

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on June 22, 2017, regarding Detailed Site Plan DSP-15006 for Walker Mill Apartments (formerly Regency Square), the Planning Board finds:

1. **Request:** The subject approval is for the construction of a 2,995-square-foot community building and the relocation of a tot-lot in an existing multifamily development.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-18	R-18
Use	Residential	Residential
Gross tract area of this DSP (acreage)	14.78	14.78
Gross Floor Area on-site	116,935 sq. ft.	121,470 sq. ft.*
Number of units	366	366
Number of parcels	2	2

Note: * This total includes the gross floor area (GFA) of the 358 units in the larger development, the proposed GFA of the 2,995-square-foot community building and the existing approximately 1,540-square-foot pool building.

	Existing	Approved
Parking schedule*		
Number of Standard Parking Spaces (10 feet by 20 feet)	421	421
Number of ADA Parking Spaces	13	15

Note: * No loading is required nor provided for the existing residential multifamily project.

3. **Location:** The project is located on the eastern side of Rochelle Avenue, approximately 270 feet south of its intersection with Walker Mill Road. The project is also located in Planning Area 75A and Council District 6.
4. **Surrounding Uses:** The subject property is surrounded to the north by vacant land owned by the Trinidad Baptist Church in the Commercial Shopping Center (C-S-C) Zone; to the east by vacant land owned by Trinidad Baptist Church in the Multifamily Medium Density Residential (R-18) Zone and a Prince George’s Board of Education (BOE) school in the Townhouse (R-T) Zone and

Addison Heights Homeowners Association land in the R-T Zone; to the south by single-family detached residential units in the R-18 Zone; and to the west by Walker Mill Road and single-family detached residential units in the One-Family Detached Residential (R-55) Zone.

5. **Previous Approvals:** The property is the subject of a final plat recorded in Plat Book WWW 49-34. The property is also subject to a standard exemption for the site from the Prince George's County Woodland Conservation and Tree Preservation Ordinance, which was issued on April 16, 2015 and is valid until April 16, 2020; a natural resources inventory equivalency letter (NRI-EL) for a development activity in Prince Georges County, issued on April 16, 2015, which will expire on April 16, 2020; an approved Certification of Nonconforming Use, CNU-2038-91-U-01, dated March 17, 1992; and an approved Permit Issued in Error, ERR-145, which validated the 10 dwelling units built beyond the permitted density. The property also has a Stormwater Management Concept Plan, 16304-20015-00, approved on May 29, 2015 and valid until May 29, 2018.
6. **Design Features:** The Regency Square project, constructed in 1968, is located on a 14.79-acre site, and comprised of nineteen multifamily residential buildings, approximately ten of which are coupled buildings, joined at a corner. The buildings are built of brick and together comprise 116,935 square feet of development and 358 apartments.

The project was previously known as Walker Mill Hall Apartments and is a nonconforming apartment complex. The nonconformity is the inclusion of 8 units more than the 358 units permitted by the 1963 density requirement of 1 unit per 1,800 square feet of land. The property consisted of 644,196 square feet and would have permitted only 358 units, but 366 units were constructed. The applicant processed a validation of permit issued in error for the original building permits. The District Council approved Permit ERR-145 on January 13, 1992 and validated only the last building constructed containing 10 dwelling units. Permit ERR-145 validated the last building (containing 10 units) such that the project was still not in conformance with the 1963 Zoning regulations. However, the remainder of the project was not in conformance with the existing regulations in 1992, and thus was certified as a nonconforming use for a total of 366 dwelling units pursuant to CNU-2038-91-U.

Architecture

The architecture of the community building herein approved is of a simple design with a central front entrance, emphasized by an articulated hip roofline, and decorative fenestration. The fenestration includes two levels of windows above the double door, which has sidelights. Cement stone piers emphasize the entrance on both sides. The front façade also has other articulated portions of the roofline on both wings; the left wing with three two-panel windows with transoms and the one on the left wing, with two side-by-side windows with transoms. The material specified on the water table is cement stone that matches the entrance piers. Above the water table, cement fiber siding and the windows (of vinyl construction) are specified. The cornice/trim is specified as composite and the roofing material is specified as asphalt shingle.

The rear façade of the building herein approved mimics the roof articulation centrally and on both ends, with the similar windows on both wings. The central focus of the rear façade is a hip roof like the front, but its fenestration includes two, three-paneled windows, which stretch almost the full height of the elevation. A single utilitarian entrance door is located to the left of the rear central section. Fenestration on both wings, like the front, includes windows, three two-over-two light windows on the right wing and a double two-over-one window on the left wing. Like on the front elevation, cement stone is utilized on the water table, with cement fiber siding above and asphalt shingles on the roof. Note that the central element of the rear façade is recessed, creating a usable patio space between the two wings.

