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PGCPB No. 14-60

File No. CSP-13006

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual 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 26, 2014 regarding Conceptual Site Plan CSP-13006 for Brightseat Road Property, the Planning Board finds:

1. **Request:** The application proposes to develop the subject property with 380 multifamily units and associated parking.

2. **Development Data Summary:**

	EXISTING	**APPROVED**
Zone(s)	M-X-T/O-S	M-X-T/O-S
Use(s)	Parking lot	Multifamily Residential
Acreage	17.20/4.92	17.20/4.92
Total Multifamily Dwelling Units	0	380
Commercial Office Square Footage	0	0
Commercial Retail Square Footage	0	0
Residential Square Footage	0	462,000

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted:	1.40 FAR
Total FAR Proposed:	0.48 FAR*

*A note should be added to the CSP notes indicating the proposed FAR

3. **Location:** The subject property is located in the northwest quadrant of the intersection of Brightseat Road/Sheriff Road and Redskins Road, in Planning Area 72 and Council District 5.

4. **Surrounding Uses:** The site is bounded to the north by a Board of Education (BOE) property housing the Bonnie F. Johns Educational Media Center and a parcel improved with an existing car dealership, both zoned M-X-T; to the south by Sheriff Road and single-family detached homes in the Palmer Park neighborhood zoned R-35; to the west by single-family detached homes also in the Palmer Park neighborhood zoned R-35; and to the east by Brightseat Road.

5. **Previous Approvals:** The subject property, also referred to as Parcel 51, was the subject of CNU-25172-11 which sought non-conforming use certification to obtain a permanent Use and Occupancy permit to allow parking for stadium events. The Planning Board denied the request; (PGCPB Resolution No. 12-87); however, the District Council approved it on February 11, 2013, allowing the existing gravel lot to continue as a temporary nonconforming use for five years. The 2009 *Approved Landover Gateway Sector Plan and Proposed Sectional Map Amendment* rezoned 19.57 acres including the subject property from the C-M Zone to the M-X-T Zone.

   The site also has an approved Stormwater Management Concept Plan, 930-2010-00, which is valid until May 17, 2016.

6. **Design Features:** The conceptual site plan (CSP) proposes a single-use, gated multifamily residential development on a property currently used for overflow parking for events at FedEx Field. The site is bounded to the east by Brightseat Road (A- 31) which provides direct access to the site. The 120-foot-wide arterial runs north connecting to Landover Road and beyond. At the southern edge of the property Brightseat Road runs east, away from the property. Sheriff Road (A-21), a 120-foot-wide arterial, extends west along the property's southern border. The Cattail Branch Creek runs north/south through the western end of the site, with a branch projecting further into the middle of the property.

   The proposed multifamily development comprises six four-story buildings, each approximately 77,000 square feet. The buildings' locations are delineated in more detail than is customarily found in a typical CSP, and as shown do not appear to have a clear design relationship with each other or the adjacent roads. Two buildings are located side-by-side along the northern property line across from the Educational Media Center. Two other buildings are located in proximity to each other, one adjacent to a wetland area and the other adjacent to a stormwater management pond. The two buildings closest to Brightseat Road form a "V" which opens toward the roadway, with a pool in the middle. The rest of the area proposed for development is filled by surface parking including six parking garages accommodating between 6 to 12 vehicles for a total of 50 enclosed spaces. Pedestrian connectivity between buildings is provided via internal sidewalks and parking islands. Conceptual pedestrian access to the Board of Education property and at the site entrance is also shown. Stormwater management is to be provided mainly through the use of one above-ground pond located in the southwest portion of the site.

   The main building at the development's entrance is proposed to contain a 2,100-square-foot clubroom and a 1,970-square-foot fitness center. The private recreational facilities provided on the CSP should be viewed as the minimum number and size of private facilities required.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in mixed-use zones.

(1) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:
At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

(1) Retail businesses;
(2) Office, research, or industrial uses;
(3) Dwellings, hotel, or motel.

Only residential uses are proposed in the subject CSP, which is permitted per Section 27-547(e).

(2) Section 27-547(e) provides an exception to the required mix of uses:
For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the visions, goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.

In an e-mail dated July 1, 2014, to the applicant's legal representative from the M-NCPPC Legal Department (Borden to Haller), it was concluded that an Urban Land Institute Technical Assistance Panel (TAP), conducted between January 17 and 18, 2006 for the redevelopment of the Landover Mall and vicinity and which included the subject property, was deemed sufficient to allow the applicant to proceed with a single use on the subject property. With the recommended

conditions, the proposal will conform to the visions, goals and policies within the sector plan.

b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

(a) Maximum floor area ratio (FAR):

(1) Without the use of the optional method of development—0.40 FAR
(2) With the use of the optional method of development—8.0 FAR

The applicant has proposed to use the optional method of development. Under the optional method of development, greater densities can be granted in increments up to a maximum floor/area ratio of eight for each of the uses, improvements, and amenities. The uses, improvements, and amenities proposed in this CSP include:

- Residential—This will potentially increase the floor area ratio (FAR) by 1.0 if more than 20 dwelling units are provided with the application. This CSP includes a maximum total of 380 dwelling units and is eligible for this bonus.

The CSP proposes a FAR above 0.40. The proposed FAR is as follows:

Uses	**Square footage**
Residential	462,000
Commercial	0
Total	462,000
Net Site Area: 22.12 Acres	963,547
FAR	**0.48**

A General Note should be added to the CSP indicating the FAR allowed and proposed.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The CSP proposes more than one building on one lot as allowed.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

This requirement is not applicable to this CSP, but will be applicable to subsequent detailed site plans on this site.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The proposed development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The site's compliance with the requirements of the Landscape Manual will be reviewed at the time of detailed site plan (DSP).

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

This requirement will be reviewed for compliance at the time of DSP when detailed building designs are provided; however, the CSP complies with this requirement.

(f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.

This requirement will be reviewed for compliance at the time of DSP; however, the CSP does not show any private structures above or below public rights-of-way.

(g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

This requirement is met. The applicant will need to request a variation at the time of preliminary plan to provide access directly from an arterial roadway (Brightseat Road).

(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least

1,800 square feet in size, and shall have at least 60 percent of the full front facades constructed of brick, stone, or stucco…

The regulations are not applicable to the proposed development.

(i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, or a Mixed-Use Planned Community.

The CSP does not show any building height that is higher than 110 feet, but this will be enforced at the time of DSP.

c. The subject application is in conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires findings in addition to the findings required for the Planning Board to approve a CSP as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division:

The purposes of the M-X-T Zone as stated in Section 27-542(a) include the following:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

The property is located at the intersection of Brightseat Road and Sheriff Road with a possible future Purple Line transit stop location in immediate proximity to the subject property. The site is also in proximity to the former Landover Mall site which presents an ideal redevelopment opportunity. These factors make development of this site desirable for employment and living opportunities.

(2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

With the proposed conditions recommended below, the development should offer a compact, walkable community with residential and private recreational uses.

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which

might otherwise become scattered throughout and outside the County, to its detriment;

The subject site is an undeveloped property located at the intersection of major roadways. Developing a residential project on the site will help facilitate the public and private development potential inherent in this location.

(4) To promote the effective and optimum use of transit and other major transportation systems;

The location of the site in the vicinity of a major arterial (Landover Road) and I-95/495 (Capital Beltway), and a possible future Purple Line transit facility, means the proposed development can be expected to promote the effective and optimum use of these facilities.

(5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

The development proposal is entirely residential. As a residential development, there will be activity and a steady presence of people beyond regular business hours. Accessibility to nearby commercial opportunities is critical to achieve an active and vibrant mixed-use development. Therefore, various conditions have been included concerning connectivity and design elements in order to facilitate a 24-hour environment.

(6) To encourage diverse land uses which blend together harmoniously;

The development proposal is for a single use.

(7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

The functional relationship of the individual residential use to other uses in proximity to the site will be further analyzed at the time of DSP review. The visual character and identity of the project will be a function of the architecture of the buildings, entrance features, and landscape plantings, which will be scrutinized at the time of DSP review. Buildings should be designed with high-quality detailing and design variation. They should be appropriate in scale with their location. The architecture, landscape treatment, signage, and other elements should be coordinated to give the development a distinctive visual character.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;

The number of proposed residential units and the concentration of them in multifamily complexes allows for economies-of-scale in the construction process and for the municipal services required to serve the residents. The proposed multifamily structures on a property with significant environmental and regulated features will create an efficient use of this undeveloped property which is currently used for overflow parking for FedEx Field.

