

PGCPB No. 2024-007

File No. CSP-23001

## R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Neighborhood Activity Center Zone (NAC); and

WHEREAS, the applicant, Landover Hills Leased Housing Associates I, LLLP, submitted an application for approval of a conceptual site plan, known as Conceptual Site Plan CSP-23001 for 7011 Chesapeake Road, for development of a mixed-use building with approximately 245 to 300 multifamily dwelling units and approximately 1,300 to 2,500 square feet of office space; and

WHEREAS, pursuant to Section 27-1900 *et seq.* of the Zoning Ordinance, proposals for development in the NAC Zone may utilize the prior Zoning Ordinance until April 1, 2024; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, the application for approval of the aforesaid Conceptual Site Plan was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission at a public hearing on February 15, 2024; and

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

WHEREAS, in consideration of evidence presented at the public hearing on February 15, 2024, regarding Conceptual Site Plan CSP-23001 for 7011 Chesapeake Road, the Planning Board finds:

1. **Request:** This conceptual site plan (CSP) approves development of a mixed-use building with approximately 245 to 300 multifamily dwelling units and approximately 1,300 to 2,500 square feet of office space.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	NAC	M-X-T/D-D-O
Use(s)	Vacant	Office and Residential
Gross Acreage	3	3
Parcel	1	1
Total Gross Floor Area (sq. ft.)	0	182,952–392,040 sq. ft.
Office Gross Floor Area	0	1,300–2,500 sq. ft.
Multifamily dwelling units	0	245–300

**Floor Area Ratio (FAR) in the Mixed Use-Transportation Oriented (M-X-T) Zone**

Base Density Allowed:	0.40 FAR
Residential Optional Method:	1.00 FAR
Total FAR Permitted:	1.40*
Total FAR Approved:	1.4–3.0
Total FAR Proposed:	1.4–3.0**

**Notes:** \*Pursuant to Section 27-545(a)(1) of the prior Prince George’s County Zoning Ordinance, “under the optional method of development, greater densities shall be granted, in increments of up to a maximum floor area ratio of 8.0, for each of the uses, improvements, and amenities (listed in Subsection (b)) which are provided by the developer and are available for public use.” Section 27-545(b)(4) of the prior Zoning Ordinance states that “an additional gross floor area equal to a FAR of 1.0 shall be permitted where 20 or more dwelling units are provided.”

\*\*The applicant also proposes an outdoor plaza, in accordance with Section 27-545(b)(6) of the prior Zoning Ordinance, for additional FAR, increasing the maximum FAR up to 3.0. A density bonus for providing an outdoor plaza is available as follows: “Eight (8) gross square feet shall be permitted to be added to the gross floor area of the building for every one (1) square foot of outdoor plaza provided.” The FAR permitted will depend upon the size of the plaza proposed at the time of detailed site plan (DSP). When the gross floor area (GFA) proposed for this development is finalized, at the time of DSP, the applicant shall show that it is permitted to use the optional methods, in accordance with Section 27-545 of the prior Zoning Ordinance.

3. **Location:** The subject property is located on Tax Map 51 in Grid E-1. The property has an assigned address, 7011 Chesapeake Road, and is located approximately 110 feet east of the intersection of MD 450 (Annapolis Road) and Chesapeake Road.
4. **Surrounding Uses:** To the northeast of the subject property is MD 410 (Veterans Parkway/ East-West Highway). To the northwest and south of the subject property are commercial developments in the Neighborhood Activity Center (NAC) Zone, formerly the M-X-T Zone. To the southwest of the subject property is Chesapeake Road, and beyond it, commercial and institutional development in the NAC Zone, formerly the Mixed Use-Infill (M-U-I) Zone.
5. **Previous Approvals:** The subject property consists of a 3.0-acre parcel known as Parcel 21, which is recorded in the Prince George’s County Land Records, by deed, in Liber 16451 folio 730. There are no prior preliminary plans of subdivision (PPS), or final plats of subdivision approved for the subject property.

The Countywide Sectional Map Amendment (Prince George’s County Council Resolution CR-136-2021) reclassified the subject property from the M-X-T Zone to the NAC Zone, effective April 1, 2022.

6. **Design Features:** The subject property is currently vacant and in a natural state, with significant tree coverage. The applicant plans to develop a mixed-use development with residential and office uses, which will be constructed in one building, in one phase. The building will include approximately 245 to 300 multifamily dwelling units and approximately 1,300 to 2,500 square feet of office space. The building will also include a three-story parking garage for future residents and visitors. As a result, the building height will be approximately 100 to 110 feet.

The subject site is located less than a five-minute walking distance from a future Purple Line station. The submitted site plan also shows the placement of the approved building, with potential residential building entrances, office space, and other on-site amenities, including a community entry sign, open space, and recreational facilities. Lastly, the plan shows one entry/exit point located on Chesapeake Road, serving both pedestrian and vehicular circulation.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **The 2010 Central Annapolis Road Approved Sector Plan and Sectional Map Amendment and the standards of the Development District Overlay (D-D-O) Zone:** The 2010 *Central Annapolis Road Sector Plan and Sectional Map Amendment* (sector plan) defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Central Annapolis Road Corridor. The land-use concept of the sector plan divides the corridor into four interrelated character areas, including the Glenridge Transit Village (Character Area A), the Existing Residential Neighborhoods (Character Area B), the Mixed-Use Transition Area (Character Area C), and the Retail Town Center (Character Area D).

