



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

PGCPB No. 13-22

File No. DSP-12024

RESOLUTION

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 March 14, 2013, regarding Detailed Site Plan DSP-12024 for Alta at Camp Springs, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for a 208-unit multifamily residential community on existing Parcel A-2. This is a revision to Detailed Site Plan DSP-05051, Alta Branch, Phase I, which included the vacant subject property, along with the adjacent Parcel A-1, which has been developed in accordance with that approval.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Multifamily Residential
Acreage	6.267	6.267
Square Footage/GFA	0	232,740
Dwelling Units	0	208
Floor to Area Ratio (FAR)	0	0.88

OTHER DEVELOPMENT DATA

Bedroom Unit Mix—Multifamily

Unit Type	Number of Units
1 Bedroom	126
2 Bedrooms	82
Total	208

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Parking Data:

Parking Spaces Required

1 Bedroom = 126 @ 1.33 spaces	168 spaces
2 Bedrooms = 82 @ 1.66 spaces	137 spaces
Transit Oriented Development Reduction*	-42 spaces
Total	263 spaces

Parking Spaces Approved

Standard Spaces	177 spaces
Compact Spaces	79 spaces
ADA Spaces	3 spaces
ADA Spaces (Van-Accessible)	4 spaces
Total	263 spaces

Loading Spaces Required

1 space

Loading Spaces Approved

1 space

***Note:** Per Section 27-574(b)(4) of the Zoning Ordinance, in the M-X-T Zone, the base parking requirement may be reduced by the number of parking spaces which will not be needed because of the provision of mass transit, such as the nearby Branch Avenue Metro Station, which is less than a quarter-mile from the subject property.

3. **Location:** The subject site is located northeast of the Branch Avenue Metro Station, in the northwest quadrant of the intersection of Auth Way and Telfair Boulevard. The site is located within Planning Area 76A, Council District 9, in the Developed Tier.
4. **Surrounding Uses:** The property is bounded on one side by Auth Way, which forms an arc along the north and east sides of the property. Across the street is industrially zoned land in the I-1 Zone, which is currently the location of the Washington Metropolitan Area Transit Authority (WMATA) (Metro) yard facilities. The south side of the property is adjacent to the remaining portion of the tract, known as Town Center at Camp Springs, also in the M-X-T Zone. To the southwest is the area known as Pod B on the approved Conceptual Site Plan CSP-01015, with the Branch Avenue Metro Station beyond, and to the southeast is the area known as Pod C, neither of which has been developed. To the west is the remainder of the original Detailed Site Plan DSP-05051, which has been built and is occupied, with the right-of-way (ROW) for Auth Way and multifamily and townhouse residential units beyond it.
5. **Previous Approvals:** The subject property was previously zoned I-1 and was known as Capital Gateway Office Park. The property had a Preliminary Plan of Subdivision 4-90037 approved on June 7, 1990 (PGCPB Resolution No. 90-253), and subsequently the property was approved as final plats of subdivision. The property was rough graded and infrastructure was placed on the site including stormwater management and the main loop road, Auth Way, with street trees, and

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sidewalks. The Washington Metropolitan Area Transit Authority (WMATA) (Metro) acquired a portion of the land for the terminus of the Green Line, which is the Branch Avenue Metro Station.

In October 2000, the District Council rezoned the property from the I-1 and R-R zones to the M-X-T Zone. The Conceptual Site Plan, CSP-01015, was reviewed and approved by the Planning Board on May 31, 2001. Subsequently, DSP-05051 was reviewed and approved by the Planning Board on November 3, 2005 with 13 conditions. It had two minor revisions that were reviewed by the Planning Director to correct engineering issues, neither of which had any conditions relating to this revision.

6. **Design Features:** The original Detailed Site Plan DSP-05051 approval (PGCPB Resolution No. 05-227) which included the subject property, Parcel A-2, and the adjacent Parcel A-1, proposed 504 (212 one-bedroom, 244 two-bedroom, and 48 three-bedroom) multifamily-residential units, 67,665 gross square feet (GSF) of commercial office, 50,398 GSF of general retail, and a 10,666 GSF clubhouse to be built in two mirror image layouts. Only half of this proposal was constructed, on the adjacent Parcel A-1 to the west, before the market changed causing a delay in the construction of the eastern portion. Eventually, it was decided that there was a need to revise the development proposal for the subject site.

The subject DSP proposes 208 multifamily-residential units distributed into three separate, four-story, 47-foot-high buildings. Building One is an L-shaped building located in the northwest corner of the site, close to the property line adjacent to the constructed drive, Midtown Square, on the adjacent Parcel A-2, and close to Auth Way. The main recreational features for this development, including a clubroom, game room and coffee lounge, are located in this building, along with an outdoor pool and recreational area, which is immediately adjacent to the southeast of the building. A fenced dog park located to the east of Building One will also be available for all residents' use. Building Two, a rectangular shape running east-west, is located in the southwestern corner of the site, adjacent to the two constructed drives, Midtown Square and Telfair Boulevard on Parcel A-1. Building Three, a rectangular shape running north-south, is located closer to the southeastern corner of the site, with the short side adjacent to the off-site constructed drive, Telfair Boulevard. Two entrances, one along the western side, off of Midtown Square between Buildings One and Two, and other along the southern side, off of Telfair Boulevard east of Building Three, provide access to the surface parking lot located between all three buildings. A mail kiosk, located in the middle of the parking lot, will serve all residents. Bioretention facilities, a metal picket perimeter fence, with brick columns and two entrance signs complete the site features.

The architecture is consistent on all three buildings. It features a mostly flat roof and red brick veneer on the entire first floor and parts of the second floor with tan and light gray fiber cement siding on the upper levels. A generously applied fenestration treatment is consistently provided on all building elevations, with some Juliet balconies, and a variety of offsets in the façades and roof level, including some portions with a gabled, shingled roof, which provide architectural interest.