(9) To permit a flexible response to the market; and

The proposed use, if developed in accordance with proposed conditions below, will create a desirable community in the central portion of the county.

(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

If approved with the recommended conditions and DSP review, the applicant will be allowed freedom in architectural design to provide a unique and attractive product for the area.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

The subject site was rezoned to the M-X-T Zone in 2009 through the *Approved Landover Gateway Sector Plan and Proposed Sectional Map Amendment.* This sector plan does not contain a design concept for the subject property, but does provide design guidelines and standards for evaluating conformance with a general design concept for the Center and Edge areas. If approved with the recommended conditions, the intent of the design guidelines and sector plan will be met.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

The development will be visible from Brightseat Road and Sheriff Road. The multifamily units will for topographic reasons have to be set back from these major roadways and the entire development is proposed to be gated. This residential development, if constructed in conformance with the sector plan vision, may help catalyze the development of the former Landover Mall site, which will aid in rejuvenating this general area of the county.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

The subject site is bounded by public roadways to the east and south, by a Board of Education (BOE) property and car dealership to the north and by the Palmer Park single-family detached subdivision to the west. The proposed residential development, if sensitively designed in accordance with the sector plan vision, will be compatible with existing development in the vicinity.

(5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

The design proposed for the site, even though it is for a single residential use, needs additional refinement in order to adequately reflect a cohesive development of continuing quality and stability. Therefore, various conditions have been included concerning the design, internal circulation, and connectivity to be reviewed further at the time of preliminary plan and DSP.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

The subject development is not proposed to be staged.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

The CSP proposes sidewalks along all internal drive aisles. No trails for recreational use are proposed. Critical pedestrian connections between the site and the Board of Education property and to Brightseat Road have been provided; however, additional design refinements are required to encourage pedestrian activity within and through the development.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

The subject application is a CSP.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that

are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

This requirement is applicable to this CSP as it was placed in the M-X-T Zone by a sectional map amendment. A detailed discussion of transportation issues is provided in Finding 11(c) below, resulting in a conclusion that the transportation facilities will be adequate to carry anticipated traffic for the proposed development.

(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be approved by the applicant.

This requirement is not applicable to this CSP.

(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 548.

The subject site contains 22.12 acres and is therefore not subject to this requirement.

d. If approved with conditions, the CSP will be in conformance with the applicable CSP site design guidelines contained in Section 27-274.

(1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site and oriented to minimize the number of parking lanes crossed by pedestrians. Large, uninterrupted expanses of pavement are to be avoided or mitigated with green space and plant materials. The illustrative site plan shows that, in general, expansive, unbroken surface parking is proposed in front of and between the multifamily buildings and the public rights-of-way. At the time of

DSP, attention should be paid to the design of the parking areas so that they are visually minimized and enhanced with green areas. A condition of approval has been included to ensure that the future DSP takes this into consideration.

(2) In accordance with Section 27-274(a)(3)(A), lighting should be used to illuminate entrances, pedestrian pathways, and property addresses. No lighting is proposed as part of this CSP. At the time of DSP review the site plan will be evaluated for appropriate lighting.

(3) In accordance with Section 27-274(a)(5)(A), green area should be provided to define space and serve as a focal point. The CSP shows the conceptual location of a green area that could serve as a focal point and an opportunity for passive recreation and, possibly, a link with the Cattail Branch Trail.

(4) In accordance with Section 27-274(a)(10), Architecture, the CSP makes a general reference with regard to the form of the buildings. The applicant's Statement of Justification included conceptual architectural elevations, though they are not included in the CSP plan set. Architecture, including style, visual interest and building materials will be evaluated in detail at DSP review.

(5) The CSP proposes recreational facilities throughout the development that should be properly separated from dwelling units, in particular rears of buildings, in accordance with Section 27-274(a)(11)(C). This issue will have to be examined more closely at the time of DSP when specific building and area design will be created for the recreational features.

e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP approval. Detailed information regarding the methodology and procedures to be used in determining the parking requirement is outlined in Section 27-574(b). The CSP is not required to include detailed parking rate information and it is noted the applicant is proposing a single residential use on the site that would be subject to the requirement of 27-568 (Schedule of Spaces Required). At the time of DSP review, the site plan will be evaluated for adequate parking.

8. **2010 Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the requirements of the Landscape Manual should be determined when a more finalized plan of development is submitted for review. The following discussion is offered regarding the applicable provisions of the Landscape Manual, which will be reviewed at the time of DSP review.

a. **Section 4.1**—Residential Requirements, requires a certain number of plants to be provided for multifamily units depending where they are located and the amount of green area provided. The subject development will be evaluated for conformance to Section 4.1 at the time of DSP.

b. **Section 4.3**—Parking Lot Requirements, specifies that proposed parking lots larger than 7,000 square feet will be subject to Section 4.3. Section 4.3 requires that parking lots provide planting islands throughout the parking lot to reduce the impervious area. When these planting islands are planted with shade trees, the heat island effect created by large expanses of pavement may be minimized. The parking area will be evaluated for conformance to Section 4.3 at the time of DSP review.

c. **Section 4.4**—Screening Requirements, requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets, which will occur within the development. Conformance to these requirements will be judged at the time of DSP review.

d. **Section 4.6**—Compliance with Section 4.6, Buffering Development from Streets, requires a buffer be provided between multifamily dwellings and a major collector (or higher classification) roadway to reduce adverse impacts from the roadway to the multifamily development.

e. **Section 4.7**—This site will be subject to Section 4.7, Buffering Incompatible Uses. More specific information regarding bufferyard requirements along property lines adjoining other uses will be evaluated at the time of DSP. A goal of Section 4.7 is to provide a comprehensive, consistent, and flexible landscape buffering system that provides transitions between moderately incompatible uses.

f. **Section 4.9**—This site will be subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants, along with other sustainable practices.

9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is not grandfathered, and is subject to the current environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George's County Code that became effective on September 1, 2010 and February 1, 2012, because the project is required to have a new preliminary plan approval.

The Tree Conservation Plan (TCP1-001-14) has been reviewed and requires technical revisions to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The Woodland Conservation Threshold (WCT) for this 22.12-acre property is 17.15 percent of the net tract area or 3.10 acres. The threshold is 17.15 percent based on 17.20 acres of M-X-T zoned property, at 15 percent, and 4.92 acres of O-S zoned property, at 50 percent. The total woodland conservation requirement based on the amount of clearing shown on the plan is 3.70 acres. The woodland conservation requirement is proposed to be satisfied with a combination of preservation,

reforestation, and fee-in-lieu; however, revisions to the plan and the worksheet may be necessary that may affect the woodland conservation requirement. It should be noted that the use of fee-in-lieu is only allowed for a requirement of less than an acre. Because the fee-in-lieu acreage for the current proposal is less than an acre, the use of fee-in-lieu is supported. If plan revisions change the fee-in-lieu acreage over an acre, the use of fee-in-lieu will no longer be supported. The worksheet on the plan correctly shows a fee-in-lieu based on a rate of $0.90 per square foot because the property is located within the priority funding area.

The plan should be revised to show the current standard TCP1 approval block with a column for the associated development case number. The current standard woodland conservation worksheet should be shown on the plan. The NRI notes need to be removed from the plan and the standard TCP1 notes need to be revised as follows: the title of the notes needs to be revised to the standard language "Type 1 Tree Conservation Plan Notes;" Note 1 needs to reference the current CSP application; Note 9 needs to be revised to mention the site's proximity to Landover Road (MD 202) which is a master planned expressway in the vicinity of the subject site; the standard stormwater management note needs to be revised to include all of the standard language; and the last standard note regarding woodland conservation on land to be dedicated to public agencies needs to be provided.

A revised, but un-approved, concept plan has been submitted which reflects the same site design as is shown on the TCP. An approved stormwater management design should be shown on the TCP. Both plans should continue to reflect the same site design.

Wetlands, wetland buffers, and expanded wetland buffers have been shown on the TCP in accordance with the approved NRI; however, these symbols should be added to the legend.

