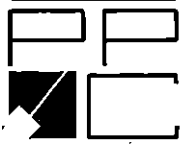


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



PGCPB No. 14-121

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
File No. DSP-13027

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on October 30, 2014 regarding Detailed Site Plan DSP-13027 for Longfellow Street Property, the Planning Board finds:

1. **Request:** The approval is of a conversion of a one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling) as permitted by the provision in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan). The approval also includes departures from Section 27-551(e) regarding permitted tandem parking and Section 27-559(a) regarding the percentage of required parking spaces that may be compact.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-35/D-D-O	R-35/D-D-O
Use(s)	Residential	Residential
Acreage	0.13	0.13
Lots	1	1

3. **Location:** The site is in Planning Area 68, Council District 2. More specifically, it is located on the northeastern side of Longfellow Street, approximately 440 feet southeast of its intersection with Queens Chapel Road in Hyattsville.
4. **Surrounding Uses:** The subject property is bounded to the southeast by a single-family detached unit in the One-Family Semidetached, and Two-Family Detached, Residential (R-35) and Development District Overlay (D-D-O) Zones with 36th Avenue beyond; to the northwest by single-family detached units in the R-35/D-D-O Zones; to the southwest by Longfellow Street with single-family detached units in the One-Family Detached Residential (R-55)/D-D-O Zones beyond; and to the northeast by a single-family detached unit in the R-35/D-D-O Zones.
5. **Previous Approvals:** A plat for the Clearwood Subdivision including the subject property was approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC) on June 23, 1943, Record File No. 13-1699, and recorded at BB Liber 9, Folio 84. The Department of Permitting, Inspections and Enforcement (DPIE) indicated that no stormwater management approval is necessary for the subject project as it is exempt because the project is not expected to disturb any land beyond the threshold triggering the need for stormwater concept approval, which is 5,000 square feet.

6. **Background and Analysis of the Applicant's Request:** The subject approval involves a residential structure in a residential neighborhood. The structure was built in 1940 and zoned R-35 in 1949. The R-35 Zone at that time permitted one-family detached and two-family detached residential units only. When the Gateway Arts District Sector Plan was adopted in 2004, the subject property was placed in the "Traditional Residential Neighborhood" character area and the underlying zoning remained R-35. The county has never issued a rental license for the premise. Permit 920-84-RGU/01, however, was issued for the property for additional space/living quarters for the single-family detached unit, and the permit was finalized on April 28, 1986. The City of Hyattsville provided copies of a multifamily license for the property from both 2005 and 2008, the application for which indicated that it was for three apartments.

The approval is of a conversion of the one-family detached dwelling as allowed by the approval of a special permit in the Traditional Residential Neighborhood on page 194 of the sector plan as a "residential lodging permitted use." More specifically, the conversion is to "a building containing up to three dwelling units (not considered as a two-family, three-family or multifamily dwelling)." Per page 140 of the sector plan, detailed site plan (DSP) review is required for all special permit uses as indicated on the use tables.

As stated on page 167 of the sector plan, the use table contained therein (pages 167-199) supersedes the underlying uses listed in the Prince George's County Zoning Ordinance.

Therefore, although neither three-family dwellings nor "a conversion of a one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family or multifamily dwelling)" is permitted in the R-35 Zone per the Zoning Ordinance, Section 27-441(b), Table of Uses (page 13), the latter is allowed by special permit in the Traditional Residential Neighborhood of the sector plan. Though some interior renovations will be made, no physical improvements to the exterior of the building or the site are contemplated as a part of this project.

The approval also includes a departure from design standards from Section 27-551(e) of the Zoning Ordinance, which allows tandem parking for one-family dwellings, to extend the allowance for the tandem parking to the requested conversion of a one-family dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling). Approval of the departure allows the applicant to provide the three requested parking spaces on the existing driveway on-site. The approval is made pursuant to Section 27-548.25(d), Site Plan Approval in D-D-O Zones of the Zoning Ordinance, which allows the departure request to be considered together with the subject DSP and to not require a separate application, provided the departure conforms to all of the applicable development district standards. See Finding 12(a) of this resolution for a full discussion of the subject departure and its conformance to the required findings of the Zoning Ordinance.

