



PGCPB No. 16-119

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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File No. DSP-15016

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 October 6, 2016, regarding Detailed Site Plan DSP-15016 for Blue, Parcels 61 and 130, the Planning Board finds:

1. **Request:** The subject approval is of a 16-townhouse development.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-S-C/D-D-O	C-S-C/D-D-O
Use(s)	Vacant, (with 2 buildings)	Residential
Acreage	0.56	0.56
Parcels	2	1
Lots/Townhouses	0	16

OTHER DEVELOPMENT DATA

Total Parking	Required	Approved
16 Townhouses	1.5 X 16=24	32*

*Note: An amendment to Site Design, Parking and Loading Standard 2 of the sector plan has been approved herein to not require structured parking for those parking spaces in excess of 1.5 parking spaces per unit. See Finding 7 of this approval for a detailed discussion of the amendment.

The two following architectural models are hereby approved for the subject project. The model type and square footage of the base finished area are as follows:

Model Type	Base Square Footage
16-foot-wide unit with rear garage	1,710
16-foot-wide unit with front garage	1,667

3. **Location:** The project herein approved is located in Planning Area 68 and Council District 2. More specifically, it is located on the western side of Baltimore Avenue (US 1), approximately 115 feet south of its intersection with Jefferson Street at 5334 Baltimore Avenue, in the City of Hyattsville.
4. **Surrounding Uses:** The subject property is bounded to the north by the Hyattsville Armory, which is Prince George's County Historic Site 68-041-09 and a National Register of Historic Places Site, and houses the Crossover Church in the C-S-C Zone; to the west by the parking lot for the Crossover Church in the Commercial Office (C-O) Zone; to the south by a vacant building (formerly the "Beds-To-Go" building) in the C-S-C Zone; and to the east by Baltimore Avenue (US 1) with the a portion of the commercial uses of EYA Hyattsville development including business establishments such as The Yes Market, The Eye Doctor, and Busboys and Poets beyond in the Mixed Use-Infill (M-U-I) Zone.
5. **Previous Approvals:** On June 27, 1977, the District Council approved Special Exception SE-3019 for the Blue Bird Cab Co., Inc. and Cities Service Oil Co. for an automobile repair and service operation on the subject site. The 2004 *Approved Gateway Arts District Sector Plan and Sectional Map Amendment* (Gateway Arts District Sector Plan and SMA) was approved by the District Council on November 30, 2004 and retained this property in the C-S-C Zone. The site is subject to the requirements of Stormwater Management Concept Plan 28196-2015-00, approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on November 16, 2015 and valid until November 16, 2018. Preliminary Plan of Subdivision 4-15016 was approved by the Planning Board prior to, but on the same day as, the subject approval for the creation of 16 lots and one parcel on the subject site.
6. **Design Features:** The townhouse development approved herein is accessed at a single entrance along its Baltimore Avenue (US 1) frontage. A four-unit townhouse stick facing Baltimore Avenue is located north of the access drive and a three-unit townhouse stick is located to its south, also fronting on Baltimore Avenue (US 1). The internal private street, which runs perpendicular to the entrance drive and parallel to Baltimore Avenue (US 1), provides vehicular access to the remaining nine units included in the development.

Pedestrian accessibility is provided for the development by six-foot-wide sidewalks enhanced by a five-foot-wide tree buffer and a three-foot-wide brick paver strip, along Baltimore Avenue (US 1), a sidewalk along both sides of the access drive and a five-foot-wide sidewalk in front of the back row of townhouses (Lots 8-16). Landscaping in front of the townhouses includes a double row of planted shrubs in a landscaping strip along Baltimore Avenue, together with three shade trees, two planted on the northern and one planted on the southern portion of the frontage. Other landscaping on the site includes an additional three major shade trees along the access drive (two on its northern and one on its southern sides), three major street trees along the western side of the private street, and four minor shade trees on the eastern side of the private street. Also provided is a single minor shade tree on the southern side of the access drive, which will function as part of the Filterra unit, providing stormwater management (SWM) for the project. In addition, along the southern side of the access drive, but more proximate to Baltimore Avenue (US 1), is located an

entrance feature/monument sign for the project, which is a sculpture of a bluebird on a brick /stone veneer base, including the name of the development "Blue" on a precast concrete panel. The entrance feature/monument sign measures eight feet tall by one- and one-half feet wide. The architectural materials to be utilized on the entrance feature will match those of the townhouses. The project was named for the Bluebird Taxi Company, which was previously operated from the site.

Architecture

The architecture for the project is varied and creates visual interest in its form and massing, fenestration, and the use of various architectural details. Hardiboard, in both a reddish maroon and a putty and a gun metal grey, is utilized as a second material in the architecture, mainly on the protruding box-window bays provided on each unit.

The first stick of townhouses, located north of the access drive, fronting Baltimore Avenue, including Units 1, 2, 3 and 4, is symmetrical, and each unit is accessed by elevated stoops with protective and decorative, rod-iron type, aluminum railings. The finish material is entirely brick on the first story, with the brick carried up to the uppermost story in vertical accents. Hardipanel is utilized on projecting bays of windows on each unit and almost exclusively on the uppermost story. Single, double and triple windows, and a variety of hardiboard, window and decorative brickwork for transoms are utilized on the elevations. Two of the units have decks on the second story and all four units have decks on the fourth story, protected by aluminum fencing and accessed via glass sliding doors.

The second stick of townhouses, located on the southern side of the entrance to the project from Baltimore Avenue provides three units designed with similar architectural composition of the first stick. The units are also accessed via elevated stoops, protected by aluminum railings. Similar design, finish materials, window patterns and deck arrangements are used in this building stick.