The site contains high priority woodlands within the primary management area (PMA). Some of these woodlands are located within the 60-foot wide stream buffer along the southeast boundary of the site and are contiguous with off-site woodlands directly adjacent to the stream channel. The TCP1 proposes to clear some of the on-site woodlands in this area for grading for a building and garage. The remainder of the on-site woodland in this area is proposed as "woodland preserved but not credited" and are identified as areas B and C. As existing or proposed, the woodland would not be able to be counted as preservation because it would not meet the minimum dimensions to be counted as preservation (50 feet wide, 10,000 square feet in area); however, because the woodlands are within the PMA, part of the riparian stream buffer, and contiguous with off-site woodlands also part of the riparian stream buffer, it is a priority area for preservation, and should be preserved even if it does not meet the minimum criteria as woodland conservation. Preserving the existing woodland and additional planting in the open sections of the on-site PMA in this area would not only provide the needed protection for the stream, it would also provide the necessary screening and buffering of the site from the Brightseat Road and Sherriff Road intersection. In addition to the preservation priority of these woodlands, staff also notes that the proposed grading impacts to this area are not supported. As such, the proposed disturbance to the woodlands in this area, adjacent to "woodland preserved but not credited" in areas B and C, should be eliminated. The open portion of the woodland within the buffer adjacent to "woodland preserved but not

credited on areas B and C should be planted or vegetated as well. Redesign in this area may be necessary. A condition for the preservation and restoration of this area is recommended the discussion of Regulated Environmental Features later in this memorandum.

Areas of clearing, labeled as AA, CC, and DD, are shown on the plan; however, the proposed grading in these areas are not shown and it is not clear why these areas are being cleared. These areas are adjacent to, or within the PMA and are high priority areas for preservation. Development can and should be designed to preserve more of these areas up to the required minimum distances from woodland conservation (per code and the Environmental Technical Manual).

Section 25-122(d)(1)(B) requires that woodlands preserved, planted or regenerated in fulfillment of woodland conservation requirements on-site be placed in a woodland conservation easement recorded in the land records. This is in conformance with the requirements of the state Forest Conservation Act which requires that woodland conservation areas have long-term protection measures in effect at all times. This requirement applies to TCP2 applications approved after September 1, 2010 that do not have a TCP1 approved before September 1, 2010 (in other words, non-grandfathered projects).

The recordation of a woodland conservation easement is required prior to the signature approval of a TCP2 for a development application that includes on-site woodland conservation areas.

Specimen Trees
Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted WCO effective on September 1, 2010.

There are six (6) specimen trees shown on the plans as submitted. The removal of specimen trees requires a variance to Section 25-122(b)(1)(G) of the County Code as part of the development review process. No specimen trees are shown on the plans as submitted to be removed; however, a portion of the critical root zones for trees 1, 2, and 3 are shown to be impacted.

No variance for the removal of specimen trees is required at this time because no specimen trees are proposed to be removed. If any changes to the limits of disturbance result in the removal of the tree or significant impacts to the critical root zone that may require the removal of a specimen tree, a variance will be required.

10. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 22.12 acres in size, resulting in a tree canopy coverage requirement of 2.2 acres. Compliance with this requirement will be evaluated at the time of DSP.

11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Archeological Review**—In a memorandum dated January 28, 2014, the Historic Preservation Section offered the following comments:

Phase I archeological survey is not recommended on the above-referenced 22.12-acre property located at 1990 Brightseat Road in Landover, Maryland. The subject property is currently developed with an overflow parking lot associated with the Redskins stadium. The site was extensively graded and disturbed during initial construction of these features. 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. This proposal will not impact any historic sites, historic resources, documented properties, or known archeological sites.

b. **Community Planning**—In a memorandum dated May 15, 2014, the Community Planning Division provided the following summarized comments on the subject CSP:

The application is consistent with both the 2002 General Plan Development Pattern policies for the Developed Tier and the Plan Prince George's 2035 General Plan. The Development application does not strictly conform to the 2009 *Approved Landover Gateway Sector Plan and Sectional Map Amendment* land use recommendations for mixed use; however, the Zoning Ordinance permits a single-use under certain circumstances.

In keeping with the sector plan vision, the District Council rezoned the subject property from Commercial Miscellaneous(C-M) to the Mixed –Use Transportation-Oriented (M-X-T) Zone with the purpose of bringing a mix of residential, commercial and/or employment uses to the site. The applicant proposes a single use development based on an interpretation of Section 27-547(e), of the Zoning Ordinance which states that:

> For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one of the above categories, provided that it conforms to the visions, goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.

The Planning Board finds this application generally conforms to the vision, goals, policies and recommendations of the plan as noted below.

The Community Planning Division referral comments that the overall vision for Landover Gateway is the "transformation of the Landover Gateway area into a vibrant 24-hour activity center with a dense urban form and a mix of uses…[the] downtown core transitions into outer neighborhoods with a range of high- and moderate-density residential neighborhoods and complementary mixed-use development." (p. 17) The vision states the need for a range of housing options integrated into mixed-use districts. The Land Use Plan for Landover Gateway clearly identifies the subject property in an "office/retail/residential" land use category. (p. 19)

To achieve this vision, the sector plan establishes goals that "ensure that…future development is transit-supportive," that development is "compact, mixed-use," and that pedestrian-oriented and transit-oriented design is required. (p. 26). These goals are further articulated through nine policies with supportive strategies, including encouragement of "a walkable, connected pattern of streets throughout the area," "a range of block sizes with many small blocks that foster an urban, walkable environment," and development of "a pedestrian-friendly environment with a multiplicity of uses to ensure continuous activity and 'eyes on the street.'" (pp. 26-28)

The sector plan further articulates an urban design policy to "ensure high-quality design for all new construction by implementing design guidelines for building form and design character." These include strategies for "a consistent build-to line for each neighborhood character area and thoroughfare type to ensure a coherent street wall, appropriate scale, and proper relationship to the street" and "appropriate form, massing, use, height, siting, fenestration, and relationship to the street for all new buildings." (p. 30)

The envisioned "walkable, connected pattern of streets" is reiterated throughout the plan and it clearly shows a new east-west thoroughfare that originates across Brightseat Road, travels west, runs along the northern boundary of the subject property, and turns northwest towards an intersection with Barlowe Road. The intended land use and site development pattern is illustrated throughout the plan shows buildings on the subject property oriented to this new street. This illustrative site layout, shown on pages 20, 21, 24, 32, and 37 of the plan recognizes the desire to ensure a coherent and interesting street wall along a mixed-use thoroughfare, which is especially important given the topographical considerations that make building up to the sidewalk on Brightseat Road difficult. The plan envisions development on the subject property to face, front on, and be oriented toward the proposed spine road. The land use plan on page 19 of the sector plan also identifies the proposed road as an access point through the Gateway South area.

The Planning Board finds, however, that the proposed east-west street is not required to find conformance to the sector plan, as it is not identified as part of the basic road infrastructure for the Landover Gateway Area, set forth on pages 84 and 85 of the plan. While the roadway is seen as a desirable urban design feature, the illustrative plans do not follow existing property lines, nor, when they were developed, did they take into account topography and environmental constraints which create challenges to development. The

Planning Board concludes that for these reasons, the illustrative plans depicting the east-west roadway are not mandatory requirements of the sector plan, and that approval of the conceptual site plan without the provision of an internal road will not, ~~in and of itself~~, result in nonconformance with the visions, goal, policies and recommendations of the Sector Plan.

It is noted that the Cattail Branch Stream Valley Park is adjacent to the subject property. The sector plan recommends trail connections be provided that connect to the Palmer Park Community Center Park (p. 108). The initial CSP submission did not show any trail connections, although the applicant submitted exhibits to show conceptual trail alignments. The Planning Board adopted a condition that requires the trail connections be addressed at the time of preliminary plan.

Gateway South Recommendations
The sector plan places the subject property in the Gateway South neighborhood, which is bounded by Cattail Branch and Palmer Park to the west and by the I-95/495 (Capital Beltway) to the east. The scale of the envisioned neighborhood ranges from 2-3 story single-family attached residences in the western areas to high-density residential and mixed use east of the intersection of Brightseat Road, Redskins Road, and Sheriff Road. The plan envisions this area as being transformed into a neighborhood of mixed-use residential and educational uses that support and complement the downtown. Mixed residential, office, and other uses surrounding a new public square extend commercial activity to the south across Landover Road (MD 202) from the downtown. (p. 48).

The subject property is located in the southwestern area of the Gateway South neighborhood. Recommendations for the area include providing uses that support and complement the downtown, protect and enhance the adjacent Palmer Park neighborhood, and protect Cattail Creek. The goals for the Gateway South neighborhood also include maximizing the redevelopment potential of the publicly owned Bonnie F. Johns Educational Media Center. The Planning Board finds that the proposed multifamily development will be compatible in concept with the adjacent Palmer Park community. Since the sector plan identifies the former Landover Mall property as the retail core of Landover Gateway, the Planning Board further finds that the proposed development will complement this downtown by providing new residential development which will support existing and future retail development.