In its review of the above-mentioned departure, the Planning Board determined the need for a second departure from design standards, made necessary by a six-inch shortfall in the length of the

driveway. The second departure would be from the requirements of Section 27-559(a) of the Zoning Ordinance to allow two-thirds, rather than the one-third permitted, of the parking spaces to be compact instead of standard in size. See Finding 12(b) of this resolution for a full discussion of this second departure and its conformance to the required findings for departures as stated in the Zoning Ordinance.

7. **2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:** The Gateway Arts District Sector Plan specified that the subject property is located in the Traditional Residential Neighborhood (TRN) character area of the D-D-O Zone and retained the property in the R-35 Zone. The goal of the TRN character area is to promote the development of family and artist-oriented residential development in the R-35 Zone and the subject approval helps meet this goal.

The approved use, conversion of one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling), is included on the Permitted Uses table in the sector plan (page 194) and permitted in the TRN as a special permit which, per the table, indicates that the use is permitted with a special permit and DSP approval. The same use is prohibited in the R-35 Zone. However, per the sector plan (page 167), the "table controls the underlying uses listed in the Zoning Ordinance. Thus, some of the uses permitted in a character area might be prohibited in the underlying zone's use table as listed in the Zoning Ordinance." This is the case in the subject case. Additionally, per the sector plan, the subject project is exempt from the development district standards either because the development legally existed at the time of the adoption of the sector plan or because the subject application proposes a change in the occupancy of the subject structure from one-family to three (page 142).

As there are no required findings in the sector plan for approval of a special permit, we defer to those found in Section 27-239.02(a)(6)(C) of the Zoning Ordinance which states in pertinent part:

- (C) **The Planning Board may grant a Special Permit in other zones, as provided in the use tables, if it finds:**
 - (i) **The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan; and**
 - (ii) **The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design.**

Since the approval is exempt from the development district standards per the Gateway Arts District Sector Plan, the first finding does not apply. As the approved use (residential) will not be incompatible with land use on the adjacent properties because of its building or site design (which are both residential), it is the second required finding may be made.

8. **Prince George's County Zoning Ordinance:** The project is subject to the following portions of the Zoning Ordinance:

- a. Section 27-431 regarding the One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zone;
- b. Section 27-441 regarding uses permitted in residential zones;
- c. Section 27-442 regarding regulations in residential zones;
- d. Section 27-548.19 and Section 27-548.25 regarding the Development District Overlay (D-D-O) Zone;
- e. Section 27-285(b) regarding required findings for detailed site plans;
- f. Section 27-239.02(a)(6)(C) regarding required findings for special permits;
- g. Section 27-587 regarding Departures from Design Standards;
- h. Section 27-551(e) regarding permitted tandem parking;
- i. Section 27-559(a) regarding the percentage of required parking spaces that may be compact;
- j. Section 27-548.25 regarding approval of a variance or departure in a Development District Overlay (D-D-O) Zone;
- k. Section 27-239.01(b)(7) regarding required findings for departures; and
- l. Section 27-102(a) regarding purposes of the Zoning Ordinance.

The Planning Board has reviewed the subject approval for conformance with the applicable requirements of the preceding sections of the Zoning Ordinance and finds that it conforms, except with regard to the relative location of the three provided parking spaces and the maximum allowed percentage of compact parking spaces. For a detailed discussion of the requested departures in that respect, see Finding 12.

- 9. **2010 Prince George's County Landscape Manual:** The approved development is not subject to the requirements of the 2010 *Prince George's County Landscape Manual*, per County Council Bill CB-17-2013, because it does not propose any additional gross floor area.
- 10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** A standard letter of exemption was issued for the site subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because it has no previous tree conservation plans approved and because the gross tract area of the subject property measures less than 40,000 square feet in size and/or there is less than 10,000 square feet of existing woodland on the site.