The architecture for the longest and third stick of townhouses (Units 8-16) is similar to the front two. A major difference is that these units provide garage-access from the front and that, due to the grade, the units are three stories tall in the rear and are four stories in the front. The garages doors are single, paneled, and have two windows in the upper portion of each door. A covered entranceway is provided for every other unit. Two of the seven units have decks on the second floor of the front façade, accessed by a single door and all units have decks on the fourth story. All decks are accessed via glass sliding doors.

The side and rear elevations are of more simple design, but the form and massing and fenestration patterns are consistently balanced. The elevations are finished with a combination of quality architectural materials such as brick and hardiboard. These secondary elevations are acceptable.

Lighting

Though lighting for the units is indicated on the building elevations, for all front, rear and deck and garage doors, a detail is not provided. A condition of this approval requires that such detail be added to the plans prior to certificate approval. Street lighting is to be provided by the inclusion of

three “acorn streetlights” on the plan. One is provided on the northern side of the access drive, one at the northern terminus of the private road and still another one at the southern terminus of the private road. A detail of the “Acorn streetlight” is provided on Sheet 4.

Mechanical Equipment

Mechanical equipment was visible on the roof of the buildings on the originally submitted plans for the project. Therefore, a condition of this approval requires that the applicant provide line of sight drawings demonstrating that the mechanicals are not visible from the street or revise the architecture for the project prior to certificate approval, to include a parapet along the roofline that would completely screen the mechanical equipment.

All units are herein approved to be 16 feet wide, allowing for the inclusion on the first story of each unit two 10-foot, one-inch wide and 17-foot, one-inch long parking spaces in tandem-style in the garages. As the provision of 32 parking spaces exceeds the allowance of the sector plan, the Planning Board herein approves a deviation from development district standards to allow this incongruity. See Finding 7 for a detailed discussion of that amendment approved herein.

There is a pronounced shortage of parking for service vehicles in the development approved herein. To remedy this situation, a condition of this approval requires that one parking space be located on the subject property, striped, and signed “For service vehicles only” prior to certificate approval.

Fencing

An aluminum fence and a vinyl fence were originally proposed for the development. The aluminum fence was proposed to be utilized to prevent pedestrian traffic from Baltimore Avenue (US 1) on the southern side of Unit 7 and along the western portion of the southern boundary of the project. A vinyl fence was specified for the western boundary of the site, but an elevation detail for the fence was not provided on the detail sheet. As vinyl does not wear well, and as the color is unspecified, a condition of this approval requires that the applicant provide a fence detail indicating that a composite material be utilized for the privacy fence, with final design approval of the fence by the Urban Design Section as designee of the Planning Board prior to certificate approval. Note that the six-foot-high fence approved herein requires an amendment of the development district standards. See Finding 7 for a more detailed discussion of that amendment.

Green Building Techniques

Green building techniques to be employed in the project include the following:

- Use of a Filterra unit for stormwater management which will handle stormwater management both in terms of quantity and quality in an environmentally sensitive manner enabling the site to handle stormwater runoff in a manner similar to that was utilized pre-development of the site.
- High Efficiency Heating, Ventilation and Air Conditioning System

- High Efficiency Quick Recovery Water Heater
- Vinyl Low-Emissivity-Windows
- Paint-Free Metal Garage Doors
- Environmentally Dry Outdoor Seal on Plywood
- Digital Thermostats
- Air-Stop Insulation around Windows and Doors
- Air-Stop Insulation around electric outlets
- Insulated Fiberglass Front Door

COMPLIANCE WITH EVALUATION CRITERIA

7. **The 2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment and the Standards of the Development District Overlay (D-D-O) Zone:** The 2004 Gateway Arts District Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Gateway Arts District area. The land use concept of the sector plan divides the corridor into seven character areas for the purpose of defining the desired land-use types, mixes, and character of development. Townhouses are a permitted use in the Town Center (TC) character area of the sector plan. (page 196)

The subject site is within the TC character area. The vision for the TC character areas is to create an area bustling with residential and business life. In the areas are historic commercial centers along US 1 and include adjacent redevelopment areas in the municipalities of Hyattsville, Brentwood, and Mount Rainier. Development district standards in these areas emphasize the creation of pedestrian-oriented streetscape that will welcome residents and visitors, establish a build-to-line (BTL) to ensure a common street wall that creates a comfortable sense of enclosure, and minimize total parking requirements while encouraging shared parking. This development character supports both a horizontal and vertical mix of uses. In particular, residential uses above first-floor retail or commercial uses are desired in the TC to infuse the area with new residents who can enliven the streets and support commercial retail. Middle- to high-end housing with structured parking is encouraged. Since these areas are envisioned as active community and art centers, art-related commercial, artist live/work space, art studios, craft studios, restaurants, cafes, municipal, civic, and entertainment uses are supported in the town center. The development of mid- to high-end townhouses is consistent with the land-use vision of the TC character area. A detailed site plan (DSP) is required for the subject project because all of the development district standards could not be met by the development approved herein.

Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets the applicable development district standards in order to approve it. The development district standards are organized into three categories: Site Design, Building Design, and Public Space. However, in accordance with the D-D-O Zone review process, modification of the development district standards is permitted. In order to allow the plan to deviate from the development district standards, the Planning Board must find that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan. The Planning Board hereby makes this finding. The Planning Board hereby approves the following amendments to the development district standards:

- a. **Site Design, Access and Circulation, Standard 5**
All buildings shall be built out to a minimum of 80 percent of the site frontage.
(page 146)

In the subject approval, a safe and navigable entrance needed to be provided for the development. This was provided by including a 22-foot-wide access, resulting in the provision of a 64 percent build-out along the site's frontage, a 16 percent decrease from the required 80 percent standard. Noting that the townhouses will be built out to 100 percent of their individual lot frontages and that the build out across the site frontage is certainly markedly increased by the development proposal. The Planning Board hereby approves this request.