To ensure that the Gateway South neighborhood complements the surrounding areas, design guidelines and accommodating design principles are recommended for each site based on their location. As stated in the plan, "Development applications in the Landover Gateway sector should respond to and be in harmony with the design guidelines." (p. 50). Each district in the Design Guidelines has specific strategies for the range in the mix of uses, the density desired and a host of recommendations meant to direct the form of future development in these areas.

The applicant has pointed out in the Statement of Justification that the subject property is described differently in the Landover Gateway Sector Plan Design Guidelines and in the Build-out scenario assumptions located in Appendix D. The subject property is shown as being in the "General Center" of the Design District Boundaries map located on p. 51, whereas the same property is shown in Appendix D, Buildout Scenario Assumptions, as being in the "General Edge" Design District.

In this case, properties in the "General Center" designation are focused on a main street that serves as the retail-commercial heart of the district while properties in the "General Edge" include some retail but primarily provide opportunities to live and work in an urban environment. These districts not only specify a preferred range of uses but also promote design features consistent with plan goals.

The General Center Design District promotes "...a mixed-use, pedestrian-oriented district focused on a main street that serves as the retail-commercial heart of the district. This district should serve as the primary retail main street core organized around a walkable, economically vital main street that forms a central spine for the Landover Gateway. Attractive and comfortable streetscapes with wide sidewalks, distinctive street furniture, street trees, and other amenities make this district a pleasant, comfortable, and engaging place to stroll. Upper floors of the main street buildings include both residential and commercial uses to create a dynamic urban residential and commercial district." (p. 54-55) Design principles and building envelope guidelines are listed on pages 55-58 of the sector plan. The elements they address include building height and orientation, street wall height, build-to lines, street façades,

The General Edge Design District promotes mixed-use development with residences comprising 80 percent to 90 percent of the mix. The design principles and building envelope guidelines listed on pages 58-60 of the Sector Plan are intended to create a unique streetscape. Elements addressed in this section include building height, siting, setbacks, street layout, pedestrian connectivity and open space.

Regardless of which Design District the subject property is designated, the Sector Plan is consistent in stressing several features that are envisioned to be the same in both the General Center and General Edge designations. The following are strategies that apply to both General Center and General Edge properties:

- Design buildings to form a consistent street wall along the build-to line with all building entrances leading directly to the sidewalk.

- Include wide sidewalks and distinctive, visually appealing streetscape elements.

- Ensure buildings are not set back to provide a continuous street wall for pedestrians.

- Use street grid patterns to create compact blocks of development.
- Create a pedestrian-oriented environment that encourages walking and biking rather than driving, including providing direct access to all buildings from the public sidewalk.
- Feature extensive vertical mixing of uses to include ground-level retail and upper-level office/educational/cultural or residential uses.
- Build structured parking that does not intrude on or break up the consistent street wall.
- Develop well-placed open space throughout the district to serve for formal and informal gatherings.

The identified inconsistency in the sector plan caused some confusion, but the requirement in the sector plan that "development applications in the Landover Gateway sector plan should respond to and be in harmony with the design guidelines" compels the Planning Board to consider the applicable design guidelines. Multiple plan graphics clearly illustrate that the Sector Plan places all properties abutting Brightseat Road south of Landover Road (MD 202) in the General Center Design District. The statistical analysis of potential build-out in Appendix D is provided as information, and to illustrate a possible result of plan implementation, but is not a section of the sector plan that plays any substantive role in determining Design Guidelines or other plan applicability.

Irrespective of the noted inconsistency, the application should address the design guidelines shared by the General Center Design District and the General Edge Design District identified above that can reasonably be applied to the subject property. These will be looked at more closely at the time of DSP.

A central theme throughout the Gateway South Neighborhood in the Landover Gateway Sector Plan area is that uses are to be oriented to the pedestrian scale and facilitate pedestrian circulation. The layout of the site should facilitate pedestrian access to, from and through the site. In addition, open space policies and strategies to protect and capitalize on Cattail Branch Stream Valley Park – a unique environmental feature—will also need to be addressed further in future development phases.

Gateway South Conclusions
Understanding the plan's vision and recommended design guidelines for this area is key to ensuring that development applications respond to, and are in harmony with, the overall land use plan. Design elements including siting, architecture, trails, green space and pedestrian connectivity among others will be considered at the time of DSP review.

The Planning Board finds that the visions, goals and strategies applicable to the Gateway South neighborhood should generally guide the design of the subject property. At the hearing, the applicant demonstrated that the subject property is uniquely constrained by environmental and topographic constraints which prevent the design strategies common to both the General Center and the General Edge properties from being implemented on the subject property. Since the Planning Board finds that the extension of a roadway as shown on the illustrative plans is not required to find conformance with the sector plan, strict conformance with the Design Guidelines may not be practical or appropriate for the subject property. The concept proposed by the applicant, if implemented in accordance with the conditions of approval adopted by the Planning Board, will ensure compatibility with the adjacent Palmer Park neighborhood and create a moderate density residential community which will complement the downtown of the Landover Gateway Sector Plan. However, the Planning Board finds the design of the site will require further evaluation at the time of detailed site plan approval to determine the extent to which the design district guidelines can be applied and ultimately, whether some version of the urban form envisioned in the sector plan can be achieved.

It is noted that the subject property was located within the Joint Base Andrews Interim Land Use Control (ILUC) impact area established by County Council Bill CB-3-2012 and which expired on June 6, 2014.

c. **Transportation Planning**—In a referral dated May 7, 2014, the Transportation Planning Section provided the following summarized comments on the subject CSP:

The proposal is a CSP for M-X-T property that was rezoned through a sectional map amendment approved in 2009 as a part of the Landover Sector Plan and SMA. In circumstances where the M-X-T Zone was granted by means of a sectional map amendment, Section 27-546(b)(8) of the Zoning Ordinance requires a transportation adequacy test. For that reason, a traffic study was prepared and submitted for review.

The application is a CSP for a single-use development consisting of 372** multifamily residential development projected to generate 194 AM trips (morning peak hour) and 224 PM trips (evening peak hour), and 2,418 daily trips as shown in table below:

	Use Quantity	Use Type	**AM Peak Hour**			**PM Peak Hour**			**Daily**
			In	Out	Total	In	Out	Total	Total
Residential									
Multifamily	372**	units	37	157	194	145	79	224	2,418

The trip generation is estimated using trip rates in the 2012 "Transportation Review Guidelines, Part 1" (*Guidelines*).

The traffic generated by the proposed plan would impact the following intersections:

- MD 202 with Kenmoor Drive/ Business Access (signalized)
- MD 202 with Barlowe Road (signalized)
- MD 202 with Brightseat Road (signalized)
- MD 202 with I-95/495 Southbound on-ramp (signalized)
- Brightseat Road with Site Access/ Business Access Road (unsignalized)*
- Brightseat Road with Sheriff Road (signalized)

*Note: The submitted study reports a traffic signal has already been approved by SHA to be installed by the applicant at this location.

**At the Planning Board hearing the applicant indicated the number of multifamily units proposed is 380, which the Transportation Section indicated will not have an impact on the Transportation Findings.

The application is supported by the original traffic study dated December 2012, an updated study with new counts dated March 4, 2014, and a revised study with new analyses incorporating initial set of staff's comments on March 24, 2014. All three studies were provided by the applicant. It is noted that only the last traffic study was referred to the Maryland State Highway Administration (SHA) and the Prince George's County Department of Public Works and Transportation (DPW&T) for their review and comments. As of this writing, staff has not received any written comments from either agency.

In accordance with the *Guidelines*, the study results can be used to make the required findings for this case. It is noted, however, that new adequacy findings by the Planning Board will be needed at the time that this site advances to the preliminary plan stage.

The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines*.

The subject property is located within the Developed Tier, as defined in the 2002 *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

> Links and signalized intersections: level-of-service (LOS) E, with signalized intersections operating at a critical-lane-volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a) (6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the *Guidelines*.