11. **The Prince George's County Tree Canopy Coverage Ordinance:** This approval is not subject to the requirements of the Tree Canopy Coverage Ordinance, as it involves no disturbance to the subject land. The Tree Canopy Coverage Ordinance applies only in instances when more than 5,000 square feet of the subject property is disturbed.
12. **Requested departures from the requirements of Section 27-551(e) and Section 27-559(a):**
 - a. **Departure from Design Standards from Section 27-551(e) of the Zoning Ordinance Pursuant To Section 27-548.25, Site Plan Approval in Development District Overlay (D-D-O) Zones of the Zoning Ordinance—**In a letter dated September 16, 2014, a Departure from Design Standards was requested pursuant to Section 27-587 of the Zoning Ordinance from Section 27-551(e) which states:

- (1) **Parking spaces provided solely for, and on the same lot with, one-family dwellings may be located one behind the other. The front space may be used to access the rear space.**

More specifically, it was requested that the tandem parking arrangement permitted by Section 27-551(e) for one-family detached dwellings be allowed for the requested conversion of a one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling). Section 27-548.25 of the Zoning Ordinance provides:

- (e) **If a use would normally require a variance or departure, separate applications shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.**

However, as explained in Finding 7 of this resolution, the subject project is exempt from the development district standards. Therefore, the Zoning Ordinance requirements relating to departures have been applied. Each such required finding found in Part 3, Division 5, Section 27-239.01(b)(7) of the Zoning Ordinance is included in **boldface** type below, followed by Planning Board comment:

(7) Required findings.

- (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**
 - (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of the Zoning Ordinance, as described in Section 27-102, would be equally well or better served by the subject approval. In particular, the subject conversion of a one-family dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling) helps implement the area master plan for the Gateway Arts District Sector Plan, and thereby serves the purpose of the Zoning Ordinance stated in Section 27-102(a)(2) to help implement an area master plan. More particularly, the approved departure would, among other things, allow a permitted use to be established in the Traditional Residential Neighborhood of the Gateway Arts District as the use is clearly permitted there and the subject departure allows such use to meet the applicable Zoning Ordinance requirement with respect to the number of spaces to be provided. In addition, granting the departure helps achieve the purpose expressed in Section 27-102(a)(6) to promote the most beneficial relationship between the uses of land and building and protect landowners from adverse impacts of adjoining development by eliminating the need to introduce additional paved parking surfaces on the lot, deemed to be incompatible with the adjoining single-family detached homes.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The departure is the minimum necessary as no construction to the house or site is contemplated for the project, and as the three parking spaces (two standard and one compact) required by Section 27-558 of the Zoning Ordinance can only be provided on the site in tandem fashion on the existing driveway. The minimum required size of parking spaces as required by Section 27-558 for non-parallel parking spaces is 19 by nine and a half feet for standard spaces and 16 and one-half feet by eight feet for compact spaces, and that Section 27-559 of the Zoning Ordinance allows a maximum of one-third of the spaces (i.e. one space) to be compact. Therefore, two spaces that measure a minimum of 19 feet and one that measures a minimum of 16 and one-half feet long for a total required driveway length of 54 and one-half feet would have to be provided. The minimum width for standard parking spaces is nine and one-half feet and the minimum width for compact spaces is eight feet. Whereas the ten-foot, two-inch width of the driveway indicated on the plan meets and exceeds the required width for both types of spaces (standard and compact), the length is six inches shy of the length necessary to accommodate two standard spaces and one compact space. A second departure is herein approved to allow two-thirds instead of one-third of the parking (i.e. two spaces) to be compact, which resolves the

problem of the additional six inches of length needed. See Finding 12(b) for a detailed discussion of that second necessary departure.

- (iii) **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

The subject departure is necessary to alleviate the circumstance that the subject site was developed with a one-family dwelling and driveway in 1940, which is prior to November 29, 1949, as required by this finding. The subject driveway is sufficiently long to provide the three required parking spaces for the conversion, but only if located in tandem fashion.

- (iv) **The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

The departure will not impair the visual integrity of the site as the one-family dwelling on the property will retain the same appearance of a house with several cars parked on the driveway. In fact, it is probable that one or more of the cars will be parked on the street in front of the house, as is currently the case, further reducing the likelihood that the location of parked cars will have any negative impact on the neighborhood. The environmental integrity of the site is hereby retained by the granting of the departure by allowing the project to go forward without the creation of additional impervious surfaces on the property, which would create a greater amount of stormwater runoff on the site. The functional integrity of the site will be retained because there is adequate space as envisioned by the Zoning Ordinance for a conversion of this type.

