PGCPB No. 06-41 File No. DSP-05015

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 February 16, 2006 regarding Detailed Site Plan DSP-05015 for Cerrito Property, the Planning Board finds:

1. **Request**—The subject application requests approval of a 112-unit multifamily development, composed of seven 16-unit buildings.

2. **Location**—The site is located in Planning Area 76B, Council District 8. More specifically, it is located at 6520 Bock Road, Oxon Hill, MD, on the north side of Bock Road approximately 800 feet southeast of its intersection with Livingston Road.

3. **Surroundings and Use:** The subject property is bounded to the north by commercial use including an auto supply store, office buildings, a library, and parking areas. The properties to the east are used for offices, parking, and multifamily and single-family residential, though several lots are vacant. The subject property is bounded to the west by a senior citizen's residence**.** The land use of the properties to the south of the remainder of the site, across Bock Road, is single-family residential.

4. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone(s)	R-18C	R-18C
Use(s)	Vacant	Multifamily Residential
Acreage	8.01	8.01
Lots	NA	NA
Parcels	1	1
Square Footage/GFA (Community Center)	0	1,880
Dwelling Units:		
Attached	NA	NA
Detached	NA	NA
Multifamily	None	112

OTHER DEVELOPMENT DATA

	REQUIRED	**PROPOSED**
Total parking spaces	298	298
Of which handicapped spaces	8	8

5. **Previous Approval:** On January 13, 2005, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-04146 for the site, together with a Type I Tree Conservation Plan (TCPI/6/96). Stormwater Concept Plan 3123-2004 was also approved for the site by the Department of Environmental Resources on June 10, 2004. The stormwater concept plan is valid for three years, or until June 10, 2007.

6. **Design Features:** The proposed multifamily development would be accessed from a single point along the easterly side of the property's Bock Road frontage. The westerly side of the Bock Road frontage is proposed for the heavily landscaped stormwater management pond accessed by a ten-foot-wide service access for maintenance. Parking is proposed in a double row along the property's Bock Road frontage, behind the stormwater pond, then along the westerly boundary of the site northerly to its northwest corner with the parking in front of Building 3 in a single row, then a double row again along the northerly boundary of the site until its easternmost corner where Buildings 6 and 7 are proposed to be located. Parking for those buildings is provided in a double row to their front and additional parking immediately beyond that double row. A single row of parking also runs along the easterly side of the building pad site for Building 1 and the community center. Each building has a single front and rear access point.

   Three buildings contain 32 units, whereas one (Building 1) contains 16 units. Buildings 2 and 3 (32 units) face the rear portion of the property's western boundary. Buildings 4 and 5 (32 units) are located in the rear central portion of the site, and Buildings 6 and 7 (32 units) are located in the easterly corner of the site. Recreational facilities located centrally to the site and adjacent to a community center building include a "Sun Vista" play structure for ages 2-5 and 5-12 and a "Step-by-Step" play structure for ages 5-12. The "Sun Vista" play structure includes:

   - A "turning" bar
   - A "clover leaf" climber
   - A four-foot crawl tube with spy holes
   - A counting panel
   - A curved slide
   - 2 three-foot-square platforms
   - A "crunch" bar
   - A "wave" climber
   - A "rumble and roll" slide
   - An "access attachment"
   - A "transfer point" platform

   The second play area, the "Step-by-Step," includes:

   - A "Wilderslide"
   - An access attachment
   - A transfer point platform
   - A "Flip Slide"
   - A barrier enclosure with a steering wheel

- A contoured seat
- A “wave” climber
- A “clover leaf” climber
- A transition “step link”
- A “toadstool” climber
- A “turning” bar
- A “funnel bridge” with barrier rails
- A horizontal “loop” ladder

Architecture for the condominium buildings includes the use of a stone material called ledger rock in the base, which is extended up to the second story on the building portion that protrudes in plan section and has a roof that forms a cross gable with the main roof on each building. The stone material is extended up two stories, for a total of three above the main entrance to the building. The main entrance to each building is further accentuated by a dip in the roofline at the building’s upper limit clipped gable ends and a small roof overhang on the first story, providing protection from the elements.

Fenestration for the buildings is varied. The front and rear elevations are identical with windows in pairs or groups of three and inset balconies articulating the facades. There is a single square window under the uppermost story directly under the roof’s apex. The right and left side elevations provide further variation in window size, mixing smaller windows with the standard size windows in a pattern offering visual interest. On these elevations, there is a range of three of these smaller windows placed directly under the rooftop feature.