The following critical intersections identified above, when analyzed with existing traffic using counts taken in January 2014 and existing lane configurations, operate as follow:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV)(AM & PM)		Level of Service (LOS)(AM & PM)	
MD 202 with Kenmoor Drive	899	951	A	A
MD 202 with Barlowe Road	895	1,008	A	B
MD 202 with Brightseat Road	1,063	1,247	A	C
MD 202 with I-495/I-95 SB on-ramp	775	1,239	A	C
Brightseat Road with Site Access w/ approved signal	282	413	A	A
Brightseat Road with Sheriff Road	606	823	A	A

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP).

Background traffic has been developed for the study area using an extensive listing of approved developments in the area. The critical intersections, when analyzed with background traffic and existing (or future) lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV)(AM & PM)		Level of Service (LOS)(AM & PM)	
MD 202 with Kenmoor Drive	967	1,029	A	B
MD 202 with Barlowe Road	976	1,124	A	B
MD 202 with Brightseat Road	1,155	1,387	C	D
MD 202 with I-495/I-95 SB on-ramp	926	1,517	A	E
Brightseat Road with Site Access w/ approved signal	298	438	A	A
Brightseat Road with Sheriff Road	654	882	A	A

The following critical intersections identified above, when analyzed with the programmed improvements and total future traffic as developed using the *Guidelines* including the site trip generation for 400-multifamily units used in the traffic impact study, or 28 more units than shown on the proposed CSP plan, and the distribution as described in the traffic study, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV)(AM & PM)		Level of Service (LOS)(AM & PM)	
MD 202 with Kenmoor Drive	992	1,051	A	B
MD 202 with Barlowe Road	1,001	1,147	B	B
MD 202 with Brightseat Road	1,193	1,438	C	D
MD 202 with I-495/I-95 SB on-ramp	947	1,527	A	E
Brightseat Road with Site Access w/ approved signal	441	533	A	A
Brightseat Road with Sheriff Road	666	890	A	A

All of the critical intersections operate acceptably under total traffic in both peak hours. This is conditioned on the installation of a traffic signal at the intersection of Brightseat Road with Site Access, which the submitted traffic study indicates has been previously approved by SHA. The requirement for a traffic signal is included in the Transportation Section's recommended conditions.

Plan Review Comments

The submitted plan shows a single point of access at Brightseat Road for the entire 380 unit multifamily proposal. Brightseat Road at this location is an eight-lane arterial roadway that serves as one of three primary entrances to the FedEx Field stadium. During events at the stadium, all eight lanes of Brightseat Road become fully occupied by vehicles with traffic movements along this roadway tightly controlled. At the Planning Board hearing staff raised the possibility that during these times, having just one access to and egress from such a congested roadway for a development of this size would be undesirable and potentially unsafe. In addition, the 2009 *Approved Countywide Master Plan of Transportation* proposes an extension of the Purple Line transit alignment south of New Carrollton along the west side of Brightseat Road. This planned transit extension could further complicate the use of a single point of access to this proposed community as the Maryland Transit Authority seeks to minimize the number of track crossings. However, the Planning Board noted that the proposed entrance to the site is existing and aligns with the Landover Crossing Shopping Center across Brightseat Road from the subject property. Further, a traffic signal has been installed at the intersection of these two entrances, but is currently not operational. A condition has been added to require the traffic signal be provided when deemed warranted by Maryland State Highway Administration (SHA). The Planning Board concludes that based upon existing conditions and traffic controls a second entrance is not required.

Conclusions

Based on the preceding findings, the Planning Board concludes that the transportation facilities will be adequate to carry anticipated traffic for the proposed development as required under Sections 27-546(b)(8), and27-546(d)(9) of the Prince George's County Code, and otherwise meets the transportation-related requirements for approval of a

conceptual site plan. The Planning Board approval includes a condition to address the provision of signalization along Brightseat Road at the proposed site access, when deemed warranted by SHA.

d. **Subdivision Review**—In a memorandum dated May 15, 2014, the Subdivision Review Section provided the following analysis of the subject application:

The subject site is known as Parcel 51, located on Tax Map 60 in Grid B-3, and is 22.12 acres. The property is split zoned with 17.20 acres in the M-X-T Zone and 4.92 acres in O-S Zone. Parcel 51 is a legal deed parcel and has never been the subject of a preliminary plan of subdivision (PPS). The current configuration of the Parcel 51 was the result of right-of-way dedication pursuant to State Highway Administration Plat No. 87901. This public right-of-way dedication was a legal division of land pursuant to Section 24-107(c)(5) of the Subdivision Regulations. The site is currently graded for a parking compound. The applicant has submitted a Conceptual Site Plan (CSP), CSP-13006, for 380 multifamily dwelling units.

A preliminary plan of subdivision (PPS) is required pursuant to Section 24-107 of the Subdivision Regulations. The CSP reflects a conceptual layout proposed with six buildings surrounded by parking on one parcel and proposes one vehicular access from the site onto Brightseat Road. Under Subdivision Regulations, Section 24-121(a)(5) requires that a PPS shall conform to the area master plan. The 2009 *Approved Landover Gateway Sector Plan and Proposed Sectional Map Amendment* establishes the development design principles and goals, such as street grid patterns, pedestrian-oriented environment, and buildings fronting the street, for the Landover area. At the time of preliminary plan of subdivision the concept site layout of the development may need to be modified to address the design principles and goals of the master plan.

The site has regulated environmental features at the western and southern portion of the property. Section 24-130 of the Subdivision Regulations requires the preservation of regulated environmental features to fullest extent possible. The proposed development envelope on the CSP appears to be encroaching onto the regulated environmental features. At the time of preliminary plan of subdivision review, the development envelope may need to be modified for preservation of the regulated environmental features and any statement of justification for impacts will be evaluated at that time.

The subject property has frontage on Ray Leonard Road to the west, Brightseat Road to the east, and Sheriff Road to the south. The existing property has access from Brightseat Road and an access easement to the north on Parcel 56, owned by the Board of Education (BOE). The applicant has stated that the access easement is pursuant to a license agreement with the Prince George's County Board of Education for the vehicular access from the subject property to connect through Parcel 56 to exit out to Barlowe Road. The rights associated with that private agreement are not known by staff. The CSP proposes one vehicular access onto Brightseat Road for 380 multifamily dwelling units.

At the time of PPS review, the site will be evaluated for adequate access and transportation facilities for the proposed development. Brightseat Road is an arterial roadway and pursuant to Section 24-121(a)(3) land adjacent to an arterial roadway shall be designed to have access on an interior street or service road. A variation request will be required at the time of PPS for the proposed development to have direct vehicular access onto Brightseat Road.

The development layout shown on the CSP is for illustrative purposes only. A more detailed review of the site layout, environmental impacts, traffic circulation, and access will be evaluated and determined at the time of preliminary plan of subdivision. A condition of approval requires the applicant to show the bearings and distances of subject property on the CSP.

e. **Trails**—In comments dated May 14, 2014, which supersede a memorandum dated March 13, 2014, the trails coordinator provided the following analysis of the subject application:

> The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area master plan identify two master plan trail/bikeway corridors and one master plan trail connection that impact the subject site. The area master plan identified both Sheriff Road and Brightseat Road as sidewalk and bikeway corridors, while the 2009 MPOT further refined this to recommend standard sidewalks and designated bike lanes along both roads (see MPOT map). Currently, segments of Sheriff Road have been improved with a decorative wide sidewalk and wide outside curb lanes (see photos on the attached pages), while Brightseat Road includes an eight-foot wide sidepath south of Sheriff Road.
>
> The MPOT includes the following descriptions for the planned facilities along Sheriff and Brightseat Roads:
>
> **Sheriff Road Wide Sidewalks and Designated Bike Lanes**—Extend the existing wide sidewalks along the entire length of Sheriff Road. Designated bike lanes are also recommended. These facilities will improve access to FedEx Field, Cabin Branch Trail, and Cedar Heights Community Center (MPOT, page 25).
>
> The subject site's frontage of Sheriff Road includes a standard sidewalk. This sidewalk is immediately behind the curb with no buffering from the travel lanes. Immediately to the west of the subject site, Sheriff Road has been improved with additional shoulder space for parking and a decorative sidewalk. It should also be noted that a decorative wide sidewalk has been constructed along the south side of Sheriff Road opposite of the subject site. The ability to provide bike lanes and expand the sidewalk along Sheriff Road may be constrained by the existing stream which extends along the eastern and southern boundaries of the subject

property. The provision of adequate right-of-way to allow the implementation of the MPOT recommendations will be further evaluated at the time of preliminary plan of subdivision.