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- (3) Multifamily buildings in the M-X-T Zone are allowed a maximum height of 110 feet in accordance with Section 27-548(i). The submitted DSP shows the maximum proposed building heights as 47 feet in conformance with this requirement.
- c. If approved with conditions, the DSP will be in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance. The following discussion is provided:
- (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. The subject DSP design provides a parking lot on all sides of the proposed residential buildings. The applicant has taken steps to reduce visually-detrimental impacts of parking on the site by providing planting islands and shade trees throughout the parking lot, in accordance with Section 4.3 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additionally, views of the parking from the public right-of-way will be reduced by providing a wide landscaped area, including a metal picket fence with brick columns, which provides some screening of the parking lot from Auth Way.
 - (2) Section 27-274(a)(2)(C) states that vehicular and pedestrian circulation on the site should be safe, efficient, and convenient. It appears from the review of the information provided with the detailed site plan that a pedestrian connection between buildings and to the central mail kiosk is warranted to provide a safe and convenient path for residents getting their mail or accessing the pool located adjacent to Building One. A condition has been included in this approval requiring this be added prior to certification.
- d. Section 27-546, Site Plans, has additional requirements for approval of a DSP in the M-X-T Zone as follows:
- (d) **In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:**
 - (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 are as follows:

- (a) **The purposes of the M-X-T Zone are:**

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- (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 subject DSP proposes the development of land in the vicinity of a major transit stop, the Branch Avenue Metro Station, with desirable residential units.

- (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 DSP will implement the recommendations in the General Plan for Metropolitan Centers with the proposed residential use and its intensity of development.

- (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 location of the property in the vicinity of the Branch Avenue Metro Station maximizes the public investment and the private development potential of the subject property.

- (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 location of the property in the vicinity of the Branch Avenue Metro Station will promote the effective and optimum use of transit and reduce automobile use.

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- (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 proposed development, in conjunction with the remainder of the original Detailed Site Plan DSP-05051, will facilitate a 24-hour environment with a mix of uses.

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

The proposed development, in conjunction with the remainder of the original Detailed Site Plan DSP-05051, will create a harmonious horizontal mix of uses.

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

The proposed development will maintain the visual character of the development approved in the original Detailed Site Plan DSP-05051 and will be related to it through a consistent approach to the architectural design of the buildings.

- (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;**

The proximity of the proposed residential use to the metro station provides for a more energy-efficient and convenient design that takes advantage of the existing public infrastructure.

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

The subject DSP proposes a revision to a previous approved plan to respond to current market conditions to maintain the economic vitality of the development.

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- (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 subject application has created an architectural product for the residential component that will be compatible with the architectural elevations of the adjacent development. The use of superior design and quality building materials will result in an overall architectural design that should exemplify excellence in physical, social, and economic planning.

- (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;**

This requirement does not apply to the subject DSP as this property was placed in the M-X-T Zone through the November 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)*.

- (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 proposed development has an outward orientation in the way the buildings are located and designed to be physically and visually integrated with the adjacent mixed-use buildings to the west, which are part of the previous overall approval.

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

The subject DSP, which is a revision of the previous approved development, still proposes a development that is compatible in layout and design with the existing development in the vicinity by continuing architectural and landscape design features.

- (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;**

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The proposed development will add to the diverse mix of land uses in the vicinity and the arrangement and design of the buildings are cohesive with the adjacent, previously approved development, creating an independent environment of continuing quality and stability.

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

The proposed development will not be staged.

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

A comprehensive pedestrian system, with the addition of linkages between the three buildings and to the mail kiosk as conditioned, has been provided to encourage pedestrian activity within and to the development.

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

The main area to be used as a gathering place for people in the proposed development is the outdoor pool area, which has been designed to include high quality amenities such as a fire pit, outdoor grill, trellis and comfortable seating areas.

- (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, 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.**

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This requirement is not applicable to this DSP.

- (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.**

More than six years has elapsed since a finding of adequacy was made for the subject property. However, the Planning Board found that since the proposed plan proposes a less intense development than has already been approved for the site and has been included as part of approved background for other development applications in the area, there is no need for new adequacy findings for transportation with this application.

- (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 DSP only includes 6.26 acres and does not propose a Mixed-Use Planned Community.

8. **Conceptual Site Plan CSP-01015:** The Planning Board approved Conceptual Site Plan CSP-01015 for a mixed-use town center on June 28, 2001 (PGCPB Resolution No. 01-120). Of 27 conditions attached to the approval of CSP-01015, the conditions that are applicable to the review of this DSP are as follows:

1. **Total development within the subject property under Phase I shall be limited to 1,700 residences, of which no fewer than 250 shall be senior housing residences, 150,000 square feet of retail space, and 968,500 square feet of general office space; or different uses generating no more than the number of peak hour trips (1,490 inbound AM peak hour vehicle trips and 1,243 outbound PM peak hour vehicle trips) generated by the above development.**

The subject DSP proposes to build 208 multifamily-residential units, which is a decrease in the amount approved for the site under the previously approved Detailed Site Plan DSP-05051. Since the original development was found to be in conformance with this

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condition, the subject, less dense development can be found to fall within the trip caps established with this condition.

3. **Future Detailed Site Plans shall, at a minimum, provide the level of pedestrian connections that are shown conceptually on the current plans. Additionally, future plans shall include the following considerations:**

- a. **Provision of direct pedestrian connections rather than [more] circuitous ones.**

Direct pedestrian connections, both within the site and to adjacent properties, will be provided with the subject DSP, if revised as conditioned.

- b. **The siting of proposed buildings in Phase II closer to the Metrorail station, and siting parking facilities farther away.**

This condition does not apply to the subject DSP which is located in Phase I.

- c. **The placement of building entrances closer to rather than farther from the pedestrian network.**

Each residential building entrance is located close to the pedestrian network.

- d. **The concept of a central pedestrian link through the semicircle to the station shall be retained on all future plans.**

This requirement applies to the remaining portion of the development of Pod B.