The subject site is located within the Glenridge Transit Village of the sector plan. Located near a future Purple Line station, this character area is envisioned to develop as a vibrant, pedestrian-friendly, mixed-use node that supports community scaled, transit-oriented development, and new employment/commercial opportunities. The sector plan notes that Glenridge Transit Village can offer a neighborhood-oriented and affordable mix of land uses, including housing, offices, neighborhood-serving retail, and public space. Specifically, this area has potential for new and affordable mid-rise Class B office space, since it is located within walking distance of transit and services (page 58). Regarding housing development, the sector plan also envisions 400–500 new multifamily housing units (page 60).

The D-D-O Zone imposes architectural and site design standards to implement the sector plan's vision for the Central Annapolis Road Corridor and this character area, including bulk and yard requirements, setback requirements, parking access management, and building design (pages 145–153). The CSP provides an illustrative plan for a six-story, vertical mixed-use development, with internal parking and service areas, office use on the ground floor of the building, and residential units through the remainder of the building. The CSP appropriately considers these requirements. A condition is included herein requiring the applicant to update the total floors of the approved building, to be consistent with the building height. Pursuant to Section 27-548.25(b) of the prior Zoning Ordinance, a full evaluation of conformance with the D-D-O Zone standards will be completed at the time of DSP review.

8. **Prince George's County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T and the site plan design guidelines of the prior Zoning Ordinance.

- a. The subject CSP is in conformance with the requirements of Section 27-547, Uses Permitted, of the prior Zoning Ordinance, which governs permitted uses in the M-X-T Zone. The applicant plans to develop a mixed-use building, with an approved GFA range of 182,952-392,040 square feet, which includes approximately 245-300 multifamily dwelling units, and approximately 1,300-2,500 square feet of office space. Both multifamily residential and office uses are permitted in the M-X-T Zone.

Section 27-547(d) of the prior Zoning Ordinance requires at least two out of the following three categories of uses be present in every development in the M-X-T Zone:

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

The subject CSP includes two types of uses, as required, including office space of 1,300-2,500 square feet and 245-300 multifamily dwelling units. These approved uses conform to Section 27-547(d). Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined, at the time of CSP approval. Therefore, development of this property would be limited to 245-300 multifamily dwelling units, as approved in this CSP.

Although this CSP includes two uses, in accordance with Section 27-547(d), the “amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone.” As discussed below, a purpose of the M-X-T Zone is “[t]o 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.” The total square footage of non-residential uses seems inadequate considering the Transit Village vision based on the sector plan. Based on the purpose and intent of the M-X-T Zone, a consideration is included herein to further explore feasibility of increasing the total square footage of non-residential uses within the approved building.

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

**Section 27-548. – M-X-T Zone.**

**(a) Maximum floor area ratio (FAR):**

**(1) Without the use of the optional method of development—0.40 FAR;  
and**

**(2) With the use of the optional method of development—8.0 FAR.**

The subject CSP application has a range of FAR between 1.4 and 3.0, which is discussed in Finding 2 above. When the final GFA planned for this development is finalized, at the time of DSP, the applicant shall show that it is permitted to use the optional methods, in accordance with Section 27-545.

**(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 applicant plans to develop a mix of uses to include office space and residential uses on the M-X-T-zoned property, in one building, as permitted.

**(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 since this application is for a CSP. Subsequent DSP approvals will provide regulations for development on this property.

**(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 use.**

The development is subject to the applicable development district standards and the requirements of the 2010 *Prince George's County Landscape Manual* (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 incompatible land uses, at the time of 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.**

The FAR for the approved development ranges between 1.4 and 3.0. This will be refined further, at the time of DSP, relative to the final GFA of the approved buildings, in conformance with this requirement.

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

There are no private structures within the air space above, the ground below, or in public rights-of-way, as part of this development. Therefore, this requirement is not applicable to the subject CSP.

- (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.**

The subject property has frontage on, and direct vehicular access to, Chesapeake Road, which is a public right-of-way.

- (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 one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units**

**in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.**

This requirement is not applicable to this CSP because it does not include any townhouses.

- (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, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

The approved six-story, mixed-use building is approximately between 100 and 110 feet in height. Therefore, the approved building does not exceed 110 feet.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).**

The subject property was placed in the M-X-T Zone through a sectional map amendment (SMA), approved after October 1, 2006. However, no specific design guidelines were approved with the master plan for this property.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the prior Zoning Ordinance, which requires additional findings for the Prince George's County Planning Board to approve a CSP in the M-X-T Zone, as follows:

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

The approved development is in conformance with the purposes of the M-X-T Zone, as stated in Section 27-542 of the prior Zoning Ordinance, as follows:

**Section 27-542. Purposes.**

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers 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 CSP promotes the orderly development of land through an approved mixed-used building that is in proximity to a major transit stop of the Glenridge Purple Line. The development will contribute to a desirable living opportunity for its residents.