Brightseat Road Sidewalks and Bike Lanes - Provide continuous sidewalks/wide sidewalks and on-road bicycle accommodations along Brightseat Road. Brightseat Road is a major north-south connection through the Landover Gateway area, and currently facilities for pedestrians are fragmented. The road currently does not include striping for bicycle facilities. However, due to the speed and volume along the road, its connectivity through the sector plan area, and its connection to FedEx Field, designated bike lanes are recommended. Brightseat Road should also include accommodations for bicycles and pedestrians at the planned interchange with MD 202. These facilities will provide safe non-motorized connectivity to the Landover civic center and commercial core from surrounding neighborhoods (MPOT, page 25).

Brightseat Road currently includes a standard sidewalk along the frontage of the subject site. This sidewalk is immediately behind the curb with no buffering from the travel lanes. It may be appropriate to provide the decorative, wide sidewalk that currently exists along the south side of Sheriff Road along the subject site's frontage of Brightseat Road as well. This determination will be made at the time of PPS. Sufficient dedication to incorporate designated bike lanes may be required at the time of Preliminary Plan, pending discussions with DPW&T.

Pages 97–98 of the area master plan includes the following text in **[bold]** regarding a master plan trail recommendation along the tributary of Cattail Branch:

Provide a stream valley trail connection along the tributary of Cattail Branch, from Cattail Branch south to Sheriff Road. This trail will provide access to the Sports and Learning Complex from communities to the north, as well as provide an additional connection into the larger stream valley trail network (see Map 25: Trails on page 94).

There appears to be sufficient space along the stream valley to provide the master plan trail on the subject site. However, the Department of Parks and Recreation (DPR) has indicated that they do not want this stream valley corridor as park dedication. This factor, in conjunction with the private nature of the proposed gated community, will most likely result in the trail functioning as a private homeowner association (HOA) trail. This trail will provide outdoor recreation for future residents, as well as provide a segment of a future trail connection into the planned stream valley trail network. A 2011 PGAtlas aerial photo indicates that

there is an existing drive aisle parallel to the stream valley for most of the length of the subject site. It may be appropriate to utilize this road/drive aisle as the corridor for the master plan trail. This will not only take advantage of existing grades and clearing, but would eliminate environmental impacts within the 100-year floodplain and primary management area (PMA). Even if the existing drive aisle is not utilized, sufficient space should be provided outside of the regulated areas to accommodate the trail. At the time of detailed site plan review, adjustments to this alignment can be made as needed to accommodate the proposed development.

The MPOT also includes a complete streets element that contains several policies related to accommodations for bicyclists and pedestrians along new road construction. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

Policy 1:
Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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.

In conformance with these policies, sidewalks are recommended along all of the site's road frontages and along both sides of all internal roads.

It is noted that there appear to be two existing bus stops along Brightseat Road in the vicinity of the subject site.

Additional Review Comments
A letter from the applicant dated May 1, 2014 responded to a discussion of the facilities included in the area master plan and recommended in a March 13, 2014 memorandum (Shaffer to Fenton). The following discussion was considered by the Planning Board.

- The applicant states that both Sheriff Road and Brightseat Road are State rights-of-way and concludes that "it is highly unlikely that MDSHA will allow any changes to the current sidewalk and lane alignment." It is noted that Sheriff Road is maintained by DPW&T and Brightseat Road is maintained by SHA. However, the recommendations regarding the planned bicycle and pedestrian facilities remain unchanged regardless of the ultimate operating agency. Staff continues to recommend frontage improvements consistent with the master plan

along both Sheriff Road and Brightseat Road, unless modified by the appropriate operating agency.

- The applicant states that the trail along the stream valley is not feasible due to the existing stream and environmental constraints, as well as the topography abutting Sheriff Road. Staff did not recommend the trail within the environmental setting, but instead, on the periphery of the developable portion of the site adjacent to the PMA. An alternative layout dated October 23, 2014 and provided by the applicant in earlier versions of the submitted Traffic Impact Analysis, including one dated March 4, 2014, appear to indicate that space for a trail can be provided at this location. Staff concurs and the Planning Board agreed that due to steep and severe slopes between the site and Sheriff Road, it will likely not be feasible to construct the trail all the way to Sheriff Road. However, the trail can still serve as a private HOA outdoor recreational amenity and provide a potential connection to the Board of Education property to the north. The master plan trail along the stream valley will serve as a needed public amenity for the future residents of the site.

At the hearing, the Planning Board determined that the need for additional right-of-way and/or frontage improvements will be made at the time of preliminary plan review.

Conclusion
From the standpoint of non-motorized transportation, the Planning Board finds that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, and meets the findings required for a conceptual site plan with the approved conditions.

f. **Department of Parks and Recreation (DPR)**—In a memorandum dated April 15, 2014, DPR provided the following summarized comments:

DPR Findings

The subject property is located within walking distance of the Prince George's Sports and Learning Complex which is owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). The planned and existing trails within the public right-of-way of Brightseat Road and Sheriff Road will provide hiker/biker access to the Prince George's Sports and Learning Complex.

The applicant's proposal includes 380 multifamily dwelling units. Using current occupancy statistics for multifamily dwelling units, one would anticipate that the proposed development would result in a population of 1,116 new residents.

The subject property includes 7.46 acres of primary management area (PMA) consisting of floodplain, wetlands and steep slopes. 4.92 acres of this PMA area is located within the O-S Zone. The May 2009 *Landover Gateway Approved Sector Plan and Proposed Sectional Map Amendment* proposes trail construction within the PMA. DPR and the

Planning Department staff carefully evaluated the PMA and determined that this area is not suitable for the trail construction. The applicant shows a clubhouse with a pool in the residential portion of the development. The statutory requirements of the Subdivision Regulations, Section 24-134, require that the applicant provide mandatory dedication of approximately 2.5-acre of land suitable for active or passive recreation, or the payment of monetary fee-in-lieu thereof, or the provision of recreational facilities. DPR staff believes that the requirement for the mandatory dedication of parkland should be met by the provision of on-site private recreational facilities suitable to serve an anticipated population of 1,116 new residents. The recreational facilities package should include pedestrian and bicycle connections to the existing Prince George's Sports and Learning Complex.

DPR Recommendations

The Department of Parks and Recreation recommended that the Conceptual Site Plan, CSP-13006 be approved, subject to the following conditions:

1. The applicant, his successors, and/or assignees, shall provide on-site private, recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines.* The recreational facility package shall include pedestrian and bicycle connections to the existing Prince George's Sports and Learning Complex. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and proper siting, prior to approval of the detailed site plan by the Planning Board.

2. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the Development Review Division (DRD) for their approval three weeks prior to a submission of a final plat. Upon approval by the DRD Urban Design Staff, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

3. The applicant shall submit to the DRD a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, at least two weeks prior to applying for building permits. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.

4. At the time of the Detailed Site Plan approval, the applicant shall demonstrate to the Planning Board that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other

appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assignees.

These conditions were accepted by the Planning Board and included in the conditions of approval.

g. **Public Facilities**—In a memorandum dated February 3, 2014, the Special Projects Section of the Countywide Planning Division indicated that they had no comments on the subject development.

h. **Environmental Planning**—The Environmental Planning Section, in a memorandum dated May 13, 2014, provided an analysis of the application's conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO) incorporated into Finding 9 above, along with the following summarized comments:

(1) There is a primary management area (PMA) comprised of Regulated Environmental Features which include streams and wetlands, associated buffers, 100-year floodplain and adjacent steep slopes. The submitted application is being reviewed for conformance with the requirements of Subtitle 27 but will also be subject to Subtitle 24 at the time of preliminary plan. Requirements with regard to the regulated environmental features are noted below.

Section 27-273(e)(15) of the Zoning Ordinance requires that all CSP applications include: "A statement of justification describing how the proposed design preserves and restores the regulated environmental features to the fullest extent possible." A statement of justification, including an impact exhibit plan, was stamped as received by Environmental Planning Section (EPS) on May 2, 2014, and reviewed as part of this application.

Section 27-274(a)(5)(B) of the Zoning Ordinance states that for all CSP applications: "The application shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5)."

Section 24-130(b)(5) of the Subdivision Regulation states: "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. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code. Impacts to regulated environmental features must first be avoided and then minimized. The statement of justification must address how each impact has been avoided and/ or minimized.

The statement of justification and associated exhibit reflect four (4) proposed impacts to regulated environmental features associated with the proposed development. The site contains a total of 7.45 acres of PMA.