5. **Each Detailed Site Plan (not including those for infrastructure or recreational facilities) in Phase I shall be developed at no less than 0.3 Floor Area Ratio (based on Net Lot Area). Phase II of the development (as defined in condition 2) shall include an area for high intensity development such that, the overall development covered by Phases I and II shall not be less than 0.85 Floor Area Ratio (based on Net Lot Area). Phase II shall include Pod C in its entirety and five acres of developable land within Pod B but shall not include the central green area. Phase II development may proceed concurrent with Phase I, provided that, the cumulative combined FAR of Phase I approved, and all proposed Phase II, equals or exceeds the minimum 0.85 FAR. The high intensity preservation area is flexible in location and configuration within Pod B as long as it achieves the goal of high intensity/density and incorporates the design elements associated with the common green area.**

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The subject plan is proposing 0.88 floor area ratio (FAR) based on net lot area. This is well above the minimum ratio established in the conceptual site plan for development within Phase I.

7. **A revised TCPII shall be submitted as part of each Detailed Site Plan application.**

A revised TCPII was submitted as part of this application.

9. **Prior to approval of a Detailed Site Plan, a wetlands study and all applicable permits shall be submitted to the Environmental Planning Section.**

This requirement was met prior to the approval of the original DSP for the site, Detailed Site Plan DSP-05051.

10. **Prior to acceptance of a Detailed Site Plan the applicant shall provide evidence that the existing stormwater management facility is adequately sized to serve the entire development. If it is not sized to accommodate all future stormwater runoff, the Stormwater Management Conceptual Plan shall be revised to show one or more coordinated stormwater management facility to serve all of the proposed development that is part of the Conceptual Site Plan. The concept shall not include the provision of ponds on a lot by lot basis.**

The Department of Public Works & Transportation (DPW&T) has found that the plan is consistent with the current Stormwater Management Concept Approval 27306-2012.

12. **Prior to acceptance of a Detailed Site Plan, a Phase I Noise and Vibration Study shall be submitted to the Environmental Planning Section.**

This requirement was met prior to the approval of the original DSP for the site, Detailed Site Plan DSP-05051.

14. **The applicant, his successors, and/or assigns shall provide adequate, private recreational facilities for each Detailed Site Plan in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The applicant, his heirs or successors shall consider the feasibility of organizing the recreational facilities into one or more central recreational areas.**

The subject DSP offers a sufficient package of private recreational facilities located in one central area.

15. **The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy**

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and property siting, prior to approval of the Detailed Site Plan by the Planning Board.

The following is a list of recreational facilities proposed with this DSP: an Outdoor Pool, with a minimum of ten chaise lounges, four outdoor grills, two table and chair sets, and a fire pit; a Sitting Area with a minimum of three benches; a fenced Dog Park with a minimum of three benches; a 1000-square-foot Club and Fitness room; a 300-square-foot Coffee Lounge; and a 400-square-foot Game Room. The Planning Board found these facilities to be sufficient for the proposed 208 residential units.

- 16. Submission of three original, executed Recreational Facilities Agreements (RFA) or similar alternative to DRD for their approval, three weeks prior to a submission of a grading permit. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**

This condition has been carried over to the subject detailed site plan.

- 17. Submission to DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.**

This condition has been carried over to the subject detailed site plan.

- 19. The land to be conveyed to a Homeowners Association shall be subject to the application conditions below:**
 - a. Conveyance shall take place prior to the issuance of building permits.**
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.**
 - c. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.**
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.**

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- e. Any disturbance of land to be conveyed to a Homeowners Association shall be in accordance with an approved Specific Design Plan or shall require the written consent of DRD. This shall include, but not be limited to the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements required by the approval process.
- f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a Homeowners Association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
- g. Temporary or permanent use of land to be conveyed to a Homeowners Association for stormwater management shall be approved by DRD.
- h. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent land owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to, M-NCPPC without the review and approval of DPR.
- j. The Planning Board, or its designee, shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

This condition has been carried over to the subject detailed site plan.

- 20. Prior to approval of a Detailed Site Plan, the following shall be demonstrated on the plans:
 - a. The streetscape treatment shall include an eight-foot wide sidewalk along Auth Way/Capital Gateway Drive, special pavers in

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crosswalks, special pedestrian lighting, and furnishings including seating elements. Six-foot wide sidewalks shall be provided along secondary streets and/or drives (the main streets within each development pod) and the green areas. Tertiary streets and/or drives shall have four foot wide sidewalks.

With the previous DSP-05051 approval, it was determined that, due to space constraints, a seven-foot-wide sidewalk should be provided along Auth Way, which the subject DSP also proposes. Additionally, six-foot-wide sidewalks are proposed along all secondary drives and along the parking areas, and special pedestrian light poles are proposed throughout the site.

- b. Street trees shall be located approximately 35 feet on-center if they do not exist in the right-of-way. A staggered row of the same species shall be planted at the same interval on the other side of the sidewalk, unless the buildings are located at or near the street line.**

Street trees have already been planted within the right-of-way (ROW) for Auth Way and the subject DSP proposes shade trees at approximately every 35 feet on-center on the other side of the sidewalk in fulfillment of this condition.

- c. The building materials, architecture and height of structures shall be high quality and compatible to each other. In order to create a harmonious theme to the overall development, the DSP shall employ one or more design elements such as similar or same types of exterior finish materials, massing, articulation, window fenestration or color. Parking garages, where a substantial portion of the garage is visible from a street, shall be visually compatible with surrounding buildings.**

The proposed building materials, including brick and fiber cement siding with metal railings, height of the structures, at four stories, and architecture are high quality and compatible with each other. All three buildings employ the same exterior finish materials, window fenestration and colors, and no parking garages are proposed.

- d. In Phase I, the minimum height of office and residential structures shall be three stories. In Phase II, the minimum height of office and residential structures shall be five stories. Retail uses are encouraged to be located on the first floor of a mixed-use building.**

The subject DSP is in Phase I and proposes four-story residential structures in fulfillment of this condition.

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- e. **A visual connection from the residential development in Pod A to the green space component within Pod B shall be provided via the street connections by incorporating medians, or by connecting the greenspace to frontage along the road across from the residential development in Pod A.**

This condition was fulfilled through Detailed Site Plan DSP-02023 which included the development in Pod A.

- f. **The outdoor public space/green area shown as 60,000 square feet in Pod A and 60,000 square feet in Pod B shall not be reduced in size on the Detailed Site Plans. The configuration of the space may change, if the balance of the space to the development of structures around it is in scale.**

The subject DSP does not include the area for the outdoor public space/green area, which will be included in future as-yet-undeveloped portions of Pod B.

- g. **The provision of a gasoline station use within Pods A and B is prohibited.**

No gasoline stations are proposed with the subject application.

- i. **Surface parking shall not be located along the street edge of Auth Way/Capital Gateway Drive. Surface parking shall be heavily buffered through the use of landscaping or decorative brick walls, whichever is determined to be appropriate at the time of Detailed Site Plan, when visible from Auth Way/Capital Gateway Drive.**

Surface parking lots are proposed to be located along the street edge of Auth Way; however, the DSP proposes a wider landscaped area, including a metal picket fence with brick columns, between the parking lot and street as a buffer in fulfillment of this condition.

- 21. **Any residential development located within Pod B shall be located across from Pod A.**

The subject property is in Pod B, but is not directly across the street from Pod A.

- 22. **At the time of Detailed Site Plan review for any land within Pod A, the applicant shall provide section drawings to determine the visual impact of the proposed development from Suitland Parkway.**

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The subject application is located within Pod B, not Pod A; therefore, this condition does not apply.

- 23. At the time of the first Detailed Site Plan submission, a comprehensive design approach is required for the proposed signage for the commercial/retail components. Freestanding signage shall not exceed ten feet in height.**

The subject application is not the first DSP submission within the CSP and does not include any commercial/retail components. Therefore, this condition does not apply.

- 24. Development beyond 1,200 dwelling units shall require the development of a retail component to serve the residents; the development of an office building with a retail component is acceptable. This condition may also be fulfilled by the same development on Lot 34 (the Companion CSP-01016). Issuance of a use and occupancy permit for the retail will be required prior to the release of the 1200th residential building permit.**

The subject DSP represents a decrease in the number of dwelling units from the number previously approved for the site under Detailed Site Plan DSP-05051. In that approval, it was found that the total dwelling units had exceeded 1,200 units, so it included the retail component required by this condition.

- 25. Prior to a Detailed Site Plan submission in the area shown in the CSP as the outdoor public space/green area within Pod B, indicating a pedestrian connection to the Metro Station, the applicant shall submit evidence indicating that the Office of Property Development and Management has accepted for review a plan showing a pedestrian connection to Metro.**

The subject application does not include the area within Pod B shown as the outdoor public space/green area on the CSP. Therefore, this condition does not apply.

- 26. Prior to acceptance of a Detailed Site, the applicant shall submit a parking and loading study in accordance with Sections 27-574 and 27-583. The study shall be consistent with traffic analyses done in support of the Conceptual Site Plan, particularly in regard to assumptions made for transit mode share for the various uses and internal trip satisfaction between the uses.**

A parking and loading study was submitted with the previously approved Detailed Site Plan DSP-05051. This DSP not only reduces the intensity of development, but also the amount of parking spaces, as was shown on DSP-05051, thereby reducing all traffic and parking impacts.

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27. **If a DSP is submitted for a portion of Pod B that deviates from the Illustrative Plan, a revised layout for the remaining portion of Pod B shall be included as part of the submittal. It shall demonstrate an alternative layout that includes the outdoor public space/green area in keeping with the concept demonstrated in the Illustrative Plan.**

This issue was addressed in the Detailed Site Plan DSP-05051 approval, and the subject DSP does not substantively affect the previously submitted alternative illustrative layout.

9. **Preliminary Plan of Subdivision 4-90037:** The Planning Board approved Preliminary Plan of Subdivision 4-90037 on June 7, 1990 (PGCPB Resolution No. 90-253) for Capital Gateway with 13 conditions. The conditions that are relevant to the review of this DSP are discussed as follow:

2. **All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association (NFPA) Standard 13 and all applicable County laws.**

The subject application does not propose any commercial structures.

3. **Prior to the issuance of building permits for each individual lot within the subject property, a Detailed Site Plan shall be approved by the Planning Board in accordance with all the conditions of Zoning Map Amendment A-9409.**

The subject DSP application is in fulfillment of this condition; however, the conditions of Zoning Map Amendment A-9409, which originally rezoned the property to I-1, are no longer in effect due to the subsequent rezoning to M-X-T.

7. **Prior to the issuance of any building permit, the following transportation improvements shall be in place, bonded for construction by the applicant, or shall be fully funded for construction in either the Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program. Should any of the improvements listed below be judged by the responsible agency to be inappropriate or inconsistent with improvement plans for the project location, the applicant shall be relieved of responsibility for the improvement by contributing an amount equal to the then-current cost of the improvement as described below:**
 - o **Widen MD 5 (Branch Avenue) from four to six through lanes from approximately the loop ramp terminal connecting the I-95 inner loop with southbound MD 5 through its intersection with Beech Road;**

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- o At the MD 5/Auth Road intersection, construct as necessary to provide dual left-turn lanes on the north approach, an exclusive right-turn lane on the south approach, and dual left-turn lanes and a free flow right-turn lane on the east approach;**
- o At the MD 5/Auth Way intersection, construct as necessary to provide dual left-turn lanes on the north approach, an exclusive right-turn lane and an exclusive left-turn lane on the south approach, and dual left-turn lanes, a through/left-turn lane, and a free flow right-turn lane on the east approach;**
- o At the MD 5/Beech Road intersection, construct as necessary to provide an exclusive left-turn lane and an exclusive right-turn lane on the north approach, dual left-turn lanes and an exclusive right-turn lane on the south approach, an exclusive left-turn lane on the east approach, and a free flow right-turn lane on the west approach;**
- o Reconstruct and/or restripe as necessary the intersection of St. Barnabas Road/28th Street/Branch Avenue to provide: exclusive left, through and right lanes on the north (28th Street) approach, an exclusive left and a shared left, through and right turn-lane on the south approach, dual left-turn lanes, dual through lanes and an exclusive right-turn lane on the east approach, and an exclusive left lane, dual through lanes and an exclusive right lane on the west approach. The existing signal will be rephased as to the satisfaction of the responsible agency;**
- o Reconstruct as necessary the intersection of Auth Road and Auth Place to provide two through lanes on the east and west approaches, an exclusive left-turn lane and an exclusive right turn lane on the north approach and two through lanes on the south approach;**
- o Following the above referenced geometric improvements, conduct signal warrant studies at the intersection of Auth Road and Auth Place and the intersection of Auth Place and Auth Way. If signals are found to be warranted and upon approval from the State Highway Administration (SHA) and/or the County, install and time the signal(s);**
- o Assume full funding responsibility associated with the relocation and rephasing of existing signals as necessitated by the proposed geometric improvements identified above.**

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This condition will be enforced prior to the issuance of building permits. However, building permits have already been issued for areas within the subject preliminary plan, so it can be presumed that the listed improvements have been bonded or funded as required.

8. **Development shall be limited to 828,000 square feet of office space or 1,775,000 square feet of flex-office or any combination of permissible I-1 uses which would produce the same or fewer directional peak hour trips (see below).**

Type of Use	Magnitude	Peak Direction	
		Peak Hour AM	Vehicle Trips PM
Office	828,000	1,490	1,242
Flex-office	1,775,000	1,367	1,243

The previous development, under Detailed Site Plan DSP-05051, for the subject property was found to be in conformance with this condition and since the subject application proposes a less intense development, it can be said that the current proposed development continues to adhere to this condition.

10. **Detailed Site Plan DSP-05051 and Revisions:** Detailed Site Plan DSP-05051 was approved by the Planning Board on November 3, 2005 (PGCPB Resolution No. 05-227) subject to 13 conditions. Subsequently, the case had two minor revisions approved by the Planning Director in 2008. The subject detailed site plan has been reviewed for consistency with these previous approvals, and conditions for plan approval have been recommended where deemed necessary to maintain consistency in the subject DSP.
11. **Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
- a. **Section 4.1, Residential Requirements**—Section 4.1 requires that for multifamily developments in the Developed Tier, such as the subject development, a minimum of one major shade tree is required per 1,000 square feet of green area provided. The correct schedule is provided on the DSP showing this requirement being met, with a total of 89,119 square feet of provided green area requiring 90 shade trees, and a total of 72 shade trees, 35 ornamental trees and 25 evergreen trees being provided.
- b. **Section 4.2, Requirements for Landscaped Strips along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. The submitted DSP proposes a parking lot along the public street, Auth Way; however, it is more than 30 feet

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away from the right-of-way line and is, therefore, not considered adjacent and not subject to the requirements of this section.

- c. **Section 4.3 Parking Lot Requirements**—Section 4.3 specifies that proposed parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to reduce the impervious area. The DSP proposes one large parking compound to serve all three residential buildings that requires ten percent interior planting area. The landscape plan provides the correct schedule and indicates that 10.6 percent interior planting area is provided, along with 38 shade trees, in conformance with the requirements of Section 4.3. Some plan revisions required by other issues, such as the new entrance to Auth Way, will require a revision to the interior planting area and the Section 4.3 schedule should be revised as necessary.
 - d. **Section 4.4 Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The subject DSP provides a screen wall around the proposed trash and recycling areas, and plantings between the proposed loading area and the public right-of-way that meet the requirements of this section.
 - e. **Section 4.6 Buffering Development from Streets**—Section 4.6 provides requirements for scenic road treatments and buffering of residential development from public roads. The subject property is not adjacent to any scenic or historic roads, nor a major collector, arterial, freeway, or expressway; therefore, there are no specific landscaping requirements under this section.
 - f. **Section 4.7 Buffering Incompatible Uses**—The site is subject to Section 4.7; however, it is surrounded by a public right-of-way to the east and by a single parcel, Parcel A-1, developed with a mixed multifamily residential and retail development to the west and south, neither of which are incompatible uses requiring buffering under this section.
 - g. **Section 4.9 Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. However, the number of proposed and provided shade trees does not match the plant schedule and the plant schedule does not designate which plants are native species. These issues should be revised on the DSP prior to certification.
12. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland, and there are previously approved tree conservation plans for the site. The subject application is grandfathered from the requirements in Subtitles 24 and 27 that came into effect on September 1, 2010 because the project has a previously approved preliminary plan. The project is also grandfathered from the requirements of Subtitle 25, Division 2, Woodland and Wildlife Habitat Conservation Ordinance (WCO) because

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it has a previously approved tree conservation plan. The Planning Board found the submitted DSP to be in conformance with the previously approved Type II Tree Conservation Plan, TCPII-53-04.

13. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 1,500 square feet of disturbance. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 6.26 acres in size, resulting in a TCC requirement of 0.63 acres, or 27,269 square feet.

The subject application did not provide the required schedule showing the requirement being met; however, it is estimated that the DSP will be able to meet the requirement using proposed plantings. Prior to certification, the DSP should be revised to include a TCC schedule on the landscape plan, showing the requirement being met on-site.

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

- a. **Community Planning**—This application is consistent with the 2002 General Plan Development Pattern policies for Developed Tier Centers. This application is located within a designated Metropolitan Center as defined by the 2002 General Plan. The proposed residential use and its intensity of development are consistent with the type of development envisioned for a Metropolitan Center. This application conforms to the land use recommendations of the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* (SMA). More particularly, the Planning Board found:

The proposed land use and development intensity are consistent with the 2002 *Prince George's County Approved General Plan* and the approved master plan and sectional map amendment for the Heights and Vicinity Plan, in that it is a relatively high density residential use within an easy walking distance of the Branch Avenue Metro station. The density is lower than envisioned in the DSP and lower than the first phase of development across Midtown Square on the mirroring site. Current market conditions do not support the cost of structured parking as seen in the first phase, so this site plan for Phase II is dominated by surface parking.

Buildings One and Two are set up on the public right-of-way along Midtown Square and Telfair Boulevard in an urban form and with a high level of architectural and landscape treatment, which mirror the first phase opposite along Midtown Square, which will result in an attractive development. The position of Building Three, with its short side along Telfair Boulevard and a parking lot between its façade and Auth Way, does not address the public right-of-way and does not define a street edge in the manner of the rest of the development.