The architecture of the buildings is composed of a design module used doubly or in a paired fashion for three of the buildings and independently for a fourth smaller building on the site. The buildings are generally well-articulated and have balanced fenestration. A cross gable helps define the roofline and sits atop the projected, central building mass for each of the two modules. A balcony is provided on the second, third, and fourth story of the central building mass. An arched lintel on the ground story visually supports the balcony feature. Throughout, a variety of window sizes and groupings help create visual interest in the facades. The cross-gabled roof is proposed to be finished with fiberglass shingles. The uppermost story is proposed to be covered with decorative shingle shake siding. More particularly, the product is specified as “Restoration Series Wolverine vinyl siding seven-inch shake in a soft almond color.” Trim board helps give external definition to the breaks between the four stories in the building. The second and third stories are proposed to be covered with a horizontal lap siding except for the central projecting portion of each design module. The horizontal lap siding is specified as “Restoration Series—Wolverine—Heritage, cream-colored five-inch clapboard vinyl siding.” An isolated use of standing seam metal is found in a small portico over the main entrance on the buildings’ front facades. The two design modules are joined at the front and rear of the building by the building element that includes the entrances. Composition of that central block differs from front to rear. In the front, its treatment is regularized by paired windows and a roof feature stretching across the entire block, whereas the central block in the rear utilizes a mix of siding and stone and a trellis in lieu of the standing seam metal roof in front partially straddling the central block.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-18C Zone and the site plan design guidelines of the Zoning Ordinance.

   a. The subject application is in conformance with the requirements of Section 27-437, which governs permitted uses in residential zones except for those relating to lot coverage and green space. Please see Finding 8 below. The proposed multifamily residential-condominium is a permitted use in the R-18C Zone.

   b. The proposal is also in conformance with the requirements of Section 27-437, Regulations, regarding additional regulations for development in residential zones.

8. **Requirements of the Zoning Ordinance for the Granting of a Variance:** The applicant has requested variances from Section 27-442(c) to increase the lot coverage from 40 percent to 50 percent (Variance 1 below) and to decrease the green area requirement from 60 percent to 50 percent (Variance 2 below). Staff has listed each required finding for the granting of a variance as stated in Section 27-230 of the Zoning Ordinance, followed by staff comment. Comment has been made jointly for two requested variances.

   "(1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions:"

   Comment on Variance 1 and 2: The parcel has an unusual shape and a topography that has hampered the design of the project. The low point of the site, the portion immediately adjacent to the parcel's road frontage has, of necessity, been used as a stormwater management pond. The applicant has to design around an odd-shaped jag in the parcel's northeastern corner, making it difficult to approach the maximum allowable density on the site. Therefore, it may be said that there are extraordinary situations or conditions in this case that enable the Planning Board to make the above finding.

   "(2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and"

   Comment on Variance 1 and 2: The strict application of the Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property. The strict application of the Zoning Ordinance would reduce the applicant's unit yield on the property so as to make the project economically infeasible. Alternatively, it could result in reduction in size of the community building or its complete elimination. This is clearly an undesirable result and would reduce the appeal and marketability of the project. Staff is of the opinion that the significant amenity benefit of a community building in a development of this kind goes some way toward justifying approval of the variance. Moreover, an improved and

enhanced community center will strengthen the justification and approval of the variance. Therefore, staff recommends enlargement and enhancement of the community building as indicated in proposed Condition 1m below. Therefore, this second required finding for the granting of a variance may be made.

"(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan."

Comment on Variance 1 and 2: In its comments dated October 28, 2005, the Community Planning Division pointed to the presence of two master-planned roadways on the site as a potential conflict with the relevant planning documents. Legal counsel, however, has instructed staff that the presence of master-planned roadways in a master plan that has been adopted by the Planning Board but not yet approved by the District Council is not a basis for the recommendation of disapproval for a detailed site plan. Therefore, it can be said that the proposed variances will not substantially impair the intent, purpose, or integrity of the General Plan or master plan.

