



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 16-36

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File No. DDS-624

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Design Standards DDS-624, National Harbor-Beltway Parcel-Proposed Parcel 5, requesting a departure from design standards for the size of parking spaces within a parking garage in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on March 3, 2016, the Prince George's County Planning Board finds:

1. **Request:** The subject Departure from Design Standards application is for the purpose of seeking relief from Section 27-558(a) of the Zoning Ordinance for a parking space size of 9 feet by 18 feet for all non-handicapped spaces on Parcel 5 only. This case is companion to Detailed Site Plan DSP-07073-02 which includes the following specific development proposal:

- Parcel 1—6,600 square feet of gas station and food and beverage store;
- Parcel 2—A 500-square-foot building and a heliport;
- Parcel 3—The Addison Family Cemetery (Historic Site 80-050);
- Parcel 5—1,271,000 square feet, including a 500-room hotel, 891 multifamily residential units (189 timeshare), retail, restaurant, entertainment, and accessory uses;
- Parcel 6—Parking lot, commercial recreational/outdoor exhibition, displays, entertainment and performance; and
- Parcel 7—Parking lot, commercial recreational/outdoor exhibition, displays, entertainment and performance.

Previous development shown on Parcel 4-A, as approved in Detailed Site Plan DSP-07073-01, is not affected by this application.

2. **Development Data Summary:**

Zone Uses	EXISTING	APPROVED
	M-X-T Commercial, Recreational/Outdoor Exhibition Areas	M-X-T Gas Station, Food And Beverage Store, Entertainment, Hotel, Retail, Restaurants, Multifamily Residential, Commercial Recreational/Outdoor Exhibition
Acreages:		
Original Parcel 94 (total gross acreage)	49.66	49.66
of which Proposed Parcel 1		2.75
Proposed Parcel 2		1.31
Proposed Parcel 3		0.05
Parcel 4-A (DSP-07073-01)	22.76	22.76
Proposed Parcel 5		8.67
Proposed Parcel 6		6.01
Proposed Parcel 7		7.26
Proposed Parcel A (West Road)		0.85
Gross Floor Area:		
Parcel 1 (DSP-07073-02)		
Total Gross Floor Area		6,600 sq. ft.
Parcel 2 (DSP-07073-02)		
Total Gross Floor Area		500 sq. ft.
Parcel 3 (DSP-07073-02)		
Total Gross Floor Area		0
Parcel 4 (DSP-07073-01)		
Total Gross Floor area		1,078,237 sq. ft.
Parcel 5 (DSP-07073-02)		
Total Gross Floor Area		1,271,000 sq. ft.
Parcel 6 (DSP-07073-02)		
Total Gross Floor Area		0
Parcel 7 (DSP-07073-02)		
Total Gross Floor Area		0
Floor Area Ratio (FAR)		
Gross floor area of Beltway Parcel	2,356,337 sq. ft.	
Gross floor area of Waterfront	4,277,153 sq. ft.	
Total gross floor area for the entire National Harbor	6,633,490 sq. ft.	
Area of the entire property associated with the CSP	537.17 acres	
FAR proposed	0.28	
FAR allowed per the CSP	0.31	

OTHER DEVELOPMENT DATA

Parcel 1	REQUIRED	APPROVED
Total Parking Spaces	38	61
Handicapped Spaces	2	2
Total Loading Spaces	1	1
Bicycle Parking Spaces	0	8

Parcel 2	REQUIRED	APPROVED
Total Parking Spaces	3	9

Parcel 5	REQUIRED	APPROVED
Total Parking Spaces	1,904	2,070*
Handicapped Spaces	30	30
Total Loading Spaces	7	6
Bicycle Parking Spaces	0	120

***Note:** See Finding 7d for a discussion of the requested departure from design standards for parking space size of 9 feet by 18 feet for all non-handicapped spaces on Parcel 5 only.