Impact SWM-01: totals 0.30 acres of proposed impacts to the PMA. The statement of justification indicates that this impact is for an outfall for an underground stormwater management facility. The current configuration of the outfall and associated LOD shows the disturbance of the critical root zones of three specimen trees. The extent of the proposed impact does not appear to be necessary for the installation of a proposed outfall. Staff does not support this impact because the grading can be reduced further.

Impact SWM-02 totals 0.09 acres and is for a pond outfall. This impact does appear to be necessary.

Impact SWM-03 totals 0.04 acres to allow for a non-woody buffer at the base of the pond embankment as required by the Soil Conservation District. The pond can be designed to allow for the non-woody buffer outside of the PMA. Staff does not support this impact because it can be designed to be avoided

Impact S-01 totals 0.18 acres of proposed impacts to the PMA. The statement of justification indicates that the impact is proposed solely for a sewer line connection; however, a proposed parking garage is shown on the plan

approximately two feet from the PMA. Impacts to the PMA would be needed for installation and maintenance of the parking garage. The statement of justification also indicates that the location of the sewer outfall connection has been designed to avoid conflict with a proposed stormdrain. The PMA in this area is associated with a stream buffer, which is a priority area for woodland conservation. At time of preliminary plan design and review, the site design in this area should be revised to eliminate this impact, and further to allow adequate space for planting along the stream buffer for woodland conservation purposes. Staff does not support this impact.

The plans currently show a proposed building (labeled as Building 4) at the top of a steep slope that has been incorporated in the PMA. This slope is also an expanded wetland buffer, as shown on the NRI. The building, and associated LOD, is shown approximately 9 feet from the top of the slope. While this has not been specifically requested as an impact, staff believes that it would be difficult to construct a building so close to the top of a slope without impacting it. The resulting building stability should also be addressed.

Based on the information submitted, staff finds that the application does not adequately demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. In order for staff to make a recommendation that regulated environmental features have been preserved and/ or restored in a natural state to the fullest extent possible, the site design must be re-evaluated to address the following: reduce impacts to the critical root zones of specimen trees, adjust the location of the pond so that the non-woody buffer can be located outside of the PMA, move the proposed sewer line so that the portion of the line currently proposed to run along the top of the slope is removed and the only remaining impact is the perpendicular stream crossing, move proposed building 4 away from the top of the slope and/ or provide additional grading and engineering information to demonstrate that the building can be constructed, be stable, and without impacting the PMA.

The Planning Board approval includes conditions to revise and redesign the TCP1 as necessary to demonstrate the preservation and/or restoration of regulated environmental features. At a minimum, the impacts to SWM-01 shall be further reduced; the pond shall be redesigned to eliminate the impact to the PMA for SWM-03. The garage shall be redesigned to be farther from the PMA and the area shall be redesigned to reduce the proposed sewer line to reduce S-01.

(2) An approved Stormwater Management Concept plan and an approval letter, dated May 17, 2013, were initially submitted with the subject application. The approved concept shows stormwater management requirements to be met through the use of retention and filtration. The plan shows a large pond proposed on the southern

portion of the site and an underground storage and filter facility located on the northwestern portion of the site.

The approved stormwater management design is similar to what is shown on the TCP1; however, the lot layout is significantly different. The approved concept plan shows the proposed development as a retail space, gas station, fast food restaurant, and a hotel. The Environmental Planning Section provided comments regarding the original stormwater management design in a memo dated April 1, 2014. The concern was that the CSP application is for the development of six (6) multifamily dwelling units and associated infrastructure. It was unclear how the significant change in site design would affect the stormwater management requirements. The original approved concept did not show the grading of steep slopes as the LOD shown on the proposed TCP1 seemed to indicate. Additionally, the concept did not show the location of the PMA as shown on the approved NRI.

A revised concept plan was submitted and stamped as received by EPS on May 2, 2014. The revised concept shows the PMA and the grading necessary to install the infrastructure.

The current master plan for this area is the Landover Gateway Sector Plan and Sectional Map Amendment, approved May 2009. The master plan includes Policies focused on stormwater management; these include an emphasis on stream restoration, and the use of environmentally sensitive stormwater design techniques. These strategies should be incorporated into the stormwater management design.

Additionally, no information has been submitted regarding the health or physical attributes of the existing on-site streams. The master plan includes a policy within the Environmental Infrastructure section which identifies the need to restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded. One of the strategies to fulfill this policy is to identify opportunities for ecologically significant stream and water quality restoration projects within and adjacent to the Cattail Branch primary corridor. The on-site tributaries drain directly into the Cattail Branch Primary Corridor. A stream corridor assessment using the Maryland DNR Stream Corridor Assessment protocol must be prepared to identify priorities for protection, preservation, and restoration. The assessment must be done for both on-site streams and the portion of the stream system located between the subject site and Brightseat Road.

At time of preliminary plan application, a stream corridor assessment using the Maryland DNR Stream Corridor Assessment protocol is needed for the on-site stream system to document the health of the stream and to determine where, if any, restoration efforts should be focused. If stream restoration recommendations are appropriate, they shall be included in the report. The revised and un-approved

stormwater concept plan submitted with the current CSP application does not address stream restoration. Should the stream corridor assessment identify the need for stream restoration, it must be incorporated into a revised and approved stormwater management concept.

The Planning Board approval contains a condition requiring the preliminary plan application package include:

1. A stream corridor assessment using the Maryland Department of Natural Resources protocol which shall be used to plan for stream restoration efforts. The stream corridor assessment shall evaluate all on-site streams and impacts to off-site stream buffers located between the subject site and Brightseat Road.

2. A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the master plan.

3. An approved stormwater concept plan which shows a site design that is consistent with the TCP1 submitted with the preliminary plan and incorporates stream restoration into the design consistent with the findings of the required stream corridor assessment.

(3) Prior to grading of the site, the county requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. A copy of the Erosion and Sediment Control Plan must be submitted at time of preliminary plan application so that the ultimate limits of disturbance for the project can be verified and shown on the TCP.

(4) The site fronts on Brightseat Road, a master planned collector along the site's frontage. The site also fronts on Sheriff Road, a master planned arterial roadway that is regulated for noise. The site is in close proximity to Landover Road (MD 202), a master planned expressway that is regulated for noise.

The state standard requires that the day-night average (Ldn) be used for residential uses. A 65 dBA Ldn noise contour has been shown on the TCP1; however, it is not clear on the plan what information the noise contour has been based on. The following note needs to be added to the TCP: "The unmitigated 65 dBA noise contour shown on this plan is based on the Environmental Planning Section's noise model." Additionally, the noise contour must be measured from the centerline of a right-of-way. The TCP does not show the centerlines of Brightseat

Road or Landover Road. The TCP needs to be revised to clearly show the centerlines on the plan view or in a separate inset.

Should any future development applications contain a site design that proposes residential uses or outdoor activity areas within the 65 dBA Ldn noise contour, that application must contain a noise report prepared and signed by a professional engineer with competency in acoustical analysis to determine the exact location of the unmitigated 65 dBA Ldn noise contour and to address any mitigation measures that may be needed so that outdoor noise remains at or below 65 dBA Ldn and interior noise remains at or below 45 dBA Ldn.

(5) The minimization of light intrusion from this site into the on-site environmentally sensitive areas is important to protect the health of the stream valley and associated wildlife. The use of alternative lighting technologies and the limiting of total light output should be demonstrated. Full cut-off optic light fixtures must be used.

The Planning Board approval includes conditions addressing these issues.

i. **Prince George's County Fire/EMS Department**—The Prince George's County Fire/EMS Department, in a memorandum dated February 6, 2014, provided standard comments regarding fire apparatus, hydrants, and lane requirements. Those issues will be enforced by the Fire/EMS Department at the time of issuance of permits.

j. **Department of Permitting, Inspections and Enforcement (DPIE)**—As of the writing of this report, no comments were received from this agency.

k. **Prince George's County Police Department**—In a memorandum dated January 28, 2014, the Police Department indicated that there are no crime prevention through environmental design (CPTED) related issues with the subject application.

l. **Prince George's County Health Department**—In a memorandum dated February 3, 2014, the Health Department provided the following comments:

(1) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the goals of public health in improving quality of life. The developer should consider setting aside space for a community garden.

The provision of a community garden will be given consideration at the time of DSP review when a detailed development pattern is established.

(2) Noise can be detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psycho-physiologic effects, psychiatric

symptoms, and fetal development. Sleep disturbances have been associated with a variety of health problems, such as functional impairment, medical disability, and increased use of medical services even among those with no previous health problems. The applicant should provide details regarding modifications/adaptations/mitigation as necessary to minimize the potential adverse health impacts of noise on the susceptible population.

Additional noise information was requested of the applicant to document the source of the noise contour shown on the plan and that the contour shown is an unmitigated 65 dBA Ldn noise contour. This is discussed further in Finding 11(h) above. The future preliminary plan and DSP will address noise issues as more detailed site design is determined.

(3) Scientific research has demonstrated that a high quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian access to amenities in the adjacent communities and commercial areas.

As discussed at the Planning Board hearing, provision of a complete pedestrian system is a high priority. The location and design of trails and sidewalks will be carefully reviewed at the time of DSP.

(4) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light. (It is recommended that light levels at residential property lines should not exceed 0.05 footcandles).

This issue will be further reviewed at the time of DSP when lighting details are provided. A condition requiring the use of full cut-off light fixtures has been included in the Planning Board approval.

(5) Recent case studies demonstrate the value of stakeholder input in enhancing positive outcomes of health impact assessment review. The developer should identify and actively engage project stakeholders during the development review process.

The Planning Board regularly conveys to applicants the importance of identifying and communicating with stakeholders during the development review process.

m. **Maryland State Highway Administration (SHA)**—At the time this report was written, no comment had been received from SHA.

n. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail dated January 23, 2014, WSSC indicated that they had no comments on the subject application as the applicant did not pay their applicable review fee.

o. **Verizon**—At the time this report was written, no response had been received from this agency.

p. **Potomac Electric Power Company (PEPCO)**—In an e-mail dated January 28, 2014, PEPCO indicated that they concur with the ten-foot public utility easement (PUE) as stated in Note 14 under the General Notes on the plan. They also noted that additional easements may be required to accommodate transformers, switches, or fuse enclosures as necessary based on projection loads.

12. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the conceptual site plan will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

13. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a conceptual site plan:

(4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

The Planning Board finds that the conceptual site plan will, subject to the conditions below, demonstrate preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

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 Type 1 Tree Conservation Plan (TCP1-001-14), and further APPROVED Conceptual Site Plan CSP-13006 for the above-described land, subject to the following conditions:

1. Prior to certification of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:

a. A General Note shall be added to the CSP indicating the FAR allowed and proposed.

b. The plan shall be revised to show the bearings and distances of the subject property on Sheets 1, 5, 7 and 8.

2. Prior to certification of the conceptual site plan (CSP), the Type I tree conservation plan (TCPI) shall be revised as follows:

   a. Show the standard TCP1 approval block with an additional column listing the associated CSP number.

   b. Show the standard woodland conservation worksheet, revised as necessary.

   c. Remove the NRI notes from the plan.

   d. Include the following note: "The unmitigated 65 dBA noise contour shown on this plan is based on the Environmental Planning Section's noise model."

   e. Show the centerlines of Brightseat Road and Landover Road (MD 202).

   f. Revise the standard TCP1 notes as follows:

      (1) Revise the title of the notes to: "Type 1 Tree Conservation Plan Notes;"

      (2) Revise note 1 to reference the current CSP application;

      (3) Revise note 9 to mention the site's proximity to Landover (MD 202) which is a master planned expressway in the vicinity of the subject site;

      (4) Revise the standard stormwater management note to include all of the standard language;

      (5) Add the standard note regarding woodland conservation on land to be dedicated to public agencies.

      (6) Revise the legend to include all symbols shown on the plan.

      (7) Eliminate all unnecessary proposed clearing and grading from areas where no development is proposed up to the minimum distance required from woodland conservation areas.

      (8) Have the plan signed and dated by the qualified professional who prepared it.

3. Prior to certification of the Conceptual Site Plan, the TCP1 shall be revised and redesigned as necessary to demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. At a minimum, the impacts for SWM-01 shall be further reduced; the pond shall be redesigned to eliminate the impact to the PMA for SWM-03. The garage shall be redesigned to be farther from the PMA and the area shall be redesigned to reduce the proposed sewer line to reduce S-01.

4. A traffic signal and all required and associated modifications for pedestrian and bicycle users along Brightseat Road at the proposed site access shall be provided, when deemed warranted by SHA.

5. The applicant shall provide a bike lane on both sides of Brightseat Road, extending across Sheriff Road on Redskins Drive, to provide a bicycle connection to the Wayne K. Curry Sports and Learning Center within the existing paved section of the roadways, unless modified by SHA and/or DPW&T.

6. At the time of preliminary plan, the following shall be addressed:

   a. Pedestrian circulation in and through the site, including access to the adjacent school board property;

   b. Facilities for bicycle storage in appropriate locations;

   c. Provision of standard sidewalks along both sides of all internal roads; and

   d. Construction of the master plan trail along the subject property's entire length of the tributary of Cattail Branch.

7. At the time of detailed site plan, the following trail and bicycle issues shall be addressed:

   a. The location and number of bicycle parking spaces.

8. At the time of detailed site plan, if the development application shows proposed residential uses or outdoor activity areas within the 65 dBA Ldn noise contour, a noise report shall be prepared and signed by a professional engineer with competency in acoustical analysis to determine the exact location of the unmitigated 65 dBA Ldn noise contour and to address any mitigation measures that may be needed so that outdoor noise remains at or below 65 dBA Ldn and interior noise remains at or below 45 dBA Ldn.

9. At the time of detailed site plan (DSP), the following design issues shall be addressed:

   a. The applicant shall use full cut-off light fixtures to prevent light trespass, and direct the pattern of light pooling on-site.

   b. The applicant shall consider setting aside space for a community garden.

   c. Parking lots shall generally be provided to the rear or sides of structures, to the extent feasible.

   d. Provide sufficient visitor parking spaces evenly distributed among the multifamily units.

e. The development shall be designed and organized so as to create cohesively designed building groups. The appearance of surface parking areas shall be minimized. The buildings should have a strong relationship with each other. The buildings should also be organized to provide quality public spaces with pedestrian connections that will provide a pleasant outdoor setting for the residents.

f. Streetscape details, crosswalks, lighting, curb ramps, splitter island locations, pedestrian safety symbols, and pedestrian safety signage shall be delineated on the DSP, as applicable.

g. Well-articulated architectural façades, including appropriate massing, quality building materials, and pedestrian-scaled detailing, shall be included for all residential and recreational buildings in the DSP.

h. All architectural elevations that are visible from Brightseat Road and Sheriff Road shall have enhanced architectural design to include, but not be limited to, high-quality materials such as brick, stone and stucco, or other masonry materials of equivalent quality, ornamentation, varying roof lines, and balanced fenestration.

i. Side elevations of the multifamily buildings highly visible from the internal road, Brightseat Road or Sheriff Road shall be designed with the same attention to detail as the front elevation.

j. A cohesive relationship shall be created between the residential and recreational components by using similar architectural, signage, landscape, and paving elements throughout the development.

10. At the time detailed site plan, the following issues regarding private on-site recreational facilities shall be addressed:

a. The applicant, his successors, and/or assignees, shall provide on-site private, recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The recreational facility submission shall provide information evaluating the feasibility of providing pedestrian and bicycle connections to the existing Prince George's Sports and Learning Complex. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.

b. The applicant shall demonstrate to the Planning Board that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other

appropriate means and that such instrument is legally binding upon the subdivider and his heirs, successors, and assignees.

11. The applicant shall submit three (3) original executed private Recreational Facilities Agreements (RFA) for the private recreational facilities on-site to the DRD for their approval not later than three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, and Maryland.

12. The applicant shall submit to the DRD a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational

13. At the time of Preliminary Plan review, the application package shall contain:

    a. A stream corridor assessment using the Maryland Department of Natural Resources protocol which shall be used to plan for stream restoration efforts. The stream corridor assessment shall evaluate all on-site streams and impacts to off-site stream buffers.

    b. A statement of justification for proposed impacts to regulated environmental features that incorporates the findings of the required stream corridor assessment and the goals, policies, and strategies found in the Environmental Infrastructure section of the master plan.

    c. An approved stormwater concept plan which shows a site design that is consistent with the TCP1 submitted with the preliminary plan and incorporates stream restoration into the design consistent with the findings of the required stream corridor assessment.

    d. A copy of the Erosion and Sediment Control Plan.

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

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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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey and Hewlett voting in favor of the motion, with Commissioner Shoaff opposing the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, June 26, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of July 2014.

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date 7/9/14

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:arj