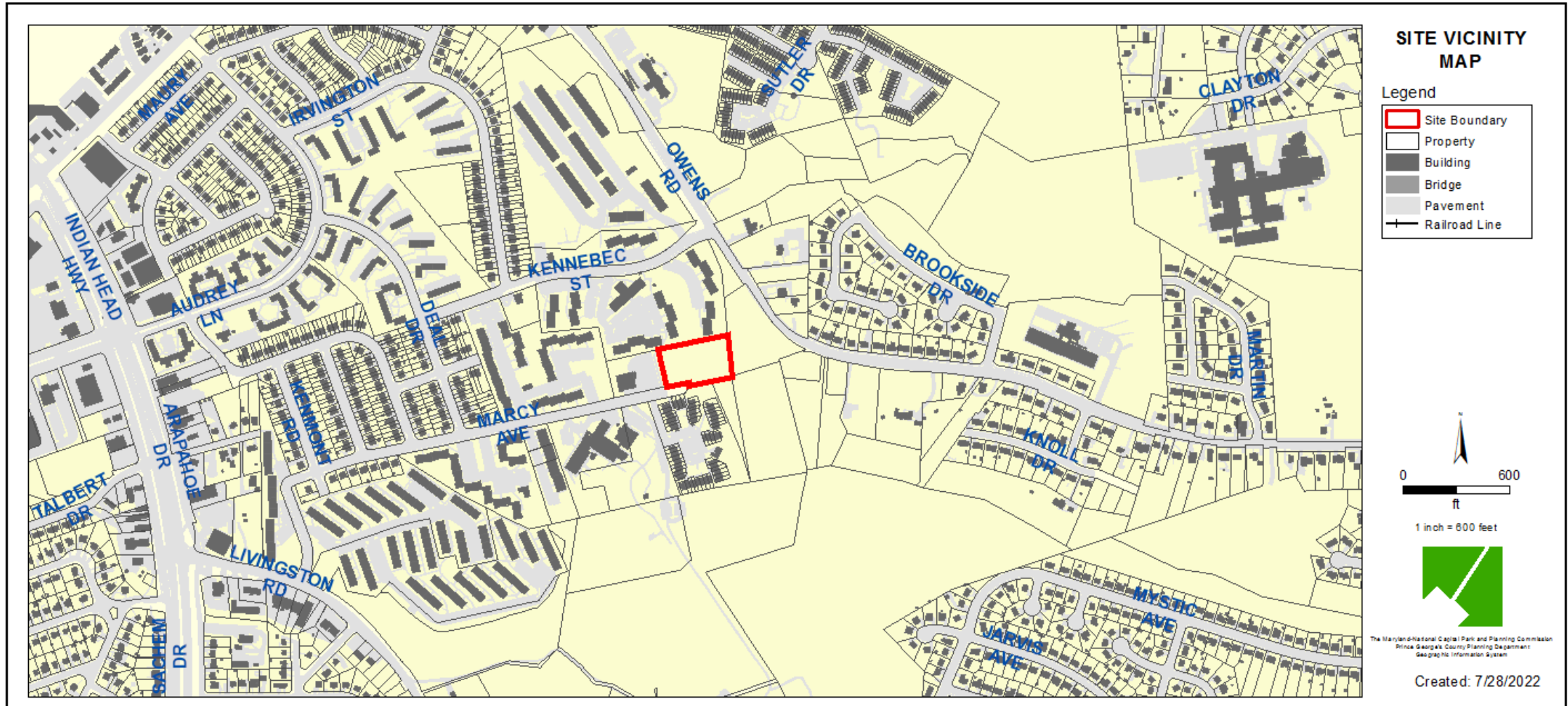


# GENERAL LOCATION MAP

Council District: 8  
Planning Area: 76A



# SITE VICINITY MAP



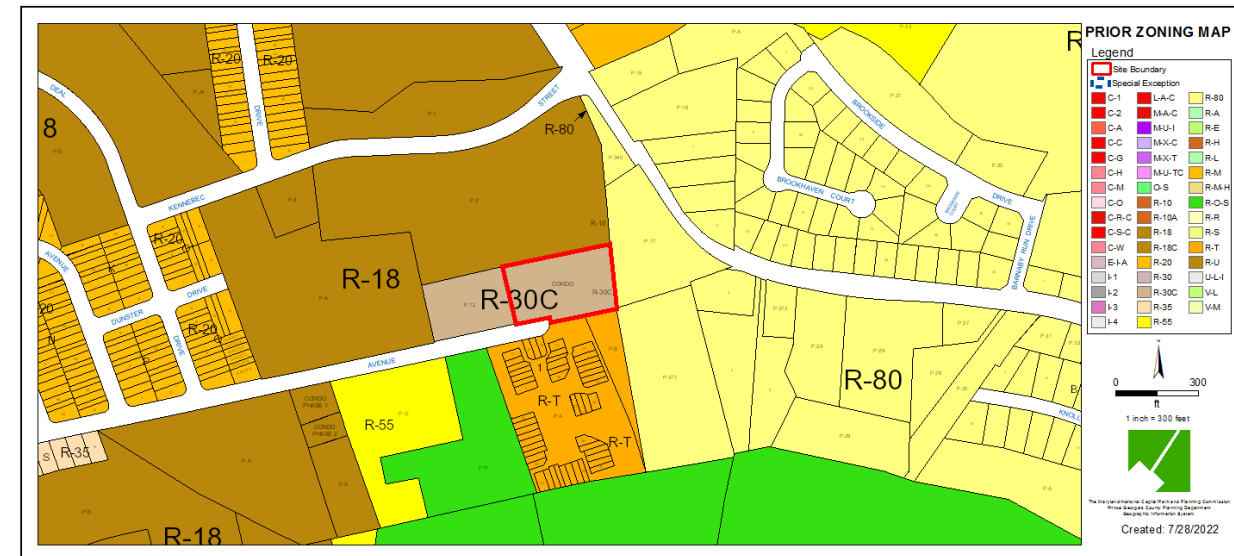
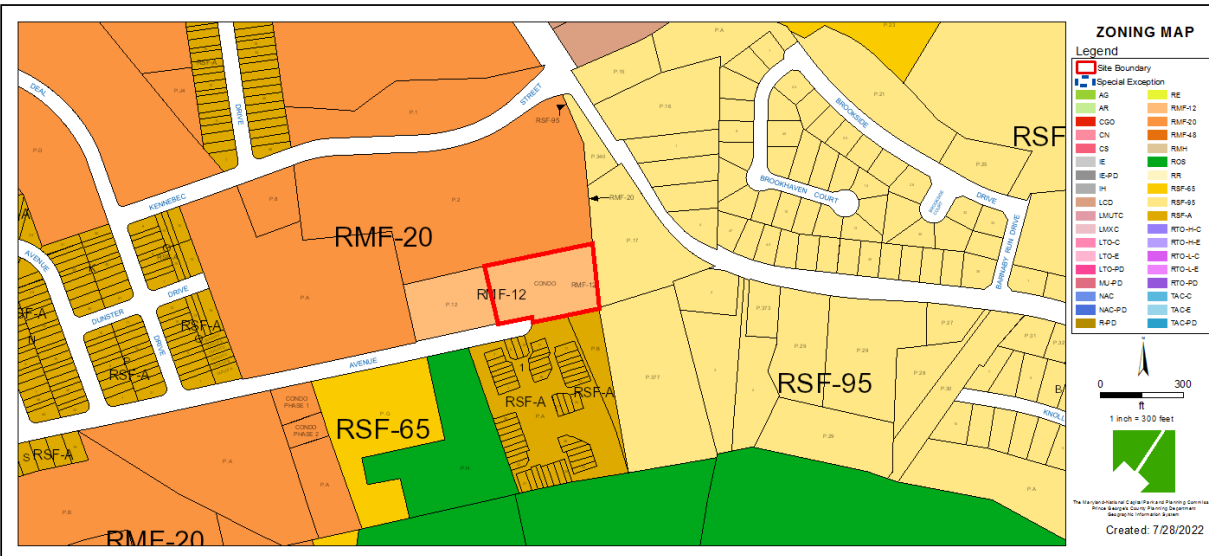
# ZONING MAP (NEW & PRIOR)