- b. **Site Design, Building and Streetscape Siting No. 10**
Building sidewalls should abut the sidewalls of adjacent buildings.
(page 146)

Noting that this standard is precatory, not mandatory, it would appear that the subject development proposal is a marked improvement over the existing situation, where the two vacant buildings are set back on the site and do not contribute to the creation of a common street wall. Additionally, the 60-inch break in the common street wall proposed at the southern end of the site between Lot 7 and the building on the adjacent property to the south is *de minimus*, and the proposed four-foot-tall aluminum fence along the gap would give a modicum of visual continuity between the townhouse and the adjacent property. The Planning Board hereby approves this request.

- c. **Site Design, Access and Circulation No. 1**
Access to parking lots and loading facilities on adjacent properties should be shared.
(page 147)

It would be infeasible to share access with the Prince George's Historic Resource/National Register of Historic Places (NRHP) site to the north as it may impinge on its historic character, the access and the siting of the rather large building on the property that are well established. Also, though it may be more feasible to share access with the property to the south, it is currently vacant and there are no definite plans at the present time for its redevelopment. In the interest of enabling a future connection, a condition of this approval requires that, prior to certificate approval, the

north/south private street planned for the project be extended to the property line. The Planning Board hereby approves this request.

- d. **Site Design, Access and Circulation, No. 6**
Access to parking and the rear of the lot or parcel shall be located on a side street or alley and shall be a maximum of 18 feet wide.
(page 147)

As it is infeasible at the present time to share access with an adjacent property, access to the project must be to a "main" street, Baltimore Avenue, in contravention of this standard. Additionally, a 22-foot-wide, instead of an 18-foot-wide, travelway to Baltimore Avenue (US 1) will create a safer condition for turning movements in and out of the subject development. A condition of this approval requires that, prior to certificate approval, the north/south road be extended to the property line to the south. This would allow an interparcel connection to the property to the south for egress to the signalized intersection to the south and perhaps the eventual closing of the main access to this property from Baltimore Avenue (US 1).

- e. **Site Design, Parking and Loading, No. 2**
Parking for a residential or live/work use shall be a minimum of 1.5 on-site spaces per unit. Additional spaces up to a maximum of 3.5 spaces per unit may only be provide in an on-site parking structure.
(page 148)

The site is very small, opportunity for surface parking is limited, and providing structured parking on this site would be almost impossible. Allowing more parking on the site (an additional 0.5 space per unit in garages), not in structured parking, provides needed parking for the residents while avoiding parking in non-designated spaces and/or having vehicles impinging on the right-of-way. The Planning Board hereby approves this request.

- f. **Siting and Access, No. 2**
Residential units' garages should be located at the rear of the property and accessed from a side street or alley.
(page 149)

The nine units in the rear have front-loaded garages due to site constraints and the project cannot conform to this requirement.

Additionally, due to the small size of the property, there was no opportunity to put all the garages at the rear of the property. The Planning Board hereby approves this request.

- g. **Fencing, Walls, Screening, and Buffering, No. 1**
Opaque walls and fences, with the exception of required screening, shall not exceed four feet in height. Non-opaque fences shall not exceed six feet in height.
(page 149)

The topographic differences between the project herein approved and the west make the taller fence necessary to provide privacy for the residents. Note that the rears of the townhouses in the western stick are a full story lower than the front, obviating the need for a taller fence. Additionally, the fence is to be placed at the rear of the property and thus will not be highly visible in general and will not be in view from the Baltimore Avenue (US 1). The Planning Board hereby grants this request.

- h. **Signage, No. 1**
Freestanding pole, monumental signs, or billboards shall not be allowed
(page 150)

The monumental sign for the project doubles as public art and an amenity. As the lettering on the base of the sculpture is discrete and non-obtrusive, and the sign relatively small in stature, the Planning Board hereby approves this request.

- i. **Building Design, Unit Design, No. 1**
Residential units shall not be located on the ground floor on 34th Street, 38th Street, and US 1 south of Jefferson Street.

The sort of vertical mixed use sought by this standard has not proved to be marketable in the Gateway Arts District Area. In fact, EYA Hyattsville, a project that is located directly across Baltimore Avenue (US 1), filed for a revision to the plan to eliminate vertical mixed use because they were unable to lease the property. The Planning Board is encouraged that there is horizontal mixed-use requirement in the area, including the commercial portion of the EYA project located directly across the street from the subject project, which will help accomplish the mixed-use goals of the sector plan until such time as vertical mixed use becomes more viable in the vicinity of the subject project. The Planning Board hereby approves this request.

- 8. **The Prince George's County Zoning Ordinance**—The project is located in the Commercial Shopping-Center (C-S-C) Zone and would be subject to the following requirements of the Zoning Ordinance: Section 27-461, Uses Permitted in Commercial Zones and Section 27-462, Part 11 regarding Parking and Loading and Part 12 regarding Signs. However, in the subject case, the requirements for the C-S-C, and those for parking and loading and signage, are superseded by those of the Development District Overlay (DDO) as expressed in the 2004 Gateway Arts District Sector Plan and SMA. See Finding 7 of this report for a detailed discussion of the approval's conformance with the use table and the development district standards of the sector plan.

Site Design Guidelines—The project is in conformance with the applicable design guidelines, as is required for DSPs in Section 27-283, referencing Section 27-274 of the Zoning Ordinance. For example, the parking is located so as to minimize the visual impact of cars on the site, the access to the site is limited to a single entrance, a crosswalk provided across the entranceway, the chosen

acorn light-fixture enhances the site design character and the public art amenity provided is used as a focal point in the development. The site plan satisfies site design guidelines.

