



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 10-15

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File No. DSP-09013

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 January 21, 2010, regarding Detailed Site Plan DSP-09013 for Quincy Manor, the Planning Board finds:

1. **Request:** The subject application requests 404 single-family attached dwelling units and a 1,680-square-foot community building, including a 197-square-foot police substation.
2. **Development Data Summary:**

| | Existing | Approved |
|----------------|-------------------------|--|
| Zone(s) | R-18/R-35 | R-18/R-35 |
| Use(s) | Multifamily Residential | Single-family attached residential units and a Community Building, including a Police Substation |
| Lots | 0 | 404 |
| Parcels | 7 | 7 |
| Square Footage | NA | NA |
| Units | 382 | 404 |

Parking Data

Required

| | |
|----------------------------------|-----|
| 404 units @ 2.04 spaces per unit | 825 |
| Less 30% reduction per 27-445.10 | 578 |

Provided

| | |
|--|-------------------|
| 176 two-car garage units | 352 spaces |
| 228 one-car garage units | 228 spaces |
| 8 surface spaces behind units 14-21, Block E | 8 spaces |
| 2 surface spaces in Block B | 2 spaces |
| Subtotal | 590 spaces |
| On street spaces | <u>158 spaces</u> |
| Total parking provided | 748 spaces |

3. **Location:** The property is located in Planning Area 69 and Council District 5. More particularly, the subject property is located on the northern and southern sides of Newton Street, Madison Way, and 54th Avenue, approximately 200 feet from the intersection of Quincy Street and 55th Avenue.
4. **Surrounding Uses:** The subject property is bounded to the west by multifamily residential units in the Town of Bladensburg; to the east by single-family detached units in the Town of Cheverly; to the north by the Newton Green senior multifamily project; and to the south by multifamily residential units (Monroe South Parke Cheverly Apartments) and several semidetached residential units.
5. **Previous Approvals:** The site is subject to the requirements of Preliminary Plan of Subdivision 4-08022, originally approved on December 4, 2008, then reconsidered and approved on April 9, 2009 with the amended resolution of approval PGCPB Resolution No. 08-178(A) adopted the same day. This preliminary plan approved 411 lots and seven parcels for the construction of single-family attached dwelling units. The site is also the subject of Stormwater Management Concept Plan 33617-2007-00, approved October 5, 2007 and valid until October 5, 2010. A condition below requires that the applicant provide written evidence from the Department of Public Works and Transportation (DPW&T) that the subject detailed site plan (DSP) is in conformance with the approved stormwater concept plan prior to signature approval of the plans.
6. **Design Features:** The development straddles 55th Avenue and extends to the east to the boundary of the Town of Cheverly; to the west to the boundary of the Town of Bladensburg; to the north toward Quincy Street; and past Macbeth Street to the south. Encompassing part or all of seven blocks, the development is organized in tightly-packed townhome sticks ranging in length from 4 to 16 units.

A 1,680-square-foot community building includes a 197-square-foot police substation. Of the 1,307 net square feet available for resident use, 190 square feet is devoted to restrooms with the remaining 1,117 square feet allotted to community assembly. The community building is proposed to be located in the southwestern quadrant of the intersection of Newton and 55th Street. No outdoor recreational facilities were initially proposed for the project. Conditions below require a full complement of recreational facilities for the development.

Using the standard formula for a residential developer's expenditure for recreational facilities, the applicant's expected contribution toward recreational facilities would be \$456,170. However, neither the required bonding amount (\$228,480) nor the applicant's stated "total value" (\$379,500) is sufficient to meet this requirement.

| Item | Applicants Stated “Total Value” | M-NCPPC Bonding Amount |
|------------------|--|---|
| Community Center | \$379,500 | \$136 per square foot (1,680) or \$228,480 |

Further, only a small percentage of the project’s population could be accommodated in the building at a single time. Building code requirements set maximum occupancy of this area at 215 for standing occupants, 153 if chairs are provided and 72 for occupants if tables and chairs are provided. Thus, the maximum number of occupants that would be legally permitted in the building at any given time would be approximately 17 percent of the project population for standing occupants, 12 percent of the project population for seated occupants, and 5 percent of the project application for occupants seated at tables in the community center.

Even if the population were generalized to two adults per unit, the percentage of the adult population that would be legally permitted in the building at one time would only increase to 26 percent of this population if standing, 18 if seated, and 8 percent if the community members were provided tables and chairs.

The architecture of the community building, however, includes a pleasing architectural design with red brick as the primary construction material and wood trim and wood brackets and an apparent clerestory providing a transition between the building’s façades and the green standing seam metal roof. Prefinished aluminum downspouts complement the roof. Precast medallions punctuate the upper portion of the wall, and the pleasing arrangement and details of the fenestration create a rhythm to the façades. On all but the left side elevation, precast arches form lintels on the windows and doors. This detail is echoed by the design of the windows under the arches and above the rectilinear forms of the windows and doors. The left elevation is of a more simple design, with four rectilinear windows provided on the façade.

The architecture for the residential units includes four architectural models: The Beall, The Stoddert, The Wirt, and The Decatur. While the Beall and the Stoddert are offered with three different front façades, the Wirt has one and the Decatur has two. The following are identified as “Unit Footprints” on the coversheet of the detailed site plan together with their base square footage:

| Name of Model/Type | Base Square Footage |
|---------------------------|----------------------------|
| The Beall/B1 | 1,545 |
| The Beall/B2 | 1,466 |
| The Beall/B3 | 1,331 |
| The Stoddert/S1 | 1,625 |
| The Stoddert/S2 | 1,540 |
| The Stoddert/S3 | 1,413 |
| The Wirt/W | 1,484 |
| The Decatur/D1 | 1,725 |
| The Decatur/D-2 | 1,455 |

The above information conflicts with the submitted elevation drawings for the project, which include:

| Elevation Drawings Submitted for the Various Model Types | Model Types Included as a template on the coversheet of the Detailed Site Plan |
|---|---|
| Beale | |
| A-1 | Not included |
| B-2 | Included |
| A-2 | Not Included |
| C | Not Included |
| B-1 | Included |
| Stoddert | Only S-1, S-2 and S-3 indicated on cover sheet |
| A-1 | Not included |
| B-2 | Not included |
| A-2 | Not included |
| C | Not included |
| B-1 | Not included |
| Wirt | Only Model Type W indicated on cover sheet |
| A-1 | Not included |
| B-2 | Not included |
| A-2 | Not included |
| C | Not included |
| B-1 | Not included |
| Decatur | Only Type D-1 and D-2 indicated on cover sheet |
| A-1 | Not included |
| B-2 | Not included |
| A-2 | Not included |
| C | Not included |
| B-1 | Not included |

A condition below requires the applicant, prior to signature approval, clarify this inconsistency by revising the template information to reflect all proposed models to be utilized in the subject project, and to submit front, rear, and side elevations for all such model types.

Further, a close examination of architecture proposed reveals little diversity. Below, the front architectural elevations for The Beall, The Stoddert, The Wirt, and The Decatur models proposed are discussed in detail.

- a. **The Beall**—The submitted elevation drawings for the Beall model are offered with five different front façades (A1, A2, B1, B2, and C). Type A1 indicates keystone lintels above the windows and door, a flat roofline with an unbracketed cornice, and a precast band between brick courses separating the first from the second story. Type A2 differs from Type A1 only in that a bay window with a standing seam metal roof replaces the far left and central window on the second story. Type B1 and B2 architectural models have brick

arched lintels. The B2 model, however, has a bay window replacing the standard windows on the left side of the second story and a standing seam metal roofed area. Type C has a sloping asphalt roof punctuated by three pedimented dormers with no decorative lintels above the rectilinear windows on the first and second story. The door on the Type C model, however, has a pediment over the doorway, echoing the pedimented dormers on the second story. The Beall offers an alternative to the standard end unit, varied only to offer the entrance on the side rather than the front.

- b. **The Stoddert**—The submitted elevation drawings for the Stoddert model are identical to the ones for the Beall unit described above, with the single exception that, on the Stoddert, the two first floor windows are to the right of the door whereas on the Beale, they are to the left. In every other respect, the two architectural front elevations are identical and it is questionable whether the minor difference would offer any genuine visual diversity to the development.
- c. **The Wirt**—The submitted elevation drawings for the Wirt model are again identical to the Beall, but for a single front-loaded garage. It would appear that the pediment intended for Type C was inadvertently omitted.
- d. **The Decatur**—The submitted elevation drawings for the Decatur model are again identical to the Beall unit described above, except that the first level, which is elevated a half story from the ground, is accessed by a half staircase.

The sides of the various models are similar for the less visible elevations. The architectural design includes a simple rhythm of vinyl, rectilinear, double-hung sash windows generally symmetrically placed. Likewise, the sides of the various models are similar for those deemed highly visible. These include use of brick as the primary construction material, brick lintels of a contrasting bond with precast concrete keystones on the Beall unit and a less elaborate brick arch over the windows of the other three units, inclusion of a single bay window, and on all models except the Beall, a bit of decorative brick work between the two central windows on the upper story.

A typical rear elevation treated with brick, due to high visibility from the roadway, has been provided by the applicant on Sheet A-7 “Miscellaneous Elevations and Details.” Additional brick rears for the project are shown on Sheet A-8. A condition below requires that the trim for the end unit with the enhanced treatment be consistent with the trim of the other units on the stick. Additionally, to provide some continuity of quality material and provide a visual base for such rear façades, a condition below requires the use of brick for the limited portions of wall visible on the first floor of the entire stick. These conditions accomplish the goal of creating better visual harmony for the collective rears of such sticks of townhouses to be included in the development.