Property Zone: RMF-12

Prior: R-30C

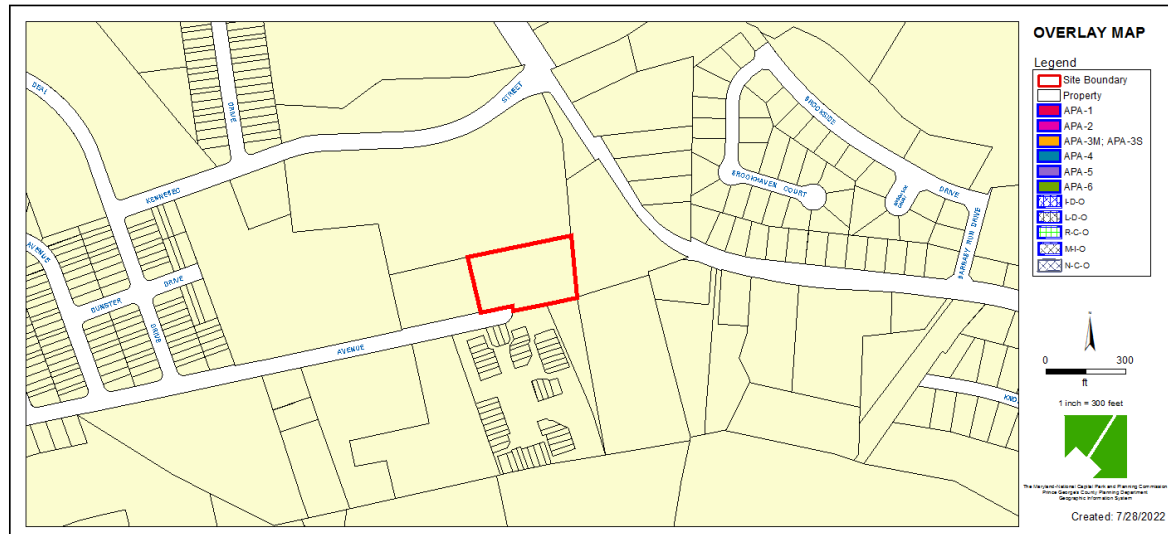
NEW ZONING MAP

PRIOR ZONING MAP

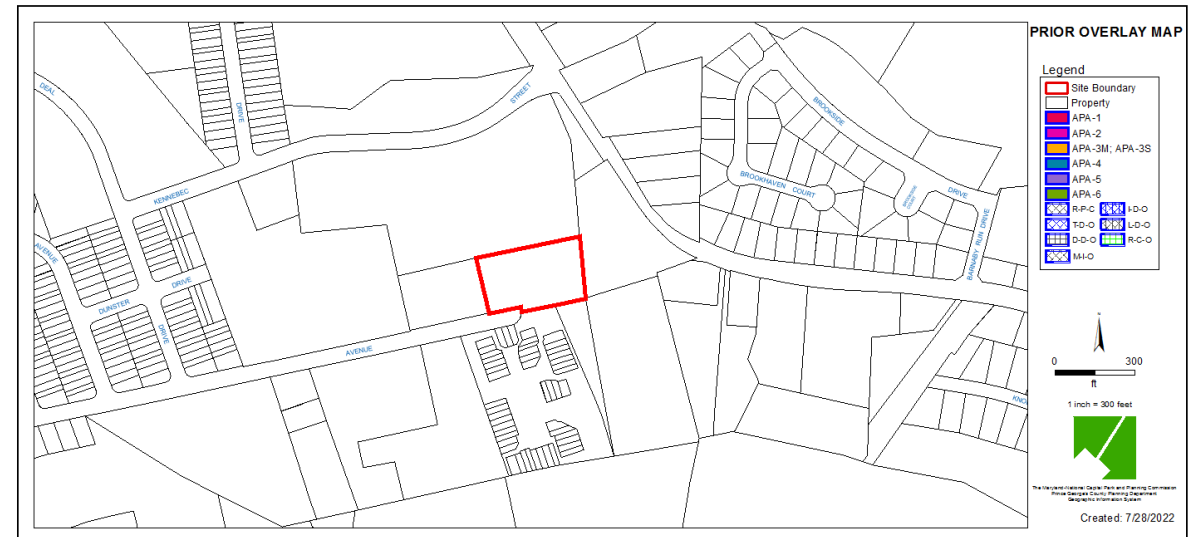


# OVERLAY MAP (NEW & PRIOR)

NEW ZONING MAP



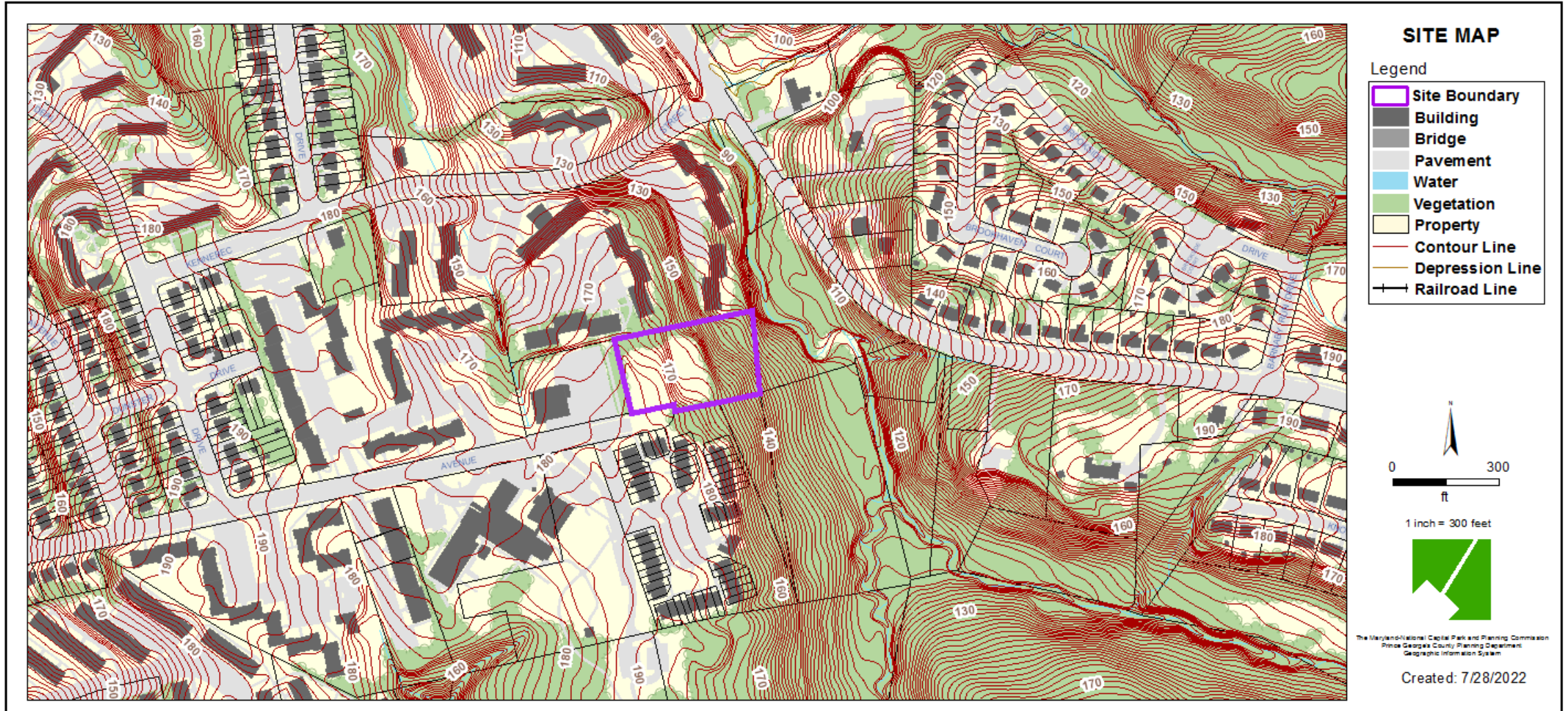
PRIOR ZONING MAP



# AERIAL MAP

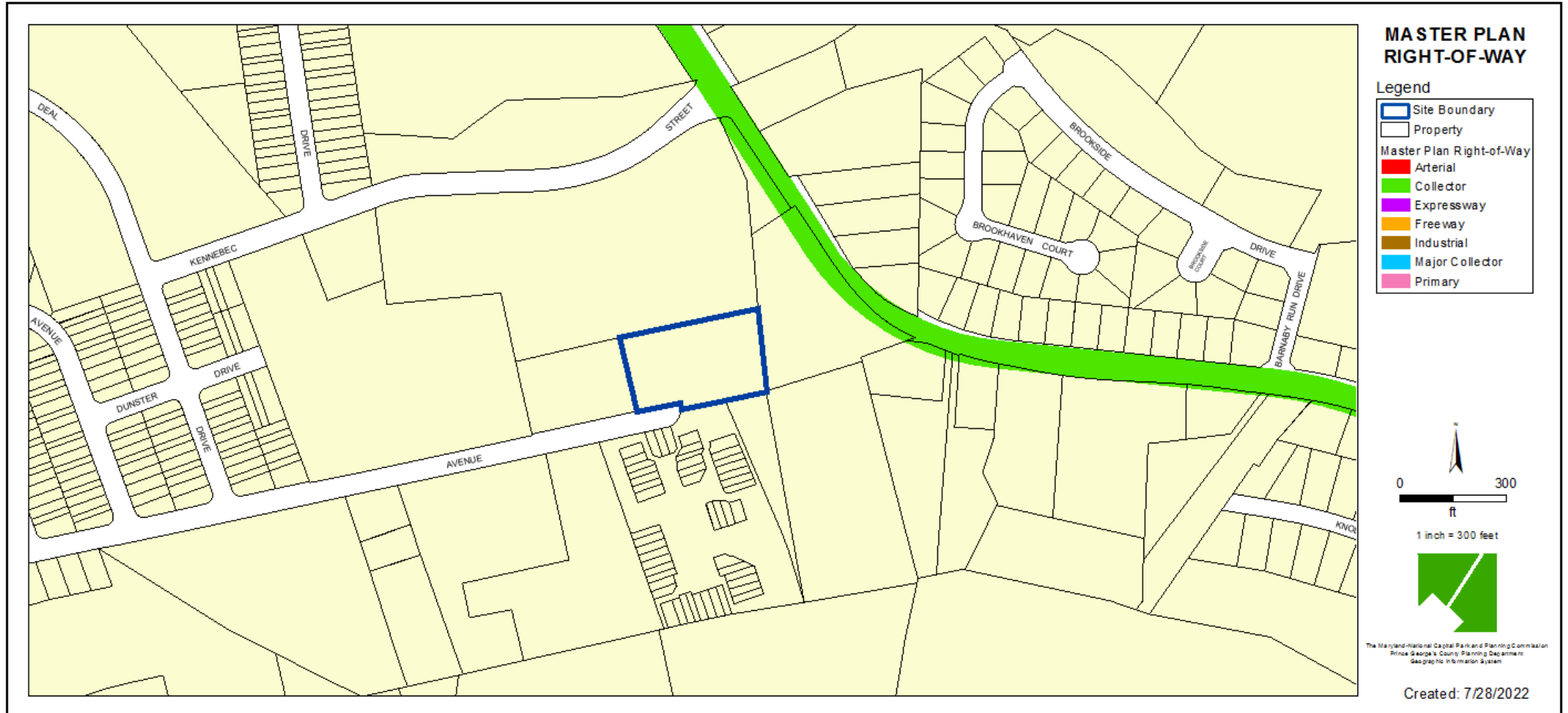


# SITE MAP





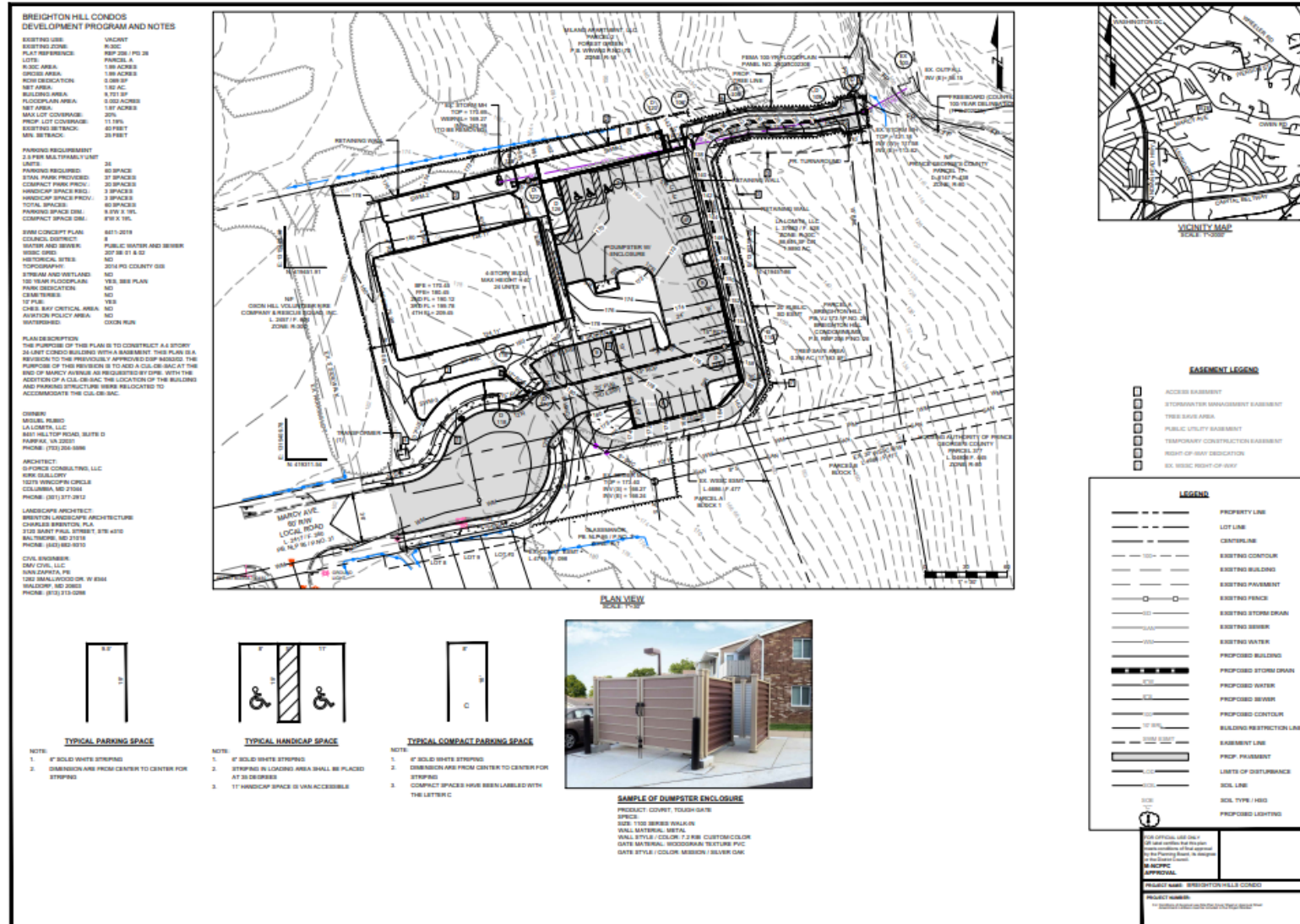
# MASTER PLAN RIGHT-OF-WAY MAP



# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



# DETAILED SITE PLAN



# LANDSCAPE PLAN

**BRIGHTON HILL CONDOS DEVELOPMENT PROGRAM AND NOTES**

IRREGULAR LOTS: 16 LOTS  
 PER 2011 PZC #2  
 PARCELS: 16 PARCELS  
 BLDG AREA: 1.89 ACRES  
 FLOODPLAIN AREA: 0.25 ACRES  
 BUILDING AREA: 1.89 ACRES  
 FLOODPLAIN AREA: 0.25 ACRES  
 NET AREA: 1.89 ACRES  
 MAX LOT COVERAGE: 15%  
 FUTURE LOT COVERAGE: 15%  
 MIN. SETBACK: 25 FEET

**PROPOSED UTILITIES**

WATER: 24" DIAMETER  
 SEWER: 24" DIAMETER  
 GAS: 24" DIAMETER  
 CABLE: 24" DIAMETER  
 FIBER OPTIC: 24" DIAMETER  
 POWER: 24" DIAMETER  
 RAIN WATER: 24" DIAMETER  
 SANITARY: 24" DIAMETER  
 TELEPHONE: 24" DIAMETER  
 CABLE TV: 24" DIAMETER  
 FIBER OPTIC: 24" DIAMETER

**GREEN AREA COMPUTATION**

GROSS SITE AREA: 1.99 ACRES  
 FLOODPLAIN AREA: 0.25 ACRES  
 RW DEDICATION: 0.07 ACRES  
 NET SITE AREA: 1.30 ACRES  
 BUILDING FOOTPRINT AREA: 0.25 ACRES  
 EXTERIOR PARKING AREA: 0.25 ACRES  
 REMAINING GREEN AREA: 1.40 AC. = 60,964 SF  
 SHADE TREES REQUIRED: 61

**TREE CANOPY COVERAGE COMPUTATION**

GROSS SITE AREA: 1.99 ACRES  
 ZONE R30  
 15% CANOPY COVERAGE REQUIRED=0.30 AC.  
 WOODLAND CONSERVATION AREA PROVIDED= 0.52 AC.  
 TREE CANOPY COVERAGE HAS BEEN MET USING WOODLAND CONSERVATION.

**Legend**

SYMBOL	DESCRIPTION
	Light post (See Lighting Plan)
	Overhead wire
	Shade tree with Official Plant Code
	Interior Area of Parking lot

**Landscape Notes**

- Plants and plant material shall meet the detailed description as given on the plans and as described herein.
- All plant material, unless otherwise specified, shall be nursery grown, of good average, uniformly inspected and have a vigorous root system. They shall be healthy, vigorous plants free from defects, decay, dieback, roots around trunks, diseases of the bark, plant disease, heavy pest infestation, and all forms of insect damage or objectionable infestations. Plant materials that are weak or which have been cut back from larger grades to meet certain specified requirements will be rejected. All plants shall be healthy dug or balled or plants from cold storage will be accepted.
- All plant characteristics including, but not limited to, ball diameter, caliper and height measurements, shall be in accordance with the current edition of the "U.S.A." Standard for Nursery Stock", as recommended by the American Assoc. of Nurserymen, Inc.
- All trees shall be symmetrically balanced according to their normal habit of growth. No forker leader stock will be accepted.
- All planting furnished under this contract shall be guaranteed to remain viable and to thrive in a healthy condition for a period of one (1) year. Trees that are not thriving satisfactorily, as determined by the Landscape Architect, within one year period shall be replaced by the Contractor at his sole expense. All plant material shall be planted in accordance with the plans and specifications for the original plantings. Replacement shall include the cost of tearing up and replacing that portion of sidewalk or paving, if any, required for tree replacement, and of the Contractor's sole expense. All replacement plants shall be guaranteed for a minimum period of one (1) year.
- The Contractor shall notify all utility companies three (3) days prior to beginning work.
- Trees outside of the right of way shall be placed a minimum of 4 feet from the sidewalk and 8 feet from driveways.
- Any damage to the existing utilities, buildings, pavements, curbs, walls and vegetation (not so designated for removal on these plans) shall be repaired to previous condition or replaced by the Contractor at his expense.

**Plant List**

SYM	Qty	Scientific Name/ Common Name	Minimum Size	Comments
AC	5	Acer Rubrum 'Bowling' / Columnar Red Maple	2 1/2" cal	B&B
NY	7	Nyssa Sylvatica / Blackgum	2 1/2" cal	B&B
OP	8	Quercus Phellos / Willow Oak	2 1/2" cal	B&B
UL	6	Ulmus Americana 'Valley Forge' / Valley Forge Elm	2 1/2" cal	B&B
AM	7	Amelanchier Canadensis / Serviceberry	8"-10" Ht	#10 Container
CE	7	Cercis Canadensis / Redbud	8"-10" Ht	#10 Container
CH	3	Chionanthus Virginicus / Fringetree	8"-10" Ht	#10 Container
AR	18	Aronia Arbutifolia 'Brilliantissima' / Red Chokeberry	24"-30"	#5 Container
HY	17	Hydrangea Arborescens 'Annabelle' / Smooth Hydrangea	24"-30"	#5 Container
IG	18	Ilex Glabra 'Shamrock' / Inkberry	24"-30"	#5 Container
VB	27	Viburnum Nudum 'Winterthur' / Smooth Viburnum	24"-30"	#5 Container

BEFORE YOU DIG CONTACT MS UTILITY 1-800-257-7777  
 IT'S THE LAW!