9. **Preliminary Plan of Subdivision 4-15016**—Preliminary Plan of Subdivision 4-15016 was approved prior to, but at the same Planning Board meeting (October 6, 2016) as the subject approval for 16 townhouse lots and a single parcel in the C-S-C and D-D-O Zones, as is required by Section 27-270, Order of Approvals, of the Zoning Ordinance. The Planning Board coordinated the review of the two cases, in discussions with the City of Hyattsville, and ensured that the approval of DSP-15016 is in full conformance with the approval of 4-15016.
10. **2010 Prince George's County Landscape Manual:** The project is subject to the 2004 *Approved Gateway Arts District Sector Plan and Sectional Map Amendment* (sector plan) which states on Page 142 that development district standards replace all those contained in the Zoning Ordinance and Landscape Manual. Further, it states that, if an aspect of the physical development of the project is not included in the development district standards, the character area goals and the intent statement of these standards most closely relating to that aspect shall apply. It would appear that the applicant has chosen to bring the landscape plan into conformance with Section 4.9, Sustainable Landscape Requirements. The applicant has provided a schedule demonstrating conformance with the requirements on the landscape plan provided for the project. More particularly, the applicant has included five native shade trees among the nine shade trees provided, meeting and exceeding the 50 percent requirement; three native ornamental trees of the five provided, meeting and exceeding the 50 percent requirement; and 17 of the 56 shrubs provided, meeting and exceeding the 30 percent cent requirement.
11. **Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance (S-098-15) because the site measures less than 40,000 square feet and has no previously approved tree conservation plans. The site has been issued an exemption letter by the Planning Board which is valid until June 12, 2017.
12. **Tree Canopy Coverage Ordinance:** The project is subject to the requirements of the Tree Canopy Coverage Ordinance as it involves land disturbance of more than 5,000 square feet of land. As it is located in the Commercial Shopping Center Zone, 10 percent or 2,435 square feet of the site area is required to be in tree canopy. The applicant has included the appropriately schedule on Sheet 3 of the plan set and demonstrated that the landscape trees to be provided on site (five ornamentals, three minor shade and six major shade trees) will provided 2,540 square feet in tree canopy coverage meeting and exceeding the requirement.
13. **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. **Historic Preservation**—The Prince George’s County Historic Preservation Commission (HPC) reviewed the subject DSP application at its June 21, 2016 meeting and forwarded the following findings, conclusions and recommendations to the Planning Board. The Historic Preservation Commission voted 6-0-1 (the Chairman voted “present) in favor of the below recommendation.

Background

The subject property contains approximately 0.55 acres and is located 115 feet south of the intersection of Baltimore Avenue (US 1) and Jefferson Street in Hyattsville, Maryland. This application proposes 18-townhouse lots in the Town Center character area within the 2004 Approved Gateway Arts District Sector Plan and SMA. The subject property is adjacent to the Hyattsville Armory Historic Site (68-041-09), which is also listed in The National Register of Historic Places.

Findings

- (1) The subject property is south of and adjacent to the Hyattsville Armory Historic and National Register Site (68-041-09). Designed by Robert Lawrence Harris for the State of Maryland in 1918, the Hyattsville Armory is a three-story, fortress-like stone structure distinguished by turrets, parapets, and buttresses. It served as the headquarters of Company F of the First Maryland Infantry, later the 115th Infantry Regiment, 29th Division. Since its closing in 1971, the building has served several uses and is protected by a preservation easement held by the Maryland Historical Trust. Now surrounded by large trees, the building has a castle-like appearance; on its knoll it occupies a strong defensive position. The armory was listed in the National Register of Historic Places in 1980.
- (2) The buildings at 5328 Baltimore Avenue, the developing property, were recorded on a Maryland Inventory of Historic Properties (MIHP) form when the property was known as the Blue Bird Cab Company. The form provides a very brief description of the buildings associated with the site’s former use.
- (3) Other Historic Sites proximate to the subject property include Prince George’s Bank (68-041-02, 5214 Baltimore Avenue (US 1), Professional Building (68-041-01, 5200 Baltimore Avenue (US 1), Hyattsville Post Office (68-041-40, 4325 Gallatin Street), Burgess House (68-010-83, 5201 42nd Place), and Harvey Dairy Store (68-010-88, 4214 Gallatin Street).
- (4) Phase I archeological survey is not recommended on the above-referenced 0.55-acre property located at 5340 Baltimore Avenue in Hyattsville. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low.

- (5) The subject application is located within the Town Center character area of the 2004 *Approved Gateway Arts District Sector Plan and Sectional Map Amendment* (sector plan). Therefore, although the developing property is adjacent to a County designated historic site, the standard buffering requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) do not apply. As a result, no bufferyard or associated plantings are required along the shared property line of the historic site and the developing property.
- (6) As originally submitted, the proposed architecture for this application employed a veneer of split-faced concrete block at the lower levels of the two townhouses facing the adjacent historic site. At the request of the Historic Preservation Section, the applicant revised the proposed drawings to employ more of the brick proposed for other parts of these elevations in order to use fewer materials and to enhance the appearance of these elevations which will be at least partially visible from the adjacent historic site and from Route 1 when the site is approached from the north.
- (7) The HPC reviewed Detailed Site Plan DSP-15016, Blue, at its June 21, 2016 meeting. The revised detailed architectural renderings were provided for all of the proposed buildings within the Blue development. A 3-D model was also presented to illustrate the vertical relationship between the proposed development, the Hyattsville Armory Historic Site and surrounding properties.