3. **Location:** The subject site is generally located approximately one mile northeast of the Woodrow Wilson Bridge, in the southwest quadrant of the intersection of the Capital Beltway (I-95/495) and Indian Head Highway (MD 210), in Planning Area 80 and Council District 8. The tract is south of I-95/495, and west of Oxon Hill Road, with frontage on Oxon Hill Road to the east, National Avenue to the north, and Harborview Avenue to the south. The Beltway Parcel is on an elevated plateau overlooking the waterfront entertainment/retail complex portion of National Harbor. The subject property for the Beltway Parcel is currently identified as Parcel 94 (residue of) on Tax Map 104 in Grid E-1, E-2, and F-1 of the Prince George's County Land Records.
4. **Surrounding Uses:** The subject site has a long narrow configuration (approximately 3,400 feet long and 600 feet wide) stretching northeast to southwest along the Capital Beltway (I-95/495), which forms the northwest boundary of the parcel. The Beltway Parcel also has approximately 1,200 feet of frontage on Oxon Hill Road. The land across I-95/495 from the Beltway Parcel is occupied by the Oxon Hill Children's Farm, owned by the National Park Service. On the south and east sides of the site is land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), Betty Blume Neighborhood Park, and the grounds of Oxon Hill Manor. Across Oxon Hill Road to the east is the Salubria office building and the Tanger outlet shopping center. The Addison Family Cemetery (Historic Site 80-050), which will be preserved and incorporated into this plan of development, is located within the north side of proposed Parcel 5.
5. **Previous Approvals:** The site is a part of the larger development known as National Harbor, which has a long approval history and consists of two major land areas, the Waterfront Parcel and the Beltway Parcel. All M-X-T-zoned properties within the National Harbor development were

rezoned through eight zoning map amendments approved in the 1980s and 1990s. The M-X-T Zone was originally approved with conditions for part of the National Harbor site in 1983 in response to six individual rezoning applications, A-5619, A-5620, A-5621, A-5635, A-5636, and A-9433, which were consolidated for a waterfront project proposal known as the Bay of America. The Rural Residential (R-R) Zone represents the original zoning applied to the area when it first became subject to zoning authority in 1957. The 1984 *Approved Subregion VII Sectional Map Amendment* recognized the existing M-X-T and R-R Zones for this property. An addition to the M-X-T Zone at the northeast end of the property along Oxon Hill Road was approved with conditions by application A-9593 in 1986, in conjunction with a second development proposal for the waterfront center known as Port America. The Residential Medium Development (R-M) Zone on the southeastern side of the property near Oxon Hill Road was approved with conditions by application A-9825 in 1990, also in conjunction with Port America project.

Originally, the subject property was approved with Preliminary Plan of Subdivision 4-88081, then known as Port America, and adopted by the Prince George's County Planning Board in June of 1988. The preliminary plan approved 12 parcels (Parcels A-L) and 3 outlots, for a total of 82.13 acres.

Subsequent to the approval of 4-88081, the site was approved for Detailed Site Plan DSP-88045, also in June of 1988. The Beltway Parcel was cleared of trees, graded, and stabilized in the late 1980s in accordance with that approved DSP.

Detailed Site Plan DSP-88087 was approved in October of 1988. Subsequently, the land area of Parcel L, 17.51 acres, was dedicated by deed to the Maryland State Highway Administration (SHA) for the Capital Beltway (I-95/495). The remainder of the site, 64.62 acres, was recorded in accordance with the approved preliminary plan and DSP into 11 parcels (Parcels A-K), 7 outlots (Outlots A-G), and 3 rights-of-way dedicated for public use (North Port America Grande Boulevard, South Grande Boulevard, and Port America Grande Boulevard) in Plat Book NLP 153, plat 56 through 59, in June of 1990.

A Vacation Petition (V-06004) to vacate a total of 64.45 acres was approved by the Planning Board (PGCPB Resolution No. 06-287) in January of 1990. This vacation petition included Subdivision Plat NLP 153, plat 56 through 59 in their entirety, except for Outlots E, F, and G (0.17 acre) which were conveyed to the M-NCPPC (recorded in Liber 7684 at Folio 513).

In 1998, the Prince George's County District Council affirmed the Planning Board's decision on Conceptual Site Plan CSP-98012 for National Harbor for approximately 534 acres of land in the M-X-T, R-R, and R-M Zones, including the subject site.

In 2001, Preliminary Plan of Subdivision 4-01048 for the entire 534 acres was approved by the Planning Board (PGCPB Resolution No. 01-163).

In April of 2006, the *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (Henson Creek-South Potomac Master Plan and SMA) retained the subject site in the M-X-T Zone.

In 2008 and 2014, revisions to the CSP (01 and 02 respectively) were submitted and approved for the Waterfront Parcel only, which did not affect the Beltway Parcel.

Detailed Site Plan DSP-07073 was approved by the Planning Board on July 9, 2009 for 6,600 square feet of commercial uses on the current proposed Parcel 7, as well as a large paved area for recreational/outdoor exhibition, displays, entertainment, or performance uses on proposed Parcels 4 and 5 (shown as Parcel A at that time). Detailed Site Plan DSP-07073-01 for a 1,078,237-square-foot entertainment establishment of a commercial nature with a video lottery facility on Parcel 4-A was approved by the Planning Board on May 8, 2014 and subsequently appealed to the District Council. The Council heard the case on July 14, 2014 and issued an order of approval for the application on July 21, 2014. Detailed Site Plan DSP-07073-03 for minor signage, landscaping, and architectural changes to Parcel 4-A was approved by the Planning Director on October 14, 2015.