**(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;**

The sector plan recommends Mixed Use Commercial as the preferred land use for the subject property (page 129). This reflects the intent of the rezoning of the subject site from Commercial Office (C-O) to M-X-T, for its redevelopment with mixed-used residential and retail/office uses (page 132). The subject property is within Character Area A, Glenridge Transit Village, which is built around a Purple Line light rail station. Therefore, Glenridge Transit Village is positioned to evolve into a mixed-use transit village (page 59).

The subject CSP meets these recommendations because it comprises both residential and non-residential uses and is located less than a five-minute walking distance from a Purple Line station. However, the Planning Board recommends a consideration suggesting that the applicant provide additional commercial use to better align with the sector plan's recommendation for mixed-use commercial at this property.

The provision of affordable housing units aligns with the housing goals of the sector plan by increasing the residential diversity of housing types and providing a balanced mix of housing price points (page 68). With its location in proximity to a Purple Line station, future residents of the approved development will most likely use the Purple Line to access jobs, entertainment, or shopping. This will further support the provision of comfortable, convenient, and attractive pedestrian connections, particularly routes to the Purple Line station. In addition, it balances the need between arterial traffic along MD 450, and pedestrian and bicycle traffic associated with the Purple Line station.

Furthermore, since the property is also located in the D-D-O Zone, the applicant will be required to demonstrate compliance with the D-D-O Zone standards, which implement the recommendations of the sector plan, at the time of DSP.

**(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 CSP application takes full advantage of the development potential inherent in the M-X-T Zone by placing an approved mixed-used building, with affordable housing units, in an underutilized and isolated wooded site. In addition, the development is within walking

distance of a Purple Line station and the established shopping area, including Glenridge Shopping Center.

- (4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The approved development is less than a five-minute walking distance from a Purple Line station. Its location offers residents of this development an option to use public transit for various purposes. Such convenience will eventually have ripple effects on the enhancement of walking, biking, and transit use. Given this location, the Planning Board anticipates that future residents will gradually change their habits and become less dependent on automobiles.

- (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 will add residential and office uses to the existing commercial uses along MD 450. The additional future residents and employees will support a vibrant 24-hour environment. In particular, the future employees and residents at the project are anticipated to patronize the existing commercial businesses along MD 450, both during and after the workday.

- (6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;**

The CSP approves a vertical mix of land uses within one building. The approved uses will blend with nearby existing commercial, residential and office uses.

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

This will be further evaluated at the time of DSP when more information and details are available.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**

This will be further evaluated at the time of DSP when more information and details of the stormwater management (SWM) facilities are available.

**(9) To permit a flexible response to the market and promote economic vitality and investment; and**

The M-X-T Zone is one of the mixed-use zones that was created to allow flexibility to respond to the changing market. The approved residential units, including affordable housing units, will not only bring new residents but also promote economic vitality and additional investment to the area.

**(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.**

When architectural elevations and details are available at the time of DSP, architectural design for this development will be further evaluated. Since the subject property is located within the D-D-O Zone, building design of the development needs to comply with the district design standards, including building massing, sidewalk environment, style and detail, and focal intersection outlined in pages 150–153 of the sector plan. Compliance with these standards will be evaluated at the time of DSP.

**(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 or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;**

The sector plan placed the property in the M-X-T Zone, stating that rezoning these properties from Commercial Shopping Center (C-S-C) and C-O to M-X-T allows for redevelopment of these properties, with mixed-use residential and retail/office uses consistent with the plan's vision of transit-oriented development in the Glenridge Transit Village character area (page 132). The approved mixed-use development conforms to the SMA zoning change, which is addressed above. Although the development offers office space, its square footage is significantly smaller than the residential use. Subsequent reviews of the PPS and DSP should address this issue, in order for it to promote a mix of retail, office, and housing conducive to transit-oriented development, and retain and enhance

existing businesses, as a way to align economic development goals set forth on page 68 of the sector plan.

In addition to rezoning the property to the M-X-T Zone, the SMA also placed the property in the D-D-O Zone. Accordingly, at the time of DSP, since the property is also located in the D-D-O Zone, the applicant will be required to demonstrate compliance with the D-D-O Zone standards, which implement the development concept recommended by the sector plan.

**(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 approved development anticipates catalyzing adjacent and nearby community improvement and help rejuvenate the area because it sits at a critical connection among urban transit, a commercial corridor, and residential neighborhoods. In particular, the approved development is the first mixed-use development in the area and will catalyze further redevelopment. In addition, future employees and residents of the project will patronize existing businesses, which will encourage revitalization. At the time of DSP, the applicant should address and evaluate the relationship between the approved building and the streets and other urban design considerations.

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

The approved structure and use are compatible with the existing and planned development within the area, which includes a range of commercial uses, a variety of existing residential housing, and other institutional uses.

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

The area where the subject property is located consists of a mixture of commercial, institutional, and residential structures. The development approved in this CSP reflects a cohesive development capable of sustaining an independent environment of continuing quality and stability. In particular, the approved mixed-use building will enhance the existing development by providing an influx of new residents and employees to support existing businesses. The approved development will also contribute to the enhancement of the transit-oriented development in the area, given its location within walking distance of a Purple Line station. The specifics of the building design and arrangement will be further examined at the time of 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;**

This requirement is not applicable because this CSP contains only one building that will be constructed in one phase only.

