

C O R R E C T E D R E S O L U T I O N

WHEREAS, New Town Parking, LLC is the owner of a 2.87-acre parcel of land known as Parcel H, said property being in the 17th Election District of Prince George's County, Maryland, and being zoned Regional Transit-Oriented, High Intensity-Core (RTO-H-C); and

WHEREAS, on December 6, 2022, The Bernstein Companies, Inc. filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-22004 for Library Apartments was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 16, 2023; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 of the Subdivision Regulations, subdivision applications submitted before April 1, 2024, may be reviewed and decided in accordance with the prior Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on March 16, 2023, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan *~~TCP1-007-2023~~ TCP1-004-2023, and further APPROVED Preliminary Plan of Subdivision 4-22004, for one parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to remove the bike room from the recreational facilities included, to satisfy the mandatory dedication of parkland requirements in the general notes.

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

2. In accordance with Section 24-135 of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, adequate on-site recreational facilities.
3. Prior to submission of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records, and the book and page of the RFA shall be noted on the final plat, prior to plat recordation.
4. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Parks and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Timing for construction shall also be determined at the time of DSP.
5. Prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.
6. Development of this subdivision shall be in compliance with an approved Type 1 tree conservation plan (*~~TCP1-007-2023~~ TCP1-004-2023). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (*~~TCP1-007-2023~~ TCP1-004-2023), or as modified by a future Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”
7. Prior to signature approval of the PPS, Type I Tree Conservation Plan TCPI-035-00-03 shall be revised as follows:
 - a. Remove the area associated with PPS 4-22004 from the TCPI worksheet.
 - b. Revise the footnote under the TCPI indicating that 2.87 acres was removed from the site with PPS 4-22004.

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- c. Revise the approval block to indicate that 2.87 acres were removed from the TCPI for this revision, and type in all previous approval information including signatures.
 - d. Add a boundary for the new limits of Subarea 3 on the plan.
- 8. Prior to signature approval of the PPS, Type 1 Tree Conservation Plan *~~[TCP1-007-2023]~~ TCP1-004-2023 shall be revised as follows:
 - a. Add the TCP1 number and Development Review Division case number to the approval block.
 - b. Make the following revisions to the TCP1 worksheet:
 - (1) Update the worksheet on the plan using the current TCP1 worksheet template.
 - (2) Revise the zoning to reflect only the zoning being used with this PPS application (Mixed Use-Transportation Oriented (M-X-T)).
 - (3) Add a footnote under the TCP1 worksheet stating that 0.28 acre of the overall 0.41-acre woodland conservation requirement has been previously met off-site with TCPI-035-00.
 - c. Make the entirety of the limits of disturbance clearly identifiable on the plan.
 - d. Update the plan and legend to show only one symbol used for all steep slopes greater than 15 percent. Make sure these slopes render beneath all other layers in the drawing.
- 9. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along the public right-of-way, in accordance with the approved PPS.
- 10. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, 24001-2022-0, and any subsequent revisions.
- 11. The following facilities shall be shown on the detailed site plan:
 - a. A 5-foot-wide marked bicycle lane along the property frontage of Toledo Road, consistent with the 2016 *Approved Prince George's Plaza Transit District Development Plan*, unless modified by the operating agency with written correspondence, or provided as part of another development.

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- b. Unless an alternative development standard is requested, a minimum 6-foot-wide sidewalk and a 6- to 8-foot-wide landscape amenity panel along the property frontage of Toledo Road, consistent with the 2016 *Approved Prince George's Plaza Transit District Development Plan*. The final width shall be determined by the operating agency with written correspondence.
- c. An interconnected network of pedestrian facilities with minimum 5-foot-wide sidewalks and associated Americans with Disabilities Act curb ramps on-site.
- d. Long and short-term bicycle parking consistent with the 1999 *American Association of State Highway and Transportation (AASHTO) Guide for the Development of Bicycle Facilities* to accommodate residents and visitors.
- e. Waste, recycling bins, and street furniture such as benches or tables, along the property's frontage of Toledo Road.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

- 1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
- 2. **Background**—The subject site consists of Parcel H, recorded on a plat for Prince George Center in Plat Book REP 196 page 29. The property is 2.87 acres and is located in the Regional Transit-Oriented, High-Intensity–Core (RTO-H-C) Zone. However, this preliminary plan of subdivision (PPS) was reviewed pursuant to the prior Prince George's County Zoning Ordinance and the prior Prince George's County Subdivision Regulations, in accordance with Section 24-1900 of the Subdivision Regulations. The site is subject to the Mixed Use-Transportation Oriented (M-X-T) and Transit District Overlay (T-D-O) Zones under the prior Zoning Ordinance and is evaluated in accordance with the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment (TDDP/TDOZ)*, and other applicable master plans, as outlined in this resolution.

This PPS includes one parcel for development of 209 multifamily dwelling units. The subject property is currently improved with a five-story parking garage, the eastern half of which is proposed to be razed and a multifamily building constructed in its place. The western part of the garage will remain and provide parking for the new multifamily development and for the surrounding town center. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2022-055.

- 3. **Setting**—The subject property is located on Tax Map 42, in Grids A2 and B2, and is within Planning Area 68. The site is located on the south side of Toledo Road, approximately 265 feet west of Adelphi Road, in the City of Hyattsville, in a mixed-use development known as University Town Center. Commercial and multifamily development, also within the town center,

abut the subject site to the west and south and share the same current and prior zoning as the subject property. Toledo Road abuts the site to the north, with multifamily and commercial uses approved for development beyond in the RTO-H-C Zone (formerly in the Mixed Use-Infill (M-U-I) and T-D-O Zones). Institutional uses in the Residential, Single Family-65 Zone abut the site to the east and southeast (formerly in the One-Family Detached Residential (R-55) and Development District Overlay Zones). The University Town Center properties includes a grid network of internal private driveways and easements that provide circulation to the various buildings, two of which abut the subject property to the west and south. One access driveway is also located within the subject property, along the eastern boundary, which connects to the other internal private rights-of-way.