The site also has an approved Stormwater Management Concept Plan, 48280-2007-00, pursuant to which the stormwater pond for the Beltway Parcel was constructed and is located in Betty Blume Park on M-NCPPC-owned land. In addition, Stormwater Management Concept Plan 46294-2015, dated November 19, 2015, applies to the subject site.

Detailed Site Plan DSP-07073-02 was approved by the Planning Board on March 3, 2016 and is companion to this application.

6. **Design Features:** The subject DSP proposes multiple pieces of development on separate proposed parcels as follows:

Parcel 1—Proposed Parcel 1 is located in the far northeast corner of the Beltway Parcel with frontage on Oxon Hill Road to the east, National Avenue to the south, and the Capital Beltway (I-95/495) to the north. It is proposed to be developed with a 6,600-square-foot gas station and food and beverage store, which is a relocation and combination of the uses previously approved on Parcel 7 (formerly Lot 3) in DSP-07073. The rectangular, one-story, 26-foot-high building sits along the eastern edge of the parcel fronting on Oxon Hill Road, with eight multi-product dispensers under a canopy to the west. Parking spaces are located to the north and west of the building with the proposed dumpster and loading area along the northern end of the property. A one-way-in drive from Oxon Hill Road is located north of the building. Along National Avenue, a right-in and right-out drive is located south of the building, with a full-access driveway located at the western end of the parcel. One 30-foot-high, internally-illuminated, aluminum freestanding sign with a stone base is located along Oxon Hill Road, with a similar ten-foot-high sign located along the National Avenue frontage. A 180-square-foot stone and aluminum “National Harbor” monument sign is located at the southeast corner of the parcel, closest to the intersection of Oxon Hill Road and National Avenue.

The food and beverage store building has storefront window entrances on both the eastern and western façades, facing the road and canopy area respectively. The building is mostly finished in a stone base and exterior insulated finishing system (EIFS) on top with metal canopies and a cross-gable metal roof feature along the eastern and western elevations. Internally-illuminated channel letter signs are located on all four elevations, with 120-square-foot signs on the end wall of the gable feature on the east and west elevations and 40-square-foot signs on the north and south elevations. Similar signs are located on the west, east, and north elevations of the 22-foot-high gray metal canopy over the gas pumps. Given their high visibility, the amount of EIFS on all four elevations of the food and beverage store be reduced, such that an average of the lowest four feet of the building be finished in a high-quality brick or other masonry materials.

Parcel 2—Proposed Parcel 2 is located at the far northwest corner of the Beltway Parcel between the public rights-of-way of National Avenue to the south and the Capital Beltway to the north. This small parcel is proposed to be developed with a 500-square-foot building and a concrete or asphalt helipad to be used by the Prince George's County Police Department for emergency purposes. The building is finished in white hardi-plank siding with a hipped asphalt-shingled roof. The building looks like a single-family detached house with a garage door and two 54-square-foot blue signs displaying the County seal. A large, approximately 16-foot-high, reinforced soil slope retaining wall is located at the western end of the parcel to create the level area needed for the helipad.

Parcel 3—Proposed Parcel 3 is located interior to proposed Parcel 5 and includes the Addison Family Cemetery (Historic Site 80-050) environmental setting. No development is proposed within the limits of this proposed parcel and an access easement from Parcel 3 north to the public right-of-way of National Avenue is shown on the submitted plans. The Historic Preservation Commission (HPC) reviewed the subject DSP and recommended conditions regarding adjustment of the environmental setting of the historic site and appropriate protection of it during construction. See further discussion in the HPC's memorandum.

Parcel 5—Proposed Parcel 5 is located in the eastern central part of the Beltway Parcel with National Avenue to the north, Harborview Avenue to the south, proposed Parcel A with West Road to the east, and Parcel 4-A to the west, which contains the partially constructed MGM Casino and hotel building. Parking and staging will continue up through construction of the proposed development. Parcel 5 is proposed to be developed with a large 1,271,000-square-foot, 17-story, mixed-use building that includes the following uses:

- A 500-room hotel
- 702 multifamily residential units
- 189 timeshare residential units
- 22,000 square feet of retail
- 972 seats in restaurants
- 22,000 square feet of entertainment-related spaces
- and accessory uses

