

Case No.: DSP-16029
Riverfront at West Hyattsville
Metro
Expedited Transit-Oriented
Development Project

Applicant: West Hyattsville Property Co., LLC

COUNTY COUNCIL OF PRINCE GEORGE’S COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL

FINAL DECISION—APPROVAL OF DETAILED SITE PLAN

Pursuant to the Land Use Article, and the Prince George’s County Code, District Council has jurisdiction to issue the final decision in this Detailed Site Plan Application Number 16029, (“DSP-16029”).¹

For the reasons set forth below, the decision of the Prince George’s County Planning Board in Resolution No. 17-43 (“PGCPB No. 17-43”), to approve a detailed site plan for grading and development of infrastructure, including the location and design of the roadways, the lot layout for a 183-townhouse development, parking lots and on-street parking, landscaping, utility location, fencing, and sidewalks on the subject property to prepare for a future multiphase mixed-use development, located on the west side of Ager Road at its intersection with Lancer Drive, abutting the west side of the Metro Station in Planning Area 68, Hyattsville, Council District 2, is hereby AFFIRMED.

As the basis for this final decision, the District Council adopts the findings of fact and conclusions of law set forth in PGCPB No. 17-43.

¹See also *County Council of Prince George’s County Zimmer Dev’t Co.*, 444 Md. 40, 120 A.3d 677 (2015) (The District Council is expressly authorized to review final decision of the county planning board to approve or disapprove a detailed site plan, and District Council’s review results in a final decision).

A. The applicant's proposed alternative land use plan exhibit is APPROVED as follows:

1. **Preferred Land Use Map**—The applicant's proposed amendments, which would place portions of Blocks L and G in the Multifamily Preferred Land Use Category and the remainder of Blocks L and G, as well as Blocks Y, Z, AA, BB, and parts of CC in the Townhouse Preferred Land Use Category.

B. The proposed alternative development district standards are APPROVED as follows:

1. **Modification 1:** To allow an amendment of the 400-foot maximum block length for Local Streets.
2. **Modification 2:** To allow an amendment of the 15-foot maximum curb radius along Little Branch Run.
3. **Modification 4:** To allow an amendment of the requirement to space street trees 30 feet on center.
4. **Modification 5:** To allow an amendment of the required street tree types.
5. **Modification 6:** To eliminate the required automatic irrigation system conditional on the use of native plants as an alternative.
6. **Modification 7:** To allow River Terrace Road as a Residential Street. The TDDP requires construction of a Park Drive adjacent to the Northwest Branch Stream Valley Park.
7. **Modification 8:** To allow the applicant not to build the required 13,000 square foot community center on the subject property.

C. The following amendment to the 2006 *Approved West Hyattsville Transit District Development Plan and Transit District Overlay Zoning Map Amendment* is DISAPPROVED as follows:

1. **Modification 3:** To allow the applicant to not provide any lighting within the alley and not on lots five feet from alleys.

D. DSP-16029, Type 2 Tree Conservation Plan TCP2-001-2017, and Alternative Compliance AC-17003, for Riverfront at West Hyattsville Metro are APPROVED, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made or information provided:
 - a. The Preliminary Plan of Subdivision 4-15020 shall be signature-approved.

- b. The DSP shall be revised to conform to the approved preliminary plan of subdivision.
- c. Incorporate the completed road connections along Nicholson Street and Kirkwood Place with an appropriate transition to the existing cross sections on the adjacent Kirkwood apartments site. The roads shall be constructed to the property line, but the timing of the opening of the two roads will be determined by the Prince George's County Department of Permitting, Inspections and Enforcement and the City of Hyattsville.
- d. Frontage improvements along subject site's entire frontage of Ager Road shall be consistent with the DPW&T complete and green street designs, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.
- e. An exhibit shall be submitted showing the location, limits, specifications and details for the off-site trail lighting and/or other appropriate enhancements along the stream valley trail between the West Hyattsville Metro and Queens Chapel Road, pursuant to Section 24-124.01(f). A cost estimate shall be provided for the facilities shown on the exhibit. The cost of the off-site facilities shall not exceed the cost cap specified in Section 24-124.01(c).
- f. Revise the plans to show a conceptual location for a 19-dock, 10-bike, Capital Bikeshare station in the vicinity of Ager Road. The conceptual location will be further determined on a future DSP for the multifamily parcel(s).
- g. Add a fence around the play area with gates.
- h. Revise the landscape plan as follows:
 - (1) An additional 36 ornamental or evergreen trees shall be provided at the time of the DSP which includes architectural elevations.
 - (2) Revise the size of the ornamental and evergreen trees proposed from 4 to 4.5-inch caliper to 8 to 10-feet in height.
 - (3) Add shade trees when possible to provide for shade along the pedestrian routes where space is available.

- i. Provide for additional seating throughout the community in the form of benches and delineation on the plans and provide a list of the proposed recreational facilities.
- j. Provide evidence from the City of Hyattsville indicating that they agree to Modifications 5 and 6 as proposed by the applicant or revise the plan accordingly.
- k. Provide native plantings to the greatest extent possible and provide for a variety of plant material to avoid monotonous plantings within the development.
- l. Provide notes on the plans in accordance with the Prince George's County Health Department's recommendations by adding notes to the plans as follows:

“During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”
- m. Provide lighting details and specifications of PEPCO within the public rights-of-way.
- n. The Type 2 tree conservation plan (TCP2) shall be revised as follows:
 - (1) Provide the standard property owner's awareness certification block to the plan and type-in the name and title of the individual signing the plan below the signature line.
 - (2) Revise the QR code approval block to type-in the associated case name and DSP number.
 - (3) Remove the preliminary plan of subdivision approval block from the plan.
 - (4) Revise the limit of disturbance to be clearly visible.

- (5) Revise the note shown on the adjacent M-NCPPC owned property to include the assigned TCP number once assigned.
 - (6) Revise the specimen tree table to include a column for the proposed disposition of the off-site tree (to remain).
 - (7) Revise the specimen tree symbols on the plan and in the legend to indicate that the off-site trees shown on the plan are to remain under the current application.
 - (8) Label the noise contour on the plan and in the legend as “unmitigated 65 dBA Ldn noise contour.”
 - (9) Show all stormwater-management features and stormdrain structures as shown on the approved stormwater management concept plan.
 - (10) Remove all multifamily building footprints from the plan and show the proposed rough grading approved with this application.
 - (11) Have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.
 - (12) Provide a digital color copy of the plan.
2. A permanent and direct sidewalk connection from the end of either Kirkwood Place, Crimson Fox Drive, or Emerald Branch Drive to the existing tunnel to the West Hyattsville Metro shall be provided at the time of approval of a full-scale detailed site plan for the multifamily parcel(s).
 3. In the event that the permanent sidewalk connection provided for in Condition 2 is not constructed prior to (or concurrent with) the townhouse development, construct a temporary asphalt sidewalk connection from the end of Emerald Branch Drive, as shown on the site plan, to the existing sidewalk leading to the existing tunnel to the West Hyattsville Metro Station. This temporary connection shall not be constructed until safe access can be provided through the subject site.

4. Prior to approval of the full-scale detailed site plan for the townhouse units, a lighting and photometric plan shall be provided for the alleys. The lighting plan will depict appropriate locations for lighting fixtures and the photometric plan shall provide adequate lighting levels that, at a minimum, conform to the requirements of the International Building Code applicable in Prince George's County, or other appropriate standard as determined by the Planning Board.

ORDERED this 25th day of April, 2017, by the following vote:

In Favor: Council Members Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner.

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Derrick Leon Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council