4. **Development Data Summary**—The following information relates to the subject PPS application and approved development.

	EXISTING	APPROVED
Zone	RTO-H-C	RTO-H-C (Reviewed in accordance with M-X-T and T-D-O)
Use(s)	Commercial	Residential/Commercial (Parking)
Acreage	2.87	2.87
Dwelling Units	0	209
Gross Floor Area	N/A Parking Garage only	0 Parking Garage only
Parcels	1	1
Lots	0	0

Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on December 23, 2022.

5. **Previous Approvals**—The site has a previously approved Conceptual Site Plan, CSP-00024, which was approved by the Prince George’s County Planning Board on October 19, 2000, and later affirmed by the Prince George’s County District Council on January 8, 2021. The property is also the subject of a prior PPS, 4-01092, approved by the Planning Board on April 25, 2002 (PGCPB Resolution No. 02-62). Both the CSP and PPS included a larger land area (47.7 acres and 25.12 acres, respectively) in which the subject property, Parcel H, was included. The subject property was developed and platted in accordance with the CSP and PPS and is currently improved as a parking garage. Approval of this PPS will supersede PPS 4-01092 for Parcel H. Pursuant to the general applicability and administrative section of the TDDP, conformance with the CSP and its conditions of approval is not required for the new multifamily development.

The property is also subject to multiple detailed site plans (DSPs) which were approved for development of the University Town Center over the years. The proposed multifamily development will be subject to a new DSP approval when the review for conformance with

applicable TDOZ standards and the requirements of the Prince George's County Zoning Ordinance will be further analyzed. A new DSP will be required to reflect the new multifamily development.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the TDDP are evaluated, as follows:

Plan 2035

This property is located in the Prince George's Plaza Metro Downtown area, as designated in Plan 2035, which is also one of the County's eight Regional Transit Districts. Regional transit districts are characterized as medium- to high-density areas that should feature high-quality urban design, incorporate a mix of complementary uses and public spaces, provide a range of transportation options—such as metro, bus, light rail, bike and car share, and promote walkability,” (page 19).

TDDP Conformance

The TDDP recommends a mix of land uses on the subject property. The property is in the Downtown Core Character Area. The TDDP provides policies and strategies to promote pedestrian and bicycle-friendly, transit supportive development, and residential density concentrated in Downtown Core area. Conformance with the TDDP transportation related standards is discussed further in the Transportation finding of this resolution.

Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, this PPS conforms to the land use recommendation of the TDDP.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. A proposed SWM concept plan was submitted with this PPS, which is pending approval by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) under Permit No. 24001-2022-0. The proposed plan shows the installation of two micro-bioretenention facilities to treat and release stormwater leaving the site. An approved SWM concept plan will be required, as part of the application, at the time of DSP review. No further information is required at this time regarding SWM with this PPS.

Development of the site, in conformance with the SWM concept approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs, satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—This PPS was reviewed for conformance with the requirements and recommendations of Plan 2035, the TDDP, the *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the Subdivision Regulations, as they pertain to public parks and recreation and facilities.

The proposed development aligns with the TDDP's intention to provide a comprehensive network of attractive programmed and passive public open spaces that create destinations for recreation, reflection, social interaction, commerce, and events. The Prince George's County Department of Parks and Recreation (DPR) is developing a multigenerational community center within walking distance of the subject site that includes aquatics, fitness, gymnasium, and multipurpose components.

Park and recreation amenities serving the subject property include the Prince George's Plaza Community Center, located north of the subject property, and the Northwest Stream Valley Park which is within 1.5 miles of the subject property. These DPR facilities include a community center, playground, gymnasium, and trails.

Sections 24-134 and 24-135 of the prior Subdivision Regulations relate to the mandatory dedication of parkland. These sections provide for the dedication of land, the payment of a fee-in-lieu, and/or the provision of recreational facilities as possible means of meeting the requirement. Per Section 24-135, the Planning Board may approve the provision of recreational facilities, in place of parkland dedication.

The applicant will provide private on-site recreational facilities to address the mandatory dedication of parkland requirement for the proposed residential development. Recreational facilities are proposed to include fitness spaces, lounge areas, and outdoor courtyard area. The proffered recreational facilities were evaluated in accordance with the Prince George's County *Park and Recreation Facilities Guidelines*, and it was found that the applicant's proposal to provide private on-site recreational facilities meets the requirements of Section 24-135(b) of the prior Subdivision Regulations. However, the bike room is not considered a recreational amenity and shall be removed as such.

The on-site recreational facilities shall be reviewed in further detail for adequacy and proper siting, in accordance with the *Park and Recreation Facilities Guidelines*, with the review of the DSP.

Based on the preceding finding, the mandatory dedication of parkland, Section 24-134, will be met through the provision of on-site private recreational facilities in accordance with Section 24-135(b).

9. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the TDDP, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the Subdivision Regulations to provide the appropriate transportation facilities.

Master Plan Right-of-way

The subject property has frontage on Toledo Road (P-202) along the northern bounds of the site. Per the MPOT and the TDDP, the portion of Toledo Road that fronts the subject property is designated as a 2-lane primary roadway with an ultimate right-of-way of 60 feet. The PPS displays the existing configuration of Toledo Road along the property's frontage with a right-of-way of 60 feet, which is consistent with MPOT and TDDP recommendations. This

portion of Toledo Road has already been constructed, and as such, no additional right-of-way dedication is required with this PPS.

Master Plan Pedestrian and Bike Facilities

This development case is subject to MPOT which recommends the following facilities:

- Planned Shared Roadway: Toledo Road

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

In addition, the site is subject to the TDDP. The TDDP contains several policies and strategies provided to improve bicycle and pedestrian mobility in the plan area. The TDDP strategies relevant to the subject PPS are copied below:

Policy TM1: Incorporate street planning and design practices that allow Complete and Green Streets to facilitate the efficient movement of people throughout the Transit District while simultaneously serving as great public spaces.

Strategy TM1.4: Provide ample sidewalks and protected bicycle facilities that give travelers multiple options through the corridor and can reduce vehicle trips. Sidewalks should, where appropriate, provide room for outdoor dining and shopping, in addition to street furniture, queuing, and gathering.

Strategy TM1.5: Provide street trees to make streets more pedestrian-friendly and reduce urban heat island effects. Street trees should be part of an overall streetscape plan designed to provide both canopy and shade and to give special character and coherence to each street.

Strategy TM1.6: Provide a visually distinct wayfinding system for pedestrians, bicyclists, transit riders and drivers to help them reach destinations within the Transit District move easily and conveniently.

Strategy TM1.7: Provide attractive and durable street furniture such as benches, waste and recycling bins, and tables on all streets.

Per the above TDDP policy and strategies, the property's frontage shall be improved with a minimum 6-foot landscape amenity panel to provide a separation between pedestrian facilities and the roadway to enhance pedestrian travel and circulation. In addition, the property's frontage shall be improved with waste and recycling bins as well as street furniture such as benches or tables. This enhanced frontage will complement the site and add a more pedestrian-friendly streetscape, as envisioned in the TDDP. The improvements mentioned above shall be shown on the DSP.

In addition, the applicant has provided wayfinding signage directing bicyclists and pedestrians to the Hyattsville Library, the Hyattsville Crossing Metro Station, and the Mall at Prince George's shopping center. Wayfinding signage is further discussed on the Certificate of Adequacy (ADQ-2022-055) transportation referral.

Policy TM3: Construct the envisioned network of Complete and Green Streets to support circulation and urban design goals of the TDDP.

Policy TM4: Retrofit existing streets to create a street network that makes talking, bicycling, and transit use more comfortable and reliable.

Strategy TM4.3: Add the following on-street bicycle accommodations to existing streets:

Toledo Road – On-road bicycle lane – Entire length

The TDDP recommends a bicycle lane along the entire length of Toledo Road, which is along the subject property's frontage. In examining the area surrounding the subject site, it was determined that a bicycle lane along the entirety of Toledo Road was conditioned as part of a bicycle and pedestrian impact statement improvement for another site. Specifically, the property at 6400 America Boulevard, which was approved under PPS 4-21006, contained a condition of approval (Condition 4b; PGCPB Resolution No. 2021-137) for installation of a marked bicycle lane along the Toledo Road, between Belcrest Road and Adelphi Road, prior to approval of building permit.

Given that the site is subject to the policies and recommendations of the TDDP, the subject site frontage shall be improved with a marked bike lane, subject to modification of the operating agency and dependent on the facility being constructed by another developer.

Transportation Planning and Access Review

Due to the single point of vehicular access for the development, staff requested that the applicant provide a queuing analysis to demonstrate that no additional roadway improvements along Toledo Road would be needed to support the development. The applicant submitted a queuing analysis which considered the intersection of the site access point and Toledo Road using the 95th percentile queuing as a metric to measure the vehicular calculated queue length at this location. The analysis determined that queueing at the site access point along Toledo Road will operate at an acceptable level and will not result in excessive queueing with traffic accessing the site from Toledo Road or from vehicles departing the site onto Toledo Road. Based on the results of the queueing analysis, the location of the site access point along Toledo Road does not change the operations of this roadway.

The TDOZ standards require the block of Toledo Road on which the subject property sits to be divided by a street (A, B or pedestrian street, or a promenade) into a block of 500 feet or less (page 208). The TDDP also provides new street standards (page 213). There are multiple private rights-of-way that have not been designed as streets, in accordance with the TDDP standards within the University Town Center. The subject property is situated along Toledo Road, between the private street America Boulevard (A Street) and public street Adelphi Road, within an approximate total block length of 765 linear feet. Democracy Avenue is an existing access driveway along the eastern boundary of the site, subject to a 28-foot-wide access easement recorded in Liber 16693 at folio 721, which continues and provides access connection to the abutting parcels south of the subject site with the University Town Center. Democracy Avenue divides the block length between America Boulevard and Adelphi Road, but does not meet the design standards of a street or promenade, in accordance with the TDDP standards. The TDDP provides Strategy TM3.2 to achieve conformance with the block length requirement as follows:

Strategy TM3.2: Pursuant to the Transit District Standards, which establish the maximum block size of 500 feet, and requires individual blocks to be separated by streets, construct new streets to connect MD 410 (East West Highway) and Belcrest Road with Toledo Terrace. Construct these connections as portions of the current Mall at Prince Georges site is redeveloped. If north-south connections are constructed as part of a redevelopment of the property between Toledo Terrace and the Mall at Prince Georges, connect and align new streets on the current Mall at Prince Georges property with these streets to create the desired grid, and vice versa: if the current mall property redevelops first, connect and align new north-south streets between the mall property and Toledo Terrace. To create the desired grid pattern, the following general locations are encouraged (see Map 17):

Map 17 shows Democracy Avenue as a connection, to achieve the desired grid pattern, along the east side of the subject property. The portion of Democracy Avenue within the subject site will be required to be designed to conform to the standards of the TDDP at the time of DSP, unless otherwise modified, in accordance with Section 27-548.08(c)(3) of the prior Zoning Ordinance and/or the City of Hyattsville's street design standards.

Based on the findings presented above, multimodal transportation facilities will exist to serve the proposed subdivision, as required under Subtitle 24, and will conform to the MPOT and TDDP.

10. **Public Facilities**—This PPS was reviewed for conformance to the TDDP, in accordance with Section 24-121(a)(5). The TDDP contains a Public Facilities Section (page 112) in Chapter 3 (Plan Elements). The primary goal and vision of this section include:

Vision: A safe, inviting community with public services and resources within easy walking distance.

Goal: Accessible, state-of-the-art public facilities that efficiently serve the Transit District and surrounding communities.

The development will not impede achievement of any of the above-referenced goals. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property. The analysis provided in approved ADQ-2022-055 illustrates that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, however, none of its recommendations affect the subject site.

The 2018 Water and Sewer Plan placed this property in the water and sewer Category 3, Community System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties served by public sewerage systems. Adequate water and sewer systems exist to serve the subject property.

11. **Use Conversion**—The total development included in this PPS is for 209 multifamily dwelling units and part of an existing commercial parking garage, which is to remain. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses shall require approval of a new PPS, prior to approval of any building permits.
12. **Public Utility Easement**—Section 24-122(a) of the prior Subdivision Regulations requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

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

The standard requirement for public utility easements (PUEs) is 10-foot-wide along both sides of all public rights-of-way. The subject site fronts on the public right-of-way of Toledo Road to the north and the required PUE has been delineated on the PPS.

13. **Historic**—The TDDP includes goals and policies related to historic preservation (pages 54-56 and 102–109). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required. The subject property does not contain, and is not adjacent to, any Prince George’s County historic sites or resources. This proposal will not impact any Prince George’s County historic sites, historic resources, or known archeological sites.
14. **Environmental**—This PPS (4-22004) and a Type 1 Tree Conservation Plan (*~~TCPI-007-2023~~ TCPI-004-2023) were accepted for review on December 6, 2022. Comments were provided to the applicant at the SDRC meeting on December 23, 2022. Revised plans and documents were submitted by the applicant on January 19, 2023, in response to these comments. The following applications and associated plans have been previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
CSP-00024	TCPI/035/00	District Council	Approved	1/8/2001	00-195
CSP-00024-01	TCPI/035/00	Planning Board	Approved	11/15/2001	01-248
4-01022	TCPI/035/00	Planning Board	Approved	5/10/2001	01-110
4-01092	TCPI/035/00	Planning Board	Approved	3/25/2004	02-62
<u>DSP-00052</u>	<u>TCPII/15/01</u>	<u>Planning Board</u>	<u>Approved</u>	<u>1/4/2001</u>	<u>01-04</u>
<u>DSP-00052-01</u>	<u>TCPII/15/01</u>	<u>Planning Director</u>	<u>Approved</u>	<u>5/26/2001</u>	<u>NA</u>
<u>DSP-00052-02</u>	<u>TCPII/15/01</u>	<u>Planning Director</u>	<u>Approved</u>	<u>4/10/2003</u>	<u>NA</u>
<u>DSP-00052-03</u>	<u>TCPII/15/01</u>	<u>Planning Director</u>	<u>Approved</u>	<u>8/28/2003</u>	<u>NA</u>
<u>DSP-00052-04</u>	<u>TCPII/15/01</u>	<u>Planning Director</u>	<u>Approved</u>	<u>3/10/2004</u>	<u>NA</u>
<u>DSP-01001</u>	<u>TCPII/15/01</u>	<u>Planning Board</u>	<u>Approved</u>	<u>5/24/2001</u>	<u>01-117</u>
<u>DSP-01001-01</u>	<u>TCPII/15/01</u>	<u>Staff</u>	<u>Approved</u>	<u>5/9/2002</u>	<u>NA</u>
<u>DSP-01001-02</u>	<u>TCPII-015-01</u>	<u>Planning Director</u>	<u>Approved</u>	<u>4/10/2003</u>	<u>NA</u>

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Development Review Case #	Associated Tree Conservation Plan or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
DSP-01001-03	TCPII-015-01	Planning Director	Approved	7/29/2009	NA
DSP-01002	TCPII-015-01	Planning Board	Approved	5/24/2001	01-118
DSP-01002-01	TCPII-015-01	Planning Director	Approved	10/31/2002	NA
DSP-01002-02	TCPII-015-01	Planning Director	Approved	9/10/2003	NA
DSP-01002-03	TCPII-015-01	Planning Board	Approved	10/7/2004	04-237
DSP-03037	TCPII-015-01	Planning Board	Approved	3/3/2004	03-254
DSP-03037-01	TCPII-015-01	Planning Board	Approved	2/5/2004	04-23
DSP-03037-02	TCPII-015-01	Planning Board	Approved	4/28/2005	05-108
DSP-03037-03	TCPII-015-01	Planning Director	Approved	1/24/2006	NA
DSP-03037-04	TCPII-015-01	Planning Board	Approved	7/13/2006	06-173
DSP-03037-05	TCPII-015-01	Planning Director	Approved	6/16/2006	NA
DSP-03072	TCPII-015-01	Planning Board	Approved	5/13/2004	04-109
DSP-03072-01	TCPII-015-01	Planning Director	Approved	9/26/2005	NA
DSP-03072-02	TCPII-015-01	Planning Board	Approved	2/15/2007	07-48
DSP-05041	TCPII-015-01	Planning Board	Approved	10/24/2005	05-220
DSP-05041-01	TCPII-015-01	Planning Director	Approved	3/22/2007	NA
DSP-05084-02	TCPII-015-01-01	District Council	Approved	11/18/2013	NA
DSP-05041-02	TCPII-015-01	Planning Director	Approved	2/8/2017	NA
DSP-21006	TCPII-015-01-01	Planning Board	Approved	11/18/2021	2021-138
NA	TCPI-035-00	Staff	Approved	2/26/01	NA
NA	TCP1-035-00-03	Staff	Pending	Pending	Pending
NA	NRI-181-2022	Staff	Approved	11/16/2022	NA
4-22004	*[TCPI-007-2023] <u>TCPI-004-2023</u>	Planning Board	Approved	2/16/2023	2023-33

Note: The above grey highlighted cases apply to other sections of the overall CSP, with no relevant conditions to this PPS.

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Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in the prior Subtitle 24 and current Subtitle 25 because this is a new PPS.

Plan 2035

The site is located within the Prince George's Plaza Metro Regional Transit Center of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035, and the Established Communities of the General Plan Growth Policy.

Designated Centers are areas targeted for development and redevelopment on existing infrastructure, where the economic benefits of development help the entire county prosper. These areas represent a unique opportunity for attracting economic development, capitalize on investments in mass transit facilities, and provide opportunities for mixed-use and transit-oriented development.

TDDP Conformance

The site is located within the Downtown Core Land Use Character Area of the TDDP. The Natural Environment section of the TDDP contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the TDDP and the plain text provides comments on plan conformance.

Policy NE1: Manage stormwater volumes through a combination of measures to reduce impacts on receiving streams and downstream properties.

Policy NE2: Restore and improve water quality in the Northwest and Lower Northeast Branch watersheds.

This project has an unapproved SWM Concept Plan (24001-2022-0) currently under review with DPIE. DPIE will review and enforce site conformance with state and local SWM design.

Policy NE3: Increase tree canopy coverage and reduce the amount of connected impervious surfaces within the Transit District.

Conformance with the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) and the Prince George's County Tree Canopy Coverage Ordinance will be evaluated with the review of the DSP.

Policy NE4: Encourage the integration of green building techniques into all building designs to help reduce overall energy and water consumption.

The use of green building and energy conservation techniques should be used as appropriate. The use of alternative and renewable energy sources, such as solar, wind and hydrogen power, are also encouraged. Electric vehicle and bike charging stations are

encouraged to be incorporated in the design of this site for use by residents and the public.

Policy NE5: Address adverse impacts of transportation-related noise.

The subject property is not abutting any master plan arterial or higher classification rights-of-way. The abutting road, Toledo Road, is identified as a primary roadway by the MPOT, which does not typically generate sufficient noise requiring regulatory review during the subdivision process. In addition, the proposed use is not anticipated to cause adverse noise impacts. The existing record plat shows a 65 dBA Ldn noise contour horizontally through the property. However, based on the level of classification of Toledo Road and the existing speed limit of 25 miles per hour, it is not estimated that traffic-generated noise from this roadway would result in 65 dBA Ldn or greater noise levels on the subject property. The TDDP further states that noise issues related to transportation uses are limited to roadways designated as arterial and greater and are associated with MD 410 and Adelphi Road (page 52), which are adjacent to but not abutting the subject property. The property is more than 200 feet from either of these noise generating roadways. A new final plat for the subject property will be required subsequent to this PPS and will not carry forward any delineated noise contour on the subject property.

Countywide Green Infrastructure Plan

The entire site is outside of the designated network of the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan). The site was previously cleared, graded, and developed. The remaining vegetation on-site is comprised of existing landscaping or open grown trees. No woodlands exist on-site, per the approved Natural Resources Inventory (NRI-181-2022). The proposed development will not impact any County regulated environmental features except for a small area of primary management area (PMA) entirely comprised of previously impacted and developed Prince George's County regulated 100-year floodplain on-site along the northern property boundary.

Based on the layout, the project demonstrates conformance with the applicable policies and strategies of the Green Infrastructure Plan.

Environmental Review

Natural Resources Inventory/Existing Conditions

According to the approved NRI-181-2022, no specimen or historic trees are associated with this site. This site is not associated with regulated environmental features, such as streams, wetlands, or associated buffers. However, the site is associated with PMA, comprised entirely with developed County regulated 100-year floodplain (0.11 acre) situated along the northern edge of the site. The PPS is consistent with the approved NRI. Prior to signature approval of the PPS and TCP1, a copy of the approved NRI must be submitted by the applicant to the Development Review Division for the official case file.

Woodland Conservation

This site is subject to the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the 2018 Environmental Technical Manual because this is a new PPS. A revision (-03) to the previously approved TCPI-035-00-02, and a new proposed ~~*[TCP1-007-2023]~~ TCP1-004-2023 matching the boundaries of this new PPS, was submitted by the applicant.

The first original approved TCPI-035-00 covered a larger area than the current PPS, consisting of two subareas Subarea 2 and Subarea 3. The current PPS is located within Subarea 3. The original TCPI showed a separate worksheet for each subarea, and it was intended for the subareas to be processed as separate Type 2 tree conservation plans (TCP2s). A separate TCP2 was processed for Subarea 3, which did not include Subarea 2 in determining the woodland conservation requirement. Subsequently, a new TCP1 and TCP2 were approved for Subarea 2 area (TCP1-005-2019 and TCP2-042-2019).

At the time of approval of the original TCPI, all of Subarea 3 was mapped within the M-X-T Zone, and the TCPI worksheet was calculated using the 1989 standard woodland conservation threshold and afforestation threshold values, which were 10 percent respectively. Subsequently, the zoning within Subarea 3 changed from M-X-T to a mixture of the M-X-T, M-U-I, and R-55 Zones. Under subsequent requirements, each of these zones had greater woodland conservation threshold and afforestation threshold values than was originally calculated under TCPI-035-00. Areas within the M-X-T and M-U-I Zones had a woodland conservation threshold and afforestation threshold of 15 percent, and areas within the R-55 Zone had a woodland conservation threshold of 20 percent and an afforestation threshold of 15 percent. With this subdivision, if the area of PPS 4-22004 is separated from the existing TCPI-035-00-02 as a new TCP1, the remainder of Subarea 3 will retain its grandfathered status, and the overall woodland conservation requirement would not be increased across all of Subarea 3. To avoid undue hardship to adjoining property owners, TCPI-035-00-02 has been revised to remove the area of PPS 4-22004 from the prior TCPI plan and worksheet, allowing the remaining area within Subarea 3 to maintain its grandfathered status.

The applicant submitted two separate TCP1s with this PPS. The first, TCPI-035-00-03, is a revision to the existing TCPI-035-00-02, showing the proposed development of Subarea 2 superimposed on the plan and was supposed to have adjusted the Subarea 3 worksheet by deducting the acres associated with PPS 4-22004 from this TCP1.

The second, ~~*[TCP1-007-2023]~~ TCP1-004-2023, is limited to the area of the current PPS. The TCP1 worksheet calculated for the 2.87-acres area used a woodland conservation threshold of 20 percent and the afforestation threshold requirement of 15 percent for the M-X-T Zone, which is not the correct thresholds. The total woodland conservation requirement based on the zoning,

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the net tract area, and the amount of clearing proposed is 0.41 acre on the worksheet. The requirement is proposed to be satisfied with 0.41 acre of off-site woodland conservation credits.

The applicant shall make the following revisions to each of the associated TCPs:

1. **TCPI-035-00-03:** The grandfathered worksheet on this plan shall be modified by removing all the area associated with this PPS from the worksheet and modifying the footnote beneath it indicating that 2.87 acres (instead of 1.22 acres as currently shown) were removed from the site with PPS 4-22004 and ~~*[TCP1-007-2023]~~ TCP1-004-2023. The new limits of the Subarea 3 boundary must clearly be drawn on the plan. The approval block needs to be revised on the plan by typing in all previous approval information and typing in all relevant information related to each revision (with the correct amount of area (2.87 acres) being deducted from the TCP1 also referenced in the “Reason for Revision” portion of the approval block).
2. ~~*[TCP1-007-2023]~~ **TCP1-004-2023:** The current worksheet template must be used on the plan. Since the previous M-X-T zoning was applied to this PPS, only that zone shall be shown in the TCP1 worksheet. Also, the correct woodland conservation threshold and afforestation threshold percentages must be used, which are both 15 percent respectively. Add the assigned TCP1 number to the approval block. In order to determine how much off-site mitigation has already been provided for the area within the current PPS under TCPI-035-00, the woodland conservation requirement for this 2.87-acre area would have been 0.28 acre, which would have been met as part of the overall 2.62 acres of off-site woodland conservation provided for Subarea 3. The worksheet on ~~*[TCP1-007-2023]~~ TCP1-004-2023 shall have a footnote added that states 0.28 acre of the overall 0.41-acre woodland conservation requirement for PPS 4-22004 has been previously met off-site with TCPI-035-00.

Technical revisions to the TCP1 are required and included in the conditions of this resolution.

Soils

The predominant soils found to occur, according to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Issue-Urban land complex, occasionally flood, and Urban land-Russett-Christiana complex (0–5 percent slopes).

No soils containing Marlboro clay are mapped on or within the immediate vicinity of this site; however, unsafe soils containing Christiana complexes have been identified on and within the immediate vicinity of this property. The soils containing Christiana complexes are contained in

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previously disturbed urban soils on relatively flat slopes. There are no geotechnical concerns with this project.

Preservation of Regulated Environmental Features

Section 24-130(b)(5) of the prior Subdivision Regulations requires the following finding:

“The Planning Board shall require that proposed subdivisions conform to the following: Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25.”

A statement of justification (SOJ) dated January 9, 2023, was received with the current PPS for impacts to the PMA.

The applicant requested 2,332 square feet (0.053 acre) of impacts to regulated environmental features already fully impacted for the redevelopment of an existing multi-story parking structure with a multifamily building. The request is a validation of existing conditions while also facilitating the construction of a new multifamily building on a portion of a significantly underutilized parking garage. The regulated environmental features are impacts to PMA associated and entirely comprised of developed floodplain.

DPIE will be required to grant a floodplain fill waiver for impacts to allow for filling and grading within the floodplain.

Because the site has been previously developed and the proposed redevelopment will require SWM approval with the required floodplain controls, resulting in improved water quality controls over what exists on-site, these impacts are approved.

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the SOJ for Impacts to Regulated Environmental Features and associated exhibits from Bohler dated January 9, 2023, providing for one impact totaling 2,332 square feet (0.053 acre).

Specimen, Champion, or Historic Trees

Approved NRI-181-2022 indicates that no specimen, champion, or historic trees have been identified on the subject property. No further information is required with this PPS.

Erosion and Sediment Control

DPIE requires the approval of an erosion and sediment control plan. Erosion and sediment control plans are reviewed for conformance with the Maryland standards and specifications for soil erosion and sediment control.

15. **Urban Design**—Given the applicant’s election to file this development proposal in accordance with the prior Zoning Ordinance and prior Subdivision Regulations, this PPS is reviewed for conformance to Section 27-548 of the prior Zoning Ordinance, for requirements of the M-X-T Zone, as applicable. The portion of the garage to remain, however, is exempt from the TDOZ standards or DSP review (page 198 of the Prince George’s Plaza TDDP).

Conformance with the Requirements of the Prince George’s County Zoning Ordinance and TDOZ Standards of the 2016 Prince George’s Plaza TDDP

The site is located within the “Downtown Core” character area of the TDDP. In accordance with the TDDP, the TDOZ standards replace comparable standards and regulations required by the Zoning Ordinance. Wherever a conflict between the TDDP and the Zoning Ordinance or Landscape Manual occurs, the TDDP shall prevail. For development standards not covered by the TDDP, the Zoning Ordinance or Landscape Manual shall serve as the requirements, as stated in Section 27-548.04(a) of the prior Zoning Ordinance. Specifically, the mixed-use development will be subject to DSP approval and will be reviewed for conformance with applicable TDOZ standards and the requirements of the Zoning Ordinance, at that time. Prior DSP-01002 and its amendments (-01, -02, and -03) are applicable to the subject site. An additional amendment to this DSP will be required to reflect the new development.

The TDOZ standards specifically applicable to this site will be reviewed for conformance at the time of DSP, and are provided for informational purposes as follows:

- a. The TDOZ standards in Table 42 (page 211) have specific requirements for building orientation, and minimum frontage zone depth for development fronting on the existing public streets system which includes Toledo Road. The applicant should make certain that the following requirements can be accommodated:

	Toledo Road
Building Orientation	Front, side
Tree and Furnishing Zone (Required)	6 feet
Sidewalk Clear Zone (Required)	6 feet
Total Frontage Minimum Depth Requirement/ Minimum Build-To Line	20 feet
Total Frontage Maximum Depth Requirement/ Maximum Build-To Line	25 feet
New Off-Street Parking Access	No
New Driveway permitted	No

- b. Primary entrances shall be located at the front façade of the buildings. The primary entry to the building shall be located on Toledo Road, with service entrances located at the rear of the building (TDDP, page 210).
- c. Any alleys shall have a Sidewalk Clear Zone, which are required to be a minimum of 4 feet wide and a maximum of 8 feet wide (TDDP, page 231).

- d. The review of the density, building height, and architecture will be carried out at the time of DSP, to ensure conformance with these building related requirements and the rest of applicable TDOZ standards. The TDDP allows a maximum building height of 10 stories in this location, and a maximum floor area ratio of 0.40, or up to 8.0 with optional methods of development. Private on-site recreation facilities for the proposed residential development and the overall parking analysis will need to be provided with the DSP.

Conformance with the 2010 Prince George's County Landscape Manual

The TDOZ standards provide a section entitled "Landscape" specifically discussing the applicability of each section of the Landscape Manual within the TDDP area. For those landscaping standards not covered by the TDDP, the Landscape Manual shall serve as the requirement (page 194). It should be noted that Section 4.7, Buffering Incompatible Uses, does not apply within the TDDP. This project's conformance with the applicable landscape standards will be reviewed at the time of DSP.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. Properties in the prior M-X-T Zone are required to provide a minimum of 10 percent of the gross tract area, which equals to approximately 0.286 acre for this property, to be covered by tree canopy. Compliance with this requirement will be evaluated at the time of DSP.

16. **Referral to Municipalities**—The subject property is located *within the municipal boundaries of the City of Hyattsville and is within one mile of the municipal boundaries of University Park and Riverdale Park. This PPS was referred to both the City of Hyattsville and adjacent municipalities for review and comments on December 6, 2022. No correspondence was received from University Park or Riverdale Park. The City Council for the City of Hyattsville voted to support the PPS, subject to nine conditions, in a meeting held on February 21, 2023. The City provided a memorandum dated February 28, 2023, incorporated by reference herein. The applicant also provided a response to the City's recommendations in a memorandum dated February 21, 2023 (Tedesco to City of Hyattsville), and incorporated by reference herein. The nine conditions recommended by the City are listed below in **BOLD** text, while evaluation of each is provided in plain text.

1. **At the time of Detailed Site Plan for any bicycle wayfinding signage proposed, the applicant shall utilize the City's bicycle wayfinding signage as recommended in the 2018 Hyattsville Transportation Study and included in the City's Exhibit A.**

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Bicycle wayfinding signage is conditioned as part of satisfying the off-site bicycle and pedestrian impact statement (BPIS) requirements approved with the Certificate of Adequacy (ADQ-2022-055), in accordance with the City of Hyattsville's standards. Therefore, this recommendation has been addressed.

2. **At time of Detailed Site Plan, the applicant shall demonstrate compliance with the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment street section for Toledo Road, as modified (if necessary) at the time of Detailed Site Plan, in accordance with Section 27-548.08(c)(3) of the Zoning Regulations or a comparable Prince George's County Department of Public Works and Transportation Urban Street Design standard.**

Conformance with the TDDP is required at the time of DSP, in accordance with Sections 27-548.08(c)(2) and 27-548.08(c)(3) of the prior Zoning Ordinance. The frontage improvements are also consistent with those conditioned herein and, as such, the above recommendation was not necessary to carry forward as a condition of this PPS approval.