The originally proposed architecture risks creating a monotonous visual landscape. By a condition below, we require that, prior to signature approval, the applicant shall submit no less than four additional front elevations to add diversity to the proposed mix of architectural units. This may be accomplished by more variety in the form and massing of the architecture, but is

more easily accomplished in the townhome prototype by inclusion of a variety of architectural details and assuring a mix of quality architectural materials.

The townhomes in the Quincy Manor development are organized in sticks of varying lengths. The distribution of these different lengths throughout the subdivision is indicated in the following chart. The townhomes are of varying widths so the actual length of a stick will vary depending on which units are included in a stick. In other words, one stick of four townhouses might vary slightly in total length from another comprised of the same number of units.

| Number of Units in Stick | Number of Sticks in Quincy Manor |
|-------------------------------------|---|
| 3 units | 1 |
| 4 units | 3 |
| 5 units | 5 |
| 6 units | 10 |
| 7 units | 4 |
| 8 units | 6 |
| 9 units | 3 |
| 10 units | 1 |
| 11 units | 3 |
| 12 units | 6 |
| 13 units | 3 |
| 14 units | None |
| 15 units | 1 |
| 16 units | 1 |
| Total | 47 |

The 404 units offered are of varying widths. The chart below identifies each proposed unit type, its width, and the number of that unit type to be included in the development:

| Unit Type | Width of Unit Type | Number of Unit Types Proposed |
|------------------|---------------------------|--|
| The Beall | 15 | 221 |
| The Stoddert | 15 | 158 |
| The Wirt | 16 | 7 |
| The Decatur | 18 | 18 |

The application also includes a gateway sign constructed primarily of brick with a sand-colored, painted wood sign, with black lettering attached to the brick surface. The sign is flanked on both sides by a brick pier and the central portion of the sign is arched and finished with a flat course of brick. The sign includes a brick water table which defines the base of the supporting piers. The

sides and rear of the gateway sign for the project should match the design and materials utilized for its front façade.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the Zoning Ordinance, as follows:
 - a. The subject application is in conformance with the requirements of Section 27-441(b) which governs permitted uses in residential zones. The proposed single-family attached dwelling units are a permitted use in the R-18 and R-35 Zones. Specifically, the use allowed is under “Residential Revitalization: Comprising any form of proposed multifamily, attached one-family or detached one-family dwellings, in a Residential Revitalization project, as shown on a Detailed Site Plan approved in accordance with Section 27-445.09.”
 - b. The proposal is also in conformance with the requirements of Section 27-442, regarding regulations in the R-18 and R-35 Zones.
 - c. The subject application is in conformance with the requirements of Section 27- 445.10, Residential Revitalization. This section of the Zoning Ordinance applies to the subject project because it meets the requirements for applicability stated in Section 27-445.10(a)(1) because it is a form of existing multifamily or attached one-family dwelling units located in a Revitalization Tax Credit District. Further, the required findings for this type of project may be made, as explained in Finding 12 below.
8. **Preliminary Plan of Subdivision 4-08022:** Preliminary Plan of Subdivision 4-08022 was approved by the Planning Board and the amended resolution of approval PGCPB Resolution No. 08-178(A) was adopted on April 9, 2009 for 411 lots and 7 parcels, for the construction of single-family attached dwelling units. The following conditions of that approval, which are relevant to the subject case, are included in **bold** type below, followed by the Board’s findings:
 1. **Prior to signature approval of the preliminary plan of subdivision, the following revisions shall be made:**
 - a. **Conform to Staff Exhibit A, Areas 1–8 (9 lot reduction in total) resulting in a 411 lot subdivision and the purposes as set forth in the findings:**
 - (1) **Area 1 (4 lot reduction)**
 - (2) **Area 2 (2 lot reduction)**
 - (3) **Area 3**
 - (4) **Area 4 (1 lot reduction)**
 - (5) **Area 5 (1 lot reduction)**
 - (6) **Area 6**
 - (7) **Area 7**
 - (8) **Area 8 (1 lot reduction)**

The preliminary plan has signature approval and was revised in accordance with the Planning Board's decision and Staff Exhibit A. However, the following further adjustments to the detailed site plan are required to bring it into conformance with the specifics offered in the findings of PGCPB Resolution No. 08-178(A) regarding the Planning Board's vision for the Quincy Manor project. While these details may have been premature as conditions at the time of the approval of the preliminary plan of subdivision, they are appropriate and necessary at this juncture to implement that vision. Toward this end, the following is required.

In Area 2, the two lot reduction was required to provide an entrance drive from Block B directly onto Newton Street. This reduction was to provide a second access for this 47-lot pod of the development. The applicant has indicated that the access directly onto Newton Drive is not feasible; however, the applicant had originally proposed this second access with the first preliminary plan filed. The detailed site plan does not demonstrate this second access and should. The Preliminary Plan resolution contains following discussion regarding Area 2:

Most of the pods of development provide multiple curb cuts to serve the rear alleys and private streets. There are two proposed exceptions to this. The first is the small pod south of MacBeth Street and east of 54th Avenue, where a dead-end alley from 54th Avenue serves two sticks of townhouses totaling only eight units. The second exception is the pod of development north of Newton Street and west of 55th Avenue, which on the sketch plan is served by only one curb cut on 55th Avenue for 49 proposed units. The Planning Board required that two lots be removed in order to allow a second curb cut providing access from the alley onto Newton Street.

In addition, the rows of attached units have been placed back-to-back so that the alleys are enclosed on both sides and the rears of the townhouses are rendered less visible as they are partially screened from oblique views along the public streets by the townhouses on the opposite side of the alley. However, at the edges of the development pods, some of these paired rows are offset as the row of one side of the alley extends beyond the row on the other side. This situation exposes the rear of these units to views along the streets. The Planning Board determined that the units with exposed rears visible along the streets be carefully evaluated with the DSP or deleted if the rears could not be adequately addressed.

The Planning Board finds that the removal of two lots is not necessary because topographical conditions prevent the creation of an entrance at this location.

In Area 3, staff recommended the reduction of two lots. The Preliminary Plan resolution contains the following discussion regarding Area 3(also see Condition 12 below):

Area 3 is located on the east side of 54th Avenue. This is another example where direct views in the rear of the units would occur of the garage when driving north on 54th Avenue. The Planning Board, again advised the applicant if this issue cannot be adequately addressed the lots would be deleted at the time of DSP.

The applicant's proffered enhanced treatment of the rear façades, as modified by a condition below, makes removal of these lots no longer necessary.

In Area 4, the Planning Board deleted one dwelling unit in the southwest quadrant of the intersection of Newton Street and Madison Way. The Preliminary Plan resolution contains the following discussion regarding Area 4:

The Planning Board approved the removal of three proposed detached units shown on the sketch plan. Although mixing unit types within the development is a desirable goal, the three isolated detached units are oddly placed at right angles within the development on corners between sticks of townhouses. It is unclear whether the detached units are intended to be front-loaded units with their fronts on the alleys or rear-loaded units that face away from the alleys towards the sides of the adjacent townhouses, but their placement in the leftover corners creates an awkward relationship within the townhouses in either case. The space occupied by the proposed unit in Area 4 (at the corner of Newton Street and Madison Way) could be turned into an attractive open corner within the development, while the spaces occupied by the proposed units in Areas 5 and 8, inside their respective pods of development, could be utilized to create small surface parking areas for visitors.

Although the single-family units originally shown on the preliminary plan have been removed, due to the project's redesign, it would be infeasible to provide open space or parking at these locations.

In Area 5, the Preliminary Plan resolution refers to Area 4 comments above.

In Area 6, the Preliminary Plan resolution contains the following discussion regarding Area 6:

The Planning Board determined that the units where direct views in the rear of the units would occur of the garage when driving north on 54th Avenue and east on Newton Street will be evaluated with the DSP or deleted (See Comments Area 2 above).

In addition, the two lots fronting on the community center green space may be deleted at the time of DSP in order to open a corridor of space from the community building westward along Newton Street. The green space will

continue to be defined by the other townhouses fronting on it, but the open corridor along Newton Street will add to the distinctiveness of the space by creating a contrast with the more rigidly defined streetscapes in the rest of the development. It will also create a diagonal edge in the northwest corner of the green space to match the proposed diagonal edge in the southeast corner of the space along 55th Avenue.

The Planning Board accepts the applicant's proposed redesign in this area of the subject development in accordance with the Planning Board's concerns regarding this area at the time of the approval of the preliminary plan.

In Area 7, the Preliminary Plan resolution contains the following discussion regarding Area 7:

The two lots where direct views in the rear of the units would occur of the garage when driving north on 54th Avenue will be evaluated with the DSP or deleted. See comments for Area 2 above.

The applicant's proffered enhanced treatment of the rear façades, as modified by a condition below, makes removal of these lots no longer necessary.

In Area 8, the Preliminary Plan resolution refers to Area 4 comments above.

b. Demonstrate utility easements for WSSC and PUE to provide for direct bury dry utilities.

Subsequent to the Planning Board hearing for the preliminary plan, representatives from Washington Suburban Sanitary Commission (WSSC) met with the Subdivision Section and indicated that the standard requirement for their easement may not be able to be accommodated within the mews, which was not relayed to staff prior to the hearing. WSSC needs a 30-foot-wide easement in the mews and then an additional five-foot setback from the easement to the face of the dwelling for the private connections. At that time staff advised the applicant and WSSC that minor modifications to the layout may result in the applicant being able to maintain WSSC within the mews and continue to provide for direct bury utilities. As discussed at length with this application, direct bury utilities is a priority. Moreover, it was not required by any condition of approval at the time of the approval of the preliminary plan. A utility coordination meeting is required with the review of this DSP to ascertain if direct bury can be still be accommodated. A condition below requires that, prior to signature approval, the applicant present staff with written referral comments from all involved utilities, including WSSC, stating that the current configuration of the site plan and public utility easements will allow them to concurrently provide service to the development in a safe and efficient manner and provide information as to whether utilities will be installed in the direct bury format.