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Community Planning staff recommended that Building Three be repositioned so that its façade fronts along Telfair Boulevard in the same manner as Building Two. This change will require reconstruction of an existing curb cut and median cut along Telfair Boulevard.

The diagonal parking along Telfair Boulevard, which is already constructed, is a remnant of the previous site plan that included substantial retail on the ground level, which is not included in the current plan. While parallel parking would be more appropriate in front of a residential building, the diagonal is acceptable as visitor parking.

Community Planning concerns regarding the position of Building Three were presented to the applicant during the review process. The applicant cited various functional and aesthetic purposes to their proposed building siting, including the location of existing curb cuts, the location of the Washington Metropolitan Area Transit Authority (WMATA) rail yard across Auth Way, and soil quality issues. The Planning Board agreed that some of these reasons had merit, and since there are no specific requirements in the applicable master plan regarding building location, it was determined that there was not sufficient justification to require relocation of Building Three.

- b. **Transportation Planning**—As part of this DSP application, the applicant proposes to construct only 208 multifamily-residential units (126 one-bedroom, and 82 two-bedrooms), without any commercial retail and office spaces. This level of development would generate approximately 65 inbound AM peak-hour trips, and 75 outbound PM peak-hour trips, with appropriate reduction for transit. These values are significantly lower than the maximum approved levels of AM and PM for this site established as part of the DSP-05051 detailed site plan approval. For the proposed development of 208 multifamily units, the plan proposes a total of 269 parking spaces, of which 7 will be Americans with Disabilities Act (ADA) accessible.

In accordance with the Prince George's County Zoning Ordinance, Section 27-546 (c)(4), prior to the approval of any detailed site plan in the M-X-T Zone, it must be demonstrated "that the proposed 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 or within the current State Consolidated Transportation Program, or which will be provided by the applicant, 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." Since the proposed plan proposes a less intense development than has already been approved and has been included as part of approved background for other development applications in the area, the Planning Board found that there is no need for new adequacy findings for transportation with this application.

The internal vehicular and pedestrian circulation patterns appear to be acceptable, and no additional dedication will be required. Closure of the existing median opening along Auth

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Way, as recommended by DPW&T and the provision of the proposed site entrance in accordance with the county's DPW&T approval and standards will be required of the applicant prior to the issuance of any building permit.

Transportation Findings

Based on the preceding findings, the Planning Board concludes that adequate transportation facilities would exist to serve the proposed development as required under the section 27-546(c)(4) of the Prince George's County Code if the application is approved with the following conditions:

- (1) Prior to certification of the detailed site plan, the applicant shall obtain from the Prince George's County Department of Public Works and Transportation (DPW&T), the approval for the closure of the existing median break along Auth Way and the proposed site access entrance.
- (2) Prior to certification of the detailed site plan, the applicant shall revise the submitted plan to show the location and agree to provide for at least one transit and bus information kiosk within the proposed development.

In an e-mail dated February 7, 2013, (DeGuzman to Gibbs) the applicant received approval from DPW&T for the proposed right-in/right-out only entrance onto Auth Way along with the associated closing of the existing median break. The second proposed condition has been included in this approval.

- c. **Subdivision Review**—The Planning Board reviewed the applicable conditions attached to approval of the relevant Preliminary Plan of Subdivision 4-90037 which have been incorporated into Finding 9 above.

The subject property was recorded in Plat Book VJ 184-51 as Lot 9 through 11 and approved on September 17, 1998. The subject property was re-recorded in Plat Book REP 212-24 as Parcel A-2 and approved on April 27, 2006, to adjust common lot lines in accordance with Section 24-108(a)(3) of the Subdivision Regulations. The record plat contains seven notes and the following notes in **bold** relate to the review of this application:

1. **Development of Parcels A-1 and A-2 must conform to the detailed site plan which was approved by the Prince George's County Planning Board on November 3, 2005, DSP-05051, or as amended by any subsequent revisions thereto.**

The applicant has submitted DSP-12024 for Parcels A-2. Conformance of this Detailed Site Plan DSP-12024 to DSP-05051 is discussed in Finding 10 above.

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2. **Prior to issuance of grading or building permits on Parcels A-1 and A-2 the applicant shall process and record a recreation facilities agreement for each phase.**

The recreation facilities agreement for Capital Gateway, DSP -05051, was recorded in Liber 25246 Folio 438.

3. **Development is subject to restriction shown on approved Type I Tree Conservation Plan TCPI/81/03 or as modified by a Type II Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the woodland conservation tree preservation policy.**

The Planning Board found the DSP to be in conformance with the applicable Type II tree conservation plan (TCPII).

6. **Prior to issuance of building permits for residential units on Parcels A-1 and A-2, the applicant shall obtain a certification from a professional engineer that the building shells within the noise corridors along Capital Gateway Drive have been designed to attenuate noise levels to 45 dBa Ldn or less.**

This requirement will be reviewed at the time of building permit.

7. **Prior to issuance of a grading permit for Parcels A-1 and A-2, the applicant shall provide copies of Phase I and Phase II environmental site assessment reports, any methane studies, and log of any soil excavations conducted on the property, detailing the findings of those assessments, to M-NCPPC for their review and evaluation.**

The environmental site assessment reports will be reviewed at the time of grading permit.

The DSP shows the boundary of Parcel A-2 and the ten-foot PUE as reflected on the record plat. The DSP should be revised to show the bearings and distances on Parcel A-2 as reflected on the record plat. The DSP shows Parcel A-2 having vehicular access through Parcel A-1 with no direct vehicular access to a public street. Section 27-548(g) of the Zoning Ordinance states the following:

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.

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The record plat and the approved preliminary plan do not indicate that a private street or access easement has been authorized pursuant to Subtitle 24 for Parcel A-2 and A-1. Therefore, the DSP should be revised to show Parcel A-2 having direct vehicular access to a public street. The applicant has submitted an "Alternate Entrance Exhibit" that shows the development layout with a direct vehicular access to Auth Way, a public street, from Parcel A-2. Prior to approval of the DSP, the plan must be revised to reflect applicant's "Alternate Entrance Exhibit."