Conclusions

- (1) Phase I archeology survey is not recommended on the subject property. Modern disturbance has likely adversely impacted any intact cultural resources that may have been present on the subject property.
- (2) The structures on the subject property were previously recorded on a Maryland Inventory of Historic Properties form. No additional documentation is necessary on the standing structures.
- (3) Because of the urban nature of the developing property and its location within the Town Center character area of the Gateway Arts District, substantial building setbacks, landscape buffering and/or fencing are impractical and inappropriate in this instance.
- (4) The design, massing, materials and details of the proposed new construction within the developing property, although of a contemporary nature, should be considered compatible with the eclectic character of the Route 1 streetscape in the vicinity. The proposed architecture employs a mix of traditional and contemporary materials in a manner that reflects both the time and place in which these buildings will be built. In addition, the applicant's revised elevations for the

townhouses on proposed Lot 1 and Lot 18 are enhanced by the removal of split-faced concrete block veneer in favor brick in these locations.

- (5) The HPC voted 6-0-1 (the Chairman voted "present") to recommend to the Planning Board approval of DSP-15016, Blue, without conditions.

Recommendation

Based on the applicant's submittal of revised architectural elevations for Lots 1 and 18, dated May 31, 2016, the Historic Preservation Commission recommends to the Planning Board the approval of Detailed Site Plan DSP-15016 without conditions.

Plans for the project were subsequently revised to eliminate two units to provide better access to the units and afford more green/open space. The Planning Board ensured that the two units with architecture enhanced at the Historic Preservation Commission's request are the units subsequently deleted from the project. The revised DSP includes a total of 16 townhouses.

- b. **Community Planning**—Though the DSP only partially conforms to the land use recommendations of the 2004 *Approved Gateway Arts District Sector Plan and Sectional Map Amendment* (sector plan), the Planning Board supports the applicant's request for variations from the site design standards. Additionally, the Board hereby finds that fulfilling the parks requirement in the preliminary plan case for the project with fee-in-lieu, instead of on-site recreational facilities, is acceptable.

The subject approval requires a finding of conformance with the applicable General or master plan. The subject project is located in the Established Communities policy area of the Prince George's County Growth Policy Map in the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). As described in Plan Prince George's 2035, the project herein approved is located in the Existing Communities policy area, where context-sensitive infill and low- to medium-density development is desired.

The sector plan called for mixed-use development on the subject site and places the property in the Town Center Character Area. As stated on page 17 of the sector plan, the goal of the "Town Center Character Area" is to enhance the walkability of the town centers by creating a framework for high-quality, mixed-use, pedestrian-oriented development incorporating human-scale buildings, an attractive streetscape, landscaping and small parks." Furthermore, on page 11 of the sector plan, it states that "a pedestrian-oriented streetscape that will welcome residents and visitors, establish a build to-line to ensure a common street wall that creates a comfortable sense of enclosure, and minimize total parking requirements while encouraging shared parking." For a detailed analysis of the amendments to the development district standards of the sector plan herein approved, see Finding 7 of this approval.

- c. **Transportation**—The Planning Board reviewed the subject project with respect to transportation-related issues. The property is located along the west side of Baltimore Avenue (US 1), and south of its intersection with Jefferson Street in the City of Hyattsville. The subject property is also located in the Town Center Character Area as defined by the sector plan. The subject approval is for 16 residential townhouse units.

The site is subject to the general requirements of site plan review, as well as confirming to all applicable and transportation-related aspects of the sector plan's D-D-O Zone standards. No traffic-related findings are required.

The development herein approved will be served by a common access driveway directly from US 1. This is acceptable and satisfies the applicable access and circulation standards of the D-D-O Zone, as this access driveway is to be constructed per Maryland State Highway Administration (SHA) standards as a limited right-in/right-out with raised channelization to prevent any left-turn movements at this location.

The sector plan's parking and loading standards require provision of at least 1.5 on-site parking spaces per unit. Each unit, as proposed, can accommodate two parking spaces. All provided parking will be constructed as structured parking and enclosed within each unit. As envisioned by the sector plan, and as required by a condition of this approval, the shared driveway shall be extended south of Lots 8 and 9 to the southern property line for possible extension when and if the existing property to the south of subject site is redeveloped. In the meantime, this extension can function as a needed turnaround.

The site plan, as approved, is in conformance with the sector plan's required maximum driveway width of 12 feet for each unit.

Baltimore Avenue (US 1) (C-209, a collector roadway with an existing 60- to 80-foot right-of-way; D-D-O Zone Site Design Standard (1)) is a master plan roadway in the 2009 *Master Plan of Transportation* (MPOT) and the sector plan. No additional right-of-way dedication is required for this facility.

No traffic adequacy-related findings need to be made with DSP approval. The Planning Board hereby determines that the site plan is acceptable from the standpoint of transportation, as the following conditions have been included in this approval:

- (1) Prior to the signature approval, the site plan shall be revised to show a limited right-in/right-out access with US 1 with raised channelization per SHA standards to prevent any left-turn movements, and
- (2) Prior to the signature approval, the site plan shall be revised to show the extension of the proposed shared driveway south of the proposed Lots 8 and 9 driveways to the southern property line per City of Hyattsville and /or DPW&T standards.

- d. **Subdivision**—This application has been processed concurrently with Preliminary Plan of Subdivision (PPS) 4-15016 for the development of 16-townhouse lots and one parcel in the C-S-C and D-D-O Zones and in coordination with the City of Hyattsville. A condition of the PPS requires the installation of bicycle racks at three locations to address Bicycle Pedestrian Impact Statement requirements. One of the locations is on-site, along the sidewalk abutting US 1. Public pedestrian and vehicular access easements through the site are also required by a second condition of the PPS approval to ensure connectivity for pedestrians utilizing the sidewalk along Baltimore Avenue (US 1) and for future connectivity to the parcels to the south. The public access easement will allow for enhanced circulation for the subject site and possible future access to a signalized intersection at Hamilton Street to the south. A third condition requires an on-site parking space for service vehicles. The above conditions of the PPS are reflected in the subject approval.

A record plat will be processed subsequent to the approval of the DSP in accordance with the required order of approvals, and Subtitle 24. All bearings and distances must be shown consistent with the record plat and shall be accurately reflected on the site plan, or permits will be placed on hold until the plans are corrected.

- e. **Trails**—The Planning Board has reviewed the subject DSP for conformance with the appropriate master/sector plans in order to implement planned trail, bikeway, and pedestrian improvements. The subject project proposes the redevelopment of 0.55 acres of land along the west side of US 1 into 16-townhouse dwelling units. The property is currently in the Developed Tier, in the Commercial Shopping Center (C-S-C) and the Gateway Arts District Development District Overlay (D-D-O) Zones. The subject site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2004 *Approved Gateway Arts District Sector Plan and Sectional Map Amendment t* (sector plan).

2009 Approved Countywide Master Plan of Transportation

There are two MPOT bicycle and pedestrian facility recommendations that impact the subject property:

- Sidepath along US 1
- Bicycle lanes along US 1

The MPOT also contains a section on Complete Streets to provide guidance on accommodating all modes of transportation as new roads are constructed or as frontage improvements are made. The following policies therein pertain to the subject project:

POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the *Guide for the Development of Bicycle Facilities* (American Association of State Highway and Transportation Officials, 2012).

The subject DSP indicates an approximately 14-foot-wide space between the curb and the building front. This space is divided into three sections: a three-foot-wide brick buffer from the edge of the curb, a five-foot-wide tree buffer space in between the sidewalk and the brick buffer, and a six-foot-wide sidewalk space adjacent to the building front. A sidepath can be built by SHA as part of a future Capital Improvement Project.

The MPOT recommends bicycle lanes along US 1 in front of the subject site. The Planning Board hereby requires that the applicant stripe US 1 along its frontage consistent with the SHA's *Bicycle Policy and Design Guidelines*, unless modified by the SHA.

2004 Approved Prince George's County Gateway Arts District Sector Plan and Sectional Map Amendment

The subject site is located in the "Town Center" character area of the sector plan. The goal of this area is "To enhance the walkability of the town centers by creating a framework for high-quality, mixed-use, pedestrian-oriented development incorporating human-scale buildings, an attractive streetscape, landscaping, and small parks," (Sector Plan, page 17). The plan further identifies specific transportation goals (Sector Plan, page 39):

To provide an integrated multi-modal transportation system that is safe, efficient, attractive, and accessible, while reducing dependency on the automobile.

To provide safe and convenient pedestrian and non-motorized circulation opportunities in the Arts District for recreation and transportation, with an emphasis on connections to Metro and US 1.

The sector plan provides additional sidewalk, trail, and bikeway recommendations along streets that directly impact the subject site (Sector Plan, page 44) including the following:

3. **Provide sidewalk additions and enhancements as necessary and emphasize the continuity of sidewalks.**
4. **Comprehensive bicycle and pedestrian facilities are recommended along US 1 within the Arts District. Designated bicycle lanes, continuous wide sidewalks, and other pedestrian amenities are recommended, where feasible and practical.**

The sector plan D-D-O design standards identify access and circulation standards that impact the pedestrian environment. The following standards impact the subject site (Sector Plan, page 147):

2. **Sidewalks a minimum of five feet in width shall connect dwelling entrances, parking, recreational facilities, auxiliary buildings, recycling, and dumpster areas.**
3. **Sidewalks shall not be made of asphalt.**
4. **Sidewalk materials and design shall be continuous across driveways and driveway aprons.**

In addition to the access and circulation standards, the sector plan D-D-O design standards indicate several streetscape standards. However, the City of Hyattsville is exempt from most of these standards, except (Sector Plan, page 155):

4. **All streets shall have a sidewalk on both sides wherever possible.**

The DSP herein approved indicates that the sidewalk frontage improvements along US 1 include a six-foot-wide sidewalk, a five-foot-wide tree buffer, and a three-foot-wide brick paver buffer adjacent the roadway.

These improvements will contribute to an improved pedestrian environment as recommended in the sector plan.

Additionally, the site plan indicates a five-foot-wide sidewalk in front of Lots 8-16 and two sidewalks along each side of the access road to the site. The sidewalks are continuous across the access road and curb ramps are used on both sides of the access road. There is only one sidewalk along this access road, however, it is herein approved as a private road and does not require sidewalks on both sides. The sidewalk in front of Units 8-16 ends approximately 11 feet before the property line. To better achieve the goals of the Gateway Arts District Sector Plan and provide better connectivity and continuity, the Planning Board, by condition of this approval, requires that the sidewalk be extended to the southern property line.

The development has only one-vehicle entrance, creating fewer curb cuts than currently exist, which will contribute to improving safe, accessible, and convenient pedestrian transportation. The Planning Board, by condition of this approval, requires that the applicant install a marked crosswalk crossing the access street at its intersection with Baltimore Avenue (US 1) to help emphasize pedestrian use to motorists.

The Planning Board, by condition of this approval, requires that the applicant stripe Baltimore Avenue (US 1) along its frontage consistent with SHA's *Bicycle Policy and Design Guidelines*, unless modified by SHA.

Correspondence between the City of Hyattsville, Mayor Candace Hollingsworth and the Planning Board Chairman, Elizabeth Hewitt, dated August 4, 2016, indicates that the City would like the applicant to ensure any pedestrian street lighting on Baltimore Avenue (US 1) and within the development meet PEPCO specifications and be accepted into the public lighting system. A condition of this approval requires that pedestrian street lighting along Baltimore Avenue meet PEPCO specifications.

- f. **Permits**—Numerous permit review comments regarding the subject project have been addressed by revisions to the plans or as conditions of this approval.
- g. **Environmental Planning**—A standard exemption was issued from the Woodland and Wildlife Habitat Conservation Ordinance, valid until June 12, 2017, because the site is less than 40,000 square feet and because the site had no previously approved tree conservation plans. A natural resources inventory equivalency letter had been issued for the site, valid until June 12, 2020, based on the standard woodland conservation exemption and the fact that no regulated environmental features are located on the site.

The subject site has an approved Stormwater Management Concept Plan (28196-2015) as stated in a letter dated September 8, 2014. The stormwater management concept shows the use of a Filterra unit for water quality on-site, with the stormdrain on-site connecting to an existing stormdrain system located at the intersection of Baltimore Avenue and Jefferson Street.

The subject site has frontage on Baltimore Avenue (US 1) which is a master-planned collector roadway that does not generate sufficient traffic to produce noise levels above 65 dBA Ldn, so no mitigation or noise attenuation is required for this residential project. Additionally, the site does not front on any designated scenic or historic roadway.

- h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comment on the subject project
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 19, 2016, DPIE stated that the applicant should coordinate with SHA, as Baltimore Avenue (US 1) is a state-owned and state-maintained road. They noted, however, that the project will require permits from the City of Hyattsville for the existing and proposed work, as the project is located within the municipality.

Regarding stormwater management, DPIE stated that the subject DSP is consistent with approved Site Development Stormwater Concept Plan No. 28196-2015, dated November 16, 2015. However, they noted that the application needs to be in conformance with DPIE stormwater management landscape standards and that micro-bioretenment plantings to be approved at time of site development fine grading permit.

Noting that all storm drainage systems and facilities would have to be designed in accordance with the Department of Public Works and Transportation's Specification and Standards, DPIE then offered additional information on what would be required to obtain stormwater management technical approval for the site.

The project engineer has informed the Planning Board that the tree type and size for the Filtterra stormwater management unit (*Comus kousa*/Chinese Dogwood, planted at one and one-half—one and three-quarter-inch caliper and seven to nine feet high) was chosen on the basis of DPIE's preferred tree selections to be included in such a unit so that there should be no conflict regarding that landscaping specification at time of application for and approval of a fine grading permit for the project.

- j. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum received May 18, 2016, the WSSC offered numerous comments that the applicant will have to be in conformance with in order to connect the subject project to water and sewer service. These comments have been passed on to the applicant and the requirements of WSSC will be enforced through its permit process.
- k. **Maryland State Highway Administration (SHA)**—In an e-mail dated September 13, 2016, SHA stated that any work within a SHA right-of-way which may include, but not be limited to, frontage improvements, off-site improvements, and site access improvements, will be reviewed and approved by SHA. Pertinent SHA permits (access and/or utility) will be issued based on the scope and type of work.
- l. **Potomac Electric Power Company (PEPCO)**—PEPCO did not provide comment on the subject project.
- m. **Verizon**—In an e-mail received September 19, 2016, a representative of Verizon stated that a 10-foot-wide public utility easement (PUE) be included adjacent and contiguous to and parallel with the right-of-way line for all roadways to be dedicated as public streets, free and clear of any surface obstructions.

Easements are created during the subdivision, not site plan process. Additionally, there are no roadways to be dedicated for public purposes involved in the subject site development.
- n. **City of Hyattsville**—In a letter dated August 4, 2016, the City of Hyattsville offered the following:

On Monday, August 1, 2016, the Hyattsville City Council discussed the proposed project and voted unanimously to express our community's concerns regarding the proposed 18-unit residential townhouse cul-de-sac development. Based on the site plan proposed in the DSP, the City of Hyattsville does not support nor recommend the Planning Board's approval of this project.

The City of Hyattsville (The City) believes that the site is too compact for the number of townhomes proposed, lacks any green or recreational space, does not provide any on-street or visitor parking, and the restricted entrance off of Baltimore Avenue has the potential to create safety and traffic issues. The proposed travel lanes err on the narrow side, and our community envisions serious traffic issues if a delivery truck or emergency vehicle had to be in the community for any extended period of time. The city anticipates the distinct possibility of vehicles getting trapped into the community and unable to turn into the community due to the turning radius as designed in this DSP. We believe that the site would be more appropriate for a smaller number of homes with a different site layout.

The City respectfully requests that the applicant consider an alternative proposal to what is proposed through Preliminary Plan of Subdivision 4-15016 and Detailed Site Plan DSP-15016. If it is the decision of the Planning Board to approve this site plan, the City respectfully requests the Planning Board to require the approval to be made subject to the following conditions (in **boldface type**):

- **The applicant to secure a safer means of access to the site. The City requests that the applicant secure shared use/access to the existing fully signalized intersection south of the subject site.**

The suggested alternate access to the site would involve off-site improvements that cannot be affected by the subject DSP approval.

- **A minimum of two proposed townhomes and related subdivision lots be revised to a single, non-buildable subdivision lot.**

The applicant has responded to this request by deleting two lots as shown in revised plans that were circulated to the City of Hyattsville for review.

- **The single- subdivision lot will be a dedicated green space with sitting area, paved walkway seating and playground equipment. The issuance of a building permit be subject to the City of Hyattsville's approval of the recreational space design. The issuance of a use and occupancy permit is subject to the fulfillment of the park space completion.**

The applicant had met the parks requirements at the time of approval of Preliminary Plan of Subdivision 4-15016 on October 6, 2016 by fee-in-lieu of dedication. There are no private recreational facilities included in the subject approval.

- **Any pedestrian street lighting on Baltimore Avenue and within the development is required to meet PEPCO specifications and to be accepted by PEPCO into the public lighting system prior to issuance of use and occupancy permits.**

A condition of this approval requires that any pedestrian street lighting along the subject site frontage on Baltimore Avenue (US 1) or within the subject site meets PEPCO specifications.