The Preliminary Plan resolution contains the following discussion regarding direct bury utilities:

7. **Public Utility Easement**—The applicant has stated that because of the dense nature of the site, the applicant is unable to provide the required ten-foot public utility easement (PUE) alongside and contiguous to the 22-foot-wide private streets. In some cases the dwellings are set one to two feet from the drive aisle precluding a ten-foot PUE. The PUE is utilized by the “dry utilities,” including BGE/PEPCO, Verizon, and Comcast. The dry utility easements, until recently, have been most often in the form of “direct bury” utility installation. Direct bury is located alongside the public or private street, on the private lot, and the utility easement agreement requires that the easement remain free [sic] and clear of obstructions such as sidewalks, roads, and other hard surfaces, except where crossed for driveways. This enables the utility companies to maintain and repair these facilities. In the case of direct bury, the utility companies own and maintain the infrastructure.

In the previous plan, the applicant indicated they did not have room to move the townhouses ten feet back from the 22-foot-wide alley and provide the PUE alongside the private street. The applicant proposed to locate the PUE under the 22-foot-wide private alleys. Therefore, instead of a direct bury utility installation, the applicant would be required to construct a “conduit system” for utility installation because the utilities were under the street.

On October 2, 2008, staff attended the first utility coordination meeting for this project. This meeting included representatives from Potomac Electric Power Company (PEPCO), Verizon, Comcast, Washington Suburban Sanitary Commission (WSSC), and the applicant. At that meeting staff was advised that if the applicant constructs a conduit system, the utility companies will not take ownership or maintenance responsibilities because of the cost of repair and maintenance. Generally, due to the fact that the utilities are under the streets, the utility companies do not want to be responsible for reconstruction and repair of the streets, as well as any maintenance of the system. Therefore, the ownership and maintenance of the utilities will be the responsibility of the homeowners and not the responsibility of the public utility companies, as opposed [sic] to a direct bury system where the utility company owns and maintains the system.

On October 24, 2008, a representative from PEPCO stated via e-mail:

“PEPCO’s policy for residential construction is direct buried. This means we install our cable in grass and/or dirt which we own and maintain. We pay for any emergency or maintenance repairs because we own it. However, if the Developer or Builder, so chooses, he can request a conduit/manhole or splicebox system which he/she, by legal agreement, requests the legal right to build, own, and maintain the equipment. We will own the cable. In emergency or for maintenance situations, the HOA pays for it.”

“We (PEPCO) are completely and totally indemnified. This is a tough decision to make by the Planning Board. One must look to the future and try to see the results 40 to 50 years from now.”

It is important to note that of recent, the Planning Board has approved private streets and alleys with the PUE within the right-of-way, which include a number of high-density urban environments including the EYA, Westphalia Town Center, and Konterra. This phenomenon of placing the public utility easement in the street right-of-way is relatively new and has been driven by the spatial needs of an urban environment. It is only recently that the utility companies have found problems with their ownership and maintenance of these facilities and are requiring now that they are owned and maintained by the homeowners. This issue has only recently been brought to the attention of the Planning Department.

To ensure the viability and stability of a community, there should be a strong advocacy for the future homeowners. The public/private partnership must also ensure that the legacy and environment left to the residents will promote and encourage their success. In particular, a development which targets first time homebuyers in a distressed community should be served primarily by public services. The success of this community will depend not only on the up-front good intentions of public/private partnership, but on the choices made today for the residents’ future.

Revised Plan (November 24, 2008)

At the Planning Board hearing on November 13, 2008, the Planning Board voiced strong concerns that the applicant was proposing such significant private infrastructure and directed that the applicant evaluate other alternatives to the conduit system.

Subsequent to the hearing, staff contacted WSSC (wet utility) and BGE/Comcast (dry utilities) and discussed the possibility of reversing the location of what the applicant was proposing. In this case, the applicant would locate the 30-foot-wide WSSC easement in the alleys and private streets, and the dry utilities would be located in the “mews.” This would allow for a direct bury dry utility installation within a minimum five-foot-wide PUE around the perimeter of the mews and a minimum of ten-foot-wide (or greater) tree planting strip within the mews. The utility companies have stated that they could and would own and maintain this infrastructure. The Planning Board placed a condition of approval requiring direct bury utilities.

The 30-foot-wide WSSC easement within the alleys would require that the rear of dwelling units be located a minimum of 30 feet apart. The 30-foot easement could extend onto the private lots within the 22-foot-wide alleys, per WSSC representative. This could also result in additional driveway space for the units.

The preliminary plan should be revised to reflect direct bury dry utilities, by the relocation of the WSSC water and sewer lines.

Condition 1.t requires that, prior to signature approval of the plans, the applicant present staff with written referral comments from WSSC, PEPCO, BGE, and Verizon stating that the current configuration of the site plan and public utility easements will allow them to concurrently provide service to the development in a safe and efficient manner and provide information as to whether utilities will be installed in the direct bury format. Further, the condition also states that, as suggested in the relevant preliminary plan of subdivision resolution and if necessary, a utility coordination meeting shall be held to try to ensure use of the “direct bury method.”

- 20. Public Utility Easement (PUE)—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents recorded on the record plat:**

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

The preliminary plan of subdivision should be revised to ensure the provision of a direct bury utility plan.

The existing ten-foot public utility easement is correctly shown abutting and contiguous with the public rights-of-way.

- c. Provide vehicular turnarounds at the end of the alleys located to the west of 54th Avenue (not on lots) extending west of the last units in the stick, or provide vehicular connections at the ends of the alleys in Block F to eliminate dead ends.**

The design of one of the turnarounds needs to be redesigned into a full hammerhead. In order to accommodate this redesign, the unit shown on Lot 42, Block F (Sheet 5) may have to be eliminated. The inclusion of a full hammerhead turnaround at this location is required.

- d. Delineate the 25-foot building restriction line from the 100-year floodplain.**

The expanded buffer was approved with the preliminary plan as intact with no impacts. Any impact to the expanded buffer would require a new preliminary plan to request a variation in accordance with Sections 24-113 and 24-130 of the Subdivision Regulations.

- e. Show no disturbance to the 50-foot-wide stream buffer.**

The expanded buffer was approved with the preliminary plan as intact with no impacts. Any impact to the expanded buffer would require a new preliminary plan to request a variation in accordance with Sections 24-113 and 24-130 of the Subdivision Regulations.

- 12. At the time of detailed site plan review, further evaluation of the proposed parking, circulation, grading, utility location, building locations, building setbacks, relationship between groups of dwelling units, and appearance shall occur in order to allow for an acceptable development that provides a high quality, functional and attractive living environment. Issues identified on Staff Exhibit A including: treatment of end units facing on to public streets, views of the rears of dwelling units from the public streets. Adequate turn around space to accommodate emergency vehicles, trash removal services and snow removal operations shall specifically be addressed.**

The proposed project, as conditioned below, is acceptable as a development that provides a high-quality, functional, and attractive living environment in accordance with the requirements of this condition.

The Preliminary Plan resolution contains the following finding:

- 8. Urban Design—The property is composed of parts of seven different blocks, with existing public roads running between the blocks. The property is currently the site of 41 existing multifamily buildings, which are proposed to be removed. The standards of the development are to be determined by an**

approved detailed site plan. However, there are important design considerations that must be observed at the time of the preliminary plan in order to create a functional and attractive development. The plan raises significant concerns about the character of the proposed development in regard to spatial density, layout of streets, lots and utilities, lot sizes, recreational facilities, parking, and compatibility of the project with the surrounding uses.

The Urban Design Section originally reviewed earlier versions of this plan and recommended that the plan be disapproved. Since that time, the applicant has developed a sketch plan of a revised layout (November 24, 2008) intended to address some of the spatial concerns that have been raised on this site.

Conformance with the *Prince George's County Landscape Manual*
The Residential Revitalization regulations require that the plan should conform to the requirements of the *Prince George's County Landscape Manual* to the extent feasible. The proposed single-family attached townhouses are considered incompatible, as defined by Section 4.7 of the Landscape Manual, with the single-family detached houses located to the east of the property and with the multifamily development located to the west of the property. A type "A" bufferyard is required along the property lines on the east and west sides of the property. This would require a 20-foot building setback and a ten-foot landscaped yard along the property line. The applicant should allow enough room on the preliminary plan to provide the entire bufferyard free and clear of utility easements, if possible.

Recreational Facilities

Due to the density of dwelling units proposed on the site (in excess of 24 units per acre), the recreational facilities required are significant. Illustrative plans submitted by the applicant show the location of a future community building at the southwest corner of Newton Street and 55th Avenue. Two open green areas between townhouse sticks have been identified in the eastern and western portions of the site. These areas will provide opportunities for the location of appropriate outdoor recreational facilities. Additional smaller open spaces may be created throughout the development along with coordinated breaks in the rows of attached units creating pedestrian and visual corridors throughout the site. There exists a unique opportunity to locate a passive recreation area along the northeast property line alongside the existing urban stream corridor. This would provide for additional identifiable recreation area while enhancing the stream buffer.

Plan Comments

It should be noted that the significant grades on the property, between the existing public rights-of-way, pose a very difficult site planning problem. The closely-spaced development provides few opportunities to accommodate the change in grade and it would be difficult to integrate retaining walls into the design without completely disrupting the arrangement. Although previous versions of the preliminary plan and tree conservation plan provided estimated grades for the development, the proposed sketch plan does not include that information. Without knowing what grades are proposed, it is difficult to determine whether the applicant's layout is feasible as proposed or whether it would create unforeseen difficulties. If the grades can be accommodated in a relatively sensitive manner, as such incorporating the grade change into the house elevation and placing the front door and garage on different levels, the layout should be acceptable. However, the Urban Design Section will not recommend approval at the time of detailed site plan review of any arrangement where large retaining walls are placed between the fronts of houses and the public rights-of-way, or other similarly unjustified grade-driven situations.