**DECIDUOUS TREE PLANTING DETAIL**  
 NOT TO SCALE

**EVERGREEN TREE PLANTING DETAIL**  
 NOT TO SCALE

**ALTERNATIVE COMPLIANCE**

**Brenton landscape architecture**

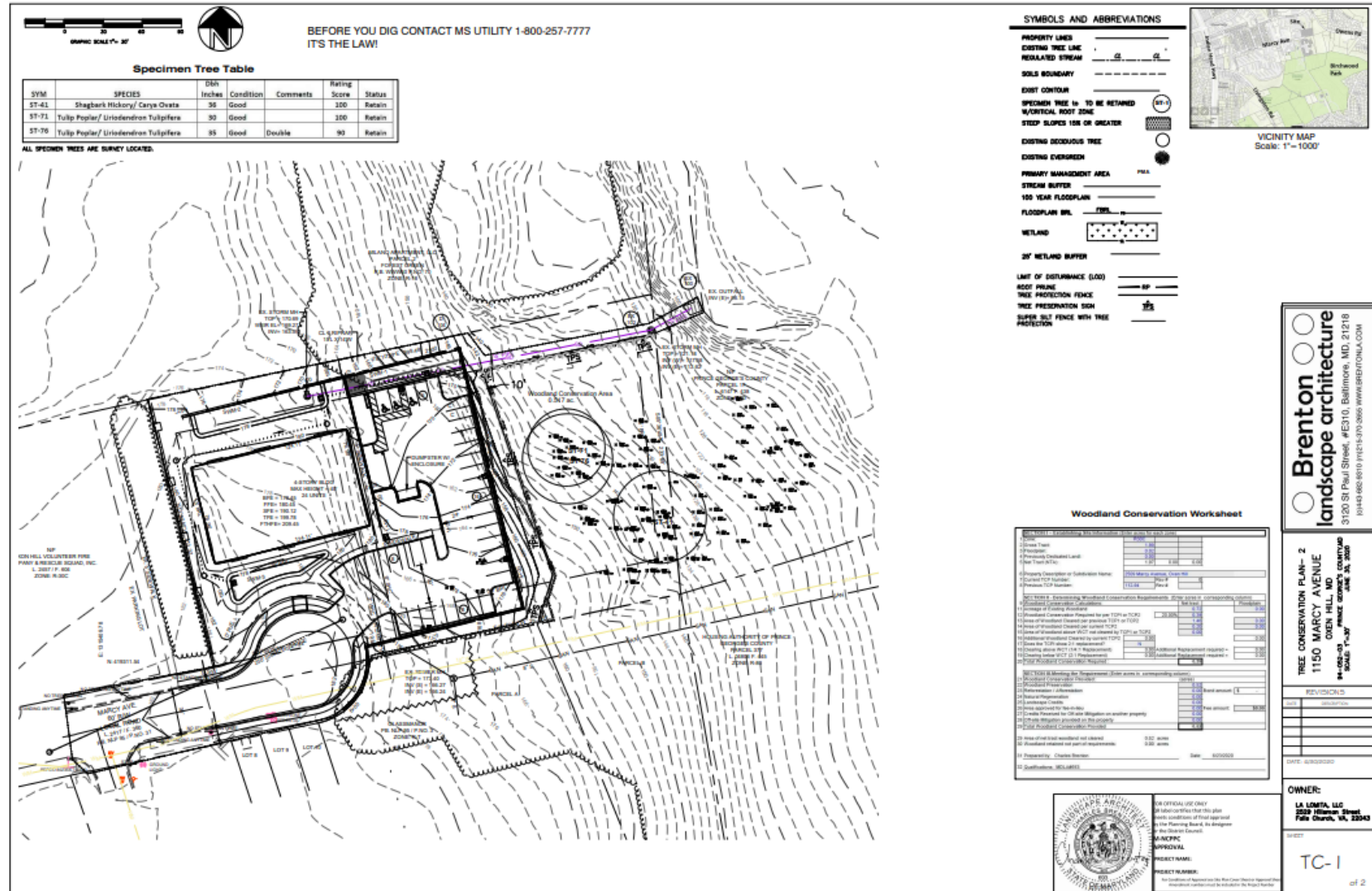
2120 55th Ave NE, Suite 200, Atlanta, GA 30329  
 404.487.8888

**BREIGHTON HILLS CONDO**  
 1160 MARCY AVENUE  
 OXON HILL, MD  
 24-002-03 PRINCE GEORGE'S COUNTY, MD  
 SCALE: 1"=32'  
 DATE: June 30, 2022

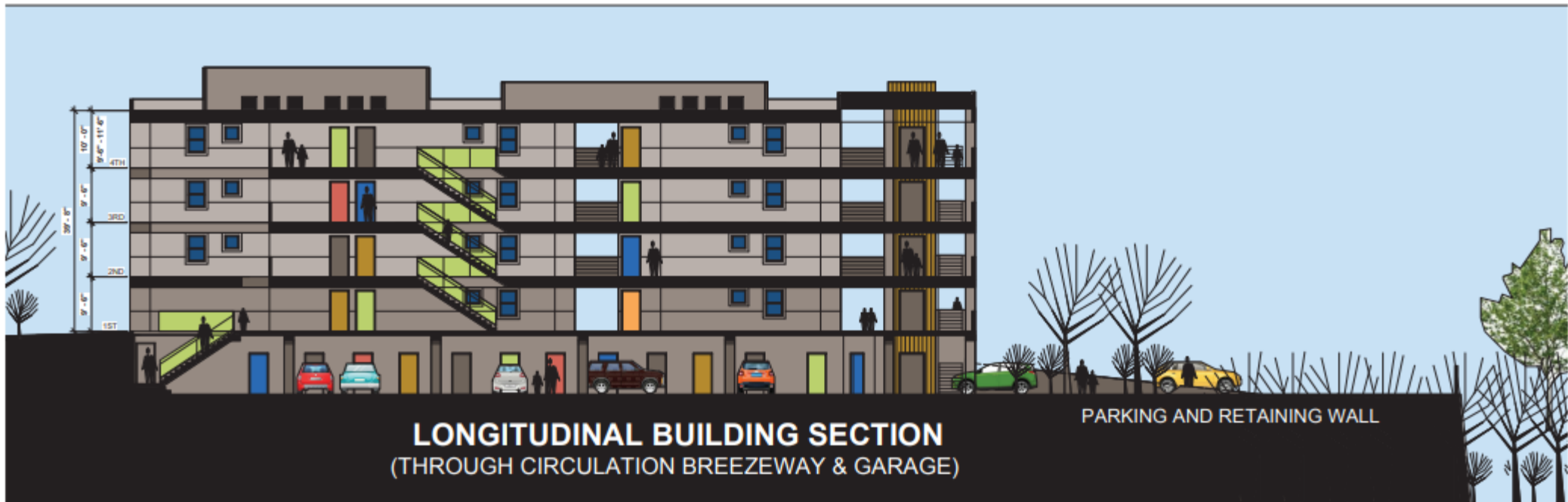
OWNER:  
**LA LUMINA, LLC**  
 2025 Williams Street  
 Falls Church, VA, 22043

Sheet:  
**L-1**  
 of 2

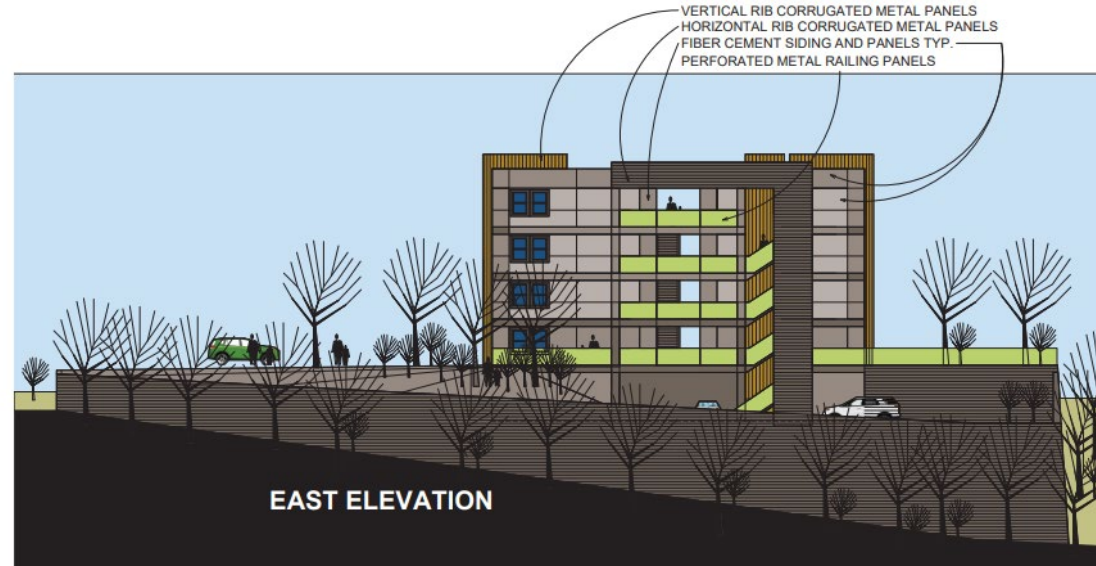
# TYPE II TREE CONSERVATION PLAN



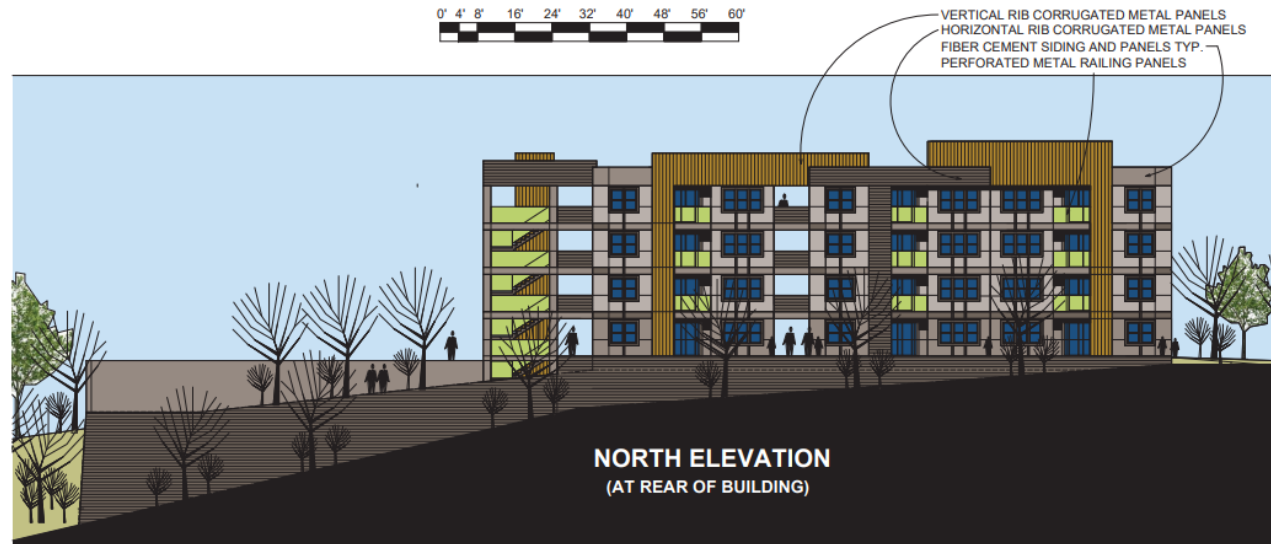
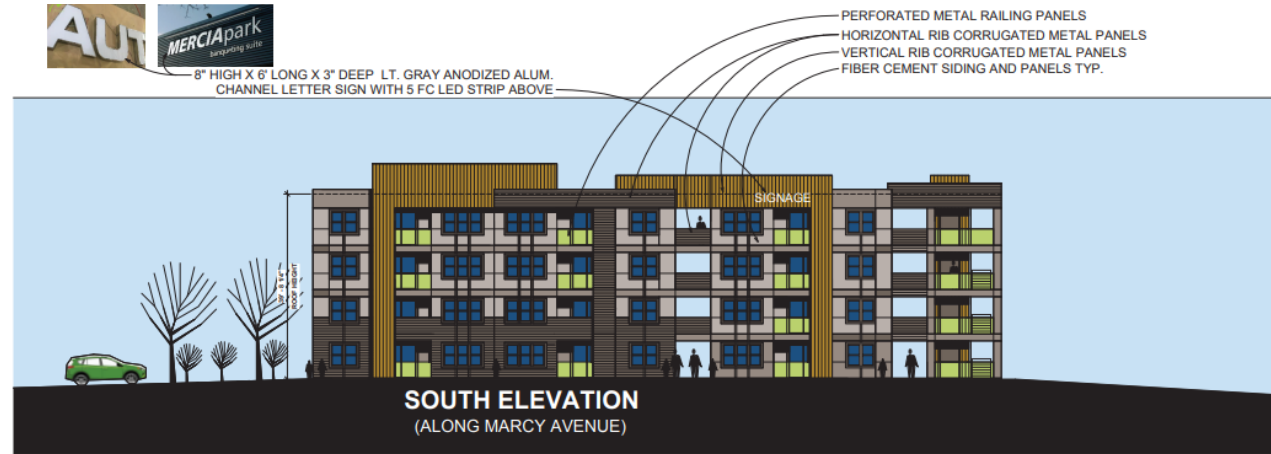
# BUILDING CROSS SECTION



# EXTERIOR ELEVATIONS



# EXTERIOR ELEVATIONS





---

# STAFF RECOMMENDATION

<b>DSP-94052-03</b>	<b>APPROVAL</b> with Conditions
<b>AC-95023-01</b>	<b>APPROVAL</b> with Conditions
<b>TCPII-112-94-02</b>	<b>APPROVAL</b> with Conditions

## Issues:

- None

## Applicant Required Mailings:

- Informational Mailing: 3/13/2020
- Acceptance Mailing: 5/26/2022



PGCPB No. 94-218

File No. 4-94019

**R E S O L U T I O N**

WHEREAS, Majestic Homes, Inc., is the owner of a 2.04-acre parcel of land known as Brighton Hill Condominiums (Parcel 10), said property being in the 12th Election District of Prince George's County, Maryland, and being zoned R-30C; and

WHEREAS, on February 17, 1994, Majestic Homes, Inc., filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-94019, 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 June 23, 1994, for its review and action in accordance with Article 28, Section 7-116, 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 June 23, 1994, 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 the Type I Tree Conservation Plan, and further APPROVED Preliminary Plat of Subdivision 4-94019 with the following conditions:

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/11/94). The following note shall be placed on the Final Plat:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/11/94), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25."

PGCPB No. 94-218  
File No. 4-94019  
Page 2

2. A Type II Tree Conservation Plan shall be approved for this site by the Planning Director or her designee prior to the issuance of any grading permits.
3. Approval of a Conceptual Stormwater Management Plan prior to submission of a Final Plat of Subdivision.
4. With submission of the Final Plat of Subdivision, the applicant, his heirs, successors and/or assigns, shall make payment of a fee-in-lieu of park dedication.

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, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The site is located at the east end of Marcy Avenue, approximately 2,800 feet northeast of its intersection with Livingston Road.
3. The Natural resources Division staff reviewed the submitted Preliminary Plat and offered the following comments. The site is subject to the provisions of the Woodland Conservation Ordinance because the total site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. A Tree Conservation Plan (TCPI/11/94) was reviewed and recommended for approval. A Type II Tree Conservation Plan showing exact limits of disturbance must be approved prior to the issuance of grading permits to ensure compliance with the Woodland Conservation and Tree Preservation Policy.
4. The principal soil is in the Beltsville Group. These are highly erodible soils with low permeability, impeded drainage and perched water tables. The applicant should be advised that a soils study in the vicinity of the foundation may provide valuable information for designing appropriate drainage.
5. There are no significant environmental impacts from wetlands, streams, floodplain or noise associated with the development of this site.
6. The Department of Environmental Resources (DER) determined that on-site stormwater management is not required. A Stormwater Management Concept Plan (CSD #948004700) was submitted to DER and will need to be approved prior to Final Plat approval to ensure that development of the site does not result in on-site or downstream flooding.

7. The site is in Water and Sewer Category 3 and will be served by public systems.
8. Wetland conditions are not present on the site, however, there is a tributary to Oxon Run located just beyond the northeast corner of the property. Development of this site, including stormwater management structures, could indirectly impact the tributary and associated wetlands. Therefore, DER, Environmental Policy Branch, recommended that appropriate sediment control measures be installed and properly maintained along the eastern portion of the project including the proposed clearing for the RCP and Rip Rap channel.
9. The Transportation and Public Facilities Planning Division (T&PFPD) reviewed the proposed subdivision in accordance with Section 24-124(a) of the Subdivision Regulations. The proposed development would generate 11 AM and 13 PM peak hour vehicle trips as determined using *M-NCPPC Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The traffic generated by the proposed Preliminary Plat would impact the intersection of Livingston Road and MD 210. This intersection is not programmed for improvement within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.  
  
The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service (LOS) D as the lowest acceptable operating condition in the transportation system. Currently, there are no traffic studies available in the T&PFPD inventory to provide any assessment of the MD 210 and Livingston Road intersection. Based on the Average Daily Traffic data provided by the State Highway Administration and the Department of Public Works and Transportation staff concluded that the intersection will continue to operate at LOS D or better.
10. The proposed development is within the service area of the District IV, Oxon Hill Police Station. In accordance with Section 24-122.1(c)(A) and (B) of the Subdivision Regulations, staff concluded that the existing County police facilities will be adequate to serve the proposed Brighton Hill Condominiums development.
11. The Fire Department reviewed the subdivision plan for the impact on fire and rescue services and concluded the following:
  - a. Suppression services are provided by the engine at Oxon Hill No. 2 Fire Station, Company 42, located at 350 Marcy Avenue.

In conformance with the *Adopted and Approved Public Safety Master Plan, 1990* and/or the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*, the recommended maximum response time for an engine is 3.25 minutes. Company 42 can provide this service within the *Guidelines* with a 0.38 minute response time to the site.

- b. The recommended maximum response time for ladder service is 4.25 minutes. This service is provided by Oxon Hill Fire Station No. 1, Company 21, located at 7600 Livingston Road. Company 21 provides this service with a 5.82 minute response time to the site.
- c. The recommended maximum response time for ambulance service is 4.25 minutes. This service is provided by Company 42 within the *Guidelines* with a 0.38 minute response time to the site.
- d. The recommended maximum response time for medic unit service to provide advanced life support is 7.25 minutes. The Allentown Fire Station No. 2, Company 47, located at 10900 Fort Washington Road provides this service with a 8.72 minute response time.

The proposed subdivision will be within the adequate coverage area of the nearest existing fire and rescue facility for engine and ambulance service. The proposed subdivision will not be within the adequate coverage area of the nearest existing fire and rescue facility for ladder and medic services and a facility has not been identified with 100 percent of the construction expenditures programmed within the currently adopted six-year County Capital Improvement Program. To alleviate the negative impact on fire and rescue service due to inadequate ladder service, the Fire Department by memorandum dated March 4, 1994, recommended that automatic fire suppression systems be provided throughout all structures. As required by Section 1002.8(7) of the Building Code, multifamily dwellings constructed after June 30, 1988, must be sprinklered.

- 12. In accordance with Section 24-135(a) of the Subdivision Regulations, the Department of Parks and Recreation recommended a fee-in-lieu of dedication due to the location and size of this site.

\* \* \* \* \*

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 McNeill, seconded by Commissioner Brown, with Commissioners McNeill, Brown,

PGCPB No. 94-218  
File No. 4-94019  
Page 5

Boone and Rhoads voting in favor of the motion, and with Commissioner Dabney voting against the motion, at its regular meeting held on Thursday, June 23, 1994, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of July 1994.

LeRoy J. Hedgepeth  
Executive Director

*Frances J. Guertin*  
By Frances J. Guertin  
Planning Board Administrator

LJH:FJG:KR:meg

APPROVED AS TO LEGAL SUFFICIENCY.

*[Signature]*  
M-NCPPC Legal Department

Date 7/8/94

PGCPB No. 95-79

File No. SP-94052

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 March 16, 1995, regarding Detailed Site Plan SP-94502 for Brighton Hill Condominiums, the Planning Board finds:

1. The site is located at the east end of Marcy Avenue, approximately 2,800 feet east of its intersection with Livingston Road. The property to the north is zoned R-18 and is developed with multifamily apartment units. The property to the south is zoned R-T and is developed with townhouses. To the west of the site is the Oxon Hill Volunteer Fire Company and Rescue Facility and to the east is undeveloped land zoned R-80. Access to the development is provided via Marcy Avenue, a 60-foot right-of-way.

2. Proposed Development - The plan proposes 21 condominium units with the following site development data:

Zone	R-30C
Gross/Net Tract Area	2.04 acres
Number of dwelling units permitted	24
Number of dwelling units proposed	21
Maximum building coverage permitted	20%
Maximum building coverage proposed	<i>to be provided</i>
Minimum green area allowed	70%
Green area proposed	<i>to be provided</i>

3. The condominium building is proposed to be three stories tall and of frame construction. The architectural elevations indicate that a combination of brick and vinyl siding will be utilized on the front building facade. Brick is used on the base of the building up to the second floor on all four facades of the building. The front building facade is well articulated utilizing a combination of three-story projecting bays, recessed entrances, private patio areas, cross gables, decorative moldings, brick window sills and window shutters.

4. The proposed Site Plans are in conformance with the approved Preliminary Plat of Subdivision 4-94019 in terms of density and layout. Mandatory dedication is being met by the provision of a fee-in-lieu.
5. A Tree Conservation Plan, TCPII/112/94, has been reviewed by the Natural Resources Division and is recommended for approval.
6. The Department of Public Works and Transportation (DPW&T) and the Transportation and Public Facilities Planning Division (T&PFPD) have reviewed the subject application. In a memo dated March 7, 1994 (see Hijazi to Komes, enclosed) DPW&T states that the requirement for a cul-de-sac at the terminus of Marcy Drive at the development entrance could be eliminated if the existing road is extended a minimum of five feet beyond the point of curvature of the proposed driveway entrance radius. Condition 1c which follows requires that the plans be revised prior to certificate approval to reflect this change.
7. The Information and Permit Review Division notes that there is some required information that has not been provided on the plans. Condition 1d requires that this information be provided prior to certificate approval.
8. The County Electrical Plans Examiner notes that the proposed lighting design does not meet the County requirements for 1.25 lumens/square feet. Prior to certificate approval, the lighting plan shall be revised to meet current County standards.
9. The application is subject to Sections 4.1, Residential Requirements, 4.3, Parking Lot requirements, 4.4, Screening and 4.7, Buffering Incompatible Uses. The submitted plans adequately address the requirements of Section 4.3b, but are deficient in meeting the requirements of Sections 4.1, 4.3a and 4.3c, 4.4 and 4.7. Conditions 2b-2e which follow require that these deficiencies be corrected prior to certificate approval.
10. The applicant applied for Alternative Compliance, AC-95023, for relief from Section 4.7, Buffering Incompatible Uses. The Alternative Compliance Committee heard the request on March 6, 1995. The application is recommended for approval.
11. The provision of Moderately Priced Dwelling Units (MPDUs) is not required because the development proposes less than 50 dwelling units.



12. The Detailed Site Plan, when amended by Conditions 1a, 1d-1f, 2b and 2d, will meet all the requirements of the Zoning Ordinance for development within the R-30C Zone.
13. The Detailed Site Plan when amended by Conditions 1a, 1b, 1d, 1e, 2a, 2c and 2d, will represent a reasonable and workable solution of the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code.

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 APPROVED Alternative Compliance AC-95023 and APPROVED the Type II Tree Conservation Plan and further APPROVED the Detailed Site Plan for the above-described land, subject to the following conditions:


1. Prior to certificate approval the Site Plans shall be revised as follows:
  - a. The Site and Landscape Plans shall be revised to show site lighting which meets current County standards. Cut sheets with specifications for all the lighting fixtures proposed shall be provided on the site plan. Building-mounted entry lighting shall be provided on the front and rear of the building at each entrance. The lighting plan shall be approved by DER.
  - b. The sidewalk system shall be revised to provide continuous barrier-free pedestrian movement throughout the site.
  - c. A cul-de-sac or other turnaround acceptable to DPW&T shall be shown on the Site Plan.
  - d. Calculations for building coverage and green area, in compliance with the minimum standards as established by the Zoning Ordinance, shall be provided. The green area shall be used to calculate the residential planting requirements of Section 4.1 of the *Landscape Manual*.
  - e. The plan shall demonstrate compliance with the Maryland Accessibility Code. Sidewalks shall be designed to accommodate wheelchair passage and handicap parking access shall be demonstrated.
2. Prior to certificate approval, the following revisions shall be made to the Landscape Plans:

- a. Entry signage details shall be provided.
- b. Compliance with Section 4.1 (based on the green area calculations required in Condition 1d) and Section 4.3 of the *Landscape Manual* shall be demonstrated.
- c. Construction details for the dumpster area screening fence shall be provided with the location indicated on the plans. The trash area shall be large enough to accommodate recycling containers.
- d. Foundation planting for the building shall be provided on the Landscape Plans. The planting may be used to satisfy the requirements of Section 4.1 of the *Landscape Manual*.
- e. The plans shall be revised to incorporate any conditions required by AC-95023.
- f. The mechanical units as located on the architectural elevations on the north and south ends of the building, shall be screened in accordance with Section 4.4 of the *Landscape Manual*.

\* \* \* \* \*

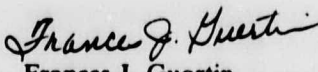
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Boone, seconded by Commissioner McNeill, with Commissioners Boone, McNeill, Brown and Dabney voting in favor of the motion, and with one vacancy on the Planning Board, at its regular meeting held on Thursday, March 16, 1995, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 1995.

  
CARL M. STILLWELL  
M-NCPPC LEGAL DEPT.

DATE: 3-28-95

Trudye Morgan Johnson  
Executive Director

  
By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:LK:lg

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

Date: March 7, 1995

TO: Fern V. Piret, Planning Director  
FROM: Dolly Bandy, Alternative Compliance Committee  
PROJECT NAME: Brighton Hill Condominiums  
PROJECT NUMBER: SP-94052 AC-95023

**ALTERNATIVE COMPLIANCE COMMITTEE REVIEW**

Recommendation:  Approval (with conditions)  Denial

Justification: **SEE ATTACHED**

*Dolly Bandy 3/8/95*  
Reviewer's Signature Date

**PLANNING DIRECTOR'S REVIEW**

Final Decision  Approval  Denial

Recommendation  Approval (w. cond.)  Denial

To Planning Board

To District Council

To Zoning Hearing Examiner

*Fern Piret* 3-7-95  
Planning Director's Signature Date

**APPEAL OF PLANNING DIRECTOR'S DECISION**

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision:

Resolution Number:

Approval  Denial

ACCR.FRM

Name of Project: Brighton Hill Condominiums  
Project #: SP-94052  
AC-95023  
March 7, 1995

1. Section 4.7, Buffering Incompatible Uses, Western property line

A. Buffer Required

Building Setback:	30 feet
Landscaped Yard:	20 feet
Plant Materials:	171 p.u.

B. Buffer Proposed

Building Setback:	130+ feet
Landscaped Yard:	10 feet
Plant Materials:	102 p.u.*

\*(P.U. requirement reduced to 86 by proposed 6 foot high board on board fence)

C. Explanation and Justification

Alternative compliance is requested for section 4.7 of the *Landscape Manual* for the western property line of this site. The proposed condominiums abut the Oxon Hill Volunteer Fire Department, a medium impact use, along the western property line. A "B" bufferyard is required along this property line.

The applicant can not provide the full landscaped yard without either moving the parking lot closer to the building, which would be aesthetically undesirable and would eliminate the possibility of any landscaping in front of the building, or moving the building closer to the eastern property line which would be environmentally undesirable, due to the presence of existing woodlands and steep slopes behind the proposed structure.

The applicant is proposing a six foot high opaque wooden fence along the entire western property line in addition to providing landscaping in the proposed 10 foot landscape strip. The committee believes that this proposal would be equal or better than normal compliance with the *Landscape Manual* if additional trees were planted in the parking island and in front of the building. This would provide another layer of buffering between the condominiums and the fire station and would lessen the impact of the fire station on the residents of the condominium development.

D. **Recommendation**

The committee recommends **APPROVAL** of alternative compliance for section 4.7 along the western property line with the following conditions:

- 1.) Five additional Lace Bark Elms shall be planted in the parking island as shown in red on the enclosed plan.
- 2.) One additional Japanese Zelkova shall be planted in front of the building as shown in red on the enclosed plan.

R E S O L U T I O N

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 October 24, 1996, regarding Detailed Site Plan SP-94052/01 for Brighton Hill Condominiums, the Planning Board finds:

1. The site is located at the east end of Marcy Avenue, approximately 2,800 feet east of its intersection with Livingston Road. The property to the north is zoned R-18 and is developed with multifamily apartment units. The property to the south is zoned R-T and is developed with townhouses. To the west of the site is the Oxon Hill Volunteer Fire Company and Rescue Facility and to the east is undeveloped land zoned R-80. Access to the development is provided via Marcy Avenue, a 60-foot right-of-way.
2. On March 16, 1995 the Planning Board approved SP-94052 for 21 multifamily units for the subject property. The subject revision proposes to add three additional units for a total of 24 units. These additional units are being added on the front side of the building adjacent to the parking area. A series of retaining walls are necessary in order to add the additional units. The previously approved plan included additional parking sufficient to satisfy the parking required for three additional units, therefore no additional parking spaces are required to be added at this time.
3. The site development data is as follows:

Zone	R-30C
Gross/Net Tract Area	2.04 acres
Number of dwelling units permitted	24
Number of dwelling units proposed	24
Number of Parking Spaces Required	60
Number of Parking Spaces Provided	61
Maximum building coverage permitted	20%
Maximum building coverage proposed	9.4%

4. The previously approved building was four stories on the rear and three stories on the front of the building . The subject application proposes to add three additional units to the front of the building, increasing the height of the front of the building to four stories. The applicant has said the architecture of the building will remain essentially the same as that which the Planning Board approved. The architecture which was approved with the original application indicates that the building will be constructed utilizing a combination of brick and vinyl siding. Brick is used on the base of the building up to the second floor on all four facades of the building. The front building facade is well articulated utilizing a combination of three-story projecting bays, recessed entrances, private patio areas, cross gables, decorative moldings, brick window sills and window shutters. Condition 1.a. has been added to the Recommendation Section of this report which requires that the approved elevation be revised to show the full four story height on all four sides of the building.
5. The proposed Site Plans are in substantial conformance with the approved Preliminary Plat of Subdivision 4-94019 in terms of lot layout and access. Mandatory dedication is being met by the provision of a fee-in-lieu.
6. A Tree Conservation Plan, TCPII/112/94, has been reviewed by the Natural Resources Division. The Division's initial comment stated that the TCPII was not in strict conformance with the approved TCPI because the clearing limits had expanded in order to accommodate the retaining walls that are necessary in order to add the three additional units. The applicant submitted a revised worksheet and TCPII to the Natural Resources Division.