The architecture of the side façades is much simpler in design than the front or rear façades, with cement stone on the watertable, cement fiber siding above, composite trim and asphalt roof shingles. The color scheme of the architecture includes a variety of muted neutral tones, ranging from tan, sandstone, to a greyish brown.

The Planning Board finds the presented architecture acceptable with the conditions herein, improving its originally submitted architecture to be more fitting with its setting among vintage, exclusively brick, multifamily residential buildings. A proposed condition of this approval requires that the cement stone of the building be revised to red brick on the watertable, compatible with the red brick. Final revised architecture shall be reviewed and approved by the Planning Board or its designee.

Recreational Facilities

The recreational facilities for the project include a standard-size swimming pool, a kiddie pool, an accessory two-story pool building, with facilities, a tot-lot and the community building/leasing center. The indoor recreational facilities therein include a small fitness center, with weight machines for resistance training. The type and quantity is provided for each as follows:

- Leg curl (1);
- Leg press (1);
- Abdominals and back (1);
- Standing bikes (2);
- Elliptical machines (2);
- Treadmills (3); and
- Multipress (1).

There is also a small “lobby” area, with a fireplace near the center of the building.

As the details of the tot-lot and exercise room were not originally included on the detailed site plan (DSP), a condition of this approval requires that the details be provided prior to certificate approval and that, at a minimum, the above-mentioned equipment be included in the exercise room and that the design of the tot-lot meets the guidelines of the Prince George’s County Department of Parks and Recreation’s *Park and Recreation Facilities Guidelines*. The labeling of

the swimming pool shall, by condition of this approval, be corrected to indicate that it is, in fact, a usable swimming pool and is to remain as part of this project.

Parking

Surface parking for the overall project is provided adjacent to all buildings and the swimming pool, with the majority of designated handicapped spaces located proximate to the project's entrance from 6th Avenue. Parking for the project, as a whole, was established at the time the development was originally designed and built. For the subject project, the applicant added two new handicapped-accessible parking spaces, proximate to the community building/leasing center.

Plan Notes

The cover sheet of the originally submitted plan set contains two different sets of "General Notes," one set of "Site Data," and one set of "Site Notes." The information included in these various listings of information was often conflicting and/or incorrect. For example, General Note 5 indicated that there was only one parcel included in the project, whereas No. 5 under Site Data indicates that the property was comprised of two parcels, Parcel A (measuring 32,236 square feet or 0.74 acre) and Parcel B (measuring 611,96 square feet or 14.05 acres). In order to ensure that plan information is correct and to facilitate future review of the plan, a condition of this approval would require that the information contained in these listings on the plans be consolidated and corrected prior to certificate approval.

Signage

The project includes only signage for the two-proposed handicapped accessible parking spaces. No other signage is proposed for the project.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements in the R-18 Zone and the site design guidelines of the Zoning Ordinance:
 - a. The subject approval is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. The residential community building use is an accessory use permitted in the R-18 Zone.
 - b. The subject approval is in conformance with the requirements of Section 27-442, of the Zoning Ordinance, which contains regulations for the R-18 Zone.
 - c. The subject approval is in conformance with the requirements of Section 27-274, Design Guidelines, of the Zoning Ordinance.

8. **2010 Prince George’s County Landscape Manual:** The new construction approved herein does not involve an increase in the GFA of a multifamily building(s) resulting in a total cumulative increase of more than 10 percent of the existing GFA on the property or 5,000 square feet, whichever is less. Therefore, the project is exempt from the requirements of Sections 4.1, 4.2, 4.3, 4.7, and 4.9 of the 2010 *Prince George’s County Landscape Manual*. (Landscape Manual). However, the community building approved herein is subject to Section 4.4, Screening Requirements, of the Landscape Manual as follows:
 - a. **Section 4.4, Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical equipment be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. However, there is no loading space or mechanical equipment required to be screened in accordance with this section. The applicant has indicated that the dumpster provided for the community building is already screened by an enclosure, however, neither the dumpster nor the enclosure is shown on the plan. Therefore, a condition of this approval requires that, prior to certificate approval, the applicant indicated the location of the dumpster and its enclosure and provide a detail for the enclosure.
9. **Prince George’s County Woodland Conservation and Tree Preservation Ordinance:** This site is not subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) even though the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland, the development pre-dated the WCO. A numbered Woodland Conservation Letter of Exemption, E-053-2016, was approved on October 20, 2016 and submitted for this approval stating that the project will result in zero square feet of clearing.
10. **Prince George’s County Tree Canopy Coverage Ordinance:** The project is subject to the requirements of the Tree Canopy Coverage Ordinance as included in Section 25-128 of the Prince George’s County Code. On the basis of the project’s location in the R-18 Zone, 15 percent of the property, or 2.11 acres, or 91,737 square feet is required to be covered in tree canopy. The appropriate schedule has been provided on the landscape detail sheet, demonstrating that 91,737 square feet of the subject site will be covered in tree canopy, meeting this requirement.
11. **Further Planning Board Findings and Comments from Other Entities:**
 - a. **Historic Preservation**—The subject proposal will not impact any historic sites or historic resources.
 - b. **Archeology**—A search of current and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low and that the proposal will not impact known archeological sites.