- **Bicycle and Pedestrian Impact Statement (BPIS) to include at a minimum the furnishing and installation of bicycle racks on-site, at Centennial Park and City Lot No 5. The bicycle rack type will be consistent with the existing model and branding type utilized by the City of Hyattsville.**

The DSP process cannot effect off-site improvements. A condition of this approval requires that, prior to certificate approval, the plans be amended to include a bicycle rack type consistent with the existing model and branding type utilized by the City of Hyattsville.

- o. **Other Municipalities**—No comment has been received from the following municipalities, which are all located within one mile of the boundaries of the subject project:

Town of Cottage City
Town of North Brentwood
Town of Bladensburg
Town of Brentwood
Town of Edmonston
Town of University Park
Town of Colmar Manor

Though the Planning Board has received an e-mail from Councilman Alan Thompson of the Town of Riverdale Park providing comments on the project, official comments from the town's council was not provided.

- p. **Prince George's County Health Department**—No comment was received regarding the subject case from the Prince George's County Health or Police Departments.

14. As required by Section 27-285(b) of the Zoning Ordinance, the DSP 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. The DSP complies with the

D-D-O Zone standards of the 2004 Gateway Arts District Sector Plan and SMA, except for those amendments as discussed in Finding 7.

15. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. However, in this case, there are no regulated environmental features located on the site. Therefore, this normally required finding needs not to be made for the subject project.

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-15016, subject to the following conditions:

A. APPROVED the following development design standards:

1. **Site Design, Building and Streetscape Siting, No. 5**—To allow the site to be built out to 64 percent, rather than 80 percent of the site frontage as required by this standard.
2. **Site Design, Building and Streetscape Siting, No. 10**—To allow the sidewalls of the subject project to be separated from the adjacent buildings by five feet, rather than to abut as required by this standard.
3. **Site Design, Access and Circulation, No. 1**—To allow vehicular access to the subject project not to be shared.
4. **Site Design, Access and Circulation, No. 6**—To allow access to parking and the rear of the lot or parcel to be located on a main street and to be wider than 18 feet.
5. **Site Design, Parking and Loading, No. 2**—To allow a residential use to have in excess of 1.5 on-site parking spaces per unit, not located in structured parking.
6. **Site Design, Siting and Access, No. 2**—To allow garages of residential units not to be located at the rear of the property and accessed from a side street or alley.
7. **Site Design, Fencing, Walls, Screening, and Buffering, No. 1**—To allow an opaque fence to exceed six feet in height. To allow the western side of the transformer to remain visible from the public realm to provide access to Potomac Electric Power Company (PEPCO).
8. **Site Design, Signage, No. 1**—To allow a monument sign to be utilized for the project.
9. **Building Design, Unit Design, No. 1** Residential units shall not be located on the ground floor on Baltimore Avenue (US 1)—To allow the seven residential units fronting on Baltimore Avenue (US 1) to be included in the project.

B. APPROVED Detailed Site Plan DSP-15016 for Blue, Parcels 61 and 130, subject to the following conditions:

1. Prior to the certificate approval, the plans shall be revised as follows and the specified additional materials submitted:
 - a. A limited right-in/right-out access to Baltimore Avenue (US 1) with raised channelization designed to meet Maryland State Highway Administration (SHA) standards shall be indicated on the plan so as to prevent any left-hand turn movements, unless modified by SHA.
 - b. The proposed north-south private road, and the sidewalk along it, shall be extended to the southern property line.
 - c. Bottom-of-wall elevations shall be added to the retaining wall indicated on the site plan.
 - d. The vinyl specified for the privacy fence shall be replaced by a more durable composite material and an elevation drawing of the proposed six-foot-tall privacy fence shall be included on the plans. The fence shall be approved by the Urban Design Section as designee of the Planning Board.
 - e. The sidewalk in front of Units 8–16 shall be extended to the southern edge of the property line.
 - f. A high-visibility crosswalk crossing the access road at the intersection of the access road and Baltimore Avenue (US 1) shall be provided.
 - g. The portion of Baltimore Avenue (US 1) that the subject site is fronting shall be striped consistent with the SHA *Bicycle Policy & Design Guidelines*, unless modified by SHA.
 - h. Ensure that any street lighting along the subject site frontage on Baltimore Avenue (US 1) and within the subject site meets Potomac Electric Power Company specifications.
 - i. In order to ensure conformance of Detailed Site Plan DSP-15016 with the approval of Preliminary Plan of Subdivision 4-15016, the plans shall be revised as follows:
 - (1) Delineate the public pedestrian-use easement along Baltimore Avenue (US 1) in accordance with the approved preliminary plan of subdivision.

- (2) Delineate the public pedestrian and vehicular-access easement to the benefit of the City of Hyattsville, from Baltimore Avenue (US1) over the private road which provides entrance to the subject site and extending it to the southern property line, in accordance with the approved PPS.
 - (3) Provide a detail and reflect the location of two U-style bicycle racks, consistent with the existing model and branding utilized by the City of Hyattsville, on-site, on the sidewalk abutting US 1, subject to modification by the City of Hyattsville.
 - (4) Provide details for a striped and signed parking space "For Service Vehicles Only" south of Lot 8.
 - (5) Conform to the approved preliminary plan of subdivision.
- j. The applicant shall either provide sight lines from Baltimore Avenue (US 1) to the proposed buildings demonstrating that the roof-mounted mechanicals will not be visible or revise the architectural elevations to include a decorative parapet on the roofline that will screen the mechanicals from view from adjacent properties and the entrance drive into the development.
- k. A detail of the wall mounted light fixtures shall be included on the detail sheet and approved by the Urban Design Section as designee of the Planning Board.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, October 6, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of October 2016.

Patricia Colihan Barney
Executive Director


By Jessica Jones
Planning Board Administrator

PCB:JJ:RG:rpg

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 10/14/16