Summary: Staff notes that the community building, alone, is responsible for more than six per cent of the ten percent requested in variance relief. Partially to mitigate the impact of the variance, staff has successfully negotiated with the applicant to create an enhanced amenity for the development. By mutual agreement, a recommended condition below would require the community center be expanded to two stories, providing space for a fitness area, play area, restrooms and storage space on a lower level, in addition to the previously planned dining area, full kitchen and restrooms on the upper level. Therefore, and because staff finds that the standards established in Section 27-230 of the Zoning Ordinance have been met, staff recommends that the variances requested in VD-05015 be granted.

9. **Preliminary Plan of Subdivision, 4-04146:** The Planning Board approved Preliminary Plan 4-04146 on January 13, 2005. Resolution PGCPB 05-14, formalizing the approval, was adopted by the Planning Board on February 8, 2005. The following conditions of approval apply to the review of the subject detailed site plan. Each condition is enumerated below and followed by Urban Design staff's comments.

"2. At the time of the DSP, a Type II tree conservation plan shall be approved."

Comment: Type II Tree Conservation Plan TCPII/127/05 is proposed together with the subject detailed site plan. In a memorandum dated September 20, 2005, the Environmental Planning Section has recommended approval of the Type II tree conservation plan. If the Planning Board approves the Type II tree conservation plan pursuant to this recommendation, Condition 2 of the preliminary plan of subdivision will be fulfilled.

"3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, 3123-2004-00, and any subsequent revisions."

Comment: In comments dated September 20, 2005, the Department of Environmental Resources has stated that the proposed development of the site is in conformance with approved Stormwater Management Concept Plan 3123-2004-00.

"5. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines."*

Comment: The applicant has proposed two play areas and a community building. Urban Design staff has reviewed those facilities and found them to be in accordance with the *Parks and Recreational Facilities Guidelines.*

"6: The applicant shall allocate appropriate and developable areas for the private recreational facilities on site on Parcel A. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division for adequacy and proper siting, prior to approval of the detailed site plan."

Comment: Staff has reviewed plans for private recreational facilities on the site and determined that they are adequate and properly sited. For a more detailed description, please see the design features section of this report.

"10: The applicant shall provide standard sidewalks along both sides of all internal roads and along the subject site's frontage of Bock Road in keeping with frontage improvements on adjacent sites, per the concurrence of DPW&T. At the time of detailed site plan, a sidewalk or trail connection may be considered to the adjacent public library site, which is immediately to the north of the subject site. "

Comment: The proposed detailed site plan complies with the above requirements regarding sidewalks. They are shown in continuous fashion along all internal roads. A four-foot-wide concrete sidewalk connection is shown to the library parking lot. A four-foot lockable gate is indicated in the fence at that location. A condition below ensures that residents will have access to the library through the gate.

"12: Prior to approval of the detailed site plan and/or any disturbance occurring on this property, the applicant shall submit a Phase I archeological investigation and, if determined to be needed by Planning Department staff, a Phase II and Phase III investigation. If necessary the DSP and final plat shall provide for the avoidance and preservation of the resources in place and/or shall include plat notes to provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. "

Comment: In a letter dated July 7, 2005, the Historic Preservation Planning Section stated that an acceptable Phase I archeological study had been submitted and found acceptable. They indicated that no further archeological work would be required for the site.

"13: At the time of final plat approval, the applicant shall dedicate right-of-way along Bock Road of 40 feet from the master plan right-of-way centerline. The applicant shall be responsible for any frontage or roadway improvements along Bock Road as required by the Department of Public Works and Transportation. "

Comment: Although this condition of approval of the preliminary plan of subdivision is required at time of final plat approval the site plan should be revised to indicate the centerline and dedication as required. Staff has included a condition in the Recommendation Section of this report that will ensure such inclusion.

"Finding 15:

Density-In the R18C Zone, the allowable density for the construction of multifamily dwelling units, as proposed by the applicant at 20 dwelling units per acre, is only permitted if the building is more than 36 feet high (four or more stories) and has an elevator. In order to construct the density proposed, the applicant will be required to demonstrate, at the time of review of the required detailed site plan, conformance to these requirements. "

Comment: The buildings included in the subject development proposal are four stories high and have an elevator in keeping with the above finding from the approval of the relevant preliminary plan of subdivision.

10. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.1, On-Site Residential Planting Requirements, Section 4.3.c, Parking Lot Interior Planting Requirements, and Section 4.7, Buffering Incompatible Uses. Urban Design staff have reviewed the proposed landscape plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual* with respect to what is identified as Bufferyard 3, a portion of what is identified as Bufferyard 2, and Bufferyard 8 on the plans. The Alternative Compliance application requests relief from the requirements of Section 4.7 relating to the buffering of incompatible uses along the northwestern (Bufferyard 4) and eastern (Bufferyard 7 and 8) property lines. The numbering of the bufferyards relates to how they are represented on the submitted plans.

More particularly, the applicant requested that a 12.5-wide bufferyard be allowed along the northwestern property line (Bufferyard 4) where a 40-foot-wide landscaped strip would otherwise have been required. The applicant offered to provide an additional three plant units to compensate for the lack of width in the landscaped strip. The required building setback, in this instance, was exceeded by 40 feet.

Secondly, the applicant requested in Bufferyard 7 that the required 20-foot-wide landscaped strip be reduced to 11.5 feet. In this instance, the applicant offered no additional plant units to compensate for the lack of width in the landscaped strip. They, did, however, exceed the required building setback by 85 feet.

Lastly, with respect to Bufferyard 8, the applicant requested that the landscape yard be reduced from the required 20 feet to 10 feet in width and that the required plant units be reduced from 92 to 78.

The committee, in its opinion dated December 22, 2005, stated that the plan does not provide an adequate amount of plant units in the three bufferyards and expressed the opinion that the proposed alternative compliance application would only be equal to or better than normal compliance to the requirements if the applicant provided additional plant units in the proposed bufferyards. Therefore, they recommended conditional approval of the alternative compliance application relying on wood privacy fences and additional plantings to enable the application to meet the required standard. In addition, the approval required corrections to the plans in the linear feet in Bufferyard 8 and the landscape schedules included in the plans. The recommendation of the Alternative Compliance Committee has been endorsed by the Planning Director and staff have included suggested conditions in the recommendation section of this report.

11. **Woodland Conservation Ordinance:** In a memorandum dated September 20, 2005, the Environmental Planning Section stated that the property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has a previously approved Type I Tree Conservation Plan, TCPI/6/96. Further, they reported that they had reviewed and were recommending approval of a Type II Tree Conservation Plan, TCPII/127/05. Therefore, it can be said that the proposed project is in conformance with the requirements of the Woodland Conservation Ordinance.

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

    a. **Historic Preservation:** In comments dated September 15, 2005, the Historic Preservation Section stated the proposed development has no effect on the historic resources.

    b. **Archeological Review:** In a letter dated July 7, 2005, the staff archeologist stated that Condition 12 of the Prince George's County Planning Board Resolution PGCPB No. 05-14, dated February 3, 2005, has been fulfilled and no further archeological work on the subject property would be required.

    c. **Community Planning:** In a memorandum dated October 28, 2005, the Community Planning Division stated that:

1. The application is not inconsistent with the 2002 General Plan Development Pattern policies for Centers in the Developed Tier.

2. The proposal, located in the Oxon Hill community, conforms to the urban residential land use recommendation of the 1981 Master Plan for Subregion VII.

3. The application does not conform with the transportation systems recommendations of the 2005 Preliminary Henson Creek-South Potomac Master Plan and Proposed Sectional Map Amendment due to be adopted on November 17, 2005, and approved in January 2006. In response to this comment, please see Finding 12d below.

d. **Transportation:** In a revised memorandum dated December 5, 2005, the Transportation Planning Section stated:

The submitted detailed site plan follows the Planning Board approval. The dedication of right-of-way along Bock Road of 40 feet from the centerline is shown correctly. Also shown are the frontage improvements along Bock Road as required by DPW&T. A four-foot-wide sidewalk is shown along Bock Road; this is the minimum width required by DPW&T and is acceptable. Most of the sidewalks within the development are five feet wide, which is also acceptable.

The internal streets are proposed to be private. Three 5-foot-wide crosswalks are shown on Cerrito Terrace. The two sidewalks along Cerrito Terrace, at least up to Prudent Way, do not necessarily have to be directly against the road. A two-foot-wide grass buffer could be provided at these locations. The entrance to the development is about 50-feet wide with two 10-foot approach and receiving lanes or egress/access points. The two tapers shown at the entrance should probably be removed and this section of Cerrito Terrace widened to 36 feet to facilitate traffic flows from the development and Bock Road. A condition to this effect has been included below. Staff acknowledges that this may increase the amount of variance requested for lot coverage and green space but would assert that the rationale offered for the original requested variance would apply equally well to the subject increased request.

The off-site transportation improvements needed prior to the issuance of any building permits are not included in this review. These included a traffic signal warrant study at the intersection of Livingston Road and Bock Road and intersection improvements at MD 414 (Oxon Hill Road) and Livingston Road.

Henson Creek-South Potomac Master Plan (2005)

The original preliminary plan for the Cerrito property (4-04146) was approved in January 2005 and the subsequent resolution (PGCPB No. 05-14) was approved in February 2005. Since that time the Subregion VII Master Plan (l981) has been updated and replaced by the Henson Creek-South Potomac Master Plan. The preliminary Henson Creek-South Potomac Master Plan was published in June 2005 and recently adopted by the Planning Board on December 1, 2005. The plan is scheduled to go to the District Council for a work session in January 2006 and could be approved shortly thereafter.

The newly adopted Henson Creek-South Potomac Master Plan impacts the Cerrito property. This information was not available to staff during the review of Preliminary Plan 4-04146. Staff review was based on the Subregion VII Master Plan (1981). The new master plan for the Henson Creek area recommends that a new arterial roadway (A-68) be constructed between Oxon Hill Road (at Livingston Road) to Brinkley Road with a proposed right-of-way of 100 feet and four travel lanes. This roadway is listed in Table 1 (Recommended Road Facilities), page 65 of the preliminary Henson Creek-South Potomac Master Plan, and is also shown on Map 23 depicting the proposed Oxon Hill street pattern and road network. Existing conditions are shown on Map 20 depicting the Oxon Hill regional center and existing land uses. Both maps and Table 1 are attached.

The proposed new arterial (A-68) has a proposed right-of-way of 100 feet, and it will severely impact the northern portion of the Cerrito property. Development on the site must provide for 50 feet of right-of-way extending south from the northern property line of the Cerrito property. The detailed site plan under review shows Cerrito Drive, numerous parking spaces, and two buildings containing 16 units each within this area.

In addition, the preliminary Henson Creek-South Potomac Master Plan shows a commercial collector roadway extending north from Bock Terrace at Bock Road to A-68 and continuing to a point north of Oxon Hill Road. Although it is not listed in Table 1 from Bock Road to A-68, the commercial collector is shown on Maps 22 and 23 depicting the Oxon Hill regional center vision diagram and street patterns. The site plan makes no provision for this roadway.

Staff Recommendations

Based on the recommended road facilities found within the recently adopted Henson Creek-South Potomac Master Plan, the Transportation Planning Section cannot recommend approval of this site plan at this time. It is very likely that the master plan update will achieve an approval status during the review and/or appeal period for this plan. Even if the master plan is slightly delayed, the master plan will pose an issue during the review of building permits for this site.

While dedication cannot be required at this time, it is recommended that the development proposal be modified to avoid impacts to the A-68 right-of-way.

Staff has taken into consideration the Transportation Planning Section's comments. However, on the advice of our Associate General Counsel, it is not appropriate to recommend disapproval of a detailed site plan based on a planned roadway impacting the subject site that is included in a master plan that has not received final approval. The Zoning Ordinance, Section 27-259, requires that permits shall not be issued, however, for the subject project unless the District Council grants specific permission for their issuance.

e. **Subdivision Section:** In a memorandum dated September 30, 2005, the subdivision section stated that the property is the subject of Preliminary Plan 4-04146 and the relevant resolution of approval, PGCPB Resolution 05-14, was adopted on February 3, 2005. Further, they stated that the preliminary plan remains valid until February 3, 2007, or until a final record plat is approved. Lastly, they reviewed conditions contained in the resolution of approval that they found related to the review of the detailed site plan. Please see Finding 9 for a more detailed description of the relevant conditions from the subdivision section's referral comments.

f. **Public Facilities:** In a memorandum dated September 29, 2005, the Historic Preservation and Public Facilities Planning Section stated that the proposed project would be within established guidelines for fire engine and ambulance service, but outside the guidelines for paramedic and ladder truck service to the project. In addition, they stated that police facilities were within the established guidelines. Please note that this information is provided for informational purposes only. Findings regarding adequate public facilities are made at the time of approval of a preliminary plan of subdivision.