- c. **Community Planning**—Findings of conformance with the master or General Plan are not required for this approval, and the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) designates the area in the Established Communities Growth Policy Area, which envisions a context-sensitive infill and low- to medium-density development.

The approval is not impacted by the Military Installation Overlay (M-I-O) Zone, and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* classified the site in the R-18 Zone. There are no planning issues connected with the subject approval.

- d. **Subdivision**—The subject property is located on Tax Map 81, Grids C-1 and D-1 and is zoned R-18. The site includes Parcels A and B and consists of 14.78 acres. A Final Plat of Subdivision was recorded for Parcels A and B on October 2, 1963 in Plat Book WWW 49-34. The bearings and distances that are shown on the DSP herein approved are consistent with the recorded plat for the property. The site data notes provided on the plan's cover sheet include the property descriptions and acreages of Parcels A and B. However, because the improvements and increase in GFA are confined to Parcel B, the General Notes have only included acreage information for Parcel B. The General Notes shall, by condition of this approval, be revised to include the gross tract area of both Parcels A and B.

The approval is for the construction of a one-story, 2,995-square-foot, community building/leasing center within an existing multifamily development that will be for the exclusive use of the residents of the community. The existing tot-lot will be relocated in order to accommodate the building herein approved. No additional residential units are proposed as part of the subject approval. The subject approval appears to meet the exemption criteria of Section 24-111(c)(4) of the Subdivision Regulations, and therefore, is not required to be resubdivided. The applicant is hereby advised that the redevelopment of the site of more than 5,000 square feet of GFA will require a new preliminary plan of subdivision, pursuant to Section 24-111(c)(4) of the Subdivision Regulations.

The General Notes on the cover sheet shall, by condition of this approval, be revised to include the gross tract area of both Parcels A and B and include density and bedroom percentages information.

The cover sheet and Sheet 3 of the submitted site plan shall, by condition of this approval, be revised to provide dimensions, setbacks, and the height of the building.

The subdivision comments have been addressed by conditions of this approval.

- e. **Trails**—In Transportation Planning Section comments dated May 18, 2017, staff stated that they had reviewed the project against the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the appropriate sector plan (the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Master Plan) in order to implement planned

trails, bikeways, and pedestrian improvements, and that there are no master plan trails that impact the current application as the improvements are located within an already developed multifamily complex. However, the trails coordinator noted, no sidewalk or trail access is shown to the tot-lot and safe pedestrian access to the tot-lot is supported by the MPOT and should be provided. Specifically, the trails coordinator cited Policy 2 of the MPOT (page 8) which states “Provide adequate pedestrian and bicycle linkages to schools, parks, recreational areas, commercial areas, and employment centers.”

A condition of this approval requires that, prior to certificate approval of the subject plans, safe pedestrian access be provided to the proposed community center/leasing building and tot-lot.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In comments dated April 20, 2017, DPR stated that the subject project would have no impact on the existing or future parkland.
- g. **Permits**—Permit review comments have either been addressed by revisions to the plans or by conditions of this approval.
- h. **Environmental Planning**—The Planning Board has reviewed the above referenced DSP with respect to environmental planning related issues and hereby finds:

Background

The Planning Board previously reviewed and signed a Natural Resources Inventory Equivalency Letter, NRI-074-2015, for this property on April 16, 2015. No other environmental reviews have occurred on this site.

Grandfathering

This project is subject to the current environmental regulations contained in Subtitles 24 and 25 of the County Code that came into effect on September 1, 2010 and February 1, 2012 because the approval is for a new DSP.

Site Description

This 14.78-acre site is located on Rochelle Avenue in District Heights, with frontage on Walker Mill Road. A review of available information indicates that there are no streams, wetlands, or 100-year floodplain located on the property. The site is within the Patuxent River watershed and drains toward the Southwest Branch, to the east. The Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources, Natural Heritage Program, shows no rare, threatened, or endangered species found to occur on, or near this property, nor is potential forest interior dwelling species (FIDS) habitat mapped on or near this property. The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George’s 2035. The approved resource conservation plan shows that the majority of the property falls outside

of the green infrastructure network features. A small section of evaluation area is located along the eastern boundary and a small section of regulated area extends onto the property from the east, associated with the source of a tributary stream to the southwest branch on the property to the east.