As the required findings may be made with regard to the requested departure from design standards and as such departure request is not required to be made in a separate application, the Planning Board hereby grants the departure as is allowed by the Zoning Ordinance as part of the subject DSP application within a Development District Overlay (D-D-O) Zone.

- b. **Departure from Design Standards from Section 27-559(a) (Compact car spaces) of the Zoning Ordinance Pursuant To Section 27-448.25, Site Plan Approval in Development District Overlay (D-D-O) Zones of the Zoning Ordinance—**The Planning Board determined that a second departure from design standards is required to increase the percentage of compact car spaces that will be provided on the site from one-to two-thirds in order to resolve the practical problem of providing the required parking spaces on an existing driveway, which measures a mere six inches short. Normally, only one-third or one of the three required parking spaces is permitted to be a compact parking

space per Section 27-559(a) of the Zoning Ordinance. However, the Planning Board hereby approves a second departure to permit that two-thirds or two of the three required parking spaces be compact spaces, enabling the three required spaces to comfortably sit on the existing driveway. The subject provision in Section 27-559(a) states, in part:

- (a) **Up to one-third (1/3) of the required number of parking spaces in any parking lot may be compact car spaces.**

Further, Section 27-548.25(e) of the Zoning Ordinance, Site Plan Approval in Development District Overlay (D-D-O) Zones, provides:

- (e) **If a use would normally require a variance or departure, separate applications shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.**

As the subject project is exempt from the development district standards, the Zoning Ordinance requirements relating to departures have been applied. Each such required finding found in Part 3, Division 5, Section 27-239.01 (b)(7) of the Zoning Ordinance is included in **boldface** type below, followed by Planning Board comment:

(7) **Required findings.**

- (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of the Zoning Ordinance, as described in Section 27-102, are equally well or better served by granting the departure. In particular, the subject conversion of a one-family dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling) helps implement the area master plan for the Gateway Arts District Sector Plan, and thereby serve the purpose of the Zoning Ordinance stated in Section 27-102(a)(2) to help implement an area master plan. More particularly, the requested departure, among other things, allows a permitted use to be established in the Traditional Residential Neighborhood of the Gateway Arts District as the use is clearly permitted there and the departure allows such use to meet the applicable Zoning Ordinance requirement with respect to the number of spaces to be provided. In addition, granting the departure achieves the purpose expressed in Section 27-102(a)(6) to promote the most beneficial relationship between the uses of land and building and protect landowners

from adverse impacts of adjoining development by eliminating the need to introduce additional paved parking surfaces on the lot, which is deemed to be incompatible with the adjoining single-family detached homes.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The departure is the minimum necessary as no construction to the house or site is approved herein for the project and as the three parking spaces (two standard and one compact) required by Section 27-558 of the Zoning Ordinance can only be provided on the existing driveway on the site by allowing a greater percentage (two-thirds as opposed to one-third) of the required parking to be compact.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

The subject departure is necessary to alleviate the circumstance that the subject site was developed with a one-family dwelling and driveway, which is prior to November 29, 1949, as required by this finding. The subject driveway is sufficiently long to provide the three required parking spaces for the conversion, but only if located in tandem fashion allowed by the granting of the departure herein as discussed in Finding 12(a) of this resolution. The subject departure is herein approved to allow two-thirds instead of one-third of the parking provided to be of compact size. In that manner, circumstances which are unique to the site will be alleviated.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The departure will not impair the visual integrity of the site as the one-family dwelling on the property will retain the same appearance of a house with several cars parking on the driveway. In fact, it is probable that one or more of the cars will be parked on the street in front of the house, as is currently the case, further reducing the likelihood that the location of parked cars will have any negative impact on the neighborhood. The environmental integrity of the site will be served by approval of the departure which allows the project to go forward without the creation of additional impervious surfaces on the property, which would create a greater amount of stormwater runoff on the site. The

functional integrity of the site will be retained because there is adequate space as envisioned by the Zoning Ordinance for a conversion of this type.