The building occupies the majority of the parcel surrounding the historic cemetery on Parcel 3, which sits at the northern end of Parcel 5. The hotel drop-off/entrance area is located at the western end of the parcel facing a large entrance oval plaza, which is shared with the MGM Casino. The residential main entrance and drop-off area is located at the eastern end of the building, with a small surface parking area. The lowest level of the entire building is a partially underground parking level, with a mix of retail, restaurant, entertainment, and supporting uses on one to four building floors. The hotel and residential uses are located in two semicircular towers joined by a rectangular tower that sits above a podium of two to five levels and extends up to a maximum height of 198 feet, or 378 feet above mean sea level. In total, 2,070 vehicle parking spaces and 120 bicycle spaces are provided within the garage. The submitted DSP needs to provide further labeling regarding the heights, locations, and dimensions of facilities within the structure for clarification. Multiple entrances to the parcel and parking garage are located off of each frontage, including an entrance to the main internal loading and dumpster area along the National Avenue frontage. An outdoor pedestrian plaza is provided on the northern side of the building, adjacent to the historic cemetery. An enhanced landscape plan was provided for this area, which is discussed further in the associated DSP.

The upper portions of the modern building will be finished mostly in aluminum window wall and metal panels in a horizontal pattern with some balconies with glass railings. The lower levels include some open parking garage levels finished with precast spandrel panels and column covers, with a perforated metal screen along the southern elevation. In the areas where there is retail or restaurant uses, the elevations will be finished with aluminum storefront windows. Glass and metal canopies will indicate the main entrances at the east and west ends and an enclosed walkway will extend west to the MGM Casino.

No freestanding signage is proposed on Parcel 5, but all building elevations include building-mounted, internally-illuminated, channel letter signage both on the highest floor level and the lowest level. The signs located on the 16th floor are 500 square feet in surface area, and those proposed on the lowest level on all elevations, except the west, are 240 square feet each.

As part of the DSP submittal, a list of proposed indoor recreational facilities for the 891 residential units on Parcel 5 was provided, however, no details or specifics were given. The Planning Board found that there are outdoor recreational facilities in the vicinity of the property; however, given the large number of residents, sufficient indoor facilities should be provided to ensure an independent environment of continuing quality. Therefore, a condition regarding this issue was included in the DSP approval.

Parcel 6—Proposed Parcel 6 is located at the eastern end of the Beltway Parcel surrounded by public rights-of-way and is proposed to be developed with a parking lot, commercial recreational/outdoor exhibition, displays, entertainment, and performance space. The property is already cleared and graded and has an entrance off National Avenue. The only improvements proposed for this parcel are landscaping along all the frontages and two double-sided 1,200-square-foot fabric movable event signs at the northeast and southeast corners along Oxon Hill Road.

Parcel 7—Proposed Parcel 7 is located at the far southwest corner of the Beltway Parcel and is bordered on the northern edge by the public right-of-way of Harborview Avenue, with a stormwater pond to the southwest and a vacant M-NCPPC-owned property to the south and southeast. Parcel 7 is proposed to be developed with a parking lot, commercial recreational/outdoor exhibition, displays, entertainment, and performance space. The property is already cleared and graded and has an entrance off Harborview Avenue. The only improvements proposed for this parcel are landscaping along all the road frontages and one double-sided 1,200-square-foot fabric movable event sign along the Harborview Avenue frontage. Additionally, a piece of Parcel 7 extends to the southeast corner of the Beltway Parcel, fronting on Oxon Hill Road. A 180-square-foot stone and aluminum “National Harbor” monument sign is located on this piece at the intersection of Oxon Hill Road and Harborview Avenue.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone, site design guidelines, and the requirements of a Departure from Design Standards of the Zoning Ordinance.

a. The proposed gas station, food and beverage store, entertainment and entertainment-related uses, retail uses, hotel, multifamily residential, and restaurant uses are permitted in the M-X-T Zone. The application is in conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings in addition to the findings required for the Planning Board to approve a DSP, 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) of the Zoning Ordinance, include the following:

(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 site is the Beltway Parcel of a large development known as National Harbor. The uses are generally in conformance with the purposes and provisions of the M-X-T Zone. National Harbor, as a whole, will promote the orderly development of land in the vicinity of the Woodrow Wilson Bridge at an important interchange of the Capital Beltway (I-95/495) and will maximize private development potential. The proposed mix of uses on the subject property will help to conserve the value of land so as to allow for a market that will create desirable living and employment opportunities for County 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 subject site was rezoned to the M-X-T Zone through several zoning map amendment applications. The Henson Creek-South Potomac Master Plan and SMA retained the subject site in the M-X-T Zone. The previously approved CSP for the larger development, including the Beltway Parcel, specifically defines a mix of retail, commercial office, hotel, and a visitor's center.