Detailed Site Plan DSP-12024 will be in substantial conformance with the record plat and the approved Preliminary Plan of Subdivision 4-90037, if the above comments have been addressed. Failure of the site plan and record plat to match will result in the grading and building permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

The noted issues have been addressed through conditions included in this approval.

- d. **Trails**—The Planning Board reviewed the applicable elements of the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* and offered the following summarized comments:

The MPOT recommends wide sidewalks along Auth Way in order to safely accommodate pedestrians in the vicinity of the Metro station. The MPOT includes the following language regarding the recommended improvements along Auth Way:

Continuous wide sidewalks should be provided along both sides of Auth Way as road improvements are made to improve access to the Branch Avenue Metro. Seven-foot-wide sidewalks have been approved along segments of Auth Way through the Camp Springs Town Center (MPOT, page 29).

Seven-foot-wide sidewalks have been provided elsewhere along Auth Way within the Camp Springs Town Center and are reflected on the submitted site plan as required. The Complete Streets Section of the MPOT reinforces the importance of sidewalks along both sides of all new road construction within the Developed and Developing Tiers and includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

POLICY 1:

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

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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.

Standard sidewalks are shown on both sides of all internal roads, consistent with these policies. All sidewalks shown internal to the subject site are six-feet in width. The internal sidewalk network is comprehensive, with seven-foot-wide sidewalks shown along Auth Way, six-foot-wide sidewalks shown along Midtown Square and Telfair Boulevard, and six-foot-wide sidewalks shown around each building. However, the three buildings are mostly separated from each other by the large interior surface parking lot. A minimum of one pedestrian route through the proposed internal parking lot is recommended. It should be noted that County Council Bill CB-2-2012, which requires adequate bicycle and pedestrian facilities in Centers and Corridors, includes these types of walkways as one of the types of pedestrian facilities that need to be included within subdivisions located in Centers and Corridors.

The subject application was previously included as part of a larger Detailed Site Plan (DSP-05051). This prior approval included the following conditions of approval (PGCPB Resolution No. 05-227) related to bicycle, pedestrian, and transit facilities:

- 11. Prior to the Certification of the Detailed Site Plan, the applicant shall revise the submitted plan to show the locations and agree to provide for at least two transit and bus information kiosks within the proposed development.**

As the subject application is approximately one-half of the previously approved Detailed Site Plan DSP-05051, the provision of one transit and bus information kiosk within the subject site is recommended.

- 12. The plans shall be revised prior to signature approval to include the following:**
 - a. The sidewalk within Capital Gateway Drive shall be widened from four feet to seven feet wide, with brick pavers subject to the review and approval by the Department of Public Works and Transportation (DPW&T). The plans shall be revised to include a seven-foot-wide sidewalk in the right-of-way of Capital Gateway Drive and shall include details and specifications that were approved on DSP-02023 and DSP-02024.**
 - d. The plans shall be revised to provide clear pedestrian routes within the development from the residential units to the retail component.**

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- f. The plans shall provide six-foot-wide sidewalks where parking is perpendicular to the sidewalk.**

The submitted plans reflect the required seven-foot-wide sidewalk along Auth Way (or Capital Gateway Drive) and six-foot sidewalks internal to the site. The provision of one clear pedestrian route linking the three residential buildings through the internal parking lot is recommended.

Conclusion

From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the finding required for a detailed site plan as described in Section 27-285 of the Zoning Ordinance if the following conditions were to be placed.

- a. Provide striped crosswalks at the site's ingress/egress points along Midtown Square and Telfair Boulevard, unless modified by the Department of Public Works and Transportation (DPW&T).
- b. The northernmost crosswalk along Midtown Square shall be completed or restriped, unless modified by DPW&T.
- c. Provide one bicycle rack accommodating a minimum of five bicycles at each of the three residential buildings. The locations of the bicycle racks shall be marked and labeled on the approved detailed site plan (DSP).
- d. Prior to signature approval, the plans shall be revised to include at least one clear pedestrian route within the internal parking lot connecting the residential buildings.
- e. Prior to signature approval, the applicant shall revise the submitted plan to show the location and agree to provide for at least one transit and bus information kiosk within the proposed development.

The five conditions have been included in this approval. The Planning Board found that the recommended internal pedestrian route linking the three residential buildings should also link them to the proposed mail kiosk.

- e. **The Department of Parks and Recreation (DPR)**—In a memorandum dated December 12, 2012, DPR indicated that the subject application is a revision to Detailed Site Plan DSP-05051 and all provisions for private recreational facilities approved with that application should be honored as part of this DSP.
- f. **Permit Review**—Permit Review comments have either been addressed by revisions to the plans or through conditions of this approval.

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- g. **Environmental Planning**—There are no environmental comments on the proposed improvements, the site has an approved Type II tree conservation plan (TCP II) and is in conformance with that plan and no on-site plantings or off-site mitigation are required.
- h. **Prince George's County Fire/EMS Department**—The Prince George's County Fire/EMS Department, in a memorandum dated December 16, 2012, provided standard comments regarding fire apparatus, hydrants, and lane requirements. Those issues will be enforced by the Fire Department at the time of the issuance of permits.
- i. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated December 26, 2012, DPW&T provided standard comments regarding frontage improvements, street trees, sidewalks, and stormwater facilities. They indicated that the proposed site development is consistent with the approved Stormwater Management Concept Plan. No specific conditions have been proposed.

In a follow-up e-mail, DPW&T had no objection to the proposed right-in and right-out access drive shown on the applicant's "Alternate Entrance Exhibit," with the associated closing of the existing median break at Capital Gateway Drive. A street construction permit will be required prior to the issuance of building permits.

- j. **Prince George's County Police Department**—The Prince George's County Police Department did not offer comments on the subject application.
- k. **Prince George's County Health Department**—In a memorandum dated February 8, 2013, the Environmental Engineering Program of the Prince George's County Health Department provided the following comments on the subject application:
 - (1) The property is located in the Broad Creek sewer basin. Provide documentation confirming Washington Suburban Sanitary Commission (WSSC) capacity for conveyance of sewage from the proposed project.

This requirement will be enforced by WSSC at the time of technical design. However, this site was the subject of the previously approved Detailed Site Plan DSP-05051, which proposed a larger amount of development than is proposed with the current application.