The Urban Design Section has recommended that the detailed site plan should conform to a set of minimum standards as listed. Because the plan that is being reviewed at this time is a sketched layout of units rather than an actual preliminary plan and because many of the issues upon which the development's success will depend will require a fine-detailed analysis, not all issues of the layout can be finally approved at this time. The dense development on the site means that any adjustments to the layout that must be done at the time of detailed site plan review, based upon detailed grading, architecture, and functional analysis, and may result in a reduction of buildable units shown on the plan.

In general, the sketch plan shows more units fronting onto the public rights-of-way than the previous design. However, both designs also feature numerous situations where the sides of units face toward the public rights-of-way. In order to maintain the outward orientation of the townhouses and enliven the streetscape in those areas, the units whose side faces a public right-of-way will be side-entry units and as conditioned by the Planning Board.

Parking

The parking provisions assumed by the applicant's design do not appear to be adequate for the needs of the development. Although Section 27-445.10 of the Zoning Ordinance, Residential Redevelopment Regulations, grants a reduction of parking requirements from the normal standards of the Zoning Ordinance, the detailed site plan should still demonstrate that parking is adequate for the needs of the development subject to the requirements outlined in CB-58-01 which mandates a 30 percent reduction in required

parking . The design proposed by the applicant may be liable to parking shortages. Dense townhouse developments elsewhere in the county that provide the Zoning Ordinance's minimum amount of parking (2.04 parking spaces per dwelling unit) have been the subject of frequent complaints due to parking shortages. The preliminary plan proposed by the applicant utilizes primarily 15-foot-wide and 18-foot-wide townhouse lots; the smaller lots could accommodate traditional one-car garages and the larger lots could possibly accommodate standard two-car garages. The applicant has submitted an exhibit showing how parking could be provided in these garages. The 15-foot-wide units, which constitute the majority of the units proposed on the site, are not wide enough to accommodate two cars side-by-side. Instead, the applicant has indicated that they may propose to create a tandem parking arrangement where one car would be parked behind another within the garage. The applicant should provide floor plans to demonstrate that there is adequate space within the garage to provide both parking spaces on the lot if determined appropriate at the time of DSP.

On-street parallel parking spaces will probably be provided along the public rights-of-way (subject to the approval of the Department of Public Works and Transportation), but there appears to be no space to provide any additional parking along the private rights-of-way. The sketch plan provides very few additional surface parking lots (a total of six for the entire development). Visitors to the site would find parking in the development very difficult. Particularly where the applicant has proposed rows of townhouses perpendicular to the public streets, the number of on-street parallel parking spaces on the public road will be very small in proportion to the number of units in the area. Non-residents may find it nearly impossible to find parking anywhere near the houses they intend to visit. Residents and non-residents alike might attempt to park illegally along the narrow private alleys, blocking garage entrances and circulation routes, or they might be forced into the surrounding community to find parking, resulting in an unacceptable impact to the neighboring areas. Additional areas for visitor parking should be identified in each area of the development, at the time of review of the DSP. Review of the DSP may include a recommendation, to provide one off-street surface parking space per ten townhouses if determined appropriate at that time.

The proposed project, as conditioned below, successfully addresses the above issues.

13. The detailed site plan shall demonstrate the following standards:
 - a. All houses shall be set back at least 15 feet from the public rights-of-way to provide the required 10-foot-wide public utility easement and space for the stoop of the units.

The submitted detailed site plan did not entirely comply with this requirement as the stoop of the units on Block C, Lots 25 and 83 extend into the required 15-foot setback. A condition below, however, requires the applicant to substitute a different model type on those two lots so that the stoop no longer violates the required 15-foot setback or eliminate that unit/those units from the plan.

- b. The attached sticks of units shall be spaced a minimum of 15 feet apart from each other when parallel to each other and a minimum of ten (10) feet apart at any single point when non-parallel.**

The detailed site plan meets this requirement.

- c. Where the sides of townhouses are oriented toward the public right-of-way, the end unit shall be a side-entry unit with a symmetrically balanced endwall elevation. The end elevation shall be constructed of material and detailing comparable to the fronts of the townhouses.**

The side elevations identified above would have enhanced treatment as “highly-visible” units.

- d. In general, fronts of units shall be oriented to public and private streets, and shall not front on alleyways or towards the rear of other units.**

The detailed site plan meets this requirement.

- e. Consideration shall be given to the use of units at least 18 feet wide at ends of attached sticks in highly visible locations.**

Since this condition only requires that the applicant consider the wider end units, the applicant has complied. However, only two sticks of townhomes in the proposed development meet this requirement.

- f. Dead end streets or alleys shall be designated to provide adequate turn around area for emergency vehicles, trash and services vehicles, and snow removal.**

The subject detailed site plan conforms with this requirement.

- g. Attached sticks of units greater than eight units in length may be utilized if the applicant can demonstrate, to the satisfaction of the Planning Board, that the proposed townhouse architecture will be sufficiently attractive and varied within each stick of units to create a pleasant streetscape.**

As shown in the chart above, the development contains a significant number of attached sticks with more than eight units. A condition below requires the applicant to submit additional attractive front elevations to provide more diversity in the architecture.

h. Gaps between sticks of attached units should be coordinated between different rows to the fullest extent possible to create pedestrian and visual corridors throughout the development.

The separations between the sticks of attached units are well coordinated so as to create continuous visual axes throughout the development.

The resolution for Preliminary Plan 4-08022 outlined issues to be considered by the Planning Board at the time of detailed site plan:

- A decrease in the density of the spatial relationships between sticks of townhomes, the street, and recreational areas (which may include loss of lots).
- Too little space between sticks of units and too few views of open space.
- Eliminate as many dead-end alleys as possible, providing adequate turn-around space (full hammerhead turnarounds at the end of the alley; not in front of the units) in the ones that remain. Orient as many units as possible toward the public street.
- Minimize long walls of townhouse units without breaks and/or include varied quality architecture to partially compensate. Use different styles in the same stick.
- Preserve trees and place utility easements so that they will not have negative impacts on the trees.
- Identify additional homeowner association land.
- Identify recreational amenities and open space.
- Try to minimize the expense to the homeowner's association with respect to the ongoing costs of utilities. It is preferable that they not be owned by the homeowners' association.
- Show the Planning Board alternative layouts that the applicant advised the Planning Board they have prepared during the planning process.
- Provide information to the Planning Board regarding parking adequacy.

- Provide information to the Planning Board regarding the long-term viability of the community.

The applicant has addressed some of the above through revisions to the plans. The remaining items have been addressed in the conditions of this approval. Additionally, the applicant satisfied the Planning Board as to the following at the public hearing:

- a. Show the Planning Board the alternative layouts that the applicant advised the Planning Board they have prepared during the planning process.
- b. Provide information to the Planning Board regarding parking adequacy.
- c. Provide information to the Planning Board regarding the long-term viability of the community.

9. ***Prince George's County Landscape Manual:*** As a residential revitalization project, the subject application is exempt from the requirements of the *Prince George's County Landscape Manual*. The requirements, however, should be adhered to, to the extent feasible. The proposed single-family attached townhouses are considered incompatible, as defined by Section 4.7 of the Landscape Manual, with the single-family detached houses located to the east of the property and with the multifamily development located to the west of the property. A Type "A" bufferyard would be required along the property lines on the east and west sides of the property. This would require a 20-foot building setback and a ten-foot landscaped yard along the property line, free and clear of utility easements, if possible. Although the applicant has not uniformly demonstrated conformance with this requirement, he has, in consultation with the Environmental Planning Section, agreed to save a number of mature trees currently existing on the site.

10. **Woodland Conservation and Tree Preservation Ordinance:** The site is not subject to the provisions of the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodland and has no previously approved tree conservation plan. No further action regarding woodland conservation is required.

11. **Referral Agencies and Departments:**

a. **Historic Preservation and Archeological Review**

- A Phase I archeological survey is not recommended for the subject property because all indicators point to a low probability of archeological sites being found within the site;
- There are nine county historic sites, three historic resources, and one archeological site in the vicinity of the subject site.

- Section 106 of the National Historic Preservation Act might require further review if state or federal monies and/or state or federal permits are required for the project.
 - The subject property was identified through a National Register of Historic Places Multiple Property Documentation project, *Apartment Buildings and Garden Apartment Complexes in Prince George's County, Maryland 1934–1955, completed in 2005*.
 - The property has been identified as a significant example of post-World War II multifamily housing in Prince George's County that is eligible for listing in the National Register of Historic Places.
 - The Planning Board, because of its determined eligibility above and because the project proposes demolition of the existing structures, recommends documentation of the subject property prior to its demolition including representative current interior and exterior photographs of the complex, representative floor plans, and historic photographs of the complex as available according to Maryland Historic Trust documentation standards.
 - The above documentation shall be submitted to and approved as adequate by Historic Preservation Planning Section staff prior to the demolition of the buildings.
- b. **Community Planning**—The subject application is not inconsistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier and conforms to the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)*. Specifically, the specific guidelines and recommendations from the master plan apply to this application for dense urban residential land use.
- The applicant has taken measures to address some of the concerns regarding the preservation of mature trees and the need to apply crime prevention through environmental design (CPTED) techniques in the development of the site plan for the subdivision process. There are a number of references in the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* that apply to this application.