Environmental Review

Natural Resources Inventory Equivalency Letter NRI-074-2015 was approved and signed on April 16, 2015. The regulated environmental features on-site include the 60-foot buffer to the source of the stream located on the property to the east. The development herein approved will not be located within the green infrastructure network.

Woodland Conservation

This site is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A numbered Woodland Conservation Letter of Exemption, E-053-2016, was approved on October 20, 2016, and submitted with this application stating that the project will result in no clearing of woodland.

Soils

The predominant soils found to occur according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include Sassafras-Urban land complex (5–15 percent slopes) and Beltsville-Urban land complex (0–15 percent). Based on available information, Marlboro clay is not mapped on or near this property.

Stormwater Management

An approved Stormwater Management Concept Letter (45380-2016-00) and associated plan were submitted for this site. The approval was issued on January 26, 2017 from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The approved plan shows on-site water quality controls (bioretention) using environmental site design to the maximum extent practicable. A stormwater management fee is required in lieu of fully providing on-site attenuation/quality control measures.

- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comments regarding the subject project.
- j. **Prince George's County Police Department**—The Police Department did not provide any comments on this DSP.
- k. **Prince George's County Health Department**—The Health Department did not offer comments on the subject project.
- l. **Maryland State Highway Administration (SHA)**—SHA did not offer comments regarding the subject project.

- m. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail received June 2, 2017, WSSC offered numerous comments that will be addressed through WSSC’s separate permitting process.
 - n. **Verizon**—Verizon did not offer comments regarding the subject project.
 - o. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments regarding the subject project.
12. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, as revised by conditions of this approval, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
13. As there are no regulated environmental features on the subject site, the finding normally required by Section 27-285(b)(4) of the Zoning Ordinance needs not be made at this time.

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-15006, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall revise the site plan or provide additional information as follows:
 - a. Update the site data to reflect the overall development as a nonconforming use (Certification of Nonconforming Use CNU-2038-91-U), in accordance with Permit Issued in Error ERR-145 (Zoning Ordinance No. 3-1992), Walker Mill Hall Apartments, approved by the District Council on January 13, 1992, and that the proposed community building is an addition to that nonconforming use as a permitted use, provided a DSP is approved.
 - b. Revise the parking and loading schedule located on the cover sheet of the plan to reflect the following, including the breakdown of the uses:

Number of Dwelling Units	Parking Required	Total Parking Provided
366	Existing Multifamily 366 Proposed Community Building 17 Total: 383	436

- c. The drive aisles between the two handicapped parking spaces in the parking lot shall be dimensioned to demonstrate that it measures a minimum of 22 feet wide for two-way traffic.
- d. The rear yard setback of the building shall be dimensioned on the coversheet of the DSP.
- e. Crosswalks shall be provided across the drive aisles in front and on the left side of the proposed community building.
- f. The architecture of the building shall be revised to, at a minimum, replace cement stone on the watertable with the red brick. Final revised architecture shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
- g. Details for the proposed tot-lot shall be provided in the plan set. Provide the following site plan notes:
 - “All play equipment shall comply with the requirements of the Consumer Product Safety Commission (CPSC) and the American Society for Testing and Materials (ASTM). All play areas shall also comply with the requirements of the Americans with Disabilities Act (ADA) and with the *Park and Recreation Facilities Guidelines*.”
 - “Resident flooring in accordance with the standards of the American Society for Testing and Materials (AST M) shall be provided.”
 - “Grading of the outdoor play area shall ensure complete drainage of any stormwater from the play area.”
- h. The two sets of general notes shall be consolidated with the list of “Site Notes” and “Site Data” on the cover sheet of the plan set to form a single set of General Notes and the information contained thereon shall be consolidated and or corrected as necessary.
- i. The general note on the upper left of the cover sheet which states that the disturbed area in the project measures 0.011 acre shall be reconciled with Sheets 1 and 3, which state that the disturbed area is 22,400 square feet.
- j. All references to the use of the building throughout the plan set shall be consistently revised to “community building/leasing center.”
- k. The general notes on the cover sheet shall be revised to include the gross tract area of both Parcels A and B and include density information.
- l. The cover sheet and Sheet 3 of the submitted DSP shall be revised to provide dimensions, setbacks, and the height of the proposed building.

- m. The applicant shall indicate the location of the dumpster most proximate to the proposed community building and its enclosure, and provide a detail for the enclosure.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, June 22, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of July 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator