

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on January 8, 2004, regarding Detailed Site Plan DSP-03039 for University Plaza West, the Planning Board finds:

1. **Request:** The subject application requests approval of a detailed site plan for the construction of an integrated shopping center and offices.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-10	R-10 (Multifamily High Density Residential)
Use(s)	Vacant	Integrated Shopping Center
Acreage	4.0367	4.0367
Parcels	1	1
Building Square Footage/GFA	0	52,140

## OTHER DEVELOPMENT DATA

	<b>REQUIRED</b>	<b>PROPOSED</b>
Parking	209	212
Loading	3	3
Front Yard Setback	30' or 60' from centerline	77.67'
Side Yard Setback	30' total / 10' minimum $\frac{3}{4}$ side	30.65'
Rear Yard Setback	30'	47.63'
Height	110'	36'

3. **Location:** The site is in Planning Area 65, Council District 2. More specifically, it is located on the south side of University Boulevard, approximately 500 feet west of Riggs Road.
4. **Surroundings and Use:** The subject property is bounded to the northeast by University Boulevard. The land use context of the area surrounding the subject site is primarily commercial and office, with one institutional use (a school).
5. **Previous Approvals:** Preliminary Plan of Subdivision 4-03051 for the subject property was approved by the Planning Board on September 25, 2003. The approving resolution was subsequently adopted October 16, 2003, subject to five conditions.

Stormwater Concept Plan 16734-2003 was approved by the Department of Environmental Resources to handle run-off from the subject property created as a result of the proposed development.

6. **Design Features:** The project, located on a triangularly shaped piece of property, is accessed both by a right-in/right-out access on the westerly part of the frontage and by a standard access on the easterly side. Parking, located both along University Boulevard and behind the buildings, offers a total of 209 spaces. The integrated shopping center will be housed in two buildings, Building A and Building B, with a future 3,960-square-foot pad site located on the extreme easterly section of the site. Building A offers 44,220 square feet of leaseable space, while Building B measures just below 4,000 square feet. The detailed site plan shows a connection to Parcel "B" to the rear of the subject project, used also as an integrated shopping center. Landscaping for the site, concentrated along the school located also to the rear of the site and the University Boulevard frontage, also helps provide relief from the stretches of pavement in the parking areas.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The detailed site plan meets the requirements of Zoning Ordinance Section 27-441(b)(1) as a detailed site plan for a retail shopping center with offices. The use is permitted by right in the R-10 zone, per Section 27-441(b)(1) of the Zoning Ordinance (as amended by Council Bill No. CB-4-2003). This section of the Ordinance authorizes the establishment and operation of any uses permitted in the C-S-C zone (except those requiring Special Exception approval), in the R-10 zone, provided the property complies with the following criteria:
  - a. The use is located on a parcel that is surrounded by commercial and institutional uses.
  - b. The parcel does not abut any property that is improved with single-family detached dwellings; and
  - c. The site has frontage on a street shown on the applicable master plan as an arterial or higher classification.

Staff's review of the subject plans evidences compliance with the above-stated criteria.

8. **Preliminary Plan of Subdivision 4-03051**¾ Staff has reviewed the conditions attached to that approval and found only Condition 5 relevant to the detailed site plan approval. Condition 5 states:

5. **Total development within the subject property shall be limited to 52,000 square feet of retail/commercial space, or equivalent development which generates no more than 27 AM and 150 PM new peak-hour vehicle trips. Development of up to 5,000 additional square feet of space shall not constitute a significant change in trip generation. Any development which generates more peak-hour vehicle trips than that identified herein shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.**

Staff referred the plan to the Transportation Planning Section in order to solicit comment on preliminary plan Condition 5 and received a response indicating that the proposed development conforms to Condition 5 of the preliminary plan resolution.

9. **Landscape Manual:** The subject detailed site plan is subject to Sections 4.2, Commercial and Industrial Landscaped Strip Requirements, Section 4.3, Parking Lot Requirements, and Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*. The Urban Design staff reviewed the proposed Landscape Plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.
10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area, contains more than 10,000 square feet of existing woodland, and the site has a previously approved Type I Tree Conservation Plan. The Type II Tree Conservation Plan, TCP II/176/03 as submitted, was reviewed and found to meet the requirements of the Woodland Conservation Ordinance and to be in conformance with approved Type I Tree Conservation Plan (TCPI/143/03). The minimum woodland conservation requirement for the site is .81 acre. Additionally, 1.61 acres are required due to the removal of woodlands, for a total of 2.42 acres. The plan shows the requirement being met with 2.42 acres of off-site credits that meets the intent of the Woodland Conservation Ordinance because no priority woodland exists on site.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

**Historic Preservation**<sup>¾</sup> The Historic Preservation Planning Section has stated that the proposed project would have no effects on historic resources in the vicinity of the subject site and that there are no cemeteries on the site.

**Community Planning**<sup>¾</sup> The Community Planning Section stated that although the proposed development does not conform in all respects with the recommendations of the applicable master plan, the proposed use is allowable in the R-10 Zone as per the Zoning Ordinance as amended by CB-12-2003 and is not inconsistent with the 2002 General Plan's overall policies for the Developed Tier. The Community Planning Division stated, however, that it does not meet a number of the urban design strategies for development in Centers and Corridors, including enhanced pedestrian accessibility. In response to these expressed concerns, the applicant has agreed to put in a six-foot sidewalk across the frontage of the property, sufficient bicycle racks for 10 bicycles, and a pedestrian connection to the adjacent property.

**Transportation**<sup>¾</sup> The Transportation Planning Section expressed concern about whether or not the State Highway Administration (SHA) had approved the proposed access points onto MD 193. The referral from SHA below indicates that this approval has been received. The section also stated that the design for on-site circulation was acceptable.

**Subdivision**<sup>¾</sup> The Subdivision Section stated that the preliminary plan of subdivision had been

approved by the Planning Board subject to five conditions. Only Condition 5 of that approval regarding trip generation must be complied with at time of detailed site plan approval. The Subdivision Section suggested that the plan be referred to the Transportation Planning Section to ensure that trip generation will be within required limits.

**Trails**<sup>¾</sup> The Trails Planner, basing his recommendations on the work done by the International Corridor team and a neighborhood conservation program, suggested that the following conditions be attached to a recommendation of approval:

- Provide a pedestrian zone along the subject site's entire frontage of MD 193 consistent with those being approved in the nearby Prince George's Plaza transit district. This zone should include a wide sidewalk (minimum of six feet in width) separated from the curb by a landscaping strip. A sidewalk connection is also recommended to the parking lot of the property immediately to the east of the subject site.
- Provide bicycle racks accommodating a total of ten bicycles on the subject site at locations convenient to the entrances to Buildings A and B.

**Parks**<sup>¾</sup> The Department of Parks and Recreation stated that they had no comment on the proposed project.

**Permits**<sup>¾</sup> The Permit Review Section noted that the height of the retaining wall and security fence should be shown on the site plan and fences over six feet in height are required to meet setbacks for the subject district. Additionally, they stated that a note should be added to the site plan stating that for the site to operate as an integrated shopping center, the site must contain three or more retail stores.

**Redevelopment Authority**<sup>¾</sup> The Redevelopment Authority stated that they had no comments on the proposed project.

**Public Facilities**<sup>¾</sup> The Public Facilities Section, noting that fire engine, ambulance, paramedic and ladder truck service to the proposed site are all within the relevant travel time guidelines, stated that the proposed development will be within adequate coverage area of the nearest existing fire and rescue facilities for fire engine, ambulance, ladder truck, and paramedic service. In addition, noting that the proposed development is within the service area for Police District I—Hyattsville, in accordance with Section 24-122.1(c)(1)(A) of the Subdivision Regulations, the staff concludes that the existing county police facilities will be adequate to serve the proposed University Plaza West development. As there is no required finding for adequacy of public facilities in connection with a detailed site plan, the above is provided for information only.

**Environmental Planning**<sup>¾</sup> The Environmental Planning Section offered the following:

### *Site Description*

This 4.04-acre property in the R-10 Zone is located on the south side of University Boulevard, approximately 1,000 feet west of its intersection with Riggs Road. A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils do not occur on the property. University Boulevard is an arterial roadway that generates noise onto adjacent properties. The soils found to occur on the site, according to the Prince George's County Soil Survey, are Chillum Urban Land Complex, Sandy and Clayey Land, and Sunnyside Urban Complex. These soil series generally exhibit moderate to severe limitations to development due to poor stability, high shrink/swell and high erosion potential, and steep slopes. According to available information, Marlboro clays are not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Northwest Branch watershed of the Anacostia River Basin and in the Developed Tier as delineated on the adopted General Plan.

### *Environmental Review*

1. A Forest Stand Delineation (FSD) was previously reviewed for this proposal and was found to be in compliance with the requirements of the Woodland Conservation Ordinance.

*Comment:* No additional information is needed with regard to the Forest Stand Delineation.

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The Type II Tree Conservation Plan, TCPII/176/03 as submitted, was reviewed, was found to meet the requirements of the Woodland Conservation Ordinance, and was found to be in conformance with the approved Type I Tree Conservation Plan (TCPI/143/03). The minimum woodland conservation requirement for the site is 0.81 acre. Additionally, 1.61 acres are required, due to the removal of woodlands, for a total of 2.42 acres. The plan shows the requirement being met with 2.42 acres of off-site credits, which meets the intent of the Woodland Conservation Ordinance because no priority woodland exist on site.

*Discussion:* Staff recommends the approval of TCPII/176/03 with the approval of the Detailed Site Plan. No further information is required with regard to the TCPII.

3. The plan as submitted does not show proposed stormwater management ponds for the site. However, a stormwater management concept approval letter dated July 9, 2003, has been submitted for the site with the following conditions: "SHA approval to discharge is

required at the time of technical approval. Downstream adequacy investigation to be reviewed at the time of technical review. Proposed drywells for the roofdrains to handle the recharge volume. The pipe system to handle conveyance for the 10-year, WQv and Cpv for the entire site. A storm filter system is required for the site.” The proposed stormwater concept proposes no conflicts to the Detailed Site Plan or TCPII because the site is proposed to be cleared and no stream or wetlands exist on the site.

*Comment:* No further information is required with regard to stormwater management.

**Department of Environmental Resources**<sup>¾</sup> The Department of Environmental Resources (DER) stated that the site plan for University Plaza West, DSP-03039, is consistent with the approved Stormwater Concept #16734-2003.

**Fire Department**<sup>¾</sup> At the time of the writing of this staff report, the Prince George’s Fire Department has not submitted comment on the proposed project.

**Washington Suburban Sanitary Commission**<sup>¾</sup> The Washington Suburban Sanitary Commission (WSSC) stated that water and sewer service are available to the site, but the applicant must fulfill several standard requirements prior to development.

**Maryland State Highway Administration**<sup>¾</sup> The State Highway Administration stated that the plan is consistent with SHA requirements and guidelines and that the entrances are engineered and detailed as outlined in their comment letter dated September 16, 2003, McDonald to Foster. In conclusion, they stated that they have no objection to the approval of Detailed Site Plan DSP-03039.

**Board of Education** <sup>¾</sup> At the time of the writing of this staff report, the Board of Education has not submitted comment on the proposed project.

12. The Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George’s County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/176/03) and further APPROVED Detailed Site Plan DSP-03039 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall revise the plans as follows:
  - a. A pedestrian zone shall be indicated along the subject site’s entire frontage of MD 193, including a sidewalk a minimum of six feet in width separated from the curb by a two-foot landscaped strip. If any portion of the proposed pedestrian improvements fall

within the state right-of-way, such improvements shall be subject to the approval of the State Highway Administration.

- b. A five-foot-wide sidewalk connection shall be made to the parking lot of the property immediately to the east of the subject site.
- c. Bicycle racks accommodating at least ten bicycles shall be provided on the subject site at locations convenient to the entrances to Building A and B.
- d. The height of the retaining wall and security fence shall be shown on the plans. The fence shall measure a maximum of six feet tall.
- e. A note shall be added to the site plan stating that the site is to operate as an integrated shopping center, containing a minimum of three retail stores.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 8, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of January 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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