As the required findings are herein made with regard to the requested departure from design standards and as such departure request is not required to be made a separate application, the Planning Board herein grants the departure as is allowed by the Zoning Ordinance as part of the subject DSP within a Development District Overlay (D-D-O) Zone.

13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The comments are summarized as follows:
- a. **Community Planning**—The project conforms to the goals, vision, and/or requirements of *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) and the *2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. See Finding 7 of this resolution for a full discussion of conformance to the latter evaluation criterion.
 - b. **Subdivision Review**—The subject property is also known as Clearwood, Lot 4, Block 9, on the record plat for the property recorded in March 1943 as Plat BB 9-84 in the Prince George's County Land Records. The property is located on Tax Map 42 in Grid A-4, and measures approximately 5,771 square feet. The site is improved with a 2,674-square-foot dwelling which is herein approved as a conversion to a building containing up to three dwelling units (not to be considered a two, three, or multifamily dwelling), with no increase in gross floor area (GFA). Pursuant to Section 24-111(c)(1) of the Subdivision Regulations, the project is exempt from the requirement of filing a preliminary plan of subdivision because the total development proposed does not exceed 5,000 square feet of GFA.

An omission on the site plan to include the measurement unit to the GFA in the general notes is remedied by a condition of this approval. Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) would result in permits being placed on hold until the plans are corrected.
 - c. **Permit Review**—The numerous permit review comments have either been addressed by revisions to the plans or by conditions of this approval.
 - d. **Environmental Planning**—The project is subject to the requirements of the environmental regulations of Subtitle 27 that came into effect on September 1, 2010 and the requirements of Subtitle 25, the Woodland and Wildlife Habitat Conservation Ordinance (WCO), because there were no tree conservation plans previously approved for the site. An approved Natural Resources Inventory Equivalency Letter, NRI-013-14, was

issued for the site on January 29, 2014 and a Standard Letter of Exemption, S-176-13, was issued on October 18, 2013.

According to mapping research and as documented in the approved NRI Equivalency Letter, there are no regulated environmental features present on-site such as wetlands and streams. This site drains to the Anacostia River within the Western Branch watershed of the Patuxent River Basin. A small percentage of steep slopes (15–24 percent) are located on-site along the southwestern property line. The predominant soil found to occur on-site, according to the United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey, is Christiana-Downer-Urban land complex (CdC). According to available information, Marlboro Clay is not found to occur on this property. According to the Sensitive Species Project Review Area (SSPRA) layer maintained by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species on or in the vicinity of this property. No specimen trees were identified on-site through the NRI process. There are no noise sources and the proposed use is not expected to be a noise generator. There are no designated scenic or historic roads adjacent to or within the site, and it is located in Environmental Strategy Area 1 of Plan Prince George's 2035.

- An approved Natural Resources Inventory Equivalency Letter, NRI-013-14, associated with this application, was issued on January 29, 2014. The site does not contain any regulated environmental features such as nontidal wetlands and streams.
- The site is subject to the requirements of the WCO because it has no previous tree conservation plans approved, but was issued a standard letter of exemption on October 18, 2013 (which was submitted with the application), subject to the provisions of the WCO because the property is less than 40,000 square feet in size and because there is less than 10,000 square feet of existing woodland on the site.
- The site is developed and does not contain any regulated environmental features that are required to be protected under Section 27-285(b)(4) of the Zoning Ordinance.
- The site has been issued an approved Stormwater Management Concept Letter, 5216-2014-00, by the DPIE, with an expiration date of May 1, 2017, stating that the project is exempt from stormwater management requirements because the project involves less than 5,000 square feet of land disturbance.
- According to the USDA, NRCS, Web Soil Survey, the predominant soil found to occur on-site is the Christiana-Downer-Urban land complex (CdD). According to available information, Marlboro Clay is not found to occur on this property.

As the environmental review for the subject project did not reveal substantial environmental concerns, no environmentally-related conditions have been placed on the subject approval.