3. **At the time of Detailed Site Plan, to ensure on-site pedestrian and bicycle adequacy as required by 24-4506(c) of the Prince George's County Subdivision Regulations and to support the 20% vehicular trip reduction credits requested with the PPS, the applicant shall provide locations, limits, specifications, and details of on-site pedestrian and bicycle amenities and improvements including but not be limited to the following:**
 - a. **ADA-compliant pedestrian facilities provided along the full length of Democracy Avenue and to/through/across Constitution Drive at the areas conceptually shown in red on the City's Exhibit B. One option is to close to vehicular traffic the portion of Constitution Drive and Democracy Avenue shown in blue on the City's Exhibit B; another option is to include a public arcade within the structure along the southern façade. Locations of and specifications for short- and long-term on-site bicycle parking. The style, design, spacing, and location submitted by the Applicant shall be coordinated with M-NCPPC and City of Hyattsville staff;**
 - b. **Removal of brick paver crosswalks onsite and within the site frontage along Toledo Road, and reconstruction of crosswalks to include stamped asphalt and/or 10-foot-wide continental style, to be coordinated with the City of Hyattsville.**
 - c. **Removal of existing brick paver sidewalks and reconstruction of ADA-compliant sidewalk zones along the full frontage of Toledo Road.**

The provision of on-site BPIS facilities, in accordance with Section 24-5406(c) of the Subdivision Regulations, is conditioned as approved with Certificate of Adequacy ADQ-2022-055. Details of the on-site facilities will be further evaluated with the DSP, and the applicant is encouraged to continue working with the City on the optional design of details of the proposed improvements to be provided.

4. **If the applicant proposes development that will exceed the maximum parking ratios at time of Detailed Site Plan, the applicant shall provide a comprehensive transportation demand management strategy and program including incentives for non-automobile travel, implementation timing and phasing, and financial assurances, per Prince George's Plaza TDDP Parking and Loading Standards on page 258.**

The above recommendation is not relevant to approval of a PPS, as parking requirements are reviewed at the time of DSP. In addition, applicants may seek amendments to parking standards at the time of DSP, if necessary, with appropriate justification.

5. **The applicant shall provide an easement and dedicated space for a bike share docking station (the vendor of the bike share must be approved by the Prince George's County Department of Public Works and Transportation (DPW&T)) on the subject site. The conceptual location of the station should be indicated on the preliminary plan of subdivision and the final location of this docking station will be selected by the County and the applicant, based upon the requirements of the bike sharing system, and in a highly-visible, convenient, and well-lit location that is publicly accessible. The location requires at least four hours of solar exposure per day, year-round. The applicant shall allow DPW&T or its contractors/vendors access to the site to install, service, and maintain the bike share stations. In the event an appropriate location cannot be located on-site that meets bike share siting criteria or a vendor cannot be procured, the applicant will allow the City to install bicycle racks within the easement as a permanent or interim condition.**

This is not a BPIS or PPS requirement. The location of a bike share station and any associated easement may be further discussed and/or shown on the DSP, as agreed to by the applicant and City of Hyattsville, which may be modified, as necessary, along with other site design details.

6. **At time of Detailed Site Plan, a Phase II noise report shall be submitted for any residential components on the property with noise levels in excess of 65 dBA and if unmitigated noise levels exceed 65 dBA, the report shall demonstrate that the interior of the units impacted by the same can be mitigated to 45 dBA Ldn or less, and that all outdoor activity areas with noise levels in excess of 65dBA can be mitigated to 65 dBA Ldn or less.**

7. **Prior to approval of building permits for a residential building located within the unmitigated 65 dBA Ldn noise contour of Toledo Road, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that the building shells of structures have been designed to reduce interior noise levels to 45 dBA Ldn or less.**

The existing record plat shows a 65 dBA Ldn noise contour over the property which is not consistent with the current TDDP. The TDDP states the following:

“Noise issues related to transportation uses are limited to roadways designated as arterial and greater, which produce enough noise to result in noise levels above the accepted standard (page 52).”

The subject property fronts on Toledo Road, which is designated as a primary roadway, and a lesser designation than an arterial roadway. The TDDP also states the following:

“MD 410 (East West Highway) and Adelphi Road are the only roadways within the Transit District that generate sufficient traffic to result in noise levels of 65 dBA Ldn outside of their rights-of-way. The noise model predicts that the 65 dBA Ldn noise contour for both roadways occurs approximately 106 feet from the centerline of both roadways.”

The subject property is located more than 200 feet from MD 410 and Adelphi Road, and therefore, is not anticipated to be impacted by noise exceeding 65 dBA Ldn. A new final plat for the subject property will be required subsequent to this PPS and will not carry forward any delineated noise contour on the subject property.

8. **Development of the site shall be in conformance with an approved Stormwater Management Concept Plan (24001-2022) or any subsequent revisions.**

This recommendation is consistent with those adopted by the Planning Board.

9. **Prior to Planning Board approval of the Detailed Site Plan, the applicant shall provide a Letter of Intent (LOI) to the City of Hyattsville that includes, at a minimum, the following provisions:**

- a. **Provision of public access easements to the City for any sidewalk along Toledo Road that is not located in the public right-of-way.**
- b. **Acknowledgement of responsibility for maintenance of pedestrian light fixtures, landscaping, and sidewalks.**
- c. **Restrictions related to construction staging and hours of operation, if needed.**

d. If feasible, provision of an outdoor public art feature.

The above recommendations relate to details that will be reviewed at the time of DSP, and not based on requirements that must be met or conditioned with a PPS. The letter of intent to the City may be addressed by the applicant as a separate matter.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Shapiro voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 16, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 2023, and was corrected administratively on August 23, 2023.

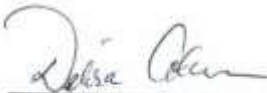
Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:jah


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 3/31/23


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 8/23/23

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