The revised TCP indicates a minimum requirement of .76 acres, which is slightly higher than the previous plan due to the additional tree clearing. The revised TCP is not in strict conformance with TCP I/11/94 but does meet the minimum requirements of the Woodland Conservation Ordinance. The Planning Board finds that the requirement for all on-site preservation, as adopted by TCP I/11/94, is not necessary and the applicant may substitute off-site woodland conservation or use fee-in-lieu. Prior to the issuance of any permit for this site, the fee-in-lieu must be paid or offsite location established.

7. The Information and Permit Review Division notes that there is some required information that has not been provided on the plans. Condition 1.c. requires that this information be provided prior to certificate approval.
8. The application is subject to Sections 4.1, Residential Requirements; 4.3, Parking Lot requirements; 4.4, Screening; and 4.7, Buffering Incompatible Uses. Alterna-

tive Compliance, AC-95023 was approved for the bufferyard adjacent to the existing fire station. The revised plans adequately address the requirements of Sections 4.1 and 4.3 but are deficient in meeting the requirements of Section 4.4. Condition 1.c. which follows, requires that full conformance with Section 4.4 be demonstrated prior to certificate approval.

8. The provision of Moderately Priced Dwelling Units (MPDUs) is not required because the development proposes less than 50 dwelling units.
9. The Detailed Site Plan, when amended by Conditions 1.a.-1.d., will meet all the requirements of the Zoning Ordinance for development within the R-30C Zone, including the requirements of the *Landscape Manual*.
- 10 The Detailed Site Plan, when amended by the following conditions, satisfies the Site Design Guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable costs and without detracting substantially from the utility of the development for its intended use.

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 APPROVED the Type II Tree Conservation Plan (TCP/II/112/94) and further APPROVED Detailed Site Plan SP-94052/01, subject to the following conditions:

1. Prior to certificate approval the Site Plans shall be revised as follows:
  - a. The architectural elevations shall be revised to show the full four story height on all four sides of the building.
  - b. Construction details and specifications for the retaining walls shall be added to the plans. The details shall include, if required by DER, a safety railing on top of the walls. The railing shall be designed as an attractive integral feature of the wall and shall be painted or finished black.
  - c. Construction details for the dumpster area screening fence shall be provided with the location indicated on the plans. The trash area shall be large enough to accommodate recycling containers.
  - d. Foundation planting at the base and/or the top of the walls shall be provided on the Landscape Plans.



2. Prior to the issuance of any grading permit for this site, a fee-in-lieu of the on-site woodland preservation requirements or the specifics regarding off-site reforestation must be provided.

\* \* \* \* \*

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 Brown, seconded by Commissioner McNeill, with Commissioners Brown, McNeill and Dabney voting in favor of the motion, and with Commissioners Boone and Hewlett absent, at its regular meeting held on Thursday, October 24, 1996, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of November 1996.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:LK:aj



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

PGCPB No. 08-158

File No. DSP-94052/02/AC-95023

## 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 October 30, 2008 regarding Detailed Site Plan DSP-94052/02 for Brighton Hills Condominiums, the Planning Board finds:

1. **Request:** The subject application proposes one multifamily building containing a total of 24 two-bedroom condominium units and associated parking.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-30C	R-30C
Use(s)	Vacant	24 Multifamily Units
Net tract area	2.00	2.00
Density permitted	24	24
Maximum lot coverage allowed	20%	9.4%

### **Parking Data**

	<b>REQUIRED</b>	<b>PROPOSED</b>
Parking Spaces:		
2.5 spaces per 2-bedroom unit	60	61
Total parking spaces	60	61
Handicap spaces (included in the above)	3	3
Loading spaces	0	0

3. **Location:** The site is located in Planning Area 76A, Council District 8. It is located at the east end of Marcy Avenue, approximately 2,800 feet east of its intersection with Livingston Road.
4. **Surrounding Uses:** The property to the north is zoned R-18 and is developed with multifamily apartment units. The property to the south is zoned R-T and is developed with townhouses. To the west of the site is the Oxon Hill Volunteer Fire Company and Rescue Facility, and to the east is undeveloped land zoned R-80. Access to the development is provided via Marcy Avenue, a 60-foot right-of-way.

PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 2

- 5. **Previous Approvals:** The property was the subject of Preliminary Plan 4-94019 and Type I Tree Conservation Plan TCPI/011/94 for the subject site, as stated in Prince George’s County Planning Board Resolution No. 94-218. Detailed Site Plan DSP-94052 was approved by the Planning Board on April 6, 1995 for 21 units. A revision was approved on November 14, 1996 by the Planning Board for the purpose of adding three additional units. The site has been cleared in accordance with the approved TCPII under grading permit 10125-97-CGU.
- 6. **Design Features:** The site is served by a single access point from Marcy Avenue, a 60-foot public right-of-way. Marcy Avenue dead ends at the property. Parking is located in a surface parking compound at the front of the project. A retaining wall separates the parking compound from the building, and two short bridges provide access from the parking area into the building’s second level. The topography falls off around the rear of the building where a substantial woodland and stream valley exists.

The condominium building is proposed to be four stories tall and of frame construction. The architectural elevations indicate that a combination of brick and vinyl siding will be utilized on the building façades. Brick is used on the base of the building up to the second floor on all four façades of the building. The front building façade is well articulated utilizing a combination of four-story projecting bays, recessed entrances, private patio areas, cross gables, decorative moldings, brick window sills and window shutters.

**COMPLIANCE WITH EVALUATION CRITERIA:**

- 7. **Zoning Ordinance:** The subject application has been reviewed for compliance and found to be in conformance with the requirements in the R-30C Zone and the site plan design guidelines of the Zoning Ordinance.
- 8. **Preliminary Plan of Subdivision 4-94019:** The proposed site plans are in conformance with approved Preliminary Plan of Subdivision 4-94019 in terms of layout. Mandatory dedication is being met by the provision of a fee-in-lieu.
- 9. **Landscape Manual:** The application is subject to Sections 4.1, Residential Requirements; 4.3, Parking Lot Requirements; 4.4, Screening; and 4.7, Buffering Incompatible Uses. The submitted plans adequately address all of the above.

The Planning Board previously approved an application for Alternative Compliance, AC-95023, for relief from Section 4.7, Buffering Incompatible Uses. The western property line is adjacent to the Oxon Hill Volunteer Fire Department. As the plans have not changed since the approval in 1995, staff believes that the alternative compliance should be re-approved. The following was taken from the explanation and justification statement of the Alternative Compliance Committee recommendation:

“Alternative compliance is requested for section 4.7 of the *Landscape Manual* for the western property line of this site. The proposed condominiums abut the Oxon Hill

PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 3

Volunteer Fire Department, a medium impact use, along the western property line. A "B" bufferyard is required along this property line.

"The applicant can not provide the full landscaped yard without either moving the parking lot closer to the building, which would be aesthetically undesirable and would eliminate the possibility of any landscaping in front of the building, or moving the building closer to the eastern property line which would be environmentally undesirable, due to the presence of existing woodlands and steep slopes behind the proposed structure.

"The applicant is proposing a six foot high opaque wooden fence along the entire western property line in addition to providing landscaping in the proposed 10 foot landscape strip. The committee believes that this proposal would be equal or better than normal compliance with the *Landscape Manual* if additional trees were planted in the parking island and in front of the building. This would provide another layer of buffering between the condominiums and the fire station and would lessen the impact of the fire station on the residents of the condominium development."

The Planning Board agreed that the alternative compliance application should be re-approved for the reasons in the Alternative Compliance Committee's recommendation.

- 10. **Woodland Conservation Ordinance:** This site is subject to the provisions of the Woodland Conservation Ordinance because it has previously approved tree conservation plans. A Type I Tree Conservation Plan, TCPI/011/94, was approved by PGCPB Resolution No. 94-218. A Type II Tree Conservation Plan, TCPII/112/94, was approved with DSP-94052 prior to the issuance of a grading permit and the site was subsequently graded. This application proposes no additional clearing of woodland.

The area to be preserved includes priority woodland contiguous with woodland that buffers the main stream in Oxon Run. The currently approved TCPII meets the requirements of the Woodland Conservation Ordinance.

- 11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

**Community Planning:** In a memorandum dated October 17, 2007, the Community Planning section offered the following:

This application is not inconsistent with the 2002 General Plan Development Pattern policies for Developed Tier centers. This application is in general conformance with the urban land use recommendation of the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)*

**Transportation:** In a memorandum dated May 6, 2008, Masog to Lareuse, the Transportation Planning Section offered the following:

PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 4

The Transportation Planning Section has reviewed the application referenced above. The subject property consists of approximately 1.98 acres of land in the R-30C Zone. The property is located on the north side of Marcy Avenue, approximately 2,950 feet east-northeast of the intersection of MD 210 and Livingston Road inside of the Capital Beltway. The applicant proposes a 24-unit residential condominium building. These findings supersede those made on September 26, 2007, and address additional information supplied by the applicant.

Prior applications 4-94052, DSP-94052, and DSP-94052/01 are relevant to the review of this case. There are no transportation-related conditions on any of the prior applications. However, Preliminary Plan of Subdivision 4-94019 was reviewed for one parcel with 21 condominium units. This level of development led to Finding 9 of the resolution approving the subdivision case. The preliminary plan approval did not include a condition establishing a development or trip cap. DSP-94052 proposed 21 condominium units. It was reviewed by the Transportation Planning Section and no issue was raised. Subsequently, DSP-94052/01 increased the proposal to 24 condominium units. Both site plans were approved by the Planning Board.

On February 11, 2008, the applicant submitted new traffic counts taken at the critical intersection of MD 210 and Livingston Road/Seneca Drive Spur. These counts were analyzed, and it was determined that the critical intersection operates at Level-of-Service (LOS) C, with a critical lane volume (CLV) of 1,209 during the AM peak hour. During the PM peak hour, the critical intersection operates at LOS A with CLV of 819. With the addition of growth plus approved development, plus the site with 24 units, the critical intersection operates at LOS D with a CLV of 1,306 during the AM peak hour, and LOS A with a CLV of 880 during the PM peak hour. Additionally, the applicant indicates that the development proposed in 1994 was not determined based on available capacity, but was merely the proposal at that time. Finally, it is noted that since 1994, the LOS standard has been relaxed from LOS D to LOS E by virtue of this site being within the Developed Tier, as defined by the 2002 Prince George's County General Plan. The current traffic analysis makes evident that the subject site with 24 units would be accommodated from the current LOS standards, and nothing in any record indicates that any proposal for this site was ever limited by the capacity of the transportation network.

The subject property was the subject of a 1994 traffic analysis conducted by the Transportation Planning staff, and was given subdivision approval pursuant to a finding of adequate transportation facilities made in 1994 for Preliminary Plan of Subdivision 4-94019. This finding was based upon 21 condominium units within the parcel created by the subdivision, and no condition was included to cap development or trip generation. A current traffic analysis makes evident that the subject site with 24 units would be accommodated today given the current LOS standards, and nothing in any record indicates that any proposal for this site was ever limited by the capacity of the transportation network.

The site is not within or adjacent to any master plan transportation facilities. Access and circulation is acceptable, and it is consistent with the preliminary plan.

PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 5

In a memorandum dated January 18, 2008, Shaffer to Lareuse, the Transportation Planning Section offered the following additional information regarding trail issues:

There are no master plan trails issues identified in the adopted and approved Heights master plan that impact the subject site. An existing path running from Marcy Avenue to the multifamily units to the north is reflected on the submitted plan just off the subject site. Staff supports the provision of a standard sidewalk along the site's frontage of Marcy Avenue as well as the internal sidewalk leading to the proposed building. Glassmanor Elementary School is to the west of the subject site on the south side of Marcy Avenue. Glassmanor Community Center is to the south of the subject site along Marcy Avenue.

**Recommendation:** Construct a standard sidewalk along the subject site's entire frontage of Marcy Avenue, unless modified by DPW&T.

The Planning Board agreed with the Transportation Planning Section and adopted the recommended condition above.

**Permits:** In a memorandum dated October 3, 2007, Chaney to Lareuse, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

**Environmental Planning:** The Environmental Planning Section has reviewed the Detailed Site Plan for Brighton Hills, DSP-94052/02, and revised Type II Tree Conservation Plan, TCPII/112/94-01, stamped as received by the Environmental Planning Section on September 13, 2007. The current approved Type II tree conservation plan is in conformance with the detailed site plan submitted with this application. The Environmental Planning Section recommends approval of DSP-94052/02 and TCPII/112/94-01.

The Environmental Planning Section has previously reviewed applications 4-94019, TCPI/011/94, DSP-94052, TCPII/112/94, and DSP-94052/01. The site has been cleared in accordance with the approved TCPII under grading permit 10125-97-CGU. The proposal is for a 24-unit multifamily residential building in the R-30C Zone.

The 2.04-acre property in the R-30C Zone is on the north side of Marcy Avenue where the street dead ends. There are no streams, wetlands or 100-year floodplain on the property. The property drains into Oxon Run in the Potomac River Basin. The site has been cleared under an approved grading permit in conformance with an approved TCPII. No designated scenic or historic roads are affected by this proposal. There are no nearby sources of traffic-generated noise. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The *Prince George's County Soil Survey* indicates that the principal soils on the site are in the Beltsville soils series. Marlboro Clay does not occur in this area. The site is in the Developing Tier according to the adopted General Plan.

PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 6

**Conformance with the Heights approved Master Plan:** There are no specific environmental recommendations or design standards that require review for conformance. The environmental requirements for woodland conservation and stormwater management are addressed in the Environmental Review Section below.

**Countywide Green Infrastructure Plan:** The entire site is encumbered with regulated areas and network gaps within the *Approved Countywide Green Infrastructure Plan*. The approved Type II tree conservation plan shows preservation of the woodland in this area, which is contiguous with woodland adjacent to Oxon Run on the east side of the site. According to 2005 color aerial photos from pगतlas.com, the site has been partially cleared and the proposed woodland conservation area is preserved in accordance with the TCPII. The site has been found to address the Countywide Green Infrastructure Plan.

**Environmental Review:** The soils information included in the review package indicates that the principal soils on the site are in Beltsville soils series. This information is provided for the applicant's benefit. No further action is needed as it relates to this detailed site plan review. A soils report may be required by the Prince George's County Department of Environmental Resources or the Department of Public Works and Transportation during the permit review process.

**Fire/EMS Department:** The Fire/EMS Department has responded to the referral request stating that all drive aisles must be 22 feet wide, which is shown in the plans.

**Town of Forest Heights:** A referral request was sent to the Town of Forest Heights, which is within one mile of the subject site. At the time of the writing of this report, no comment had been received.

**Urban Design Section:** The Urban Design Section had a number of concerns relating to the exterior finish materials of the structure and the design of retaining walls on-site. First, the building is entirely clad in brick at the base and in most areas up to the second floor. The building is sited lower than the parking lot by eight to twelve feet. This difference in grade conceals the lower portion of the building from view, so the building appears to have less brick on its façade than it really does. In order to enhance the building with the appearance of additional brick, it is suggested that the three main front reverse gables that extend from grade to the roof-line should be entirely brick. This will provide additional brick features at the entrance into the structure, and will increase the visibility of brick on the structure without causing undue hardship to the applicant in regard to cost. The Planning Board shared the staff's concerns and asked the applicant about alternative exterior finish materials for the structure. The applicant asked the Planning Board for a continuance of the hearing to prepare a materials board to demonstrate the quality of the proposed exterior siding. On October 30, 2008, at the Planning Board hearing, the applicant provided a materials board that demonstrated that the proposed siding, the proposed brick, shutter and shingles were high quality. The Planning Board was satisfied with the additional conditions proffered by the applicant in regard to the exterior finish materials.

PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 7

The revised exhibits presented by the applicant at the October 30, 2008 Planning Board hearing, provided a view of the lower level, where the building is sited 8–12 feet below the grade of the surface parking compound. The exhibit showed a two-tiered retaining wall structure that is planted with flowing shrubs and with decorative paving at the lowest level. The Planning Board agreed with the applicant’s proffered conditions and the re-design of the area outside of the lower level.

Conditions have been included in the recommendation section of this report to address the two issues above.

- 12. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George’s County Code without requiring unreasonable cost, and without detracting substantially from the utility of the proposed development for its intended use.

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 APPROVED the Type II Tree Conservation Plan (TCPII/12/94-01) and APPROVED Alternative Compliance No. AC-95023, and further APPROVED Detailed Site Plan DSP-94052/02 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval, the following modifications or revisions shall be made to the detailed site plan, or the following information shall be provided:
  - a. An entrance feature shall be shown and dimensioned on the plans and shall demonstrate conformance to Section 27-624.
  - b. A north arrow shall be added to the site plan.
  - c. The details and specifications of the retaining walls and safety barriers shall be provided on the plans, and reviewed and approved by the Urban Design Section as designee of the Planning Board.
  - d. Provide top-of-wall and bottom-of-wall elevations for all retaining walls on-site at regular intervals.
  - e. The exterior finish of the front of the architectural elevations shall be revised to provide brick on the six main reverse gables from grade to roof-line.
  - f. The site and landscape plan shall be revised to indicate a tiered retaining wall system with two tiers as shown on the revised exhibit of the lower level of the site in front of the building and below the parking compound. Additional shade tolerant planting and low voltage lighting shall be provided along the length of the retaining wall. Individual patios,



PGCPB No. 08-158  
File No. DSP-94052/02/AC-95023  
Page 8

as shown on the revised view of the lower wall will be provided for each of the three units with access to the lower level.

- g. The front and rear elevations will be revised to provide cedar shake siding in the peaks similar to that shown on the materials board. In addition the beaded siding shall be a gauge of .044 and similar to that shown on the materials board.
- h. In order to provide the proper amount of illumination, three building mounted lights will be provided on both side elevations on the second floor elevation. In addition, building mounted lighting will be provided under each pedestrian bridge.

- 2. Construct a standard sidewalk along the subject site's entire frontage of Marcy Avenue, unless modified by DPW&T.

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.

\* \* \* \* \*

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 Clark, seconded by Commissioner Cavitt, with Commissioners Clark, Cavitt, Squire and Parker voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, October 30, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13<sup>th</sup> day of November 2008.

Oscar S. Rodriguez  
Executive Director

*Frances J. Guertin*  
By Frances J. Guertin  
Planning Board Administrator

OSR:FJG:SL:bjs

APPROVED AS TO LEGAL SUFFICIENCY.

*Serge J. [Signature]*  
M-NCPPE Legal Department

Date 11/6/08



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
 14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772


**DATE:** September 22, 2022  
**TO:** Andree Green Checkley, Esq. Planning Director  
**VIA:** Jill Kosack, Chair, Alternative Compliance Committee  
**FROM:** Antoine Heath, Alternative Compliance Committee Member  
**PROJECT NAME:** Brighton Hills Condominiums  
**PROJECT NUMBER:** Alternative Compliance AC-95023-01  
**COMPANION CASE:** Detailed Site Plan DSP-94052-03

**ALTERNATIVE COMPLIANCE**

**Recommendation:**              X      Approval            \_\_\_\_\_    Denial

**Justification:** SEE ATTACHED

**Antoine Heath**

  
 \_\_\_\_\_  
 Reviewer's Signature

**PLANNING DIRECTOR'S REVIEW**

\_\_\_\_\_    Final Decision            \_\_\_\_\_    Approval            \_\_\_\_\_    Denial

  X      Recommendation              X      Approval            \_\_\_\_\_    Denial

  X              To Planning Board

      \_\_\_\_\_            To Zoning Hearing Examiner

**Andree Green Checkley**    Digitally signed by  
 Andree Green Checkley  
 Date: 2022.09.23  
 14:14:10 -04'00'

**Planning Director's Signature**    \_\_\_\_\_    **Date**

**APPEAL OF PLANNING DIRECTOR'S DECISION**

**Appeal Filed:**

**Planning Board Hearing Date:**

**Planning Board Decision:**    \_\_\_\_\_    Approval            \_\_\_\_\_    Denial

**Resolution Number:**

Alternative Compliance: AC-95023-01  
Name of Project: Brighton Hills Condominiums  
Companion Case: Detailed Site Plan DSP-94052-03  
Date: September 22, 2022

Alternative compliance is requested from the requirements of Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), along the western property line of a multifamily residential parcel. This alternative compliance request is a companion to Detailed Site Plan DSP-94052-03, Brighton Hills Condominiums, which is being reviewed pursuant to the prior Prince George's County Zoning Ordinance.

**Location**

The subject property is located approximately 2,675 feet east of the intersection of Livingston Road and MD 210 (Piscataway Highway), at the termination of Marcy Avenue, in Planning Area 76A and Council District 8. The site is also within the geography previously designated as the Developed Tier, reflected in the 2014 *Plan Prince George's 2035 Approved General Plan*, as found in Prince George's County Planning Board Resolution No. 13-140 (Prince George's County Council Resolutions CR-004-2014 and CR-005-2014 Revision).

**Background**

DSP-94052-03 proposes 24 multifamily dwelling units on a 1.99-acre property located in the prior Multifamily Low Density Residential Condominium (R-30C) Zone. The proposed residential development is abutting the Oxon Hill Volunteer Fire Department 42 to the west, which is designated as a high-impact use, in accordance with Section 4.7 of the Landscape Manual.

The applicant has requested alternative compliance to grant relief from the requirements of Section 4.7, Buffering Incompatible Uses, of the Landscape Manual for a reduced landscaped yard and building setback. A Type "D" buffer with a minimum 40-foot-wide landscaped yard, and a minimum 50-foot-wide building setback is required for high-impact adjoining uses. However, since the property is located within the Developed Tier, those requirements may be reduced by 50 percent, if a 6-foot-high, sight-tight fence or wall is provided within the bufferyard. The applicant has proposed a 6-foot-high, sight-tight fence along the property line, reducing the minimum required landscaped yard to 20 feet and the minimum building setback to 25 feet. The applicant is seeking relief from these requirements, as follows:

**REQUIRED: Section 4.7, Buffering Incompatible Uses, along the western property line adjacent to a high-impact use**

Minimum width of landscape buffer	20 feet (reduced by fence)
Minimum building setback	25 feet (reduced by fence)
Linear feet of bufferyard	213 feet
Number of plant units (160 per 100 linear feet)	171 (reduced by fence)

**PROVIDED: Section 4.7. Buffering Incompatible Uses, along the western property line adjacent to a high-impact use**

Landscaped Yard	13 feet
Building Setback	18 feet
Fence	Yes, 6-foot-high, sight-tight
Number of plant units	170

**Justification**

The proposed multifamily structure and parking are situated on the western portion of the property. The applicant indicates that the proposed layout is designed to avoid the woodland conservation area, specimen trees, and steep slopes on the eastern portion of the site, and states that moving the building footprint further east to meet the required 20-foot-wide landscaped yard, and 25-foot-wide building setback would impact the woodland conservation area on-site established by the Type 2 Tree Conservation Plan, TCP2-11-94.

The applicant also indicates that the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* states that the abutting fire station will be relocated and replaced with multifamily housing, which would eliminate the need for an incompatible use bufferyard in the future. However, at the time of the writing of this memorandum, staff does not have correspondence from the Prince George’s County Fire Department indicating if or when that will take place.

Where alternative compliance is being requested for the width of the landscaped yard and building setback, a mixture of shade trees, ornamentals trees, and shrubs provide a buffer between the abutting property and the multifamily development. The planting materials proposed are native species or are part of the approved lists in the Landscape Manual, thus ensuring quality, durability, and hardiness. The applicant has provided the required amount of planting units, with a total of 170 along the western property boundary. However, the selection of trees does not provide a year-round buffer from the fire station, as no evergreens are proposed to be provided. The applicant has also provided an additional nine planting units to bolster the bufferyard. However, these are provided along the northern property boundary, which abut a multifamily use and will not contribute to buffering the multifamily development from the fire station.

The Alternative Compliance Committee is aware of the space constraints created by the woodland conservation area and specimen trees on-site and is appreciative of the attempt to preserve those environmental features, as well as provide additional plantings along the northern boundary of the site. However, staff finds that the applicant’s proposal does not meet the standard of equally effective as normal compliance and recommends that the applicant provide additional noise mitigation through the use of architectural and/or structural techniques, as well as evergreen plantings along the western boundary of the property, prior to certification of the DSP. With these additions, the Committee believes that the proposed alternative design will be equally effective as normal compliance with Section 4.7(c)(2)(A) of the Landscape Manual.

**Recommendation**

The Alternative Compliance Committee recommends **APPROVAL** of Alternative Compliance AC-95023-01, for Brighton Hills Condominiums, from the requirements of Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George’s County Landscape Manual*, along the western property line, subject to the following condition:

1. Prior to certification of DSP-94052-03, the applicant shall provide the following:
  - a. Revise the landscape plan and schedule to include an additional minimum of five evergreen trees along the western property line.
  - b. Provide details of interior noise mitigation through the use of architectural and/or structural techniques along the western building facade.

## STATEMENT OF JUSTIFICATION

### Case Name, Application (Case) Number:

Brighton Hill Condo, DSP 94052-03

### Description of proposed use/request:

The site located at 1160 Marcy Avenue, Oxon Hill, Maryland, and was previously approved for a 24-unit condo building. The site is zoned R-30C (1.99 acres) and has public water and sewer running along the southern property line. The propose of this Detailed Site Plan (DSP) is to revise the layout to construct a cul-de-sac at the end of Marcy Avenue as request by DPIE. There will be no increase in units, and the existing tree save area will remain. Per the new stormwater regulations, a stormwater management plan will be submitted to treat all new impervious areas.

### Description and location of the subject property:

The property is located at 1160 Marcy Avenue, Oxon Hill, Maryland 20745. The lot is currently vacant, but approximately 1.4 acres of the site is cleared. The tree save area, which was previously approved, is 0.6 acres.

### Description of each required finding:

Zoning:

According to Section 27-435 Condominiums are allowed in R-30C zone.

Parking:

According to Section 27-568(a) – 2.5 spaces are required for every unit with two bedrooms. Since all the units will have two bedrooms only 60 spaces are required. 37 spaces are being provided in the parking lot and 23 spaces are provided in the garage for a total of 60 spaces.

According to Section 32-178 the site shall be designed to meet ESD to the MEP. A stormwater management facility will be designed and constructed to treat the new impervious area.

### Variance Request and required finding for each request:

No Variance request is being

### Previous Conditions of Approval:

PPS 4-94019

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/11/94). The following note shall be placed on the Final Plat:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/11/94), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25."

**Response: The developer has revised the TCP II to comply with the Woodland Conservation/Tree Preservation Policy.**

2. A Type II Tree Conservation Plan shall be approved for this site by the Planning Director or her designee prior to the issuance of any grading permits.

**Response: A revised TCP II has been submitted matching the current DPIE's Grading plans and Detailed Site Plan, and shall be approved prior to any grading permits.**

3. Approval of a Conceptual Stormwater Management Plan prior to submission of a Final Plat of Subdivision.

**Response: A revised Conceptual Stormwater Management Plan has been submitted to DPIE that matches the revised layout submitted. An approved Concept Stormwater Management plan shall be submitted to MNCPPC prior to approval of the DSP.**

4. With submission of the Final Plat of Subdivision, the applicant, his heirs, successors and/or assigns, shall make payment of a fee-in-lieu of park dedication.

**Response: Not applicable.**

SP-94052

1. Prior to certificate approval the Site Plans shall be revised as follows:

- a. The Site and Landscape Plans shall be revised to show site lighting which meets current County standards. Cut sheets with specifications for all the lighting fixtures proposed shall be provided on the site plan. Building-mounted entry lighting shall be provided on the front and rear of the building at each entrance. The lighting plan shall be approved by DER.

**Response: A lighting and photometric plan have been provided meeting the County's Current Standards.**

- b. The sidewalk system shall be revised to provide continuous barrier-free pedestrian movement throughout the site.

**Response: A sidewalk system has been provided to the from the public right-of-way to the building.**

- c. A cul-de-sac or other turnaround acceptable to DPW&T shall be shown on the Site Plan.

**Response: The development has been revised to provide a cul-de-sac at the request of DPIE.**

- d. Calculations for building coverage and green area, in compliance with the minimum standards as established by the Zoning Ordinance, shall be provided. The green area shall be used to calculate the residential planting requirements of Section 4.1 of the Landscape Manual.

**Response: A landscaping plan has been developed showing the development meeting the Residential Requirements for Multifamily development found in Section 4.1, please see attached Landscaping Plan for additional information.**

- e. The plan shall demonstrate compliance with the Maryland Accessibility Code. Sidewalks shall be designed to accommodate wheelchair passage and handicap parking access shall be demonstrated.

**Response: The Detailed Site Plan show the Handicap spaces on the lower level parking with ADA compliant walkway to the proposed elevator.**

2. Prior to certificate approval, the following revisions shall be made to the Landscape Plans:

- a. Entry signage details shall be provided.

**Response: A building mounted sign will be provided instead of an entry sign at the driveway apron, please see architectural plans for signage details.**

- b. Compliance with Section 4.1 (based on the green area calculations required in Condition 1d) and Section 4.3 of the Landscape Manual shall be demonstrated.  
**Response: A landscaping plan has been provided showing compliance with Section 4.1 and 4.3 of the landscaping manual. Additionally, a revision to the previously approved Alternative compliance has been submitted to comply with Section 4.7.**
- c. Construction details for the dumpster area screening fence shall be provided with the location indicated on the plans. The trash area shall be large enough to accommodate recycling containers.  
**Response: The dumpster is located on the lower level and will screening provided. Trash area is 16'x 12' which will be large enough for an 8 yard and 4 yard garbage and recycling container.**
- d. Foundation planting for the building shall be provided on the Landscape Plans. The planting may be used to satisfy the requirements of Section 4.1 of the Landscape Manual.  
**Response: Planting have been provided in accordance to Section 4.1 and 4.3 of the Landscaping Manual, please see attached landscaping plan for worksheets and design.**
- e. The plans shall be revised to incorporate any conditions required by AC 95023.  
**Response: AC 95023 has been revised to incorporate the changes from the new layout, please see attached AC submitted.**
- f. The mechanical units as located on the architectural elevations on the north and south ends of the building, shall be screened in accordance with Section 4.4 of the Landscape Manual.  
**Response: A mechanical, utility, and electrical room will be provided in the basement, please see updated architectural drawings.**

#### DSP-94052-01

1a. The architectural elevation shall be revised to show the full four-story height on all four side of the building.

**Response: Elevations for all four sides of the building have been provided.**

1b. Construction details and specifications for the retaining walls shall be added to the plans. The details shall include, if required by DEP, a safety railing on top of the walls. The railing shall be design as an attractive integral feature of the wall and shall be painted or finished black.

**Response: The previously plan had retaining walls that provided ramps to the front entrance. Since the building was moved to closer to Marcy Avenue the need for ramps were eliminated. The only retaining walls are along the perimeter and for the entrance to the basement.**

1.c Construction details for the dumpster area screening fence shall be pro-vided with the location indicated on the plans. The trash area shall be large enough to accommodate recycling containers.

**Response: The dumpster is located on the lower level and will screening provided. Trash area is 16'x 12' which will be large enough for an 8 yard and 4 yard garbage and recycling container.**



1.d Foundation planting at the base and/or the top of the walls shall be provided on the Landscaping Plans.

**Response: The previous plan has walls that provided ramps to the front entrance and was intended to be visible and part of the entrance feature. Since the building was moved closer to Marcy avenue and the ramps and retaining walls were removed. Planting have been provided in accordance to section 4.3, please see landscaping plans.**

2. Prior to the issuance of any grading permit for this site, a fee-in-lieu of the on-site woodland preservation requirements or the specifics regarding off-site reforestation must be provided.

**Response: The TCP II is being to show the new layout and update the notes to require the developer to go off-site to a woodland bank.**

DSP-94052-02

**Same conditions appeared in DSP-94052-02 as in DSP-94052-01**

1a. The architectural elevation shall be revised to show the full four-story height on all four side of the building.

**Response: Elevations for all four sides of the building have been provided.**

1b. Construction details and specifications for the retaining walls shall be added to the plans. The details shall include, if required by DEP, a safety railing on top of the walls. The railing shall be design as an attractive integral feature of the wall and shall be painted or finished black.

**Response: The previously plan had retaining walls that provided ramps to the front entrance. Since the building was moved to closer to Marcy Avenue the need for ramps were eliminated. The only retaining walls are along the perimeter and for the entrance to the basement.**

1.c Construction details for the dumpster area screening fence shall be pro-vided with the location indicated on the plans. The trash area shall be large enough to accommodate recycling containers.

**Response: The dumpster is located on the lower level and will screening provided. Trash area is 16'x 12' which will be large enough for an 8 yard and 4 yard garbage and recycling container.**

1.d Foundation planting at the base and/or the top of the walls shall be provided on the Landscaping Plans.

**Response: The previous plan has walls that provided ramps to the front entrance and was intended to be visible and part of the entrance feature. Since the building was moved closer to Marcy avenue and the ramps and retaining walls were removed. Planting have been provided in accordance to section 4.3, please see landscaping plans.**

2. Prior to the issuance of any grading permit for this site, a fee-in-lieu of the on-site woodland preservation requirements or the specifics regarding off-site reforestation must be provided.

**Response: The TCP II is being to show the new layout and update the notes to require the developer to go off-site to a woodland bank.**

**Summary/conclusion of request:**

Per our research we have determine that the 24-unit condominium is allowed in R-30C zone, and that the site meets the parking space requirements. Additionally, stormwater management facilities will be designed to treat all new impervious area. A concept site development plan has been approved through DPIE.

If you need additional information or clarification on any items in this statement, please feel free to contact me at [izapata@dmvcivil.com](mailto:izapata@dmvcivil.com)

Thank you,



Ivan Zapata, PE  
President  
DMV Civil, LLC



Countywide Planning Division  
Historic Preservation Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
[www.mncppc.org/pgco](http://www.mncppc.org/pgco)  
301-952-3680

June 27, 2022

**MEMORANDUM**

**TO:** Andrew Bishop, Urban Design Section, Development Review Division

**VIA:** Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

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

**SUBJECT: DSP-94052-03 Brighton Hills Condominiums**


The subject property comprises 2.00-acres and is located 2,675 feet north of the intersection of Livingston Road and Indian Head Highway. The subject application proposes the reapproval of the Detailed Site Plan and a revision to the layout to construct a cul-de-sac at the end of Marcy Avenue. The subject property is Zoned RMF-12.

The subject property is within the *2014 Approved Eastover/Forest Heights/Glassmanor Sector Plan* area. The master plan contains goals and policies generally related to Historic Preservation. However, these are not specific to the subject site or applicable to the proposed development.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. Most of the property has already been disturbed. The subject property does not contain and is not adjacent to any Prince George's County Historic Sites or Resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not recommended. Historic Preservation Section staff recommend approval of DSP-94052-03 Brighton Hills Condominiums without conditions.

August 11, 2022

**MEMORANDUM**

TO: Tierre Butler, Planner II, Urban Design Section, Development Review Division  
VIA: David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division   
FROM: Maha Tariq, Planner II, Neighborhood Revitalization Section, Community Planning Division  
SUBJECT: **DSP-94052-03 Brighton Hill Condo**

**FINDINGS**

Community Planning Division staff finds that, pursuant to Section 27-548.26(b)(2)(A) and (b)(5), the proposed construction conforms with the recommended land use, as stated in the 2014 *Approved Eastover, Forest Heights, Glassmanor Sector Plan and Sectional Map Amendment*.

**BACKGROUND**

**Application Type:** Detailed Site Plan

**Location:** 1160 Marcy Avenue, Oxon Hill, MD 20745

**Size:** 1.99 acres

**Existing Uses:** Vacant

**Proposal:** Reapproval of the Detailed Site Plan and revisions to the layout to construct a Cul-de-Sac at the end of Marcy Avenue.

**GENERAL PLAN, MASTER PLAN, AND SMA**

**General Plan:** The 2014 *Plan Prince George's 2035 Approved General Plan* places the subject property in the Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development.

**Master Plan:** The 2014 *Approved Eastover, Forest Heights, Glassmanor Sector Plan and Sectional Map Amendment* recommends **multi-family residential land use** for the subject property. The property is located in the Glassmanor Community focus area.

The plan states, “Glassmanor’s community priorities have made it clear that developing new affordable housing should be included in the sector plan. The location within the neighborhood that has the potential is the Brighton Condominium site and the adjacent Oxon Hill Fire Department building and parking lot. Combining these two parcels would allow for a mid-sized residential community. The location of Glassmanor Elementary School and Community Center across the street from these sites adds further value. A housing development spanning both parcels could reasonably include 117 apartments (affordable and/or market-rate) and 102 parking spaces. This development could be phased such that the first building is constructed on the vacant Brighton Condominium site and the second on the Oxon Hill Volunteer Fire Station site could be redeveloped after the station relocates. It is projected that the Brighton Condominium site would be able to support: 54 apartments and 51 parking spaces”. (pg. 53)

**Planning Area:** 76 A

**Community:** The Heights

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

**SMA/Zoning:** The 2014 *Approved Eastover, Forest Heights, Glassmanor Sector Plan and Sectional Map Amendment* do not classify the subject property into a particular zone.

#### **ADDITIONAL INFORMATION**

None.

cc: Long-range Agenda Notebook  
Frederick C. Stachura, J.D., Planning Supervisor, Neighborhood Revitalization Section,  
Community Planning Division

July 25, 2022

**MEMORANDUM**

**TO:** Andrew Bishop, Planner II, Urban Design Section  
**VIA:** Sherri Conner, Planning Supervisor, Subdivision Section *SC*  
**FROM:** Mridula Gupta, Planner III, Subdivision Section *MG*  
**SUBJECT:** DSP-94052-03; Brighton Hills Condominiums

The subject property is located on Tax Map 96 in Grid B1 and consists of one parcel known as Parcel A recorded among the Prince George's County Land Records in Plat Book VJ 173 plat number 99 approved on September 7, 1995. The property is 1.99 acres and is zoned Residential, Multifamily-12 (RMF-12). However, this detailed site plan (DSP-94052-03) is being reviewed pursuant the prior Multifamily Low Density Residential-Condominium (R-30C) zoning of the property. This DSP is submitted for the development of 24 multifamily dwelling units.

The property is subject to Preliminary Plan of Subdivision (PPS) 4-94019 which was approved by the Planning Board on June 23, 1994 (PGCPB Resolution No. 94-218). This PPS approved one parcel based upon a development proposal of 21 multifamily dwellings.

Site Plan (SP-94052) was approved by the Planning Board on March 16, 1995 (PGCPB Resolution No. 95-79) for the development of 21 multifamily dwelling units. Final Plat of Subdivision 5-95205 was subsequently approved and recorded in Plat Book VJ 173 plat number 99. On October 24, 1996, SP-94052-01 was approved by the Planning Board to increase the total number of multifamily dwelling units on Parcel A from 21 units to 24 units. The increase was approved based upon allowed density in the underlying zone. On October 30, 2008, DSP-94052-02 was approved by the Planning Board for development of Parcel A with 24 multifamily dwelling units under which it was confirmed that the addition of 3 units from those anticipated under PPS approval would be de minimis and was within the current level of service standards. No construction, however, proceeded pursuant these prior approvals.

PPS 4-94019 was approved subject to 4 conditions. The conditions relevant to the subject application are listed below in **bold** text and staff analysis of the project's conformance to the relevant conditions follows in plain text:

1. **Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/11/94). The following note shall be placed on the Final Plat:**

**“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/11/94), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25.”**

Conformance to this condition should be further reviewed by the Environmental Planning Section. General Note 1 on record plat 173-99 provides the note as required by this condition.

2. **A Type II Tree Conservation Plan shall be approved for this site by the Planning Director or her designee prior to the issuance of any grading permits.**

A Type 2 Tree Conservation Plan was submitted with this DSP application. Conformance to this condition should be further reviewed by the Environmental Planning Section.

3. **Approval of a Conceptual Stormwater Management Plan prior to submission of a Final Plat of Subdivision.**

This condition would have been satisfied prior to the submission of record plat 173-99.

4. **With submission of the Final plat of Subdivision, the applicant, his heirs, successors and/or assigns, shall make payment of a fee-in-lieu of park dedication.**

This condition would have been satisfied prior to the submission of record plat 173-99. The DSP should include a general note stating that in accordance with Section 24-135(a) of the prior Subdivision Regulations, mandatory dedication of parkland requirements were met by payment of a fee-in-lieu at the time of final plat of subdivision.

### **Additional Comments**

1. PPS 4-94019 was reviewed for one parcel with 21 multifamily dwelling units. This level of development led to Finding 9 of the resolution approving the PPS (PGCPB Resolution No. 94-218). The preliminary plan approval, however, did not include a condition establishing a development trip cap. Nonetheless, development must remain within the adequacy thresholds upon which the PPS was evaluated and found to satisfy the requirements of Subtitle 24. While SP-94052 was approved with 21 multifamily dwelling units, SP-94052-01 and DSP-94052-02 were approved with 24 multifamily dwelling units. Both site plans were approved by the Planning Board. The Transportation Planning Section determined adequacy with the prior DSP for development of the subject site with 24 dwelling units. This current DSP amendment too proposes 24 multifamily dwelling units. The Transportation Planning Section should determine adequacy of the proposed development and conformance with PPS 4-94019 and Subtitle 24.

2. The DSP proposes dedication of 0.069-acres as public right-of-way (ROW) for construction of a cul-de-sac at the terminus of Marcy Avenue. The site plan also shows a 10-foot-wide public utility easement (PUE) adjacent to the proposed ROW line of this cul-de-sac. A conveyance of land to a governmental agency for public use is exempt from the requirement of filing a preliminary plan and final plat of subdivision in accordance with Section 24-107(c)(5) of the prior Subdivision Regulations. It is recommended, however, that the dedication of the public ROW and the PUE be completed by filing a minor plat of subdivision.
3. The DSP should include a general note listing PPS 4-94019 as a prior approval applicable to the subject site.
4. The recording plat reference for Parcel A is listed in the “Development Program and Notes” as REP 206-26, which is a condominium plat, and not approved by the Planning Board. The plat reference for Parcel A should be revised to Plat Book VJ 173-99, which was approved by the Planning Board.
5. On the site plan, the property boundaries for Parcel A are not labeled with their bearings and distances, and the existing 10-foot-wide PUE along Marcy Avenue is not shown, in accordance with the record plat. The site plan should be revised to provide all property boundary bearings and distances, and show all existing easements on the subject property.