- (2) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.

The submitted DSP includes a light detail that specifies a house side light shield within residential areas, such as this development, that will minimize spill light.

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- (3) The approved Stormwater Management Concept Plan 27306-2012 and detailed site plan appear to be inconsistent relative to the location of the proposed dog park. The proposed dog park could be a significant source of bacterial contamination/solids, could have potential adverse impacts on both the function of and stormwater quality improvements associated with the adjacent bioretention facilities, and therefore, a revised stormwater management concept plan should be reviewed by the DPW&T Office of Engineering.

The concept plan is a preliminary plan, and the correct location of the dog park will have to be reflected on the technical stormwater plans, at which time DPW&T can evaluate if any additional improvements are necessary to avoid adverse impacts on the adjacent bioretention facilities.

- (4) The site is directly across Auth Way from the 37-acre Washington Metropolitan Area Transit Authority (WMATA) Branch Avenue Metro Rail Yard. Noise can be detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psycho-physiologic effects, psychiatric symptoms, and fetal development. The applicant should consider the potential for adverse health impacts of noise on the occupants of the proposed residential units and the need for associated modifications, adoptions and or mitigation.

Despite being across from the WMATA Rail Yard, there are no noise contours on-site that would need to be mitigated.

- (5) The site has a history of participation in the Maryland Department of the Environment (MDE) Land Restoration Voluntary Cleanup Program. In 2004, MDE issued a revised "No Further Requirements Determination" (NFRD) with a condition prohibiting use of the groundwater beneath the property for any purpose.

This issue has been noted and no further action is needed.

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

The subject DSP proposes sufficient public sidewalks both on the subject site and within the adjacent rights-of-way to provide pedestrian access to the surrounding community.

- (7) The public health value of access to active recreational facilities has been well documented. Indicate the location of active recreational facilities within one-quarter mile of the proposed residences.

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Recreational facility requirements were reviewed and established with the previous plan approvals for the subject property, and the subject DSP provides an acceptable level of private recreational facilities, relative to the amount of development.

- (8) There are three existing carry-out/convenience store food facilities and zero markets/grocery stores within a half mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. The applicant should consider setting aside retail space for a tenant that would provide access to health food choices in the area.

The applicant does not propose any retail space with the subject application.

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

Given that this is a transit-oriented development near a metro station; high-density is a priority which would probably be inconsistent with setting aside room on-site for a community garden.

- (10) During construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance with these requirements.

- (11) During the construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance with these requirements.

1. **Town of Morningside**—The Town of Morningside did not comment on the subject application.
15. Based on the foregoing analysis, and as required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of

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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. As required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board must also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5). The subject DSP area does not contain any regulated environmental features; therefore, no preservation or restoration is necessary.

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 Detailed Site Plan DSP-12024, subject to the following conditions:

1. Prior to certification of this DSP, the applicant shall:
 - a. Revise the plans to label the adjacent right-of-way as Auth Way, not Capital Gateway Drive and to list a floor area ratio (F.A.R).
 - b. Revise the plan to show the access drive to Auth Way per applicant's "Alternate Entrance Exhibit" and revise any site notes, such as the Section 4.3 landscape schedule, as necessary.
 - c. Revise the plans to include a tree canopy coverage (TCC) worksheet, showing the requirement being met on-site.
 - d. Provide striped crosswalks at the site's ingress/egress points along Midtown Square and Telfair Boulevard, unless modified by DPW&T.
 - e. The northernmost crosswalk along Midtown Square shall be completed or restriped, unless modified by the Department of Public Works and Transportation (DPW&T).
 - f. Provide one bicycle rack accommodating a minimum of five bicycles at each of the three residential buildings. The locations of the bicycle racks shall be marked and labeled on the DSP.
 - g. Revise the plans to include at least one clear pedestrian route within the internal parking lot connecting the residential buildings to each other and to the central mail kiosk.
 - h. Revise the DSP to show the location of at least one transit and bus information kiosk within the proposed development.
 - i. Revise the DSP to show the bearings and distances for Parcel A-2 as reflected on the record plat.

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- j. Revise the Section 4.9 schedule on the DSP to match the number of shade trees in the plant schedule and revise the plant schedule to designate which plants are native species to be in conformance with the 2010 *Prince George's County Landscape Manual*.
 - k. Revise the DSP to label the height in feet of all the proposed buildings.
 - l. Provide a plan note that indicates conformance to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - m. Provide a plan note that indicates the applicant's intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
2. Prior to the issuance of building permits for any residential units on this site, the building permits shall contain certification by a professional engineer (with competency in acoustical analysis) that the building shells within the noise corridors along Auth Way have been designed to attenuate noise levels to 45 dBA Ldn or less.
3. The applicant and the applicant's heirs, successors, and/or assignees, shall submit three original, executed Recreational Facilities Agreements (RFA) to The Maryland-National Capital Park and Planning Commission (M-NCPPC) Prince George's County Planning Department, Development Review Division (DRD) for the construction of private recreational facilities on-site for their approval at the time of submission of a grading permit. Upon approval by the DRD Division, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland. The RFA shall be timed in the following manner:
- a. The RFA shall provide for the completion of all indoor recreational facilities prior to the final building permit inspection to confirm building completion in conformance with approved plans for Building One.
 - b. The RFA shall provide for the completion of the outdoor swimming pool prior to the final building permit inspection to confirm building completion in conformance with approved plans for Building Two.
 - c. The RFA shall provide for the completion of all other outdoor recreational facilities prior to the final building permit inspection to confirm building completion in conformance with approved plans for Building Three.
 - d. Notwithstanding a., b., and c. above, the applicant shall exercise due diligence and commercially reasonable efforts to complete all recreational facilities not later than 36 months after the issuance of the building permit for Building One.
4. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees, shall submit a performance bond, letter of credit or other suitable financial guarantee, in

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an amount to be determined by the Development Review Division (DRD) Division, for the construction of the private on-site recreational facilities.

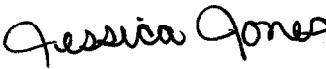
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 14, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of March 2013.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:IK:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date

3/18/13