Guidelines (pp. 55–56)

- **Developers shall be encouraged to preserve natural amenities (streams, floodplains, wooded areas) and to incorporate these natural features into the environmental pattern of residential areas to serve as open space and to define and/or link together the living areas.**

- **Visual attractiveness and recreational amenities for residential areas should be increased through the provision of open space, public and private maintenance programs, and other private actions to ensure an interesting, varied and harmonious appearance.**

Recommendations (pp. 93–95)

- **Construct and maintain a system of concrete walks and lighting through neighborhoods to connect with nearby bus stops, Metro stations and walks/trails.**
- **Plant and maintain large, deciduous street trees along the streets which will provide a continuous canopy at maturity. Implement a street tree survey, planting and maintenance program.**
- **Require developers of new housing to build several house variations that will give variety but are compatible to each other to ensure visual cohesion.**

Guidelines—General (pp. 105–106)

Street

- **Locate crosswalks and pedestrian crossing signals at all traffic signals.**

Utilities

- **Place utility wires underground where possible. If not possible, relocate overhead wires to the rear of the buffer strips.**
- **Consolidate utility pole usage.**

Streetlights

- **Streetlights should light both streets and sidewalks.**
- **The poles, fixtures, light color and intensity should be consistent.**

Guidelines—Residential (pp. 108–111)

Streetscape—*Street*

- **Sidewalks should be continuous through neighborhoods and multi-family complexes and connect to walks, bus stops, Metro stations and trails outside of the neighborhood or complex.**

- **Sidewalks of concrete or durable pavers should be a minimum of four feet wide, preferable separated from the street by a tree lawn six feet wide along residential streets and preferable seven feet wide along arterials (See Figure 7).**

Site—Layout

- **People in parking areas should be visible from the dwelling units or the street.**
- **In multifamily complexes, avoid creating hidden areas that are accessible from more than one point to discourage loitering and other illegal activities.**
- **A coordinated landscaping plan should be designed for multifamily complexes to provide shade; to screen incompatible views and to highlight entryways; to define streets, walks and open spaces; to partially screen parking areas; and to integrate the development into the neighborhood.**

Building—Proportions, Materials and Details

- **Building endwalls that can be seen from the street should incorporate windows, doors or other architectural details to eliminate blank walls along the street.**

The applicant is in general conformance with these guidelines by:

- actively pursuing the preservation of existing mature trees on the site;
- use of the natural stream as a setting for passive and recreational facilities;
- the provision of an attractive community building as a focal point for the development;
- the inclusion of additional recreational facilities throughout the subdivision;
- the inclusion of bus stops in the development;
- offering variation but general harmony in the proffered architecture;
- undergrounding utility wires where possible;
- the provision of adequate and attractive lighting;
- avoiding hidden areas that could become pockets of crime; and by
- providing additional detail on more highly visible architectural facades.

- c. **Transportation—** The plan is the subject of a transportation-related requirement stated as Condition 1.c. of PGCPB Resolution No. 08-178(A). More specifically, it requires the applicant to provide vehicular turnarounds at the ends of alleys located to the west of 54th Avenue (not on lots) extending west of the last units in the stick, or provide vehicular

connections at the ends of the alleys in Block F to eliminate dead ends. The Transportation Planning Section stated that while this was done on three of the alleys, the fourth must be redesigned into a full hammerhead, possibly requiring the elimination of Lot 42, Block F, as shown on Sheet 5 of the detailed site plan. They also noted that on Sheet 5, the alleys terminating into walls (one on Block G and one on Block E) need to be provided with turnarounds. The first, they noted, may eliminate Lot 8, Block G and the second one might eliminate Lot 38, Block E. They stated that these latter two changes were justified by Condition 12 of PGCPG Resolution No. 08-178(A) which states that at the time of detailed site plan review, further evaluation of the proposed parking and circulation would occur to assure adequate turnarounds for all vehicles, including emergency vehicles, and trash and snow removal operations.

- d. **Subdivision**—The property is the subject of Preliminary Plan of Subdivision 4-08022, approved by the Planning Board and the amended resolution of approval (PGCPB No. 08-178(A) was adopted on April 9, 2009 for 411 lots and 7 parcels for the construction of single-family attached dwelling units. See Finding 8 above for a detailed discussion of the requirements of that approval.
- e. **Trails**—The Preliminary Plan, 4-08022, for this application was approved and the amended resolution of approval PGCPB No. 08-178(A) was adopted on April 9, 2009. A condition of the preliminary plan approval requires that the applicant provide wide sidewalks, a minimum of five feet in width, along both sides of the subject site's entire frontage on Newton Street, unless modified by DPW&T. This property is contained in the area that is described in the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)*. The master plan contains recommendations on pages 93–95 to develop a system of pedestrian walks and lighting through neighborhoods to connect to area transit, bikeways, and trails.

The streetscape guidelines on pages 108–109 of the Master Plan recommend that sidewalks should be continuous through residential neighborhoods, and that the sidewalks should be separated from the road by a green strip that is approximately six feet in width (Figure 7).

Quincy Run was originally (a master-planned trail corridor) during a 2006 planning charrette for the town center, however, it was discovered that steep and severe slopes would prevent construction of the trail.

The property is located in a residential neighborhood and the proposal indicates that a network of sidewalks will be constructed to make connections between buildings and different portions of the infill development and the greater area. The sidewalks proposed on the plan will be a minimum of five feet wide and they are located along Newton Street, 54th Avenue, and 55th Avenue. The applicant's plans provide space between the building units for pedestrian pathways. These pathways appear to be adequate for the proposed use.

The plan does not indicate where or how street crossing locations are going to be provided. Concrete sidewalk ramps at street intersections should be coordinated with DPW&T to comply with county standards.

Trails recommendations regarding sidewalks, curb ramps, and crosswalks have been conditioned as part of this approval.

- f. **Permits**—Permit Review concerns have been addressed either by revisions to the plans or in the conditions of this approval.
- g. **Environmental Planning**—The site is currently developed with multi-family residential units that are apartments and contains no regulated woodlands; however, the site contains dozens of large trees that are in extremely good condition for this urban setting. A review of available information indicates there are no streams or wetlands on the property; however, the site does contain 100-year floodplain and a stream buffer associated with the adjacent off-site stream. Stormwater runoff from the site eventually reaches the Upper Anacostia watershed in the Potomac River Basin. According to the “Prince George’s County Soil Survey” the principal soils on the site are in the Christiana and Sunnyside series. Marlboro clay is not found to occur in the vicinity of this site. 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 on this property or adjacent properties. No designated historic or scenic roads will be affected by this development. Landover Road (MD 202) is an arterial roadway and the Baltimore-Washington Parkway (MD 295) is a freeway, both generally regulated for noise impacts. Because of the distance from the subject site to these two roadways, and the existing surrounding development, noise impacts to this site are not anticipated. The property is in the Developed Tier of the 2002 General Plan.

Review of Previously Approved Conditions

- 9. **At the time of detailed site plan, the DSP shall show conformance with the sketch plan with regard to the preservation of trees. *The limits of disturbance shall be evaluated to ensure that critical root disturbance has been minimized. In order to protect the critical root zone, a reduction in lots may be required.***

For all trees proposed for preservation within the existing public utility easement, the DSP shall show a design that ensures the preservation of those trees. If any trees cannot be preserved due to necessary utility installation, the applicant shall demonstrate that the preservation of the tree(s) is not feasible. Supporting documentation from the utility company shall be provided and reviewed by the Environmental Planning Section for concurrence. [emphasis added]

On October 12, 2009, staff performed a site visit to evaluate each of the trees proposed for preservation. During the visit, it was determined that there are several trees that

should be removed due to their species and current condition. There were several ash trees that were proposed for preservation. These trees are a host for the emerald ash borer and should be removed prior to any development. This information was conveyed during previous reviews of this project.

On November 6, 2009, a field meeting was held with the applicant and their representatives that included the tree preservation professionals that were to prepare the revised plans. The revised plans received December 9, 2009 show the appropriate preservation of trees that are in good condition that will likely survive the proposed construction. The limits of disturbance have also been adjusted to maximize preservation of the critical root zones of these trees.

The DSP shows general conformance with Condition 9 of the preliminary plan approval. As detailed below, additional information is needed to ensure that the correct procedures are followed and that the trees survive the construction process and will thrive into the future, and be assets to the new community.

The preservation of the critical root zone of a tree (measured as one foot of radius out from the trunk for each inch of trunk diameter at 4.5 feet above the ground) is used as the minimum area necessary for a tree to tolerate and survive construction. Each tree species is different in its tolerance level for disturbance and each individual tree is different as well. The existing trees on-site were carefully evaluated to ensure that the correct species were selected and that the correct individuals, in good condition, were selected to receive special treatments necessary to survive construction. Staff concurs with the applicant's consultant's recommendations for trees to be preserved.

The tree preservation plan constitutes Sheets 12 through 17 of the detailed site plan. The information provided is a good start for laying out the methods, procedures, and processes to be followed to ensure that the selected trees survive the construction process. However, the plans are incomplete and need considerably more information to provide all necessary notes and details.

**Table 1. Environmental Planning Section's
Required Revisions to Sheets 12–17 of the DSP**

| Sheet Number | Comment | Required Revisions |
|---------------------|---|---|
| 12 | None of the existing trees on this sheet are shown "to be removed by an arborist". If the trees to be removed are not carefully removed and the stumps ground, damage could occur to the trees to be preserved. | Identify all trees shown on the plan "to be removed by arborist" and that the stumps will be ground and not pulled. |
| | No demolition access is shown. | Clearly delineate demolition access for each building. |

| Sheet Number | Comment | Required Revisions |
|--------------|--|---|
| | Locations of root pruning and air tool pruning have not been shown. If this process is not being done during demolition, remove these items from the legend. | Show locations of all root treatments. Show air tool treatments in all sensitive locations. Remove from legend if not done in this phase. |
| | "Special demolition procedures" are noted for some existing buildings and sidewalks. Notes say "see notes and details" – none are provided. | Provide "special demolition procedures" in details and appropriate notes. |
| | Trees that will require pruning prior to demolition have not been identified. | Identify all trees that will need to be pruned for demolition access and construction access. |
| 13 | Locations of root pruning and air tool pruning have not been shown. | Show locations of all root treatments. Show air tool treatments in all sensitive locations. |
| | "Special demolition procedures" are noted for some existing buildings and sidewalks. Notes say "see notes and details" – none are provided. | Provide "special demolition procedures" in details and appropriate notes. |
| | Trees that will require pruning prior to demolition have not been identified. | Identify all trees that will need to be pruned for demolition access and construction access. |
| 14 and 15 | For all proposed units that are adjacent to trees – revise the plans to show all construction traffic to enter the buildings from the opposite side (the side opposite the trees). Show the tree protection devices to extend to the buildings after the buildings have been constructed. If necessary, provide limited access gates or some other method to reduce foot traffic in these areas. | Revise the plans as noted. |
| | Welded wire fencing is not adequate protection during construction. Welded wire fencing is too easily moved, removed and damaged. | Change all tree protection devices to chain link fencing for the construction phase. |

| Sheet Number | Comment | Required Revisions |
|--------------|--|--|
| | The locations of the tree protection devices are significantly different in the demolition phase from the construction phase. There are no notations regarding when and how this transition takes place. | Revise the plans to clarify how and when the locations of the tree protection devices change. Clarify who is responsible for this transition and who is responsible for the proper installation of the new fencing. Revise the plans to show the provision of chain link fencing exclusively for the construction phase. |
| 16 | Details 1 and 2: Delete note #2: super silt fence cannot be substituted for the tree protection device. | Provide a detail that shows the combined installation of super silt fence and the tree protection fencing. |
| 16 | Details 1 and 2: Note #3 is in direct conflict with the preservation plans – the fencing will be moved between the demolition and construction phases. | Revise the notes as needed to address the relocation of fencing at time of construction. |
| | Details 1 and 2: A detail of the sign, its dimensions and verbiage was not provided. | Add a detail of the proposed signs. |
| | Detail 3: The use of a trencher for root pruning results in severe damage to tree roots. | Revise note #4 to eliminate the use of trenchers for root pruning. |
| | Detail 3: The location of the excavated soil has not been shown or noted. If the excavated soils is placed in the root zone this will cause additional damage to the trees. | Provide a note that states that the soil that results from root pruning will be placed away from the trees to be preserved. |
| | Detail 8: This detail shows the tree protection fence directly adjacent to the trunk of the trees to be preserved. | Revise this detail to show the proper placement of the tree protection fencing away from the trunk. |
| | Detail 4: Note #5 states that aggregate will be used in “heavy traffic areas” – these areas are not defined or shown on the plans. | Show the locations of the “heavy traffic areas” to receive aggregate or add to the note who makes this decision and when it is made. |
| | Detail 6: The plans do not show where/when this detail would be used and the notes do not explain it either. This seems like an extreme measure that provides no protection to the tree’s roots. | Describe where and when this detail would be used. Delete the signage from the trunk wrap – provide it on the fencing. |
| 17 | The “tree conservation plan principles” provide no commitment from the permittee with regard to their implementation. | Revise the “principles” into “tree preservation notes” and rewrite them into commitments of the permittee. |

| Sheet Number | Comment | Required Revisions |
|--------------|--|--|
| | The table provided does not have a title and references “recommended preservation methods”. | Add the title: “Required Tree Preservation Techniques” and delete the word “Recommended Preservation Methods”. |
| | Comments above and below affect the notes in the table. | Revise the notes in the table as needed to address other comments made herein. |
| | A Tree Preservation Treatment Plan is to be provided as noted below. It needs to be referenced on the DSP. | Add a note referencing the Tree Preservation Treatment Plan to be provided later in the process. |

- 11. At the time of detailed site plan, detailed comments regarding any stream mitigation requirements to the adjacent stream valley shall be submitted. Comments must specify if mitigation is required, by whom, where the mitigation will occur, and what type of work is needed.**

This condition has been addressed. In an email dated October 16, 2009, a representative from the Department of Public Works and Transportation stated that stream mitigation work is not being proposed for the adjacent stream and that the required fee was in lieu of replacing an existing culvert.

No further information regarding stream mitigation is required.

- h. **Fire Department**—The Prince George’s County Fire/EMS Department did not offer comment on this project.
- i. **Department of Public Works and Transportation (DPW&T)**—DPW&T did not offer comment on this project.
- j. **Maryland State Highway Administration (SHA)**—SHA did not offer comment on the subject project.
- k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated October 14, 2009, WSSC cited, as a major issue, that they would not be able to provide water and sewer service for the subject project as the plans were drawn because the minimum 30-foot easement width to accommodate water and sewer lines was not provided. Additionally, they noted that the required clearance of such lines from the proposed buildings was not indicated on the plans. Lastly, with respect to major issues with the project, they stated that the alleys would have to be redesigned at 45 feet wide to accommodate the above requirements. Additional WSSC comments include:
 - Applicant should submit a hydraulic planning analysis package for review.

- Applicant should follow the WSSC demolition/abandonment procedures to obtain a county raze permit, which is available on their website.
- Water and sewer extensions would be required to serve the site.
- A pressure reducing valve would be required.
- Existing WSSC Contract DA5085Z10 is an unapproved conceptual project on the site and the applicant should contact John Arrington at 301-206-8774 for more detailed information or status on the project.
- Some existing sewer may need to be abandoned within the right-of-way of Madison Way.

A condition below requires that, prior to signature approval, the applicant present staff with written referral comments from WSSC, among other utilities, stating that the current revised configuration of the site plan and public utility easements would allow them to provide service to the development in a safe and efficient manner. Information should also be provided regarding the feasibility of utilizing the direct bury format. Such condition ensures that WSSC's concerns are adequately addressed by the applicant prior to signature approval.

1. **Verizon**—In an email dated October 12, 2009, a representative of Verizon stated the following:

- On Sheet 3 of the detailed site plan, there are no public utility easements for Lots 1 through 5 and 42 through 46. Also, there are numerous large trees, as well as concrete sidewalks, front stoops, and part of a bay filter obstructing the easement in front of Lots 1 through 5.
- On Sheet 4 of the detailed site plan, there is no public utility easement for Lots 6 through 24. Also, there are numerous large trees, concrete sidewalks, and front stoops obstructing the easement where shown.
- On Sheet 5 of the detailed site plan, there are concrete sidewalks and front stoops obstructing the public utility easement.

In closing, the representative of Verizon stated that they would like all of the obstructions removed from the public utility easements or an alternate solution proffered, together with proof that all parties to the public utility easement have agreed to such alternate solution.

A condition below requires that, prior to signature approval, the applicant present staff with written referral comments from Verizon stating that the current revised

configuration of the site plan and public utility easements would allow them to provide service to the development in a safe and efficient manner. Information should also be provided regarding the feasibility of utilizing the direct bury format. Such condition ensures that Verizon's concerns are adequately addressed by the applicant prior to signature approval.

- m. **Baltimore Gas and Electric (BG&E)**—BG&E did not comment on the subject application.

A condition requires that, prior to signature approval, the applicant present staff with written referral comments from BGE stating that the current revised configuration of the site plan and public utility easements would allow them to provide service to the development in a safe and efficient manner. Information should also be provided regarding the feasibility of utilizing the direct bury format. Such condition ensures that any concerns BGE may have will be adequately addressed by the applicant prior to signature approval.

- n. **Town of Bladensburg**—Pat McAuley, a representative of the Town of Bladensburg, stated in a telephone conversation on December 29, 2009, that they were in support of the Quincy Manor project.
- o. **Town of Colmar Manor**—Judy Myers, a representative of the Town of Colmar Manor, stated in a telephone conversation on December 29, 2009, that they were in support of the Quincy Manor project.
- p. **Town of Edmonston**—Guy Tiberio, a representative of the Town of Edmonston, stated the Town was not opposed to the application but did not take a position on it because it is not directly proximate to the Town's boundary.
- q. **City of Hyattsville**—Bill Gardiner, a representative of the City of Hyattsville, stated that the City would not be offering comment on the subject project.
- r. **Town of Cheverly**—At the time of this writing, the Town of Cheverly has not returned comment on the subject application.

12. As required by the Zoning Ordinance in Section 27-445.10(c), Residential Revitalization, Findings, the required findings may be made, i.e. that the project:

- (1) **Improves a deteriorated or obsolete multifamily or attached one-family dwelling unit development by replacing or rehabilitating dwellings, improving structures, or renovating and improving other facilities;**

The subject project would improve a deteriorated multifamily development by replacing all of the structures on the property and improving the grounds of the development.

- (2) Maintains or improves the architectural character of the buildings so that they are compatible with surrounding properties;**

The proposed architecture is an improvement over the existing buildings on-site. The new attached units have been sensitively designed so that they are compatible with the architecture in the surrounding area.

- (3) Serves a need for housing in the neighborhood or community:**

The development will provide over 400 single-family attached dwelling units which will serve a need for housing in the vicinity of the project site.

- (4) Benefits project residents and property owners in the neighborhood;**

The subject project would benefit project residents and property owners in the neighborhood by providing a more attractive living environment and raising real estate values. It is also hoped that these improvements in the neighborhood may make some contribution to a reduction in crime rates in the area. A police substation, to be included in the community building, may also contribute to that end.

- (5) Conforms with the housing goals and priorities as described in the current "Housing and Community Development Consolidated Plan," for Prince George's County; and**

According to the "Housing and Community Development Consolidated Plan: FY 2006–2010" and the applicable master plan, this property is an appropriate site for a residential revitalization development. The property is located within a Revitalization Tax Credit District. The consolidated plan generally describes this area as distressed, with one of the highest concentrations of multifamily housing (75 percent of the housing stock), and with a relatively low median home value (\$118,900). Over 87 percent of the housing stock in this area was constructed before 1980 and the existing development on the subject property was constructed in 1950.

The consolidated plan calls for redevelopment strategies which will encourage public/private partnerships to replace distressed properties with mixed income and mixed-use properties, and to create aggressive homeownership initiatives. The plan states that encouraging existing homeowners to invest in the housing stock is the key to maintaining healthy neighborhoods. To keep neighborhoods strong, the County has committed to continue to provide rehabilitation assistance to low and low-to-moderate income homebuyers. The plan states that the County will give priority for funding to those cities and neighborhoods inside the Capital Beltway or the Developed Tier, where the subject property is located.

The County's goals for community revitalization, as stated in the plan, include the need for safe and affordable housing which will contribute to the achievement of the County's goal for growth, development, community preservation, and revitalization. The consolidated plan's initiatives are intended to be a catalyst for neighborhood stabilization and growth. The plan (p. 108) notes that

the oversupply of low quality, multifamily housing built in the 1960s suffer from poor maintenance and are in deteriorating condition. They attract concentrations of low-income households who contribute to a sense of neighborhood blight and generational poverty. In the 1990's, the County embraced the goal of reducing the amount of distressed and low-quality housing. While some view this goal as a barrier to affordable housing, the County believes that reducing density will result in safer and more attractive neighborhoods for all residents, including low and moderate-income families. The applicant has proposed a very dense layout in the subject detailed site plan.

The consolidated plan acknowledges that the County's master plans stress the need to strengthen and preserve existing communities. The County's adopted growth management policies recommend that the existing neighborhoods, resources, and character must be conserved and enhanced. In general, households of low and moderate income reside in the communities in the Developed Tier (p. 108). The housing within these communities is older than that within the Developing Tier. The County's plan for the next five years is to strengthen the economic base and improve infrastructure and public facilities by providing public services that improve the health, welfare, and safety of low-income residents. "The aging public facilities and infrastructure in the low-income areas of the Developed Tier tend to deteriorate faster than those in higher income communities." (p. 108) Due to this observation in the plan, the private infrastructure on-site has been reduced to the extent possible. Where public streets and public utilities can be accommodated, they should be provided to reduce the cost to the homeowners association. The subject detailed site plan is consistent with the priorities for revitalization to replace multifamily rental apartments with an opportunity for home ownership in this targeted area. In fact, the applicant has indicated that they are currently working to forge public and private partnerships to assist and support first time home buyers, in furtherance of those priorities. In sum, the subject detailed site plan conforms to the required finding of Section 27-445.10(c), Residential Revitalization of the Zoning Ordinance.

(6) Conforms to either specific land use recommendations or principles and guidelines for residential development within the applicable Master Plan.

The application conforms to the land use recommendations of the *1994 Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* for high, urban residential uses. Specific guidelines and recommendations of that plan apply to this application. The application, approved subject to conditions, conforms to the specific guidelines and recommendations of that plan.

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 Detailed Site Plan DSP-09013, subject to the following conditions:

1. Prior to signature approval, the following revisions shall be made to the detailed site plan or the following information shall be provided:

- a. Plans for the project shall be revised to provide sidewalks, a minimum of five feet in width, along both sides of the subject site's entire frontage on Newton Street, unless modified by the Department of Public Works and Transportation or to avoid the critical root zone of trees to be preserved as determined by the applicant's arborist and EPS.
- b. Plans for the project shall be revised to provide curb ramps at street crossing locations and to show crosswalk locations and treatments on the plan with details on County-maintained roads unless modified by the Department of Public Works and Transportation.
- c. Depressed curbing or ramping shall be shown on all private streets of the site plan, demonstrating an accessible route for the physically handicapped.
- d. Parking for the physically handicapped shall be identified with the universal Americans with Disabilities Act (ADA) symbol.
- e. If required, one of every four parking spaces for the physically handicapped shall be van accessible and be dimensioned to measure sixteen by nineteen feet.
- f. Ramps or depressed curbing shall be provided at all parking for the physically handicapped.
- g. Yard area calculations shall be provided and rear yard setbacks be established for the front-loaded-townhouse units.
- h. Garages shall be labeled as single or double.
- i. The height and number of stories of each dwelling shall be included on the site plan.
- j. The dimensions of each townhome model shall be included on the template sheet.
- k. The applicant shall submit a maintenance agreement pursuant to Section 27-624(a) of the Zoning Ordinance requiring that the homeowners' association or other entity or person, as so designated in the agreement, will be responsible for the maintenance of the gateway sign.
- l. Attractive year-round landscaping shall be provided at the base of the gateway sign. Such landscaping shall be approved by the Urban Design Section as designee of the Planning Board.
- m. The square footage of the lettering area for the gateway sign shall be provided.
- n. The parking schedule shall be revised to include notes to the effect that on-street parking is not legally included in the "provided" parking, but that on-street spaces do exist and

will be available for use by residents and guests. On-street parking spaces shall be dimensioned.

- o. The applicant shall submit writing from the Department of Public Works and Transportation stating that the subject detailed site plan is in conformance with Stormwater Management Concept Plan 33617-2007-00.
- p. The applicant shall include the following architectural proffer on each sheet of architectural elevations and on the cover sheet of the detailed site plan:
 - (1) that 60 percent of the total units shall have front brick façades; however, in no event shall the number of units in a given stick of units fall below the minimums set by the following chart:

| Number of Units in Stick | Sixty Percent of Stick | Minimum with Brick Fronts |
|-------------------------------------|---------------------------------------|--|
| 3 | 1.8 | 2 |
| 4 | 2.4 | 2 |
| 5 | 3 | 3 |
| 6 | 3.6 | 4 |
| 7 | 4.2 | 4 |
| 8 | 4.8 | 5 |
| 9 | 5.4 | 5 |
| 10 | 6 | 6 |
| 11 | 6.6 | 7 |
| 12 | 7.2 | 7 |
| 13 | 7.8 | 8 |
| 14 | 8.4 | 8 |
| 15 | 9 | 9 |
| 16 | 9.6 | 10 |

- (2) that identical façades shall not be placed next to one another or directly across the street or mews from one another; and
 - (3) that a minimum of one townhouse per stick shall have dormer windows.
- r. The applicant shall provide a brick tracking chart on the coversheet of the detailed site plan, which will be kept updated in order to ensure compliance with conditions approved by the Planning Board regarding a brick front requirement.

- s. The applicant shall make the following modifications to the site plan and the final design shall be approved by the Urban Design Section as designee of the Planning Board:
 - (1) The paved area directly north of Lots 24 and 25, Block B shall be designated signed as a hammerhead turnaround. The signage shall prohibit parking in the turnaround and the paving expanded to the degree feasible. (Reference Area 2 on Staff Exhibit A). Final design to be approved by the Transportation Planning Section as designee of the Planning Board.
 - (2) Lot 26, Block C shall have a brick rear elevation as indicated on Sheets A-7 and A-8 of the architectural elevations, as modified by condition.
 - (3) Adequate turn arounds shall be demonstrated prior to certificate approval for Lot 42, Block F, Lot 8, Block G, and Lot 38, Block E to redesign the plans for all vehicles, including emergency vehicles and trash and snow removal operations. Final design of said turnarounds shall be approved by the Transportation Planning Section as designed.
 - (4) The layout of Lots 1 through 10, Block D (two sticks of townhouses immediately adjacent to the community center to the west) shall be redesigned in order to provide additional open space in the development, to create a diagonal edge in the northwest corner of the green space to match the proposed diagonal edge in the southeast corner of the space along 55th Avenue, and so that their rears will not be visible (Reference Area 6 on Staff 's Exhibit A and Applicant's Exhibit A).
- t. The applicant shall present staff with written referral comments from WSSC, PEPCO, BGE, Comcast, and Verizon stating that the current configuration of the site plan and public utility easements will allow them to concurrently provide service to the development in a safe and efficient manner and provide information as to whether utilities will be installed in the direct bury format. If necessary, a utility coordination meeting shall be held to try to ensure use of the direct bury method.
- u. The applicant shall make cantilevered decks standard on all rear-loaded units and specify that such decks shall be constructed of a quality composite material such as "Trex" or equal.
- v. The applicant shall revise the plans to include:
 - (1) A recreational facility including, but not limited to, a passive recreational area such as a sitting area and an active recreational facility such as a pre-teen play area, adjacent to the stream corridor.
 - (2) A recreational facility including, but not limited to, a passive recreational area

such as a sitting area and an active recreational facility such as a pre-teen play area, shall be located in the open area by the monument sign at the entrance to the development along the west side of 55th Avenue.

- (3) A sitting area and an active recreational facility such as a tot lot, shall be located in the open area along Newton Street by the community center.
 - (4) A kitchen in the community center including a standard size **microwave**, refrigerator, dishwasher and pantry space and a functional meeting space equipped with chairs and tables in the amount allowed by the building code and a picnic area on the patio adjacent to the community center including a grill and picnic tables.
 - (5) Seven additional passive recreational areas such as sitting areas to be located throughout the development, including two in each of the two open green areas identified by the applicant between townhouse sticks in the eastern and western portions of the site, by the bus stop by the community center, and by Specimen Trees #7 and #17 in Blocks A and D respectively.
- w. The applicant shall make a note on the plans that the units identified as “highly visible” on staff’s exhibit **as revised**, regarding the location of brick, shall have enhanced treatment on both the side and rear façades of the unit.
 - x. The applicant shall submit no less than four additional front elevations to add diversity to the proposed mix of architectural units, for approval by the Urban Design Section as designee of the Planning Board.
 - y. Revisions to the tree preservation plan, Sheets 12 through 17, shall be made as detailed in the table below.

Required Revisions to Sheets 12-17 of the DSP

| Sheet Number | Comment | Required Revisions |
|--------------|---|--|
| 12 | None of the existing trees on this sheet are shown “to be removed by an arborist”. If the trees to be removed are not carefully removed and the stumps ground, damage could occur to the trees to be preserved. | Change the symbol on the plan to show all trees shown on the plan “to be removed by arborist” and that the stumps will be ground and not pulled. Revise the table on sheet 17 accordingly. |
| | No demolition access is shown. | Clearly delineate demolition access for each building by adding the symbol used on the other sheets. |

| Sheet Number | Comment | Required Revisions |
|--------------|---|--|
| | Locations of root pruning and air tool pruning have not been shown. If this process is not being done during demolition, remove these items from the legend. | Remove from legend if not done in this phase or cross off the symbol in the legend. |
| | "Special demolition procedures" are noted for some existing buildings and sidewalks. Notes say "see notes and details" – none are provided. | Revise the note to read: "See the Tree Preservation Plan for the details of the special demolition procedures". |
| | Trees that will require pruning prior to demolition have not been identified. | Add a note to sheets 12-15 that states: "See the Tree Preservation Plan for the required pre-demolition treatments for all trees to be preserved." |
| 13 | Locations of root pruning and air tool pruning have not been shown. | Add a note to sheets 12-15 that states: "See the Tree Preservation Plan for the required locations of root pruning and air tool root pruning techniques." |
| | "Special demolition procedures" are noted for some existing buildings and sidewalks. Notes say "see notes and details" – none are provided. | Add a note to sheets 12-15 that states: "See the Tree Preservation Plan for the required pre-demolition treatments for all trees to be preserved." |
| | Trees that will require pruning prior to demolition have not been identified. | Add a note to sheets 12-15 that states: "See the Tree Preservation Plan for the required pre-demolition treatments for all trees to be preserved." |
| 14 and 15 | For all proposed units that are adjacent to trees – ensure the tree preservation plans show all construction traffic to enter the buildings from the opposite side (the side opposite the trees). Show the tree protection devices to extend to the buildings after the buildings have been constructed. If necessary, provide limited access gates or some other method to reduce foot traffic in these areas. | Provide the following note on sheets 14-15: "The Tree Preservation Plan shall show the provision of construction traffic pathways on the opposite side of the new buildings from the trees to be preserved." |

| Sheet Number | Comment | Required Revisions |
|--------------|--|--|
| | Welded wire fencing is not adequate protection during construction. Welded wire fencing is too easily moved, removed and damaged. | Revise sheets 14 and 15 to show all tree protection devices as chain link fencing for the construction phase and eliminate the use of welded wire fencing. |
| | The locations of the tree protection devices are significantly different in the demolition phase from the construction phase. There are no notations regarding when and how this transition takes place. | Provide the following note on sheets 14-15: "The Tree Preservation Plan shall describe how, when and by whom tree protection devices are to be relocated between the demolition and construction phases." |
| 16 | Details 1 and 2: Delete note #2: super silt fence cannot be substituted for the tree protection device. | Strike out note 2 on Details 1 and 2. Provide a detail that shows the combined installation of super silt fence and the tree protection fencing. |
| | Details 1 and 2: Note #3 is in direct conflict with the preservation plans – the fencing will be moved between the demolition and construction phases. | Strike out note 2 on Details 1 and 2 and provide the following note: "The Tree Preservation Plan shall describe how, when and by whom tree protection devices are to be relocated between the demolition and construction phases." |
| | Details 1 and 2: A detail of the sign, its dimensions and verbiage was not provided. | Add the following note on sheet 16 and provide an arrow to the sign: "Tree preservation signage detail to be shown on the Tree Preservation Plan." |
| | Detail 3: The use of a trencher for root pruning results in severe damage to tree roots. | Strike out the word "trencher" for root pruning. |
| | Detail 3: The location of the excavated soil has not been shown or noted. If the excavated soils is placed in the root zone this will cause additional damage to the trees. | Provide a note that states that the soil that results from root pruning will be placed away from the trees to be preserved. |
| | Detail 8: This detail shows the tree protection fence directly adjacent to the trunk of the trees to be preserved. | Strike out the entire detail and add the following note: "Utility installation detail to be provided on the Tree Preservation Plan." |
| | Detail 4: Note #5 states that aggregate will be used in "heavy traffic areas" – these areas are not defined or shown on the plans. | Add the following note under Detail 4: "The heavy traffic areas will be designated on the Tree Preservation Plan." |

| Sheet Number | Comment | Required Revisions |
|--------------|--|--|
| | Detail 6: The plans do not show where/when this detail would be used and the notes do not explain it either. This seems like an extreme measure that provides no protection to the tree's roots. | Strike through this detail. If it is necessary on the Tree Preservation Plan, it can be added as part of that proposal. |
| 17 | The "tree conservation plan principles" provide no commitment from the permittee with regard to their implementation. | Revise the title of the "principles" to "Tree Preservation Notes". |
| | The table provided does not have a title and references "recommended preservation methods". | Add an asterisk to the "Recommended Preservation Methods" and provide the following note under the table: "* Refer to the Tree Preservation Plan for the final required treatments for all trees to be preserved." |
| | A Tree Preservation Treatment Plan is to be provided. It needs to be referenced on the DSP. | Add a note to the Tree Preservation Notes that states: "Prior to issuance of the first demolition permit for the subject property, a Tree Preservation Plan shall be submitted to the Planning Department and be approved by the Planning Director or the Planning Director's designee." |

- z. The applicant shall include all models on the template sheet and shall submit front, side, and rear elevation drawings for all models including those to be utilized for the less-visible, medium tier, and highly-visible units as identified on staff's exhibit. The applicant shall also clarify on the architectural elevations which materials may be chosen for each individual elevation for each individual architectural model.
- aa. The applicant shall substitute a different model type on Lots 25 and 83, Block C, so as to remove the stairs to the unit from the public utility easement or shall remove the units from the development entirely.
- bb. The applicant shall execute a recreational facilities agreement containing reference to the community building proffered by the applicant and any additional Planning Board-required recreational facilities. Such agreement shall include reasonable and mutually agreed on triggers for the installation of recreational facilities between the applicant and staff as designee of the Planning Board. In no event, however, shall more than one-half of the building permits for the single-family attached units be issued prior to the issuance of a **building** permit for the community building. Other outdoor facilities

within a given block will be constructed prior to issuance of the building permits for the block, where phasing of construction allows. In other cases, outdoor facilities within a block will be constructed prior to the issuance of use and occupancy permits for the units in that block.

- cc. The applicant shall revise the rear architectural elevations for the project, which include brick as a material choice, to indicate that the trim for the brick unit shall be the same as that of the other units on the stick. Additionally, brick shall be indicated for the limited portions of wall visible on the first floor of the entire stick.
 - dd. Applicant shall revise the plans to correct the key map located on each page of the detailed site and landscaping plans to reflect the finally approved unit configuration and to include the sheet numbers.
2. Prior to certificate approval of the subject detailed site plan and any planned demolition, the applicant shall document the property to Maryland Historical Trust standards and floor plans. This documentation shall include representative current interior and exterior photographs of the complex, representative floor plans demonstrating the range and type of units in the complex, and historic photographs of the complex as available.
3. Prior to the issuance of the first raze/demolition permit for the subject property:
- a. A Detailed Tree Preservation Plan shall be submitted to the Planning Department and be approved by the Planning Director or the Director's designee. The plan shall include pre-development treatments for trees to be preserved including pruning, root treatments and other recommended methods to ensure optimum tree health; treatments to be provided during construction such as watering and integrated pest management inspections; post-construction recommendations to include recommendations to deal with soil compaction; and long-term care recommendations. This plan shall be prepared by a certified arborist with experience in urban tree preservation techniques.
 - b. The proposed erosion and sediment control plan shall be provided to the tree preservation plan preparers so that the plans can be coordinated. At time of permit review, both plans shall be submitted as part of the review package to ensure that they show the same phasing and limits of disturbance.
 - c. All of the physical elements shown on the approved Detailed Tree Preservation Plan that is submitted prior to raze/demolition permit issuance shall be included as part of the erosion and sediment control plan. The costs of installation and maintenance of these features shall be included in the development bond for the project and shall be listed as separate items. A copy of the bonding form shall be submitted as part of the review of the first raze/demolition permit.
4. Prior to raze/demolition permit issuance for each phase:

- a. A Conservation Agreement shall be prepared. The Agreement shall detail the permittee's commitment to the timely and proper implementation of the tree preservation elements of the detailed site plan and the Detailed Tree Preservation Plan that is part of the erosion and sediment control plan. The Agreement shall include a statement regarding the permittee's commitment to providing the education of the contractors and their subcontractors regarding the requirements of the erosion and sediment control plan. The Agreement shall be signed by the Director of the Department of Public Works and Transportation.
 - b. The Detailed Tree Preservation Plan shall be updated to show how and where utilities will be installed for that phase.
 - c. An inspection shall be performed by the county inspector and a representative of the Environmental Planning Section to ensure that all the required tree protection measures are in place and that the required pre-construction treatments have been implemented. No raze/demolition permits shall be issued for additional phases if there are outstanding violations in previous phases.
5. Prior to final bond release, if the trees shown on the Detailed Tree Preservation Plan die or are damaged to the point where they will not survive long-term, in the opinion of the permittee's project arborist, as a result of failures to fully implement preservation measures agreed to, the trees shall be removed, the stumps ground in place, and an equal amount of tree canopy shall be replaced on-site. This condition shall be placed on the approved DSP on the tree preservation plan sheets.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Cavitt, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, January 21, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of February 2010.

Patricia Colihan Barney
Acting Executive Director

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

PCB:FJG:RG:arj

APPROVED AS TO LEGAL SUFFICIENCY

Mac
M-NCPPC Legal Department
Date 2-12-10