### **Recommended Conditions**

1. Prior to certificate approval, the detailed site plan shall be revised as follows:
  - a. Label the property boundary bearings and distances in accordance with the record plat.
  - b. Revise the “Development Program and Notes” to provide the correct recording reference for Parcel A.
  - c. Add a General Note referencing preliminary plan of subdivision (PPS) 4-94019 as a prior applicable approval.
  - d. Add a General Note stating that in accordance with Section 24-135(a) of the prior Subdivision Regulations, mandatory dedication of parkland requirements were met by payment of a fee-in-lieu at the time of final plat of subdivision.
  - e. Show the 10-foot-wide public utility easement along Marcy Avenue, in accordance with the record plat.

The referral is provided for the purposes of determining conformance with the preliminary plan of subdivision for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.





Countywide Planning Division  
Transportation Planning Section

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


301-952-3680

September 9, 2022

**MEMORANDUM**

TO: Andrew Bishop, Urban Design Section, Development Review Division

FROM: *BAP* Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA:  William Capers III., PTP, Transportation Planning Section, Countywide Planning Division

**SUBJECT: DSP-94052-03: Brighton Hill Condo**

**Proposal:**

The subject application proposes the construction of a 24-unit condominium development with a cul-de-sac terminus of Marcy Avenue. The subject property is located 2,675 feet north of the intersection of Livingston Road and Indian Head Highway and is located in the RMF-12 zoning district. The transportation planning review of the referenced DSP application was evaluated under Section 27 of the prior Zoning Ordinance.

**Prior Conditions of Approval:**

Prior applications 4-94052, DSP-94052, DSP-94052-01, and DSP-94052-02 are relevant to the review of this case. DSP-94052-02 contains the only transportation-related condition that required sidewalks constructed along the site's entire frontage of Marcy Avenue.

Preliminary Plan of Subdivision (PPS) 4-94053 was reviewed for one parcel with 21 condominium units. This level of development led to Finding 9 of the resolution approving the subdivision case. The preliminary plan approval did not include a condition establishing a development or trip cap. DSP-94052 proposed 21 condominium units. It was reviewed by the Transportation Planning Section and no issue was raised. Subsequently, DSP-94052-01 increased the proposal to 24 condominium units. Both site plans were approved by the Planning Board.

**Comment:** Condition 2 of DSP-94052-02 has been satisfied and sidewalks are proposed along the site's entire frontage of Marcy Avenue.

This application proposes the construction of a cul-de-sac which was requested by DPIE with a previously submitted permit application. Though the subject DSP amendment includes the development of a residential building, the number of proposed dwelling units is consistent with previous approvals (DSP-94052-01 and DSP-94052-02) and does not request an increase of total units. A trip cap was not established with the previous approved PPS applications, however, the trips associated with the development were calculated at the time based on a 21-unit condominium building. It was determined that the development would generate 11 AM and 13 PM trips which

would not warrant a test of adequacy as required in the Transportation Review Guidelines. The current application proposes a 24-unit condominium building which would generate 13 AM and 15 PM trips. Although there is an increase in trips associated with the current application, the number of trips still does not warrant a test of adequacy, therefore staff can make the determination that this proposal is consistent with the finding of the previous approved PPS application. Staff finds that the current application is consistent with the prior approvals.

### **Master Plan Compliance:**

#### **Master Plan Right of Way**

There are no master plan transportation facilities recommended for the subject site per the 2009 *Approved Countywide Master Plan of Transportation*.

#### **Master Plan Pedestrian and Bicycle Facilities**

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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.

POLICY 3: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

POLICY 4: Identify sidewalk retrofit opportunities for small area plans within the Developed and Developing Tiers in order to provide safe routes to schools, pedestrian access to mass transit, and more walkable communities.

**Comment:** There are no master planned bicycle and pedestrian facilities that impact the subject site. However, as previously mentioned, sidewalks are provided along both sides of Marcy Avenue consistent with previously approved applications which staff finds acceptable. Staff recommends that bicycle parking be provided at a location near the entrance of the building.

### **Zoning Ordinance Compliance**

Section 27-283 provides guidance for detailed site plans. The section references the following design guidelines described in Section 27-274(a):

#### (2) Parking, loading, and circulation

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:

- (ii) Parking spaces should be located as near as possible to the uses they serve;
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:
  - (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;
  - (ix) Pedestrian and vehicular routes should generally be separate and clearly marked.

**Comment:** The subject application proposes a single access point to the site via Marcy Avenue extension at the site's terminus. Surface parking is provided to the east and south of the proposed building. Sidewalks are provided along the building adjacent to the proposed surface parking lots. The internal vehicle circulation and sidewalk connections allow for adequate pedestrian and vehicular movements on site.

**Transportation Planning Review:**

As previously mentioned, the DSP proposes the construction of a 24-unit condominium development and a cul-de-sac located at the terminus of Marcy Avenue. The applicant is proposing a total of 60 parking spaces of which 23 parking spaces are proposed in a basement garage and 37 provided in the surface parking area adjacent to the site. The parking spaces located in the garage are accessed through the surface parking lot via Marcy Avenue. The distribution of spaces in these two areas is acceptable and the proposed parking for the subject property is in conformance with the zoning ordinance. No bicycle parking is proposed with this application and staff recommends that bicycle racks be provided at the main entrance to the building as a condition of approval.

The subject site is served by a network of pedestrian facilities with sidewalks proposed along the site's Marcy Avenue frontage, and internal to the site that allow for pedestrian paths to the building and surface parking facilities.

In consideration of the scope of this application, the transportation staff can make a finding that the subject property is in general conformance with previously approved development applications and Section 27 of the prior zoning ordinance if the following condition is met:

1. Prior to the certification of the DSP, the applicant and the applicant's heir shall modify the Detailed Site Plan (DSP) to provide 4 bicycle parking spaces at a location convenient to the entrance to the building. The revised DSP shall include bike rack details showing an inverted U or a similar style bicycle racks that permit two points of connection to support and secure a bicycle.

September 26, 2022

**MEMORANDUM**

**TO:** Andrew Bishop, Planner II, Urban Design Section

**VIA:** Thomas Burke, Supervisor, Environmental Planning Section *TB*

**FROM:** Chuck Schneider, Planner III, Environmental Planning Section *CS*

**SUBJECT:** **BREIGHTON HILLS CONDOMINIUMS; DSP-94052-03 and TCPII-112-94-02**

The Environmental Planning Section (EPS) has reviewed Detailed Site Plan DSP-94052-03 and a Type II Tree Conservation Plan (TCPII-112-94-02) accepted on June 8, 2022. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on June 24, 2022. Revised information was received on September 2, 2022. The EPS recommends approval of DSP-94052-03 and TCPII-112-94-02, subject to the findings and conditions listed at the end of this memorandum.

**BACKGROUND**

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-94019	TCP1-11-94	Planning Board	Approved	7/19/1994	94-218
SP-94052	TCPII-112-94	Planning Board	Approved	4/7/1995	95-79
SP-94052-01	TCPII-112-94-01A	Planning Board	Approved	11/14/1996	96-309
DSP-94052-02	TCPII-112-94-01B	Planning Board	Approved	1/16/2019	08-158
NRI-087-2019	N/A	Staff	Approved	7/15/2019	N/A
DSP-94052-03	TCPII-112-94-02	Pending	Pending	Pending	Pending

**PROPOSED ACTIVITY**

The applicant is requesting approval of a revision to the DSP revising the layout to construct a cul-de-sac at the end of Marcy Avenue. The proposed development at 1150 Marcy Avenue was previously approved for a 24-unit condominium building.

The current zoning for the site is Residential, Multifamily-12 (RMF-12); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the Multifamily Low-Density Residential-Condominium (R-30C) Zone.

## **GRANDFATHERING**

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27, because the application has a previously approved Type I and II tree conservation plans.

## **SITE DESCRIPTION**

The subject property located at 1150 Marcy Avenue is comprised of 1.99 acres, bounded to the north by apartments and woodlands; to the east by woodlands; to the south by Marcy Avenue, townhomes, and woodlands; and to the west by the Oxon Hill Volunteer Fire Department. There are no streams or wetlands within the property, but a newly approved floodplain delineation reflects 0.20 acres of floodplain in the northeast corner of the property. An unnamed tributary to Oxon Run is located to the east on the adjacent property. This stream then flows into Oxon Run and to the Potomac River. A substantial portion of the site has been cleared under an approved grading permit in conformance with the previously approved TCPII. No designated scenic or historic roads are affected by this proposal. There are no nearby sources of traffic-generated noise. 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 (RTE) species found to occur on or near this property. 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*. The approved 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan* shows a large portion of the site within the Regulated and Evaluation Areas.

## **PREVIOUSLY APPROVED CONDITIONS**

The following text addresses previously approved environmental conditions to be considered with this application.

### **Preliminary Plan of Subdivision 4-94019, approved by the Planning Board on June 19, 1994:**

No environmental conditions of approval are found in PGCPB No. 94-218.

**Site Plan SP-94052, approved by the Planning Board on April 7, 1995:** No environmental conditions of approval are found in PGCPB No. 95-79.

**Site Plan SP-940520-01, approved by the Planning Board on November 14, 1996:** No environmental conditions of approval are found in PGCPB No. 96-309.

**Detailed Site Plan DSP-94052-02, approved by the Planning Board on October 30, 2008:** No environmental conditions of approval are found in PGCPB No. 08-158.

## **ENVIRONMENTAL REVIEW**

### **Natural Resources Inventory**

A Natural Resource Inventory (NRI-087-2019) Equivalence Letter, approved on July 15, 2019, was provided with this application. The previously approved development plan and TCPs for the application area show no regulated environmental features (REF). A revised floodplain study was requested by the Department of Permitting, Inspections and Enforcement (DPIE). There is a stream located on the adjacent property. The previous plans showed no on-site floodplain, but this newly approved floodplain delineation locates a small floodplain area between the existing stormdrain line and the property line. The TCPII shows all the required information correctly in conformance with the previously approved plans and the floodplain study.

### **Woodland Conservation**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet and is part of a previously approved TCPII. A Type II Tree Conservation Plan (TCPII-112-94-02) was submitted with the DSP application.

The overall site contains a total of 1.90 acres of net tract woodlands with a woodland conservation threshold of 0.40 acres (20-percent). This site proposes to clear 1.49 acres of woodland resulting in a woodland conservation requirement of 0.78 acres. Currently, the TCPII proposes to meet the woodland requirement with 0.41 acres of on-site preservation, 0.19 acres of off-site woodland credits, and 0.18 acres fee-in-lieu. As part of the previous TCPII-112-94-01A approval, the 0.18 acres of fee-in-lieu was collected as part of permit #6999-96.

Currently, the TCPII shows the proposed development of a 24-unit condominium building, surface parking, maintenance road, stormwater structures, woodland preservation, and to finish the construction on adjacent cul-de-sac. The revised DSP and TCPII plans show a maintenance road following the existing stormdrain line in an easterly direction. A portion of this stormdrain line was previously constructed as part of the previous approval.

The TCPII requires minor changes to the TCP approval block and woodland conservation worksheet.

### **Specimen Trees**

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

The site contains three specimen trees (36-inch DBH Shagbark Hickory, 30-inch DBH Tulip Polar, and 35-inch DBH Tulip Polar) in good condition, and are all proposed to be retained within the on-site preservation area.

### **Soils**

The soils found to occur on this site, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are Beltsville-Urban land complexes, Sassafras and Croom soil, and Zekiah and Issue soils. Marlboro clays or Christiana complexes are not identified on or in the vicinity of this property.

This application proposes tall retaining walls just north and east of the proposed parking lot. At the time of fine grading and retaining wall permit applications, a submission of the retaining wall design including the wall plan, drawing, structural calculations, and a global stability analysis shall be reviewed and approved by DPIE. The retaining wall design shall be performed in conformance with the Prince George's County requirements, Techno-Gram 002-2021.

### **Stormwater Management (SWM)**

The site has an approved SWM Concept Plan (#6411-2019-01) that was submitted with the subject application. 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 application proposes permeable pavement and three micro-bioretenment facilities with an

underdrain. A SWM fee-in-lieu of on-site attenuation/quality control measures is not required. No further action regarding stormwater management (SWM) is required with this DSP review.

The on-site development was previously started and stopped. As part of this construction, a portion of the on-site stormdrain and outfall structure were installed. The outfall structure was located off-site between the property line and adjacent stream. This existing stormdrain and outfall system are private and must be maintained. As part of this application, DPIE has approved an on-site maintenance road off the proposed parking area and along the proposed on-site woodland preservation area to the existing stormdrain pipeline. This maintenance road follows to the stormdrain and to the last existing utility access hole adjacent to the property line. No floodplain area will be impacted due to this new road impact.

### **SUMMARY OF RECOMMENDED FINDINGS**

The Environmental Planning Section recommends approval of Detailed Site Plan DSP-94052-03 and TCPII-112-94-02, subject to the following findings and conditions:

#### **Recommended Findings:**

1. No specimen trees are proposed for removal with this application.
2. The regulated environmental features (REF) on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the Type II Tree Conservation Plan. Existing stormdrain line impacts were approved under SP-94052.

#### **Recommended Conditions:**

1. Prior to certification of the DSP, the TCPII shall be revised as follows:
  - a. Add to the approval block on the "001B" approval line "J Stasz, 10/1/2020, DSP-94052-02."
  - b. Update the TCPII plan to show the floodplain on the property.
  - c. Revise the woodland conservation worksheet to show the subject TCPII as the "02" revision.
  - d. Revise the Environmental Planning Section approval block to have a "02" approval signature line.

Date: August 19, 2022

**MEMORANDUM**

**TO:** Andrew Bishop, Urban Design  
**FROM:** Tempi Chaney, Permit Review Section *TC*  
**SUBJECT:** DSP-94052/03, Brighton Hills Condominiums

1. Provide the bearings and distances along each property line as per record plat 173-99 on the site plan.
2. Demonstrate the actual setbacks from the building to each property line on the site plan.
3. Provide a note demonstrating the property meets the density requirements of the R-30C zone.
4. The compact space dimension shown in the Notes section under the Parking Requirements does not match the dimensions shown on the compact space template shown at the bottom of the site plan. Correct which one is wrong.
5. Record plat 173-26 is referenced on the site plan under Parcel A, Brighton Hill. The plat reference needs to be corrected to 173-99. Also, correct the plat reference in the Notes Section, the plat referenced there, 206-26, is the Condo plat.
6. Provide the Tree Canopy Coverage chart as part of the landscape plan.





*Division of Environmental Health/Disease Control*

Date: June 8, 2022

To: Tierre Butler, Urban Design, M-NCPPC

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

Re: DSP-94052-03, Brighton Hills Condo

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan Brighton Hills Condos located on 1160 Marcy Avenue, Oxon Hill, MD and has the following comments/recommendations:

1. Health Department permit records indicate there are approx. five existing carry-out/convenience store food facilities and no markets/grocery stores 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.
2. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.
3. During the 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.
4. During the 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.

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



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](http://www.princegeorgescountymd.gov/health)