g. **Trails:** In a memorandum dated November 29, 2005, the senior trails planner stated that there are no master plan trails issues identified in either the adopted and approved Subregion VII Master Plan or the 1985 Equestrian Addendum to the adopted and approved Countywide Trails Plan. He did mention that support for pedestrian accessibility and safety within communities and connections to public facilities were expressed as part of the November 2004 planning charrette for the Henson Creek-South Potomac Master Plan. That plan, however, has yet to be adopted and the senior trails planner made no master plan recommendations. He did, however, support the provision of a pedestrian connection between the subject site and the adjacent Oxon Hill Library. Staff has ensured that a workable connection between the residential development and the adjacent public library has been identified on the subject detailed site plan.

h. **Permits:** In a memorandum dated October 17, 2005, the Permit Review Section has offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

- Minimum green area required for multifamily development is 60 percent. Green area proposed is 50 percent. A variance for the green area will be required.

- Minimum distance between unattached multifamily buildings is 50 feet. The proposed distance is 70 feet. A variance required for the distance between Buildings 1 and 2 and Buildings 3 and 4.

- The parking schedule should include the numbers of standard parking spaces and compact parking spaces.

- Two additional van-accessible spaces need to be provided.

- Drive aisle located adjacent to the loading area must be noted as one-way or redesigned.

- Loading spaces and access to loading spaces must be located at least 50 feet from any residentially zoned property. A departure from design standards or revision of plans will be required.

- The chain link fence on detail sheet 7 of 9 exceeds the maximum height of 6 feet.

- A variance or reduction in height of the fence is required.

- Provide the height of the chain link fence located between the parking lot and the stormwater management pond.

- The parking lot interior planting requirements should be calculated with eight percent as the total area for the interior planting area.

- A Section 4.7 buffer (Buffering Incompatible Uses) is required between the proposed project and the adjacent single-family dwelling located on Parcel 242 along the eastern property line of the subject parcel.

Urban Design Comment: Applicant has subsequently revised plans for the project to lower the height of the fence and has submitted variance applications for the amount of green space proposed for the subject site, and lot coverage. Please see Finding 8 above for further discussion of those variances. In addition, alternative compliance is being recommended for the required Section 4.7 buffer. The remainder of the above-referenced comments have been addressed by revisions to the plans or by the recommended conditions below.

i. **Environmental Planning:** In a memorandum dated September 20, 2005, the Environmental Planning Section reviewed the Preliminary Plan of Subdivision for the Cerrito Property, 4-04146, and the revised Type I Tree Conservation Plan, TCPI/6/96, stamped as accepted for processing on August 31, 2005. The Environmental Planning Section recommends approval of DSP-05015 and TCPII/127/05.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject applications. The text in **BOLD** is the actual text from the previous cases or plans.

PGCPB No. 05-147, File No. 4-04116

"2. At the time of review of the DSP, a Type II tree conservation plan shall be approved. "

Comment: A Type II Tree Conservation Plan, TCPII/127/05, will be approved as part of this application. Woodland conservation is discussed in detail in the Environmental Review Section below.

"3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, #3123-2004-00, and any subsequent revisions."

Comment: Stormwater management is discussed in detail in the Environmental Review section below.

Environmental Review

1. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has a previously approved Type I Tree Conservation Plan, TCPI/6/96.

   The Type II Tree Conservation Plan, TCPII/127/05, has been reviewed. The plan proposes clearing all of the existing 7.80 acres of woodland. The worksheet correctly indicates the woodland conservation threshold as 1.62 acres and correctly calculates the woodland conservation requirement for this proposal as 4.79 acres. The plan proposes to meet this requirement by providing 4.79 acres of off-site mitigation.

   The Environmental Planning Section notes that there are no priority woodland areas, as defined in the "Woodland Conservation and Tree Preservation Policy Document," on the property or adjacent to the property. There are no review

areas associated with the Green Infrastructure Plan on this property. The use of off-site mitigation is an appropriate method to meet the intent of the Woodland Conservation Ordinance for this site. The plan is in complete conformance with TCPI/6/96.

Recommended Action: The Environmental Planning Section recommends approval of the Type II Tree Conservation Plan, TCPII/127/05.

2. According to the "Prince George's County Soil Survey, the principal soils on the site are in the Beltsville series. Beltsville soils are in the C-hydric series, are highly erodible, and are subject to perched water tables and impeded drainage.

Discussion: 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 during the permit process review.

3. A stormwater management concept plan using on-site bioretention, CSD 3123-2004-00, has been approved by the Prince George's Department of Environmental Resources. The plan shows clearing and grading for an on-site pond. Because any future changes in the stormwater management design will not impact the TCP's limits of disturbance, no additional information is required.

Discussion: No further action is needed as it relates to this detailed site plan review.

Summary of Recommendations

The Environmental Planning Section recommends approval of DSP-05015 and TCPII/127/05.

j. **Department of Environmental Resources (DER):** In a comment dated September 14, 2005, DER stated the site plan for Cerrito Property DSP-05015 is consistent with approved Stormwater Concept 3123-2004-00.

k. **Prince George's County Fire Department:** In a memorandum dated November 22, 2005, the Prince George's County Fire Department offered comment on accessibility, private road design, fire lanes, and the location and performance of fire hydrants. Please note that the Fire Department's requirements are separately enforced through the building permit process.

l. **Department of Public Works & Transportation (DPW&T):** At the time of this writing, DPW&T has not offered comment on the subject project.

m. **Washington Suburban Sanitary Commission (WSSC):** In a comment dated September 29, 2005, WSSC stated that water and sewer are available to the site. In addition, they noted that an on-site plan review package should be submitted and suggested the applicant contact the Permit Services Unit. Also, WSSC stated that Project DA3929Z04 is an approved project within the limits of this proposed site and they requested the applicant to submit an amendment revision to change type of development from townhouses to apartment condominiums. Please note that WSSC's requirements are enforced through their separate permitting process.

n. **Maryland State Highway Administration (SHA):** In a memorandum dated September 19, 2005 (Foster to Grover), the SHA stated that coordination with Prince George's County is necessary for appropriate ingress/egress improvements. Coordination with Maryland State Highway Administration, Engineering Access Permits Division, is necessary for compliance with off-site improvements identified in PGCPB No. 05-14, Conditions 14 and 15.

13. 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/127/05) and APPROVED Variance Application No.VD-05015, and APPROVED Alternative Compliance No. AC-05026, and further APPROVED Detailed Site Plan DSP-05015 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the subject detailed site plan the applicant shall revise plans for the project as follows:

   a. The property shall be relabeled as "Parcel A."

   b. A note shall be added to the plans that the lockable gate at the connection to the library shall be of a type that automatically swings shut and each resident of the subject development will be provided with a key to the lockable gate.

   c. The six-foot-high wood privacy fence shown in Bufferyards 3 and 4 on the submitted landscape plans shall be labeled.

   d. A six-foot-high wood privacy fence shall be indicated and labeled in Bufferyard 7 on the submitted landscape plans between the proposed building and the adjacent single-family residential lot.

e. A six-foot-high wood privacy fence and existing woodland shall be indicated and labeled in Bufferyard 8 on the submitted landscape plans between the proposed and the adjacent single-family residential lot.

f. The plant materials provided in Bufferyard 8 on the landscape plan submitted to the Alternative Compliance Committee shall be increased by 20 percent.

g. The required linear feet along the property line shall be corrected to 230 feet on the submitted landscape plan in Bufferyard 8.

h. The percentage of required bufferyard occupied by existing woodlands shall be reduced to 10 per cent in the landscape schedule on the landscape plans for Bufferyard 8.

i. All appropriate corrections shall be made to the landscape schedules as a result of conditions 1(d) through 1(i) that pertain to the landscape plans.

j. The site plan shall be revised to indicate the 40-foot dedication of right-of-way along Bock Road required by the relevant master plan. Such dedication shall be made at the time of final plat approval and the applicant, at that time, will be responsible for any frontage or roadway improvements along Bock Road as required by the Department of Public Works and Transportation.

k. The two tapers shown at the entrance to the development shall be removed and the section of Cerrito Terrace where the tapers were previously shown shall be widened to 36 feet to facilitate traffic flows from the development and Bock Road.

l. Applicant shall relocate the loading space and access to that loading space at least 50 feet from any residentially zoned property.

m. Applicant shall include an expanded two-story community center in the design including a fitness area, play area, restroom facilities, a dining area, and a full kitchen. Design of such community center shall be approved by the Urban Design staff as designee of the Planning Board.

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

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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 Squire, seconded by Commissioner Eley, with Commissioners Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 16, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of March 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:bjs