- e. **The Prince George's County Police Department**—In a memorandum dated September 3, 2014, the Police Department stated that after reviewing the plans for the project, they found no crime prevention through environmental design (CPTED) related issues connected with the project at the present time.
- f. **The Prince George's County Health Department**—In a memorandum dated September 5, 2014, the Health Department stated that it had completed a health impact assessment review of the DSP submission for the Longfellow Property and has no comments or recommendations.
- g. **City of Hyattsville**—In an e-mail dated August 27, 2014, a representative of the City of Hyattsville indicated to staff that they had the following three concerns regarding the subject project:
 - (1) **The existing ceiling height in the proposed third unit is at seven feet without finished flooring, which is at the minimum height requirement. We believe it will be difficult for the owner to meet the minimum building height.**
 - (2) **The proposed conversion would contain the first multifamily residential units on the block and therefore would not be in keeping with the character of the other units on the street.**
 - (3) **Egress for life & safety must be met. We believe that there may be some challenges or modifications that must take place in order for the property to meet the minimum egress requirements.**

The Planning Board finds that the first and third concerns above derive from building code requirements, which will be addressed separately through the permitting processes. See Finding 7 for a full discussion of the second concern. Further, the Gateway Arts District Sector Plan permits by-right the proposed conversion as a stand-alone use, and defines the conversion of a single-family dwelling up to a three-family dwelling as *not* constituting a multifamily use.

- h. **Town of University Park**—A representative of the Town of University Park indicated to staff in a telephone conversation held on September 4, 2014 that the town did not wish to comment on the subject project.
- i. **Town of Riverdale Park**—In an e-mail received August 27, 2014, a representative of the Town of Riverdale Park indicated to staff that they would not be offering comment on the subject project.

- j. **Town of Mount Rainier**—A representative of the Town of Mount Rainier indicated to staff in a telephone conversation held on September 4, 2014 that the town did not wish to comment on the subject project.
 - k. **Town of Brentwood**—A representative of the Town of Brentwood indicated to staff in a telephone conversation held on August 27, 2014 that the town did not wish to comment on the subject project.
 - l. **Town of North Brentwood**—The Mayor of North Brentwood indicated to staff that the Town of North Brentwood would not be offering comment on the subject project.
- 14. Based on the foregoing and as required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
 - 15. Based on the foregoing and as required by Section 27-239.02(a)(6)(C) of the Zoning Ordinance, the site plan for the special permit application generally conforms with the design guidelines in an approved master plan or other applicable plan and shows that the proposed use will not be incompatible with adjacent properties because of building or site design.
 - 16. Based on the foregoing and as required by Section 27-239.01(b)(7) of the Zoning Ordinance, the requested departures from the requirements of Section 27-551(e) and Section 27-559(a), pursuant to Section 27-548.25, meet the required findings as expressed in Section 27-239.01(b)(7).
 - 17. Section 27-285(b)(4) of the Zoning Ordinance requires that a detailed site plan demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. As the site does not contain any regulated environmental features, this normally required finding need not be made.

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 Special Permit SP-130004 and further APPROVED Detailed Site Plan DSP-13027, and the Departures from Design Standards from Section 27-551(e) and Section 27-559(a) of the Zoning Ordinance to permit tandem parking and a greater percentage of compact parking spaces for the above-described land, subject to the following conditions:

- 1. Prior to certification of the subject plan, the following corrections shall be made or additional materials submitted:

- a. The measurement unit of square feet or "sf" shall be added to the gross floor area calculation provided in the general notes.
- b. A general note shall be added to the plans stating that "the request in the case is the Conversion of a one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family or multifamily dwelling)" as permitted in the use table on page 194 of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*.
- c. The applicant shall add lot coverage calculations in a general note on the site plan.
- d. The precise location of each of the three provided parking spaces shall be indicated on the site plan, with correct dimensions for one standard and two compact spaces.
- e. The height of the subject building shall be provided within the building's footprint and in a general note on the site plan.

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 Geraldo, seconded by Commissioner Washington, with Commissioners Geraldo, Washington, Bailey, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, October 30, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of November 2014.

APPROVED AS TO LEGAL SUFFICIENCY

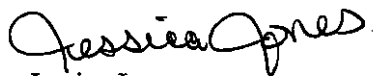
M-NCPPC Legal Department

Date

11/3/14

Patricia Colihan Barney
Executive Director

By



Jessica Jones

Planning Board Administrator

PCB:JJ:RG:arj