The Beltway Parcel was envisioned in the CSP as a high-density urban environment with 725,000 square feet of retail space, 200,000 square feet of general office space, 1,000 hotel rooms, and a 50,000-square-foot visitor's center, or other uses not exceeding the designated trip cap. At the time of the preliminary plan, the plan called for the same mix of uses, but with an increase in the amount of office space (to 443,000 square feet), a reduction in retail space (to 200,000 square feet), hotel rooms (850), and a visitor's center, or other uses not exceeding the designated trip cap. The current development proposal, with a landmark building and supporting service uses, fulfills the vision of a high-intensity development that was intended when the property was placed in the M-X-T Zone.

- (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, along with the rest of the Waterfront Parcel of National Harbor, was rezoned to M-X-T due to its close proximity to a major interstate freeway, the State of Virginia, and the District of Columbia. Immediate access to Virginia is available via the Wilson Bridge and immediate access to the District of Columbia is available via I-295. The completed portion of the Waterfront Parcel of the National Harbor development, along with the future MGM Casino on the adjacent Parcel 4-A, is and will be an important tourist destination in the region. The proposed residential, hotel, entertainment, and supporting uses will enhance the value of the land and support the adjacent casino.

- (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 subject site, as a part of the National Harbor development, will make full use of the existing and scheduled major transportation systems. Substantial highway improvements have been put in place with the completion of the reconstruction of the Woodrow Wilson Bridge that allow the site to have direct and efficient connections to interstate highway systems. Pedestrian and bicycle trails have been planned and constructed in several locations. The site is directly accessible to Metro bus along Oxon Hill Road.

- (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;**

This DSP is for a portion of the M-X-T-zoned Beltway Parcel of the larger National Harbor development, which has a mix of uses that will encourage a 24-hour environment in the ultimate development of the project. The completed portion of the large number of entertainment and dining attractions immediately along the riverfront and the future entertainment venue on the adjacent parcel have attracted many local and area residents and tourists visiting the Washington Metropolitan region. The development of this proposal with residential, hotel, entertainment, and supporting uses will ensure continued functioning of the adjacent attractions after working hours and on weekends.

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

The CSP for National Harbor proposes a mix of retail, office, hotel, entertainment, restaurant uses with various services, and a visitor's center in a harmonious, carefully-crafted, land development plan. The proposed residential, hotel, entertainment, and supporting uses will integrate harmoniously into the existing development of National Harbor and the surrounding uses, including the recently opened Tanger outlet shopping center.

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

The larger National Harbor development is designed so that various uses will interact in a dynamic and synergistic way. The proposed hotels, dining, entertainment, and retail all work together to create a critical mass of activity. The functional relationships between the various uses are carefully considered, with vehicular and pedestrian circulation completely separated and service areas carefully concealed and separated from public use areas. The proposed residential, hotel, entertainment, and service uses will function to support the other dynamic uses in the development.

- (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 intensive use of the land for over a million square feet of mixed-use development at the gateway to the state of Maryland and Prince George's County will provide for optimum land use planning. Additionally, it will be able to take advantage of the public infrastructure and stormwater management facilities that have already been implemented for the other intense development in the area.

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

This project will contribute to the economic vitality of the overall National Harbor development by providing supporting uses to the large destinations in the vicinity, specifically the MGM Casino and the Tanger outlet shopping center.

- (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.**

The previously approved CSP governing the subject DSP demonstrates the intention to make the overall National Harbor project a showcase of interesting and exciting architecture. Excellence in architectural design, combined with an impressive site plan, demonstrates excellence in physical planning. As proven in the completed portion of the Waterfront Parcel, the flexibility inherent in this project allows the freedom of architectural design to achieve excellence in the development. The proposed buildings continue this quality of architectural design excellence.

The Planning Board found that the proposed application is in conformance with the purposes of the M-X-T Zone.

- (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 property was not placed in the M-X-T Zone through a sectional map amendment. It was rezoned through a zoning map amendment and, therefore, this requirement is not applicable.

- (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 which is the subject of this application has an outward orientation. The entire Beltway Parcel is related much more to the Capital Beltway (I-95/495) than to the existing development to the east. The proposal is an intensely-developed large-scale commercial and residential development that will blend with the large MGM development and further catalyze adjacent community improvement.

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

The proposed commercial/residential development is in keeping with the concept that was set forth in the CSP and complements the existing waterfront development. In regard to the physical development, the Beltway Parcel is physically separated from the waterfront development and is surrounded by the Capital Beltway and parkland. Therefore, its unique design and location make the project not incompatible with the surrounding area, and the proposed uses are compatible with the waterfront and MGM portions of the development and the nearby Tanger outlet shopping center.

- (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 development included in this DSP is capable of sustaining itself as a commercial and residential development, in conjunction with the adjacent MGM Casino. The mix of entertainment uses and the arrangement and the design of the residential building will sustain an independent, mixed-use, compact development on the Beltway Parcel, as envisioned in the approved CSP. The gas station provides a necessary supporting service for other site users in a location convenient to the larger community, and the proposed heliport for County police use will provide enhanced safety to all National Harbor users.

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

There is no staging plan provided with this DSP. The applicant notes that the development can occur in any order on each of the separate lots and allows for effective integration with the adjacent entertainment complex.

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

Careful attention has been given to the design of the pedestrian system in the entire National Harbor project. Pedestrian and vehicular traffic are kept separate, in accordance with the approved CSP and preliminary plan. The pedestrian system would provide immediate and direct access to the area's sidewalks and road crossings. Convenient access to the Woodrow Wilson Bridge trail would be provided on Harborview Avenue. Sidewalks are located on the building frontages at the proposed ingress/egress points. Lighting and landscaping are provided along the proposed sidewalks. New sidewalks are proposed along Harborview Avenue, and a pedestrian gathering place (the oval plaza) is located at both semi-circular main entrance areas. The sidewalks on Harborview Avenue would fully connect to the Oxon Hill Road sidewalks once development of the Beltway Parcel is complete.

- (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 DSP provides a gathering space for the commercial and residential users of Parcel 5 surrounding the historic cemetery site, as was originally envisioned in the CSP. The Planning Board required some enhancements to the design of this area to ensure a high-quality place that is also in keeping with the environs.

- (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 application is a DSP; therefore, this requirement is not applicable to this application.

- (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).

Through the review of projects that may have a phased or multi-year buildout such as this one, this finding has been determined to focus on demonstrating the period of time required for the implementation of any needed transportation facilities, as opposed to requiring new studies. In this case, all required off-site transportation facilities have been constructed, and the proposed uses with this DSP are encompassed within the approved trip cap. Furthermore, an adequacy determination was made as a part of the DSP-07073-01 approval. For these reasons, the Planning Board found that the DSP satisfies this requirement.

- (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 entire National Harbor project was approved under the regular provisions of the M-X-T Zone, but not under the mixed-use planned community provisions.

- b. The DSP is also consistent with additional regulations, as stated in Section 27-548 of the Zoning Ordinance, for the M-X-T Zone that are applicable to the review of this DSP, as follows:

- (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—8.00 FAR**

The CSP caps the development at 0.31 FAR (floor area ratio) and the proposed FAR, as demonstrated on the plans, is 0.28 for the overall development.

- (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.**

The DSP, as proposed, constitutes the regulations for the site which have been carefully analyzed throughout this report.

- (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 in this DSP is subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The applicant filed an alternative compliance (AC) application and the Planning Board approved it.

- (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 DSP complies with this requirement.

- (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.**

This height restriction is not applicable, as the subject property is designated as a General Plan Metropolitan Center.

- c. The Planning Board found that the DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as follows:

- (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. For the gas station on Parcel 1, all of the required parking are surface spaces located to the side and rear of the proposed building.

In this case, the required parking for Parcel 5 is provided within a structured parking garage that is integrated into the building design, which meets the goals of Section 27-274(a)(2). The exterior of the parking structure is most visible along the northern, southern, and eastern sides of the building, where the most parking garage levels are exposed. The architectural elevations indicate the use of architectural precast concrete panels along the exterior of the garage structure to improve its appearance. Details that indicate the appearance of the architectural precast concrete panels should be provided prior to certification of the plans, to

ensure that an attractive treatment is provided.

- (2) In accordance with Section 27-274(a)(2)(B), loading areas have been designed to be visually unobtrusive, as they have been placed interior to the structure on Parcel 5 and behind the building on Parcel 1.
 - (3) In accordance with Section 27-274(a)(6)(i), Site and streetscape amenities, the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture should be coordinated. Details for all of the proposed site amenities were provided on the DSP, including locations of and details for trash receptacles and benches near the proposed drop-off areas.
- d. Departure from Design Standards DDS-624—The applicant submitted Departure from Design Standards DDS-624 to allow a reduction of the standard, nonparallel, parking space size from 9.5 feet wide by 19 feet long to 9 feet wide by 18 feet long on proposed Parcel 5, pursuant to Section 27-239.01 of the Zoning Ordinance. A departure of six inches in width and one foot in length has been requested. This is a universal parking space size that is typically utilized in structured parking, and all parking on this parcel is in garages. A departure from Section 27-558(a) of the Zoning Ordinance is requested, which sets forth the following requirement:

The size of parking spaces shall be as follows:

TYPE OF SPACE	MINIMUM SIZE (IN FEET)
Standard car spaces:	Size of space
Parallel	22 feet by 8 feet
Nonparallel	19 feet by 9.5 feet
Compact car spaces:	
Parallel	19 feet by 7 feet
Nonparallel	16.5 feet by 8 feet

Section 27-239.01(b)(7) of the Zoning Ordinance sets forth the required findings for a departure from design standards as follows:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

The purposes of Subtitle 27 of the Prince George's County Code will be equally well or better served by the applicant's proposal. Specifically, the reduced parking space size allows for a more compact and efficient structured parking design,

while providing off-street parking sufficient to serve the needs of the project. The reduced, standard, nonparallel parking spaces will meet the needs of the site's users without overcrowding the land or negatively impacting open space, adjacent land uses, or environmentally-sensitive areas.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The applicant states that this is the minimum necessary to provide all parking on-site. The departure of six inches in width and one foot in length is the minimum necessary without adversely affecting the functionality of the proposed nonparallel parking space. The size of the space, 9 feet in width by 18 feet in length, is larger than the minimum size allowed for compact spaces. Most automobiles average 16 to 17 feet in length, and mid-size and large SUVs average the same length. The departure is necessary for efficiency of the design of a parking structure and to ensure that the required parking spaces can be provided entirely within the parking structure.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

The departure is necessary to alleviate circumstances specific to the site. The site has moderate slopes and is narrow. The most effective way to provide ample parking on the site is through the proposed multi-story parking structure. The applicant states that the site is surrounded by SHA right-of-way and no additional land is available for on-site parking. Given the information presented, no objection is offered regarding the reduction of parking space size within the parking structure as proposed; the departure as requested is acceptable.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. Specifically, the functionality of each individual parking space will not be affected. The applicant has proposed a parking space size (18 feet in length by 9 feet in width) that is a typical size endorsed in *Dimensions of Parking* (Urban Land Institute), which supports a parking space width of nine feet for standard size spaces in a setting with moderate to higher turnover parking, as it is anticipated for this project. The departure will allow for a more efficient yet fully functional parking design that will serve the needs of the project.

In conclusion, the Planning Board supports Departure from Design Standards DDS-624 for a departure of six inches in width and one foot in length to allow a standard, nonparallel, parking space size of 9 feet in width by 18 feet in length on the proposed Parcel 5 only.

8. **Further Planning Board Findings and Comments from Other Entities:** The summarized comments of the agencies and divisions are as follows:

- a. **Transportation Planning**—The Planning Board reviewed an analysis of the subject DSP's conformance with all transportation-related conditions attached to the approval of the CSP and preliminary plan and a summary of the traffic study and trip capacity, and provided the following comments with the DSP.

The previously approved gas station/food and beverage store is shown on Parcel 1. It is located at the corner of Oxon Hill Road and National Avenue. A right-in driveway is shown on Oxon Hill Road and two two-way entrances are shown on National Avenue. This configuration is acceptable.

A one-way couplet system of roadways surrounds the site. National Avenue and Harborview Avenue provide access to the site; the plan shows several two-way driveway entrances on each of these roadways. Two two-way entrances to the parking garage are shown on Harborview Avenue, another two-way entrance and a loading entrance are shown on National Avenue. Two other entrances to the parking garage are shown on the northern side of the building. All of the proposed driveways will be reviewed by SHA or County agencies at the permitting stage of development. Any operational issues will be addressed at that time.

Section 27-574 of the Zoning Ordinance requires the number of parking spaces in the M-X-T Zone and in a Metro Planned Community "to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations." This parking information was submitted by the applicant. The applicant used the parking requirements of Section 27-568 and determined that 2,070 spaces will be required, and the Planning Board found that this will be acceptable.

The two roadways immediately adjacent to the site, National Avenue and Harborview Avenue, are non-master plan roadways. Oxon Hill Road, located next to Parcel 6, is listed as a collector roadway in the 2006 *Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment*. No structures are planned within the rights-of-way of any of these roadways.

An extension of the Purple Line (light rail) from New Carrollton to National Harbor is recommended in the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*.

It is anticipated that a future transit station would serve both the MGM Casino site (the adjacent Parcel 4-A) and the proposed development on Parcel 5.

It is hoped that the overall block that includes the MGM Casino and the proposed building of 1,271,000 square feet will be served by light rail or bus rapid transit facilities in the future. However, the entrances and exits from the parking garages and service driveways appear to leave limited space to accommodate future transit platforms. During the course of the review of this site plan, this issue was considered and discussed by planning staff and DPW&T. It was determined that the current site plan will not preclude a future transitway, given that the opposite sides of National Avenue and Harborview Avenue will likely see little, if any, development. This makes it more certain that high-quality transit can eventually serve this area.

The applicant has submitted a departure from Section 27-558 of the Zoning Ordinance regarding parking space size and dimensions. The departure request is for a universal parking space of 9 feet by 18 feet, instead of the standard size requirement of 9.5 feet by 19 feet. The applicant states that granting the request will help provide more off-site parking in the proposed garage and eliminate the need for on-street parking. It is noted that the adjacent building (MGM Casino complex), currently under construction, will have over 4,000 parking spaces, and an enclosed pedestrian walkway will connect the two buildings.

It is further noted that the Urban Land Institute suggests the 9-foot by 18-foot parking space is an appropriate size for a universal application. The use of the 9-foot by 18-foot parking space appears to have been adopted by several jurisdictions, and has been supported by the Planning Board in the past, particularly in parking structures. Therefore, the departure is supportable.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP as described in Section 27-285 of the Zoning Ordinance. It is furthermore determined that the development proposed will be adequately served by transportation facilities within a reasonable period of time, in accordance with the finding required for a DSP in the M-X-T Zone as described in Section 27-546 of the Zoning Ordinance.

- b. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated January 21, 2016, DPIE offered the following comments on the subject application:

- (1) The property is located adjacent to, and south of the Capital Beltway (I-95/495), in the southwest quadrant of the intersection of Oxon Hill Road and the Capital Beltway.

- (2) The Capital Beltway is a state-maintained highway; therefore, coordination with SHA is necessary.
- (3) Access to the site is provided from state-maintained highways and Oxon Hill Road, a County-maintained roadway; therefore, right-of-way dedication and roadway improvement, in accordance with the County's road standards, is required.
- (4) This development is to comply with all requirements noted in the approved Resolutions: PGCPB Resolution No. 09-114, PGCPB Resolution No. 01-163(C)(A), SP-98012 and SP-98012-01.
- (5) The proposed site development plan is consistent with the approved enhanced Stormwater Management Concept Plan 4853-2014-00, dated February 14, 2014; Stormwater Management Concept Plan 31900-2003, dated November 2013; and Stormwater Management Concept Plan 46294-2015, dated November 19, 2015.
- (6) Departure from Design Standards DDS-624 is a request for a departure from Section 27-558 regarding parking space size and dimension. Departure from Design Standards DDS-624 proposes 2,070 internal universal type parking spaces sized at 9 feet by 18 feet. DPIE has no objection to this departure.
- (7) This memorandum incorporates the site development plan review pertaining to stormwater management (Section 32-182(b) of the County Code). The following comments are provided pertaining to this approval phase:
 - (a) Final site layout, exact impervious area locations are not shown on plans.
 - (b) Exact acreage of impervious area has not been provided.
 - (c) Proposed grading is shown on the plans.
 - (d) Delineated drainage areas at all points of discharge from the site have not been provided.
 - (e) Stormwater volume computations have not been provided.
 - (f) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and location of ESD devices and erosion and sediment control practices are not included in the submittal.
 - (g) A narrative in accordance with the County Code has not been provided.

The majority of DPIE's comments are either factual or are required to be addressed prior to issuance of permits or at the time of technical plan approvals. It should be noted that DPIE has stated that the plans are consistent with the approved stormwater management concept plan.

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 above-noted application, Departure from Design Standards DDS-624, National Harbor-Beltway Parcel-Proposed Parcel 5, to allow a standard, nonparallel, parking space size of 9 feet in width by 18 feet in length within the parking garage on the proposed Parcel 5 only.

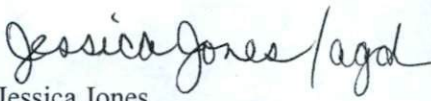
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

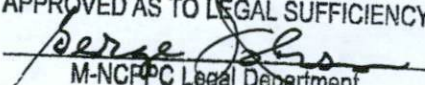
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Shoaff, seconded by Commissioner Geraldo, with Commissioners Shoaff, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 3, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of March, 2016.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:JK:ydw

APPROVED AS TO LEGAL SUFFICIENCY

M-NCP&C Legal Department
Date 3/9/16