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

An illustrative plan submitted with this CSP shows a potential pedestrian circulation within the subject site, allowing future residents safe pedestrian access to the approved building and to Chesapeake Road. The submitted plan also shows one vehicle access point along Chesapeake Road. The Planning Board finds the conceptual circulation to be sufficient and meets the required findings per Section 27-546(b)(7) of the prior Zoning Ordinance, which examines “physical and functional relationship of the project uses and components” within the M-X-T Zone. However, this requirement will be evaluated in detail, at the time of PPS and DSP.

- (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 above finding is not applicable because the subject application is a CSP. Further attention should be paid to the design of open space and other on-site amenities, at the time of DSP.

- (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, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, 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.**

The subject site was placed in the M-X-T Zone through a SMA. The applicant provided a traffic impact analysis that evaluated the impacts of the approved

development. The traffic impact analysis shows that, under all conditions, the eight critical intersections will operate at acceptable levels. The Purple Line will impact the rear of the site. To accommodate the nearby metro station, an additional lane northbound on MD 410 onto MD 450 will be constructed. Both with and without the planned additional lane, the intersection of MD 410 and MD 450 will operate at acceptable levels. In addition, the intersection of MD 410 and Ellin Road is currently closed due to the construction of the Purple Line. Accordingly, there is no current data for this intersection, and the traffic impact analysis evaluated this intersection using the most recent data that was available for existing conditions. As a result, the study shows that the intersection will operate at acceptable levels, with the inclusion of the approved development, under future conditions. At the time of PPS, an additional traffic analysis will be conducted, and adequacy will be determined at that time.

- (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 provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated at the time of DSP for this project.

- (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 27-548.**

The subject property measures 3.00 acres and does not meet the above acreage requirement. Furthermore, this CSP is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- c. Section 27-274 of the prior Zoning Ordinance provides the design guidelines related to CSPs, as follows:

(1) **General.**

- (A) **The Plan should promote the purposes of the Conceptual Site Plan.**

The approved development is in conformance with the general and specific purpose of a CSP, in accordance with Section 27-272 of the prior Zoning Ordinance. Specifically, the mixed-use development will be based on the underlying zone, the site design guidelines, and the principles for orderly, planned, efficient, and economic development contained in the 2014 *Plan Prince George's 2035 Approved General Plan*, sector plan, and other plans.

The subject CSP application shows the relationship between residential and non-residential uses within the approved development, between on-site uses and adjacent uses, and between the approved development and the Purple Line. The CSP also illustrates approximate locations of the approved building and other physical features. The associated plans, including Type 1 Tree Conservation Plan TCP1-020-2023 and Natural Resources Inventory NRI-045-2023, illustrate general grading, woodland conservation areas, preservation of sensitive environmental features, planting, sediment control, and SWM concepts to be employed in any final design for the site. The applicant has included a brief description of the planned architecture and street furniture on page 6 of their statement of justification (SOJ). These details will be evaluated at the time of DSP.

**(2) Parking, loading, and circulation.**

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site...**

The approved development includes a three-story parking garage located under the building, with some surface parking spaces along the building and buffered by landscaping. Therefore, minimum pavement will be used for surface parking. The surface parking allows those visiting and employed by the office to experience minimal conflict with the residential parking. Parking spaces are planned to allow visitors and residents to leave their vehicles and enter the building without having conflicts with pedestrians. The location and adequacy of parking will be further evaluated at the time of DSP.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians...**

The site plan submitted with this CSP illustrates a single full-movement access point to the site from Chesapeake Road, to include an internal round-about configuration to allow drop-off at the main building

entrance. This drop-off area will also be used for loading. Consolidating drop-off and loading is intended to minimize conflict between trucks and pedestrians. This concept will be further evaluated at the time of DSP.

**(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...**

The submitted illustrative plan shows the conceptual pedestrian and vehicular circulation within the subject site and a pedestrian connection to a Purple Line station. Specifically, the site plan shows a vehicle and pedestrian circulation plan that prioritizes pedestrian movement throughout the site, as well as access to transit. The circulation plan also reduces conflict between vehicles and pedestrians. Further details of the planned circulation will be provided and evaluated at the time of PPS and DSP.

**(3) Lighting.**

**(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character...**

Page 8 of the SOJ notes an assortment of lighting features to be included in the development to meet this requirement. Design location and details of lighting will be further evaluated at the time of DSP, when required information is available.

**(4) Views.**

**(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The site does not include vast scenic views. However, the applicant has indicated that the location and massing of the approved building is positioned and designed to minimize building impacts to nearby residential and commercial buildings. The applicant hopes to maximize open views of the planned residential dwelling units from amenity space. This concept will be evaluated at the time of DSP.

**(5) Green Area.**

**(A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use...**



The site plan submitted with this CSP shows a central green area/amenity space near the entrance of the residential portion of the building. Its location is visible and accessible and will be buffered with landscaping from the surface parking area and driveway. The design of this green area will be further evaluated at the time of DSP.

**(6) Site and streetscape amenities.**

**(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site...**

The submitted site plan shows a central green/amenity space, in which on-site amenities will be located, as noted on page 8 of the SOJ. This space will be visible and accessible to future residents and will not obstruct pedestrian circulation. However, the design and type of amenities will be discussed and evaluated at the time of DSP, to ensure the visual unity of the site, as well as to accommodate disabled people, and should be appropriately scaled for user comfort.

**(7) Grading.**

**(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...**

The site has a steep topography that requires extensive grading for the approved development. There is an existing retaining wall between the subject site and the Purple Line. An extension of this wall or a second wall may be required, as noted on page 10 of the SOJ. Information related to grading will be further evaluated in the subsequent review processes.

**(8) Service Areas.**

**(A) Service areas should be accessible, but unobtrusive.**

Page 8 of the SOJ notes that the development will have an internal trash collection area to serve both residential and office uses. A staging area will also be located next to the garage entry ramp for pickup on trash day. This requirement will be further evaluated at the time of DSP.

**(9) Public Spaces.**

- (A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

The submitted site plan shows an easily accessible green/amenity space located in the center of the subject site and in front of the approved building. This space will be designed to accommodate various activities. Other details, such as seating, landscaping, and amenities will be evaluated at the time of DSP.

**(10) Architecture.**

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) These guidelines may be modified in accordance with Section 27-277.**

Page 12 of the SOJ notes that building materials for the approved development should be consistent with nearby office, commercial and residential buildings, such as masonry and bricks. Architectural details of building design will be examined when more information is available at the time of DSP.

**(11) Townhouses and Three-Story Dwellings.**

This requirement is not applicable to this CSP because no townhouse or three-story units are included.

- d. In accordance with Section 27-574 of the prior Zoning Ordinance, the number of parking spaces required in the M-X-T/D-D-O Zones is to be calculated by the applicant and submitted for Planning Board approval, at the time of DSP. In addition, page 149 of the sector plan specifies the modification of the minimum and maximum parking requirements that are determined by Section 27-574. Adequate parking for the planned residential units will be addressed and evaluated, at the time of DSP. Detailed information regarding the methodology and procedures to be used, in determining the parking ratio, is outlined in Section 27-574(b) of the prior Zoning Ordinance. At the time of DSP review, demonstration of adequacy of planned parking, including visitor parking and loading configurations, will be required for the development.

9. **2010 Prince George's County Landscape Manual:** The sector plan notes that, the regulations and requirements of the Landscape Manual shall apply to the D-D-O Zone, unless the Central Annapolis Road development standards specify otherwise (page 182). Since the subject property is located in the prior M-X-T Zone, this development will be subject to the requirements of the Landscape Manual, at the time of DSP, as modified by the D-D-O Zone. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The provided CSP shows the approximate locations of the various landscape buffers. The relevant schedules are also noted on the plan. A condition is included herein requiring the applicant to correct Schedule 4.1-3 to Schedule 4.1-4. The development will be required to demonstrate conformance with the applicable development district standards and Landscape Manual requirements at the time of DSP.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. TCP1-020-2023 was submitted with the subject CSP application.

Based on the TCP1 submitted with this application, the site contains 2.79 acres of woodland in the net tract and has a woodland conservation threshold of 0.45 acre (15 percent). The woodland conservation worksheet approves the removal of 2.79 acres of woodland, resulting in a woodland conservation requirement of 1.49 acres. According to the TCP1 worksheet, the requirement is approved to be met with 1.49 acres of off-site woodland conservation credits. The environmental letter of justification provided with the application indicates that on-site preservation, afforestation, and reforestation cannot be met as it would limit the developable area of the site. The site has a 50-foot drop in elevation from the western side of the property to the east. This results in extra earthwork and grading limiting the amount of woodland on-site.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is 3.00 acres and the required TCC is 0.3 acre. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured, at the time of DSP.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and incorporated herein by reference:
  - a. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated December 1, 2023 (Stabler, Smith, and Chisholm to Huang). The Historic Preservation Section offered the following comments:

The sector plan contains minimal goals and policies related to historic preservation, and these are not specific to the subject site, or applicable to the approved development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates the probability of archeological sites within the subject property is low. The subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.

- b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated January 10, 2024 (Dickerson to Huang). The Community Planning Division noted that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 2 of the Prior Zoning Ordinance, master plan conformance is not required for this application.
- c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated January 17, 2024 (Daniels to Huang). The Transportation Planning Section provided comments on this CSP, as follows:

**Master Plan Right of Way**

The site is subject to the 2009 *Countywide Master Plan of Transportation (MPOT)* and sector plan. The subject property fronts Chesapeake Road, which is a local road. Neither the MPOT nor the sector plan contain lane designations or right-of-way recommendations for Chesapeake Road. The rear of the site fronts MD 410 (Veterans Parkway/East-West Highway/MPOT Designation A-15), an arterial roadway. In addition, the segment of MD 410 adjacent to the site is being developed with a light rail station for the Maryland Transit Administration Purple Line project. The Purple Line's Glenridge Station is located less than 400 feet from the site, at the intersection of MD 410 and MD 450.

The applicant has not listed the right-of-way designation for Chesapeake Road and MD 410 on the plan sheets. At the time of PPS, the applicant should provide the proper right-of-way for Chesapeake Road and MD 410 across all plan sheets.

**Master Plan Pedestrian and Bike Facilities**

The MPOT recommends the following facilities that are adjacent to the site:

- Shared Lanes: Chesapeake Road
- Planned bicycle lanes: MD 410

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

**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.**

**Policy 3: Small area plans within the Developed and Developing Tiers should identify sidewalk retrofit opportunities in order to provide safe routes to school, pedestrian access to mass transit, and more walkable communities.**

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

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

**Policy 6: Work with the State Highway Administration and the Prince George's County Department of Public Works and Transportation to develop a complete streets policy to better accommodate the needs of all users within the right-of-way.**

The sector plan also recommends the following strategy (page 51):

- **In the short term, develop a bike route, in the form of a shared-use roadway, using local, low-volume neighborhood streets. The bike route should be designed to meet three key objectives: (1) giving priority to bicycle mobility and comfort; (2) preserving auto access to all local land uses; and (3) discouraging cut-through auto traffic. Install wayfinding signs designating it as a preferred bicycle route.**

The applicant shall provide a minimum of 5-foot-wide sidewalk along the property's frontage of Chesapeake Road. In addition, the MPOT recommends a shared-use roadway along Chesapeake Road.

#### **Bicycle and Pedestrian Adequacy**

The subject property is in the M-X-T Zone and, therefore, is subject to Section 24-4506 of the Prince George's County Subdivision Regulations, for pedestrian and bicycle adequacy. Per Section 24-4506(c)(1)(B)(i) of the Subdivision Regulations, the subject property will also be subject to a cost cap. The scope and the details of the off- and on-site improvements will be evaluated at the time of PPS.

- d. **Subdivision Review**—The Planning Board has reviewed and adopts the memorandum dated January 16, 2024 (Vatandoost to Huang). The Subdivision Review Section noted that the approved development will require a PPS, a final plat, and a certificate of

adequacy (ADQ), in accordance with Section 24-1904(c) of the Subdivision Regulations. PPS 4-23005 and ADQ-2023-008 have been submitted for this site, which are currently in pre-acceptance review. This CSP should be approved prior to the approval of the PPS. Additional comments include the following:

- (1) The CSP identifies one location for planned on-site recreational facilities, which includes an amenity space. The adequacy of any on-site recreational facilities to satisfy the mandatory dedication of parkland requirement will be evaluated at the time of PPS. Recreational facilities should include a mix of active and passive recreation, indoor and outdoor, for all seasons and age groups.
- (2) The property is located adjacent to MD 410, a master-planned arterial road, and the Purple Light Rail line. A Phase I noise study will be required with the PPS to demonstrate that any planned outdoor recreation areas and the interior of multifamily dwelling units are not impacted by noise. A vibration analysis should also be provided to evaluate the impact of the future rail line. The noise study should be prepared to address current Prince George's County Planning Department requirements to model noise levels using the equivalent level of noise (Leq) from 7:00 a.m. to 10:00 p.m. and 10:00 p.m. to 7:00 a.m. with noise models for each time frame for upper and ground level measurements. The unmitigated 55 dBA Leq lower contour from 10:00 p.m. to 7:00 a.m. will also need to be provided, with respect to planned outdoor activity areas. Using these contours, the noise study should demonstrate that the approved development will be mitigated to 65 dBA and 55 dBA for outdoor activity areas at daytime and nighttime respectively, and/or provide the mitigation technique(s) that will be used to achieve the desired noise levels.
- (3) The subject property has frontage on a public right-of-way along the northeastern boundary (MD 410) and along the southwestern boundary (Chesapeake Road). The CSP approves one access point to Chesapeake Road while no direct access is planned to MD 410. No additional dedication of right-of-way, internal public or private streets are planned for the development. Any required right-of-way dedication will be reviewed further with the PPS application. Moreover, the location of required public utility easements along all public streets will be determined with the PPS and should be in accordance with Section 24-122(a) of the prior Subdivision Regulations.

- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated January 15, 2023 (Rea to Huang). The Environmental Planning Section provided comments on the subject application, as follows:

**Natural Resources Inventory**

NRI-045-2023 was approved on June 23, 2023, and is provided with this application. This site is not associated with any regulated environmental features (REF) such as streams, wetlands, or associated buffers; however, on the property to the east of this site there is an isolated wetland whose buffers encroach onto this site. Four specimen trees

are associated with this site. The TCP1 and CSP show all the required information correctly in conformance with the NRI. No additional information is required for conformance to the NRI.

### **Specimen Trees**

Section 25-122(b)(1)(G) of the Prince George's County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the [Environmental] Technical Manual." The code, however, is not inflexible.

The authorizing legislation of the WCO is the Maryland Forest Conservation Act, which is codified under Title 5, subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in the WCO are set forth in Section 25-119(d) of the County Code. Section 25-119(d)(4) of the County Code clarifies that variances granted under Subtitle 25 are not considered zoning variances.

The approved NRI identifies a total of four specimen trees. The following analysis is the review of the request to remove four specimen trees located on-site.

A Subtitle 25 variance was submitted for review with this application. The TCP1 shows the removal of Specimen Trees ST-1 through ST-4, for a total of four specimen trees. The condition of trees planned for removal ranges from very poor to good.

### **SPECIMEN TREES PROPOSED FOR REMOVAL ON TCP1-020-2023**

<b>Specimen Tree Number</b>	<b>Species</b>	<b>Condition</b>	<b>DBH (inches)</b>	<b>Reason for Removal</b>	<b>Applicant's Disposition</b>
1	White oak	Very Poor	32	Stormwater Management	Remove
2	White oak	Good	30	Mixed-use building	Remove
3	White oak	Poor	36	Mixed-use building	Remove
4	Eastern cottonwood	Fair	32	Mixed-use building	Remove

Environmental Planning staff support removal of the four specimen trees, as requested by the applicant. Section 25-119(d) contains six required findings, listed in **bold** below, to be made before a variance from the WCO can be granted. An evaluation of this variance request, with respect to the required findings, is provided below:

**(A) Special conditions peculiar to the property have caused the unwarranted hardship.**

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship if the applicant were required to retain the four specimen trees. As detailed below, those “special conditions” relate to the specimen trees themselves, such as their size, condition, species, and on-site location.

The property is 3.00 acres and irregularly shaped. The TCP1 shows no primary management area on-site. However, the site is fully wooded, and the specimen trees have grown to size across the property. Furthermore, the site has a steep topography, and extensive grading is required for the development of the project. Accordingly, the applicant plans removal of Specimen Trees ST-1 through ST-4:

- ST-1 through ST-3 are located in the southeastern portion of the site. In order to make this site developable, a fair amount of grading will occur in the critical root zone area of these trees. Also, most of the stormwater facilities and stormdrain systems are located in the area of these trees.
- In addition, ST-1 and ST-3 are in very poor and poor condition, respectively. While ST-2 is in good condition, it is located more centrally within the southeastern area of the site, in an area needed for building, grading, and SWM. All three trees are white oaks, which have a poor construction tolerance. Complete retention of these trees would severely limit the developable area of the site.
- ST-4 is located near the vehicular access point of the project, along Chesapeake Road. The site has limited frontage along Chesapeake Road; therefore, the site access cannot be moved such that it does not impact ST-4. In addition, locating site access along MD 410 is not recommended because MD 410 is an arterial road. Construction of the access requires removal of ST-4. ST-4 is an Eastern Cottonwood, which is in fair condition, but has weak wood and poor construction tolerance.

In summary, requiring the applicant to retain the four specimen trees on-site, by designing the development to avoid impacts to the critical root zones, would limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship, particularly given the steep topography on the property, and the need to substantially grade the site in order to effectively develop the property.



**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.**

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical root zones, would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the Environmental Technical Manual, for site specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen trees planned for removal, retaining the trees and avoiding disturbance to the critical root zone for the necessary grading and stormwater facilities would have a considerable impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria. The approved mixed residential and commercial development is a use that aligns with the uses permitted in the M-X-T Zone. The specimen trees requested for removal are located within the developable parts of the site.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.**

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar developments featured specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application.

**(D) The request is not based on conditions or circumstances, which are the result of actions by the applicant.**

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant. The removal of the four specimen trees would be the result of the grading required for the development. The request to remove the trees is solely based on the trees' locations on the site, their species, and their condition.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.**

There are no existing conditions relating to land, or building uses on the site, or on neighboring properties, which have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

**(F) Granting of the variance will not adversely affect water quality.**

Granting this variance request will not violate state water quality standards nor cause measurable degradation in water quality. Requirements regarding SWM will be reviewed and approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Erosion and sediment control requirements are reviewed and approved by the Prince George's County Soil Conservation District. Both SWM and sediment and erosion control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the state's standards. State standards are set to ensure that no degradation occurs.

The required findings of Section 25-119(d) have been adequately addressed for the removal of four specimen trees, identified as ST-1 through ST-4. The Planning Board approves the requested variance for the removal of four specimen trees for construction of mixed-use development.

**Soils**

The predominant soils found to occur on-site, according to the United States Department of Agriculture, Natural Resources Conservation Service Web Soil Survey are Russett-Christianana-Urban land complex, Christianana-Downer-Urban land complex, and Urban land. Marlboro clay is not found on or near this property.

A geotechnical report, titled "Geotechnical Engineering Report, Braun Intertec-Hyattsville" prepared by ECS Mid-Atlantic, LLC and dated September 29, 2023, was submitted on January 5, 2024. The report confirmed a high plasticity clay is present on-site, known as Christiana clay, which has been found to cause slope stability issues in Prince George's County. A slope stability analysis for unmitigated conditions shall be performed and submitted at the time of PPS. In addition, a slope analysis for mitigated conditions shall be submitted at the time of DSP. The 1.5 factor of safety lines, if any, shall be delineated on the TCP1 and Type 2 tree conservation plan. Structures shall not be planned at elevations lower than the 1.5 factor of safety line. The building restriction line shall be at least 25 feet uphill from the 1.5 factor of safety line. The slope analysis shall be performed in compliance with DPIE's Techno-Gram 005-2018, Geotechnical Guidelines for Soil Investigations and Reports.

**Stormwater Management**

An unapproved SWM concept plan was submitted with the subject application. Planned SWM features include four micro-bioretenment facilities and underground storage pipes. No further information is required regarding SWM with this application.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated January 16, 2024 (Thompson to Huang). DPR noted that planned on-site recreation facilities, including outdoor active and passive amenities, will be further evaluated to fulfill the dedication of parkland requirement at the time of PPS review.
  - g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—As of writing of this resolution, DPIE did not offer comments on the subject application.
  - h. **Prince George's County Fire/EMS Department**—As of writing of this resolution, the Fire/EMS Department did not offer comments on the subject application.
  - i. **Prince George's County Police Department**—As of writing of this resolution, the Police Department did not offer comments on this application.
  - j. **Prince George's County Health Department**—The Planning Board has reviewed and adopts the memorandum dated December 20, 2023 (Adepoju to Huang). The Health Department offered comments addressing noise and dust during the construction phases, to not adversely impact adjacent properties.
  - k. **Maryland State Highway Administration (SHA)**—As of writing of this resolution, SHA did not offer comments on the subject application.
  - l. **Washington Metropolitan Area Transit Authority (WMATA)**—As of writing of this resolution, WMATA did not offer comments on the subject application.
  - m. **City of New Carrollton**—The subject property is located within one quarter mile of the geographic boundary of the City of New Carrollton. The CSP application was referred to the City for review and comments on January 11, 2024. As of writing of this resolution, the City of New Carrollton did not offer comments on the subject application.
  - n. **Town of Landover Hills**—The subject property is located within one quarter mile of the geographic boundary of the Town of Landover Hills. The CSP application was referred to the Town for review and comments on January 11, 2024. The town mayor, Jeffery Schomisch, sent a letter signed by him and the Town Council of Landover Hills, dated October 23, 2023, expressing their concerns about the insufficient number of on-site parking spaces included in the planned development and potential increase of traffic congestion the development will bring to the area. These issues will be further evaluated, at the time of PPS, ADQ, and DSP review, as applicable.
13. **Community Feedback:** On February 15, 2024, the Mayor of the Town of Landover Hills, Jeffery Schomisch, spoke at the Planning Board hearing and reiterated their concerns of parking and traffic, and noted that they understand these issues will be further evaluated in subsequent review phases. He expressed their support for consideration of including office space in the development, as indicated in the sector plan. He talked about the need for improving MD 450 and

supported the idea of making Chesapeake Road more pedestrian and bicycle friendly. He hoped that the improvement of pedestrian and bicycle on Chesapeake Road could be extended to Gallatin Street.

14. Based on the foregoing, and as required by Section 27-276(b)(1) of the prior Zoning Ordinance, the CSP, approved with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
15. Section 27-276(b)(2) of the prior Zoning Ordinance does not apply to this CSP because it is not for a mixed-use planned community.
16. Section 27-276(b)(3) of the prior Zoning Ordinance does not apply to this CSP because it is not for a regional urban community.
17. As required by Section 27-276(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a CSP is as follows:

**(4) The plan 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).**

No REFs are located on the subject property. Therefore, this finding does not apply.

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 Type 1 Tree Conservation Plan TCP1-020-2023, and APPROVED a Variance to Section 25-119(d), and further APPROVED Conceptual Site Plan CSP-23001 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
  - a. In Note 23, under General Notes, correct Schedule 4.1-3 to Schedule 4.1-4.
  - b. Show the extent and limits of the ultimate right-of-way along the subject property's frontage of Chesapeake Road and MD 410(Veterans Parkway/East-West Highway).
  - c. Clarify and update the total floors of the approved building on the plan to be consistent with the building height ranging between 100 and 110 feet.
2. Prior to the acceptance of a preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall include a slope stability analysis for unmitigated conditions in the application package.

3. Prior to acceptance of the detailed site plan, a slope stability analysis for mitigated conditions shall be included in the application package.
4. Prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall show the following facilities on a pedestrian and bike facilities plan:
  - a. A minimum 5-foot-wide sidewalk, and shared roadway pavement markings and signage along the property frontage of Chesapeake Road, unless modified by the operating agency, with written correspondence.
  - b. A minimum 5-foot-wide sidewalk from the building entrance to the frontage of Chesapeake Road.
  - c. Americans with Disabilities Act (ADA)-compliant curb ramps and crosswalks along any required on-site and off-site accessible route. The ADA compliancy of the off-site route is subject to approval by the operating agency.
  - d. Designated pathways for pedestrians throughout the site to all uses and through surface parking lots.
  - e. On-site amenities to be accessible and functional throughout the site, as required by applicable codes, to accommodate the mixed-use community.
  - f. Long-term bicycle parking within the multifamily building and short-term bicycle parking near the building entrance, in accordance with the American Association of State Highway and Transportation Officials (AASHTO) guidelines.
  - g. Short-term bicycle parking for commercial areas at a location convenient to the buildings, in accordance with the American Association of State Highway and Transportation Officials (AASHTO) guidelines.

**Consideration:**

1. The subject conceptual site plan application is located within walking distance of a Purple Line station, which can fully bring the vision of the 2010 Approved Central Annapolis Road Sector Plan and Sectional Map Amendment to fruition. The site has potential to foster community-oriented businesses, such as doctors' offices, small accounting firms, and banks, which may be attractive tenants. Its location can be attractive for back-office space for companies seeking affordable locations, with regional access necessary to support information technology, accounting, and other services. Explore opportunities to offer office space to these types of businesses as part of the mixed-use component of the building. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone, in accordance with Section 27-547(d) of the prior Prince George's County Zoning Ordinance.


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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, February 15, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of March 2024.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:TH:rpg

  
Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel