

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on December 14, 2017, regarding Detailed Site Plan DSP-16055 for Vista Gardens West, the Planning Board finds:

1. **Request:** The subject application proposes a mixed-use development, including 29,922 square feet of new commercial retail space, a gas station and associated food and beverage store, a 95-square-foot 103-room hotel, and 115 single-family attached dwelling units and an addition to an existing office building of 14,881 square feet.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Office	Hotel, retail, office and single-family attached residential
Acreage	31.34	31.34
100-year floodplain	4.73	4.73
Net Tract Area	26.61	26.61
Dwelling Units	0	115
Residential Square Footage	0	138,000
Commercial Retail (sq. ft.)	0	29,922
Commercial Office (sq. ft.)	14,881	14,881
Hotel	0	95,000 sq. ft. (103 rooms)
TOTAL Gross Floor Area		277,803 sq. ft.

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density Allowed	0.40 FAR
Residential Bonus Incentive	1.00 FAR
Total FAR Permitted:	1.40 FAR*
Total FAR Proposed:	0.24 FAR

Note: *Additional density was previously approved in accordance with Section 27-545, Optional method of development, of the Zoning Ordinance.

PARKING AND LOADING DEVELOPMENT DATA

Parking Spaces	Required Spaces*	Provided Spaces
Existing Office – 14,881 sq. ft.	1 space/250 sq. ft. for first 2,000 sq. ft.; 1 space/400 sq. ft. for the remaining = <u>41</u> <u>spaces</u>	<u>85 Total</u> 81 Standard 2 Handicapped 2 Van Handicapped
Hotel – 103 Rooms	1 space/2 rooms = <u>52 spaces</u>	<u>119 Total</u> 113 Standard 6 Handicapped Van
Parcel 1 – future 3,400 sq. ft. retail	1 space/250 sq. ft. = <u>14 spaces</u>	<u>43 Total</u> 41 Standard 2 Handicapped Van
Parcel 2 – 10,083 sq. ft. retail	1 space/250 sq. ft. = <u>41 spaces</u>	<u>45 Total</u> 34 Standard 9 Parallel 2 Handicapped Van
Parcel 3 – 4,654 sq. ft. eating and drinking establishment	1 space/250 sq. ft. = <u>19 spaces</u>	<u>51 Total</u> 49 Standard 2 Handicapped Van
Parcel 4 – 2,200 sq. ft. eating and drinking establishment	1 space/250 sq. ft. = <u>9 spaces</u>	<u>29 Total</u> 27 Standard 2 Handicapped Van
Parcel 5 – 5,585 sq. ft. food and beverage	1 space/250 sq. ft. = <u>23 spaces</u>	<u>57 Total</u> 54 Standard 1 Handicapped 2 Handicapped Van
Parcel 6 & 7 – future 4,000 sq. ft. retail	1 space/250 sq. ft. = <u>16 spaces</u>	<u>62 Total</u> 62 Standard
Residential – 115 townhouses	2.04 spaces per townhouse = <u>235 spaces</u>	<u>273 Total</u> 2 spaces/lot 43 on-street
Total Parking	461 spaces*	764 spaces

Loading Spaces	Required Spaces*	Provided Spaces
Existing Office – 14,881 sq. ft.	1.0 for 10,000 to 100,000 sq. ft.	1
Hotel – 95,000 sq. ft.	1.0 for 10,000 to 100,000 sq. ft.	1

Commercial – 32,508 sq. ft.	3.0 for shopping centers 25,000 – 100,000 sq. ft.	2**
Residential	None for single-family residential	0
Total Loading	5 spaces*	4 spaces**

Note: * The number of parking and loading spaces for developments in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP, as stated in Sections 27-574 and 27-583 of the Zoning Ordinance. If the applicant desires to reduce the base requirement of parking spaces normally required under Section 27-568 and the number of loading spaces normally required under Section 27-582, they must submit supporting data to justify the proposed reduction. In this DSP, the applicant did not ask for a reduction nor submit data; therefore, they must meet the base requirements in Sections 27-568 and 27-582.

** The submitted DSP does not reflect the three loading spaces required within the commercial area. Therefore, a condition has been included in this approval requiring the additional loading space be added.

3. **Location:** The subject property is located at the intersection of MD 450 (Annapolis Road) and MD 704, (Martin Luther King Jr. Highway) in Planning Area 70, Council District 5, in Lanham, Maryland.
4. **Surrounding Uses:** Across Annapolis Road to the northeast are two small subdivisions containing single-family dwellings in the R-R (Rural Residential) Zone. Across Martin Luther King Jr. Highway to the south are the Vista Gardens Shopping Center in the C-S-C (Commercial-Shopping Center) Zones, the Lottsford-Palmer building in the C-O Zone, and the Hanson Palmer Business Park in the I-1 (Light Industrial) Zone. To the west, across Business Parkway, is the Cabot-Forbes Industrial Park in the I-2 (Heavy Industrial) Zone and to the northwest, is the Washington Business Park in the I-1 Zone. An abandoned portion of Old Lottsford Vista Road bisects the property into a residential/hotel area and a commercial area. The site is currently developed with an office building adjacent to Business Parkway serving as the applicant's corporate headquarters. The site surrounds two existing residential dwellings in an area of approximately 1.5 acres, zoned R-R, that are not included in the proposed development.
5. **Previous Approvals:** The property was rezoned from the I-1 and R-R (Rural Residential) Zones to the M-X-T Zone via Zoning Map Amendment A-10028-C, approved by the District Council on August 18, 2014, (Zoning Ordinance No. 11-24). On July 7, 2016, the Prince George's County Planning Board approved Conceptual Site Plan CSP-14002 (PGCPB Resolution No. 16-90) for the development of the property as a mixed-use development with 75,000 square feet of new commercial space, a gas station and associated food and beverage store, a 124-room hotel, and 115 single-family attached dwelling units, in addition to an existing office building of 14,881 square feet. On the same date of July 7, 2016, the Planning Board approved Preliminary Plan of Subdivision 4-13024 (PGCPB Resolution No. 16-91) for the property, which established

the lotting pattern, access and circulation for the property. The property is also the subject of Stormwater Management Concept Plan 47327-2007-04 approved on November 22, 2016 and valid for three years until November 22, 2019.

6. **Design Features:** The applicant proposes to develop the property as a horizontal mixed-use development consisting of single-family attached units, a hotel, and commercial retail uses, which includes a gas station and associated food and beverage store. The following is a breakdown of the square footage associated with each parcel of the commercial development:

Existing Office = 14,881 square feet

Hotel = 95,000 square feet

Parcel 1: Future pad site = 3,400 square feet

Parcel 2: Multitenant commercial = 10,083 square feet

Parcel 3: Eating and Drinking Establishment with Drive-Through = 4,654 square feet

Parcel 4: Eating and Drinking Establishment with Drive-Through = 2,200 square feet

Parcel 5: Gas station with eight multi-product dispensers; Food and beverage store = 5,585 square feet

Parcel 6 & 7: Future pad site = 4,000 square feet

The existing one-story office building, which is to remain as is with only parking lot modifications, is located at the far western end of the property and has an existing vehicular access to Business Parkway. The proposed four-story hotel and associated parking lot will be located to the south of the existing office building and will be accessed via an extension of the office building's access road.

The residential component of this mixed-use development proposes 115 fee-simple single-family attached lots fronting on the linear park and private streets. The lots are laid out in a grid pattern in the northeastern portion of the site with only one vehicular-access point from Annapolis Road. Emergency access for residents and emergency vehicles is provided from the residential private streets to the proposed hotel driveway to access Business Parkway. The submitted DSP indicates an emergency-access location with grass pavers for this purpose. The proposed townhouses include primarily front-loaded garages with rear-loaded garages provided for the units fronting the linear park/bike trail. On-street parking is also shown in several locations. On-site recreational facilities for the residential community will include a plaza/pocket park that is integrated with the linear park/bicycle trail, which has been created to be the focal point of the entire development.

The remaining commercial uses are located within the triangle formed by the intersection of MD 704 and MD 450 at the eastern end of the site and are separated from the residential uses by the proposed linear park, which bisects the site. Access to the commercial area is proposed via two access points on MD 704 (Martin Luther King, Jr. Highway), and two access points on MD 450 (Annapolis Road). A proposed vehicular-access easement will provide access to the commercial parcels at the east end of the site, that do not have direct access to public roads. This easement is treated as a roadway in design, including sidewalks, lighting and street trees, to help establish the character of the commercial portion of the development. The commercial buildings are surrounded by parking and generally face the adjacent roadways with plantings and a six-foot-high decorative brick wall and metal fence lining the road frontages.

The proposed stormwater management (SWM) facilities as shown on the approved SWM concept plan, indicate the use of bio-retention areas in the residential portion and underground facilities in the commercial area. Ten and 100-year detention will be provided by the Vista Gardens Marketplace pond on the opposite side of (Martin Luther King) MLK Jr. Highway.

Proposed signage for the property includes a monument sign for the hotel along Business Parkway, a pylon sign for the gas station along MD 450, a pylon sign for the commercial tenants along MD 704 and monument entrance signs for the residential and commercial portions. Building-mounted signage is also proposed on all commercial buildings. This signage is generally internally-illuminated channel letter signs in franchise-typical colors and is sized and located appropriately to blend with the architecture. The Planning Board has reviewed the signage and finds the designs aesthetically pleasing and the size appropriate for the size and type of development.

The proposed architecture of the commercial buildings, including the hotel, is a typical contemporary style with storefront windows and doors and generally flat roofs, with some variation. Building materials include quality finishes, such as brick veneer, stone veneer, standing seam metal roof, fiber cement siding, and metal panels in neutral colors. Ample fenestration and quality of design on all elevations is provided. The gas station canopy is a white, sloped metal with metal posts, finished with stone veneer at the base.

The proposed residential architecture submitted with the subject DSP includes four models, the 'Aldridge', 'Clifton', 'Chandler II', and 'Davenport II', all by Dan Ryan Homes. These models offer a one-car front-load garage option and a one-car or two-car rear-load garage option with base finished square footages ranging from 1,458 to 1,892 square feet. All models are approximately 36.5 feet high and offer multiple front elevation options, including varied rooflines and a variety of façade options, such as full or partial brick, stone and siding front façades. Other features include reverse and sloping gables, dormers, specialty windows, and enhanced trim. All of the side elevations provide a minimum of two standard architectural features; however, this requirement is included as a condition of approval, to ensure that all models have the minimum number of endwall features in a balanced composition. A separate condition requires a minimum of three standard endwall features combined with a minimum of the first floor finished in brick, stone or

stucco on highly-visible lots. In accordance with the M-X-T Zone requirements, a minimum of 60 percent of the proposed townhouse should have full front façades of brick, stone and/or stucco.

7. **Zoning Map Amendment A-10028-C:** On August 18, 2014, the District Council approved Zoning Map Amendment A-10028-C, (Zoning Ordinance No. 11-2014) subject to seven conditions. Of the conditions attached to the rezoning application, the following are applicable to the review of this DSP.

2. **The following recommendations should be observed during the preparation and review of the Conceptual Site Plan (CSP) and preliminary plan of subdivision:**

- a. **The site plan shall provide adequate open space at the interface, as determined by the Urban Design Section, to serve as a buffer between the project and abutting residential development.**

The DSP shows a linear park between the residential and commercial portions of the development. No residential development abuts the subject property, except for the lots interior to the application. In that area, the DSP is providing an incompatible use bufferyard as required by the 2010 *Prince George's County Landscape Manual*.

- b. **Wherever possible, existing living areas shall be linked to community facilities, transportation facilities, employment areas, and other living areas by a continuous system of pedestrian walkways and bike trails utilizing the open space network.**

The linkages shown on the DSP are extensive and continuous, with the exception of a few connections that have been conditioned to be provided.

- c. **Buffering in the form of landscaping, open space, berming, attractive fencing, and/or other creative site planning techniques should be utilized to protect existing residential areas, particularly the interface along Old Lottsford Vista Road.**

The former roadway, Old Lottsford Vista Road, is proposed to be a landscaped linear park with a trail and other amenities in conformance with this requirement.

- d. **Provide a bikeway through the subject property that connects the Washington, Baltimore & Annapolis (WB&A) Trail to internal streets and area roads, and connect specifically to Annapolis Road (MD 450) and Martin Luther King Junior Highway (MD 704). Also provide pedestrian and bicycle connections to the adjacent sidewalks, transit stops, bikeways, and roads. All bikeway location recommendations shall be approved by the Department of Public Works and Transportation (DPW&T) and shall be designed to meet or exceed County and State standards.**

The extension of the Washington, Baltimore & Annapolis (WB&A) Trail onto the subject site is reflected within the linear park. This park is centrally located and connected to the adjacent development with sidewalks and walkways. Trailhead facilities are proposed on both the residential and commercial sides of the linear park, with facilities including bicycle parking, benches, trail signage, and water fountains.

- e. Provide sidewalks on both sides of all proposed internal streets. Right of way dedication and locations for sidewalks shall be reviewed and approved for feasibility and appropriateness by the Department of Public Works and Transportation and shall be designed to exceed County and State standards.**

Sidewalks are provided along both sides of all internal roads. Walkways are provided where appropriate to link the linear park to the various commercial uses proposed on the eastern portion of the site.

- f. Provide sidewalks on the adjacent roadways that abut the subject property, including Annapolis Road (MD 450) and Martin Luther King Junior Highway (MD 704). Right of way dedication and locations for sidewalks shall be reviewed and approved for feasibility and appropriateness by the Department of Public Works and Transportation and shall be designed to exceed County and State standards.**

Consistent with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), a standard sidewalk is provided along the subject site's frontage of MD 450 and a sidepath should be provided along MD 704, and is included as a condition this approval.

- g. Provide right-of-way dedication along Martin Luther King Junior Highway (MD 704) that is sufficient for the inclusion bicycle lanes and a sidepath. Right of way dedication and locations for sidepaths and bike lanes shall be reviewed and approved for feasibility and appropriateness by the Department of Public Works and Transportation (DPW&T) and construction shall be designed to meet or exceed County and State standards.**

Sufficient right-of-way has already been dedicated to accommodate both dedicated bike lanes and a sidepath along MD 704. Currently, approximately 40 feet of right-of-way (ROW) exists from the edge of the northern curb of the road to the end of the right-of-way.

- 3. All future submissions for development activities on the subject property shall contain a Natural Resources Inventory (NRI) plan that covers the entirety of the subject property. The NRI shall be used by the designers to prepare a site layout, which results in nonessential impact to the regulated features of the site.**

The application has two approved Natural Resources Inventory (NRI) covering two areas separated by Lottsford Vista Road. To the east is NRI-036-13 and to the west is NRI-025-09. It was determined that the information on these NRI plans are still correct. No combined NRI is required for this project and the approved NRIs are still valid. The DSP proposes only one impact to the Primary Management Area (PMA) on the subject property, which was approved with the PPS.

5. **Any hotel use developed shall not exceed fifty (50) feet in height, above grade, to limit any adverse impact upon the single-family homes across Annapolis Road (MD 450).**

The proposed hotel is 45 feet in height in conformance with this condition.

6. **The Detailed Site Plan shall demonstrate the use of full-cut off optic light fixtures to the extent practicable.**

The submitted DSP did not include light details or a photometric plan. Therefore, a condition included in this approval, requires this to be provided prior to certification. The plan should demonstrate full cut-off optics, minimum spillover, and sufficient lighting for all public areas.

7. **Prior to signature approval of any preliminary plan, the Applicants, the Applicants heirs, successors and or assignees, shall record the existing dwellings located at 4901 Lottsford Vista Road (ca. 1930), 4823 Lottsford Vista Road (ca. 1940), and 4815 Lottsford Vista Road (ca. 1955) and any remnants of the Vista Raceway on a Maryland Inventory of Historic Properties (MIHP) form. Two copies of the MIHP form shall be submitted to and approved by the Historic Preservation Section prior to signature approval of the preliminary plan.**

The applicant has submitted final copies of the MIHP forms for the dwellings located at 4901, 4823, and 4815 Lottsford Vista Road to the Maryland Historical Trust and Historic Preservation Section.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the following Zoning Ordinance requirements:
 - a. The subject application is in conformance with the requirements of Section 27-547, which governs uses in all Mixed-Use Zones.
 - (1) The proposed residential and commercial/retail uses are permitted uses in the M-X-T Zone.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:

(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

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

The submitted DSP proposes new commercial/retail space, a hotel, and 115 single-family attached dwelling units and, therefore, meets the requirement for uses.

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

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR**
- (2) With the use of the optional method of development—8.0 FAR**

This development will use the optional method of development and specifically utilizes the one bonus incentive in Section 27-545(b) of the Zoning Ordinance as follows:

(b) Bonus incentives.

(4) Residential use.

- (A) Additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.**

The DSP proposes a total of 115 single-family attached units with a proposed maximum floor area ratio (FAR) of 0.24, which meets this requirement. However, it should be noted that the mix of uses including residential uses allows the applicant to increase the FAR to a maximum of 1.4.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The DSP shows the proposed uses will be located in multiple buildings and on several lots/parcels.

- (c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

The DSP provides regulations for the development on this property.

- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), which is discussed further in Finding 12 below.

- (e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR for the proposed development is calculated in accordance with the requirement.

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

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

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

As shown on the DSP, not every lot has frontage on or direct vehicular access to a public street. PPS 4-13024 approved private streets for the townhouse lots as well as approving a consolidation of the access within a vehicular access easement (Section 24-128(b)(9)) for commercial Parcels 1–6, Block C and Parcels 1–2, Block B.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front façades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more**

than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

Four variances from this section were approved with the PPS 4-13024. These include allowing for a minimum interior building width of 16 feet, not 20 feet; a minimum lot size of 1,312 square feet, instead of 1,800 square feet; 26 percent of the building groups having 6 or more units, instead of 20 percent; and for the maximum units per building group to be eight. The submitted DSP meets the requirements of this section, including the parts that are modified per the previously approved variances.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

The plan does not propose any residential multifamily buildings.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept**

recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

This requirement does not apply to this DSP as the subject property was rezoned via a Zoning Map Amendment approved in 2014 (A-10028-C).

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

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

The 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:**

- (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 retail and residential in conformance with previous plan approvals, which is located at the major intersection of MD 450 and MD 704 and meets this requirement.

- (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;**

In *Plan Prince George's 2035 Approved General Plan*, this DSP is located in the Established Community growth policy area. The vision for the Established Communities is "context-sensitive infill and low to medium-density development". The application conforms to the recommendation of 2010 *Glenn Dale Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* by contributing to the creation of a compact, mixed-use community. The walkable, mixed-use development proposed on the site takes advantage of the transportation links available, and allows for reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other.

- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The subject project is comprised partly of commercial and residential development. In its entirety, the project will conserve the value of land and buildings by creating a compact mixed-use development where people can live and shop, thereby, maximizing the mixed-use potential in the subject location. Otherwise, the property might be developed with a single use, with the remaining uses located on separate sites throughout the County, without being proximate to complementary distinct land uses.

- (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 near residential, institutional, and other commercial uses, with sidewalks serving as connectors, will help to reduce automobile use and to promote alternative transportation such as, bicycling.

- (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 commercial/retail uses and residential dwellings will provide for a 24-hour environment.

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

The proposed development is a horizontal mixed use, which uses open spaces and buffering to create a harmonious mix of uses within the development.

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

The proposed development will create a symbiotic relationship among the uses and present a distinctive visual character and identity for the project as a whole.

- (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 proposed development promotes optimum land planning by consolidating necessary public facilities and infrastructure at an existing major intersection and includes uses that serve both the residents within the development and the surrounding areas.

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

The subject DSP incorporates a flexible response to the market by proposing townhouses, commercial retail and hotel uses. This proposal allows for continued progress and will improve the economic vitality of the overall area.

- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The architecture as proposed is unified within the development using brick on most of the proposed buildings, combining with stucco like appearance throughout the development. At the same time, each individual use will maintain its unique identity.

- (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 a zoning map amendment application.

- (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 will be outwardly oriented. Although the linear park/bike trail forms an internal focal point at the center of the community, commercial buildings at the edge of the site will front onto MD 704. Townhouse units along MD 450 are not fronting the roadway due to lot depth requirements and noise issues. This mixed-use development will lead to the rejuvenation of the surrounding neighborhoods and will act as a catalyst for improvements in the areas.

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

The most intensive uses, the commercial buildings, are located in the triangle formed by the intersection of MD 704 and MD 450, with the single-family attached units occupying the central portion of the site adjacent to floodplain, and the proposed hotel located next to the existing office building at the intersection of Business Parkway and MD 704. The proposed mixed-use development will be compatible with the Vista Gardens Marketplace across MD 704 to the south, and the existing office building and proposed hotel provide a transition between the residential uses on-site and the adjacent business park. The floodplain provides an effective buffer between the Washington Business Park and the proposed townhouses.

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

The mix of uses, arrangement of buildings, and other improvements and amenities including the linear park/bike trail will reflect a cohesive development capable of sustaining a vibrant, independent environment of continuing quality and stability. The proposed development on the subject site will create a focal point for the neighborhood and provide a crucial link to the larger (WB&A) trail system.

- (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 development is not anticipated to be phased. According to the applicant, construction will be based upon market conditions. However, each building phase could be a self-sufficient entity that allows for the effective integration of subsequent construction phases.

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

The DSP shows an extensive network of internal sidewalks, pedestrian walkways and trails throughout the site. However, some additional connections to complete the system are conditioned in this approval. Therefore, the DSP, as revised pursuant to this approval, will include a comprehensive and convenient pedestrian system.

- (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 plans have been reviewed for the above issues and are found to be satisfactory. Space for a gathering place has been provided within the linear park. Adequate attention has been paid to human scale and high-quality urban design through the use of paving, furniture, lighting, and plantings.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation**

Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The subject application is for a DSP property; therefore, the above finding is not applicable.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

The applicable Conceptual Site Plan CSP-14002 and Preliminary Plan of Subdivision 4-13024 for the proposed development were both approved in 2016. This requirement has been met.

- (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 DSP does not propose a Mixed-Use Planned Community.

- d. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274, and cross-referenced in Section 27-283, as follows:
- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. Surface parking is provided for the commercial sites and is generally designed to minimize the visual impact of cars on the site by providing plantings, walls and fences to screen the parking from the adjacent public rights-of-way.

- (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. The development scheme should minimize the impact of loading and trash facilities on the existing residential properties. In the subject DSP, some facilities have been set back less than the required minimum of 50 feet from residentially zoned land or land proposed for residential uses. The applicant has filed Departure from Design Standards DDS-644, which is companion to this case, and was approved by the Planning Board on December 14, 2017 (PGCPB Resolution No. 17-159).
- (3) In accordance with Section 27-274(a)(6)(i), site and streetscape amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture are required. A comprehensive review of streetscape amenities has been done in the review of the subject application and the site plan is in conformance with the requirements.
- (4) A comprehensive and connected pedestrian system including seating elements are provided to enhance the commercial and residential areas in accordance with Section 27-274(a)(9), Public Spaces. The proposed public spaces incorporate high-quality design details and are integrated into the site design by a well-designed pedestrian system and continuous streetscape.

9. **Conceptual Site Plan (CSP-14002):** Conceptual Site Plan CSP-14002 was approved by the Planning Board on July 7, 2016, subject to four conditions of which the following are relevant to the review of this DSP:

- 2. **At the time of detailed site plan (DSP), information shall be provided, or the issues shall be addressed as follows:**
 - a. **Parking shall be calculated separately for the hotel, commercial buildings, and townhouses. Parking spaces in the townhouse driveways must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. A minimum of ten percent more parking for visitors shall be provided in the townhouse area.**

The parking breakdown calculates the requirements separately as stated in this condition and the plan provides for more than ten percent visitor parking in the townhouse area.

- b. **Particular consideration shall be given to the placement of the commercial/retail buildings and human-scale design that will enhance the linear park as a focal point, create places for community gathering and live-work experiences, and provide a pleasing and safe pedestrian realm.**

The DSP has been designed to create human-scale design within the linear park for a pleasing and safe pedestrian area.

- c. The details of the private recreational facilities shall be reviewed and approved.**

The main private recreational facility is an approximately 7,000-square-foot private homeowner associates (HOA) pocket park located between the residential units, and abutting the west side of the public linear park that bisects the property. Other amenities in the applicant's proposal include a pergola/ trellis within a plaza area, seating areas and connector trail to the linear park. The Planning Board found these are acceptable.

- d. All outdoor recreation areas shall be shown located outside the unmitigated 65 dBA Ldn, with the exception of the linear park.**

A Phase II noise study was submitted with this application and shows a noise mitigation plan in conformance with this requirement.

- e. A standard sidewalk shall be provided along the subject site's entire frontage of Annapolis Road (MD 450), unless modified by the Maryland State Highway Administration.**

This sidewalk is shown on the plans as required.

- f. A standard sidewalk shall be provided along the subject site's entire frontage of Business Parkway, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.**

This sidewalk is shown on the plans as required.

- g. Sidewalks shall be provided along both sides of all internal roads, unless determined not feasible or appropriate, and modified by the Planning Board or its designee at the time of DSP.**

Standard sidewalks are provided along both sides of all internal roads, except for a few locations that have been conditioned to be revised.

- h. A ten-foot-wide shared-use path shall be provided along the subject site's entire frontage within the right-of-way of Martin Luther King Jr. Highway (MD 704), unless modified by the Maryland State Highway Administration.**

The plans should be revised to include this sidepath in place of the standard sidewalk currently shown.

- i. **The vehicular access driveway on the commercial site shall be designed with appropriate pedestrian amenities and safety features, including sidewalks, crosswalks, lighting, and landscaping.**

The commercial access driveway has been designed to include sidewalks, lighting and landscaping in conformance with this condition, with the exception of a few locations that have been conditioned to be revised.

- j. **Pedestrian walkways and crosswalks shall be provided that link the commercial uses with Annapolis Road (MD 450) and Martin Luther King Jr. Highway (MD 704), as well as the linear park.**

The required walkways and crosswalks are provided on the DSP, with the exception of a few locations that have been conditioned to be revised.

- k. **Units with visible rear yards fronting on either Annapolis Road (MD 450) or private streets shall have enhanced architectural elements. Side entries shall be considered for dwelling units on Lots 100 and 101, abutting the private central green area (Parcel KI, Block A), at a minimum.**

All rear yards are screened from MD 450 and private streets or are conditioned to include enhanced architectural elements. A decorative side elevation is conditioned to be provided on Lots 100 and 101.

- l. **Similar emphasis on front and rear elevations shall be provided on the commercial/retail buildings.**

Similar emphasis is provided on all elevations of the commercial retail buildings through a continuation of the materials and finishing.

- m. **Identify highly-visible residential units that require enhanced architectural treatments.**

Highly-visible residential units are identified on the DSP and conditions included in this approval requiring additional endwall features and masonry finishing on these units.

- n. **Sufficient area shall be shown along all private streets to ensure conformance with Section 4.10, Street trees along Private Streets, of the 2010 Prince George's County Landscape Manual, in addition to the provision of sidewalks, at the time of DSP.**

The applicant has requested an Alternative Compliance to the requirements of Section 4.10 for the location of the street trees, but has provided the required amount, as well as the sidewalks.

10. **Preliminary Plan of Subdivision (4-13024):** Preliminary Plan of Subdivision PPS 4-13024 was approved by the Planning Board on July 7, 2016, subject to 30 conditions, which the following are relevant to the review of this DSP:

3. **At the time of final plat approval, the applicant shall grant a ten-foot-wide public utility easement along one side of all private streets and both sides of all public streets. The final plat shall depict the easement locations.**

The DSP shall denote all public utility easements (PUEs) along public and private roads, as required by the PPS.

5. **Prior to the approval of a final plat for property east of the western edge of the right-of-way of Lottsford Vista Road (Parcels 1–6, Block C), the applicant shall vacate that portion of rights of way as reflected on RNR 2-51 necessary for the implementation of this subdivision, as reflected on the approved PPS Road Vacation Exhibit.**

The statement of justification describes the extent of the vacation application consistent with the Road Vacation Exhibit included in PPS 4-13024; however, the site plan shall be revised to reflect the extent of the proposed right-of-way to be vacated.

6. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and preliminary plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.**

There is no substantial change in the mix of uses proposed with this DSP.

15. **The applicant and the applicant's heirs, successors, and/or assignees shall provide with the detailed site plan for the WB&A master plan public trail (Parcel A, Block C), for the installation of interpretive signage highlighting the history of the Buena Vista Community (including the Burke-Jackson House, 70-037) and the Vista Raceway along the proposed bikeway through the subject property. The wording and placement of the interpretive signage shall be reviewed and approved by Historic Preservation staff. The trigger for the installation of the interpretive signage shall be determined with the DSP for trail construction.**

The applicant has not indicated on the plan the location of the proposed historic interpretive sign nor provided the wording of the signage. Therefore, a condition has been included in this approval requiring this to be provided prior to certification.

17. Prior to approval of the DSP:

- a. Side entries shall be considered for dwelling units on Lots 100 and 101, abutting the private central green area (Parcel K, Block A) at a minimum.**

The submitted DSP does not propose any side-entry townhouse units, instead an enhanced side elevation is conditioned to be provided on Lots 100 and 101.

- b. A reduction in the lot width of Lots 85, 92, and 93 to shift lots outside of the 65 dBA Ldn, or provide appropriate mitigation measures.**

The submitted Phase II noise study provided an analysis of noise impacts along MD 704 and MD 450. Noise mitigation measures have been proposed to mitigate the noise level for the impacted units as required.

- c. The site plan shall address the architecture of the dwellings on Lots 85-115 abutting the west side of the WB&A Trail which shall be enhanced due to the high visibility of this location from the park and nearby retail.**

Various conditions in this approval require enhanced architecture for the dwelling units on Lots 85–115, including full front façades of brick or stone.

18. Total development shall be limited to uses that would generate no more than 387 AM and 602 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

The Planning Board finds that the current proposal is within the overall trip cap.

21. As per Zoning Ordinance 11-2014, the applicant shall provide the WB&A Public Trail extension through the subject property Parcel A, Block C with connections to the residential and commercial developments to the east and west in accordance with the following:

- a. The applicant shall enter into a Memorandum of Understanding (MOU) with the Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department for the land area needed (Parcel A, Block C) for the linear park and it shall set forth the rights, responsibilities and liabilities of the parties. The MOU between the applicant and M-NCPPC shall be preceded by a MOU between SHA and M-NCPPC for the use of the 66-foot-wide SHA easement currently identified for “future transportation use” for the public trail (SHA Plat 53896 described in Liber 10751 on folio 655). Said MOU Agreements shall include but not be limited to discussions concerning bike paths, maintenance, grading, landscaping,**

utilities and construction. Both MOUs shall be recorded in the County Land Records and noted on the final plat of subdivision for Parcel A, Block C.

- b. The applicant shall design, construct, and maintain the master planned WB&A Trail extension as a public linear park in accordance with the MOU.**
- c. The public recreational facilities within the linear park shall be designed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. Detailed drawing for the facilities shall be included with the Detailed Site Plan for the trail and linear park.**
- d. Prior to the approval of final plats for Parcel A, Block C, the applicant, his heirs, successors and/or assignees shall submit to the Park Planning and Development Division, a Recreational Facilities Agreements (RFA) for construction of the linear Park on Parcel A, Block C, and connector trails. Upon approval of the RFA, by the DPR, the RFA shall be recorded among the County Land Records and noted on the final plat of subdivision.**
- e. Prior to the approval of the final plat for Lots 7-18, Lots 35-42 and Lots 85-115 abutting the west side of Parcel A, Block C, and the final plat for Parcels 1-3 , Block C, (east of Parcel A, Block C) the applicant, his heirs, successors and/or assignees shall have an approved DSP for the WB&A trail extension on Parcel A, Block C and shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of the public recreational facilities on Parcel A, Block C, in accordance with the approved DSP.**
- f. The detailed site plan for the WB&A Trail extension on Parcel A, Block C shall establish appropriate triggers for the construction of the Linear Park, as designed with the site plan.**

Parts of this condition will be enforced prior to final plat as mentioned. The submitted DSP does provide for public recreational facilities within the linear park and a trigger for the construction of the linear park is included in this approval.

- 22. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**

- a. Provide a standard sidewalk along the subject site's entire frontage of MD 450, unless modified by SHA.**

This sidewalk is shown on the plans as required.

- b. Provide a ten-foot-wide shared use path along the subject site's entire frontage of MD 704, unless modified by SHA.**

The plans should be revised to include this sidepath in place of the standard sidewalk currently shown.

- c. Provide a standard sidewalk along the subject site's entire frontage of Business Parkway, unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE).**

This sidewalk is shown on the plans as required.

- d. Provide a financial contribution of \$420 to the Department of Public Works and Transportation/Department of Permitting, Inspections, and Enforcement for the placement of one "Share the Road with a Bike" sign assembly along Business Parkway. Note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.**

This will be enforced at the time of record plat and permitting.

- e. Provide the extension of the WB&A Trail through the subject site within the linear park.**

The trail extension is shown on the DSP through the linear park in fulfillment of this requirement.

- f. Provide standard sidewalks along both sides of all internal roads, unless modified by the Maryland-National Capital Park and Planning Commission Planning Board at the time of DSP.**

Standard sidewalks are provided along both sides of all internal roads, except for a few locations that have been conditioned to be revised.

- g. The number of location of bicycle racks in the office/commercial/retail component of the subject site will be determined at the time of DSP.**

Bike racks need to be marked and labeled on the DSP. A detail for the racks is already included on the plan sheets. A condition is included in this approval requiring the bike racks.

23. In conformance with the 2009 Approved Countywide Master Plan of Transportation (MPOT) and the required findings of Section 24-124.01, the following improvements (a) have full financial assurances; (b) have been permitted for construction through the operating agency's permitting process; and (c) have an agreed-upon timetable for construction with the operating agency.
- a. One off-site bus shelter installation along MD 704.
 - b. One off-site bus shelter installation along MD 450.
 - c. Pedestrian crossing beacon, thermoplastic pavement markings, handicapped ramps and associated sidewalk for crossing the center island at the intersection of MD 704 and existing Lottsford Vista Road.
 - d. Pedestrian crossing beacon, thermoplastic pavement markings, handicapped ramps, and associated sidewalk for crossing the center island of MD 704 at the MD 450 intersection.
 - e. Rapid flashing pedestrian beacon, thermoplastic pavement markings, handicapped ramps, and associated sidewalks for crossing the center island of MD 450 as indicated on the bicycle/pedestrian improvements map.
24. Prior to approval and at the time of DSP, provide an exhibit that illustrates the location and limits of all off-site improvements proposed in the BPIS for the review and approval of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk improvements, bus shelter installations, pavement markings and signage. If it is determined at the time of Detailed Site Plan that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section (d), be within one-half mile walking or bike distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section(c). The Planning Board shall find that the substitute off-site improvements are consistent with the BPIS adequacy finding made at the time of Preliminary Plan of Subdivision approval.
- This exhibit needs to be submitted and include all of the improvements required in Condition 23 above. A condition is included in this approval requiring this be provided prior to certification.
27. Prior to approval of the Detail Site Plan, a Phase II Noise Study shall be submitted for proposed Lots 85–87 unless they are relocated or eliminated from within the area impacted by noise levels at 65 dBA Ldn or higher.

A noise study dated April 11, 2017 was prepared by Phoenix Noise and Vibration and was received on August 7, 2017. The study provided an analysis of noise impacts along MD 704 and MD 450. Noise mitigation measures have been proposed to mitigate the interior noise level for the impacted units to be below 45 dBA Ldn.

28. Prior to approval of the Detailed Site Plan, all outdoor recreation areas shall be shown located outside the unmitigated 65 dBA Ldn.

A Phase II noise study was submitted with this application and shows a noise mitigation plan that satisfies the requirement of Condition 28.

11. **2010 Prince George's County Landscape Manual:** In accordance with 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). The following discussion is offered regarding the applicable provisions of the Landscape Manual:

- a. **Section 4.1, Residential Requirements**—Section 4.1 requires a minimum number of trees be provided per townhouse lots, which can be provided on lots or in common open space. The correct schedule is provided on the landscape plan showing this requirement being met for the proposed 115 townhouse lots through the provision of 173 shade trees, 15 ornamental trees and 100 evergreen trees.
- b. **Section 4.2, Requirements for Landscape Strips Along Streets**—Section 4.2 specifies that, for all nonresidential uses in any zone and for all parking lots, a landscaped strip should be provided on the property abutting all public and private streets. This section applies to almost the entirety of the DSP's frontage on MD 450, MD 704 and Business Parkway. The submitted DSP provides the appropriate schedules showing the requirements of this section being met along all street frontages.
- c. **Section 4.3, Parking Lot Requirements**—Section 4.3 specifies that any proposed parking lots larger than 7,000 square feet shall provide planting islands throughout the parking lot to reduce the impervious area. The DSP proposes three parking compounds, one requiring 15 percent interior landscaped area and the other two requiring eight percent. The first compound provides 16 percent interior planting area, the second provides over 14 percent, and the third provides almost nine percent, as well as the required shade trees, in accordance with the requirements of this section.
- 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 improved public streets. The subject application proposes multiple loading spaces and trash facilities and shows what appears to be enclosures and screening in conformance with this section; however, they are not labeled. Therefore, a

condition has been included in this approval requiring that the proposed plan and conformance with this requirement be clarified, as necessary.

- e. **Section 4.6, Buffering Development from Streets**—Section 4.6 requires that when rear yards of single-family attached dwellings are oriented toward a street, excluding alleys, a buffer area be provided between the yard and the street. On the subject application, this includes multiple residential lots that are oriented towards MD 450 and the appropriate schedules showing that the requirements have been met are provided.
- f. **Section 4.7, Buffering Incompatible Uses**—Section 4.7 requires a buffer between adjacent incompatible land uses, but not between different land uses in a mixed-use development under a unified development scheme. Therefore, buffers are only required adjacent to the existing warehouse uses to the northwest and the existing residential uses located off-site, but within the middle of the DSP area. The correct schedules are provided on the plan showing the requirements of this section being met. However, some notes in the schedule regarding Bufferyard ‘2’ are incorrect and Bufferyard ‘3’ is shown as being provided on the adjacent property instead of on the developing property. This is only allowed through an Alternative Compliance. Therefore, conditions have been included in this approval requiring that the proposed plan and conformance with this requirement be demonstrated.
- g. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) should be native species (or the cultivars of native species). The minimum percentage of plants of each plant type required to be native species and/or cultivars is specified below:

Shade trees	50 percent
Ornamental trees	50 percent
Evergreen trees	30 percent
Shrubs	30 percent

The landscape plan provides 96 percent native shade trees, 100 percent native ornamental trees, 72 percent native evergreen trees, and 61 percent native shrubs, and therefore, meets the above requirements.
- h. **Section 4.10, Street Trees Along Private Streets**—Section 4.10 provides specifics for the planting of street trees along private streets, which apply to the residential portion of the subject development. The submitted landscape plan provides the required schedules showing some of the requirements of this section not being met. The applicant filed a request for Alternative Compliance, AC-17019, from the requirements of Section 4.10, Street Trees Along Private Streets, discussed as follows:

The applicant has filed this request for alternative compliance from Section 4.10, Street Trees Along Private Streets, to allow an alternative configuration from the requirement in Section 4.10(c)(1) that states that “Street Trees shall be located in a space not less than five (5) feet wide between the street curb or edge of planting and the sidewalk.” Instead, the applicant requests to use an alternate sidewalk and green space configuration, along the proposed private streets serving the townhouses within the site, that would place the sidewalk along the street curb and the green space behind the sidewalk.

REQUIRED: 4.10 Street Trees Along Private Streets, along Road “A”

Length of street frontage	177 feet
Street trees (1 per 35 linear feet)	6

PROVIDED: 4. 10 Street Trees Along Private Streets, along Road “A”

Length of street frontage	177 feet
Street trees (1 per 35 linear feet)	7

REQUIRED: 4.10 Street Trees Along Private Streets, along Road “B”

Length of street frontage	430 feet
Street trees (1 per 35 linear feet)	13

PROVIDED: 4. 10 Street Trees Along Private Streets, along Road “B”

Length of street frontage	430 feet
Street trees (1 per 35 linear feet)	14

REQUIRED: 4.10 Street Trees Along Private Streets, along Road “C”

Length of street frontage	682 feet
Street trees (1 per 35 linear feet)	20

PROVIDED: 4. 10 Street Trees Along Private Streets, along Road “C”

Length of street frontage	682 feet
Street trees (1 per 35 linear feet)	22

REQUIRED: 4.10 Street Trees Along Private Streets, along Road “D”

Length of street frontage	173 feet
Street trees (1 per 35 linear feet)	5

PROVIDED: 4. 10 Street Trees Along Private Streets, along Road “D”

Length of street frontage	173 feet
Street trees (1 per 35 linear feet)	6

REQUIRED: 4.10 Street Trees Along Private Streets, along Road “E”

Length of street frontage	92 feet
Street trees (1 per 35 linear feet)	3

PROVIDED: 4. 10 Street Trees Along Private Streets, along Road “E”

Length of street frontage	92 feet
Street trees (1 per 35 linear feet)	3

REQUIRED: 4.10 Street Trees Along Private Streets, along Road “F”

Length of street frontage	730 feet
Street trees (1 per 35 linear feet)	21

PROVIDED: 4. 10 Street Trees Along Private Streets, along Road “F”

Length of street frontage	730 feet
Street trees (1 per 35 linear feet)	22

The applicant is requesting alternative compliance from Section 4.10, Street Trees Along Private Streets, along all private roads within the residential section of the site for the location of the proposed street trees. The Landscape Manual requires that street trees be located in a space not less than five feet in width, between the curb and the sidewalk, in order to subdivide the streetscape, increasing pedestrian comfort and creating sufficient room for canopy growth. In most areas of the site, the relocation of the sidewalk to the curb is appropriate in order to provide a sufficiently-sized soil volume for the street trees in between the residential driveways. In other areas, where driveways are not a factor, the site plan should be amended to relocate the sidewalk to provide for the required location for street trees, specifically, along both sides of the main entrance from Annapolis Road, labeled as Road “A.” Additionally, the trees along this main entrance road are shown as

minor shade trees and should be revised to major shade trees to visually enhance the entrance.

The Planning Board generally finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.10 of the Landscape Manual, Street Trees Along Private Streets in Vista Gardens West. However, specific areas have been identified where additional street trees should be provided, as space allows, in order to visually enhance the residential area.

In summary, the Planning Board approved of alternative compliance for Section 4.10, along Roads A–E, of the 2010 *Prince George's County Landscape Manual*, for Vista Gardens West, Detailed Site Plan DSP-16055, subject to conditions, which have been included in this approval.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property has previous Type 2 Tree Conservation Plan approvals TCP2-094-96, TCP2-094-96-01, TCP2-094-96-02, and TCP2-094-96-03.

The former I-1 portion of the site (northwest side of Lottsford Vista Road) has a previously approved Type I Tree Conservation Plan, TCPI-048-96, and an approved Type II Tree Conservation Plan, TCPII-094-96-03. This application proposes a Type 2 Tree Conservation Plan for the entire application area, which includes land on both sides of Lottsford Vista Road.

A Type 2 Tree Conservation Plan (TCP2-094-96-04) has been submitted showing the proposed development of the site. The site contains 10.03 acres of upland woodlands and 3.79 acres of wooded floodplain woodlands. This application proposes to clear all 10.03 acres of upland woodland, 0.07 acres within the floodplain, and 1.52 acres of off-site woodlands. The off-site clearing is for road improvement and access. The woodland conservation requirement is being met with 1.49 acres of on-site reforestation, 0.67 acres of natural regeneration and 8.92 acres of off-site woodland conservation. A portion of the reforestation is within the Primary Management Area (PMA). There is also planting along the boundary outside of the PMA.

The approved stormwater management concept plan shows several structures on the approved that are not shown on the submitted TCP2. These structures are the basin located north of Parcel 1 and the regional basin across Martin Luther King Jr. Highway that this application will access and use.

The easement document for recordation of a woodland conservation easement is required to be submitted to land records prior to the signature approval of the TCP2. Final approval of recordation is required prior to the issuance of any grading permits.

The subject DSP is consistent with the requirements of Woodland and Wildlife Habitat Conservation Ordinance (WCO), if revised as conditioned.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area of TCC. The subject site is 31.34 acres in size and need to have 3.134 acres of the property in tree canopy coverage. The detailed site plan indicates compliance with this requirement for the entire area of the DSP through a combination of existing woodland preservation and proposed tree plantings.
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. **Historic Preservation**—The Planning Board reviewed a discussion of the relevant conditions of approval of the PPS, which has been incorporated into Finding 10 above, as well as the following summarized comments.

There are three Historic Sites, Thomas J. Calloway House (70-049-33), Buena Vista (70-017), and Crandell-Cook House (70-010), and one Historic Resource, Glenn Dale Hospital (70-050), located within one mile of the subject property.

The subject property includes a portion of Buena Vista, which was subdivided by Robinson White in 1916. Buena Vista is located to the southwest of Lincoln, an early planned residential and retreat community for African Americans. Buena Vista also developed as a small African American residential community adjacent to the Washington, Baltimore, and Annapolis Electric Railroad, which provided convenient transportation to and from these cities. Early development of the community concentrated along the WB&A Railroad and Defense Highway, now Maryland Route 450 (MD 450).

With the advent of the automobile, ridership on the WB&A Railroad declined and service was ceased in 1935. The Buena Vista community was further impacted by the construction of Defense Highway (now MD 450), in the early 1930s and George Palmer Highway (now MD Route 704 (MD 704) or Martin Luther King Highway) in the 1940s. Both of these highways have been expanded and have further encroached on the Buena Vista community.

To the north of Lottsford Vista Road, the Vista Raceway was established by the Land and Sea Sportsmen's Club, Inc. about 1951. The Vista Raceway was a half-mile dirt oval that operated from the early 1950s until the early 1970s. The Maryland State Highway Administration (SHA) acquired the 24 acres comprising the Vista Raceway in 1975. When Route 450 (MMD 450) was expanded in the late 1990s, the northeastern edge of the raceway was destroyed. A stormwater management pond has obliterated the northern section of the raceway. The southern end of the race track is now overgrown, but may still be intact.

The applicant should provide on the detailed site plan the location for interpretive signage highlighting the history of the Buena Vista Community (including the Burke-Jackson House, 70-037) and the Vista Raceway along the proposed bikeway through the subject property. The wording of the interpretive signage should be reviewed and approved by Historic Preservation staff prior to installation.

One condition regarding historic preservation has been included in this approval.

- b. **Community Planning**—Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application. In *Plan Prince George's 2035 Approved General Plan*, this application is located in the Established Community growth policy area. The vision for the Established Communities is “context-sensitive infill and low to medium-density development”. The 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA) recommends mixed-use land uses on the subject property.

Section 27-281(b)(1)(A) of the Zoning Ordinance states that a general purpose of a DSP is “to provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan.” To encourage development in accordance with the planning principles contained in the General Plan and Master Plan, the Planning Board reviewed the following general planning guidance, contained in the “Scenario Principles” on page 208 of the Master Plan:

- Develop a comprehensive planned, pedestrian-friendly, mixed-use center.
- Provide a mix of land uses to promote around-the-clock activity.
- Promote land uses and building types that support neighborhood-serving retail and transit service.
- Connect to adjacent neighborhoods, open space amenities, and employment areas.
- Create sensitive transitions between existing neighborhoods, commercial/employment uses, and mixed-use areas.
- Beautify the public realm.
- Ensure that development impacts do not negatively affect the Folly Branch watershed.

This DSP is in general conformance with Master Plan’s land-use vision by proposing a mixed-use development that creates 24-hour activity, has an attractive public realm, and creates sensitive transitions between the proposed townhouses and the commercial section.

- c. **Transportation Planning**—The Planning Board reviewed a discussion of the relevant conditions of the previous approvals, which have been incorporated into Findings 7, 9 and 10 above, as well as the following summarized comments.

The site plan is a requirement of the M-X-T Zone. The transportation-related findings are limited to the particular circumstance in which at least six years have elapsed since a finding of adequacy was made. In this case, the transportation adequacy finding was made a little more than one year ago, and so any transportation requirements are related to issues of access and circulation, as defined by the site design guidelines in Section 27-274(a)(2)(C).

The applicant proposes 115 townhouses, a 103-room hotel, a convenience store with gas pumps (5,585-square-foot store and 16 fueling positions), and 27,205 square feet of additional retail/commercial space (for a total of 32,790 square feet of retail/commercial space). The existing 14,881-square-foot office building will remain. The following table summarizes trip generation for the proposed uses:

Trip Generation Summary for Trip Cap Compliance, DSP-16055, Vista Gardens West								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Convenience Store with Gas Pumps (5,585 square feet)	16	fueling positions	132	133	265	152	153	305
Less Pass-By (60 percent)			-79	-80	-159	-91	-92	-183
Net Convenience Store/Gas Trips			53	53	106	61	61	122
Retail	27,205	square feet	43	27	70	120	130	250
Less Pass-By (40 percent)			-17	-11	-28	-48	-52	-100
Net Retail Trips			26	16	42	72	78	150
Townhouses	115	units	16	64	80	60	32	92
Hotel	103	rooms	33	22	55	31	31	62
Existing Office Bldg.	14,881	square feet	27	3	30	5	23	28
Total Primary Trips: Current Application			155	158	313	229	225	454
Trip Cap: 4-13026					387			602

The Planning Board found that, given the function of the main easement serving the commercial uses, it is preferred that the parking at the rear of the convenience store be protected with landscaped islands. The site plan is otherwise acceptable.

The site is adjacent to two master plan arterial roadways, MD 450 and MD 704. Adequate right-of-way consistent with master plan recommendations exists along these two facilities.

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance. The status of the off-site transportation conditions shown in Condition 19 of the PPS resolution was not provided. As a means of monitoring these conditions, the Planning Board requests that the applicant provide the status of these conditions. This would include the status of bonding or other

financial assurances, the status of construction plan review within the appropriate agency's permitting process, and a timetable for construction and completion, if available.

- d. **Subdivision Review**—The Planning Board reviewed a discussion of the relevant conditions of the PPS approval, which has been incorporated into Finding 10 above, as well as the following summarized comments.

The site includes Lots 7, 8, 3–6, and parts of (P/O) Lots 1, 2, 9-10, and 23, Block C; Lot 1–3, 9-15, 24–28, and P/O 20–23, Block D; and P/O Lots 1, 2, and 23–34, Block E reflected in Prince George's County Land Records in RNR 2-51, a record plat for Buena Vista filed in 1927. The parts of lots described herein were created by State Highway Administration right-of-way Plat 53854. The subject property also includes Lot 45 and Outparcel B, Block B of Washington Business Park, recorded in land records in 1997 (VJ 178-76). The record plat for Outparcel B (VJ 178-76) reflects a "66-foot-wide Perpetual Easement for Future Transportation Use Per S.H.A. R/W Plat No. 53896" abutting the western edge of the ROW of Lottsford Vista Road. Based on a research of deeds, this property (Lot 45 and Outparcel B) was previously in the ownership of SHA and was surplus, with SHA holding back the easement.

- e. **Trails**—The Planning Board reviewed the DSP for conformance with Zoning Map Amendment A-10028-C, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements. A discussion of the relevant conditions of previous approvals have been incorporated into Findings 7 and 10 above, as well as the following summarized comments:

Due to the site's location within the Annapolis Road Corridor (per the Adequate Public Facility Review Map of the General Plan), the site was subject to the requirements of Section 24-124.01 and the "Transportation Review Guidelines, Part 2, 2013—Adequate Public Pedestrian and Bikeway Facilities in Centers and Corridors" (BPIS) at the time of Preliminary Plan.

The MPOT and sector plan include three master plan trails that impact the subject property:

- A sidepath along Annapolis Road (MD 450)
- A sidepath along Martin Luther King, Jr. Highway (MD 704)
- The extension of the Washington, Baltimore & Annapolis (WB&A) Trail through the subject site

The sidepath along MD 450 has been completed by SHA on the north side of Annapolis Road through a previous capital improvement program project. The sidepath along MD 704 will be required as part of road frontage improvements. The extension of the WB&A Trail is reflected on the submitted plans within a linear park.

The MPOT includes the wording copied below, which explains the importance of the extension of the WB&A Trail and the planned sidepath along MD 704. These improvements will serve as important connection in the regional trail network and ultimately serve as a cross-county trail connection:

MD 704 Shared-Use Side path: A side path or wide sidewalk construction with designated bike lanes is recommended along MD 704 (District of Columbia to I-495). It may be appropriate to use excess capacity along MD 704 to accommodate improved bicycle and pedestrian facilities. MD 704 connects to the existing WB&A Trail outside I-495. Trail construction along MD 704 will provide an extension of the existing WB&A Trail to provide a continuous east/west trail connection through central Prince George's County. (MPOT, page 28).

The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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

An extensive network of internal sidewalks, pedestrian walkways and trails was approved on-site as at the time of preliminary plan. Frontage improvements will be required on both MD 450 and MD 704, sidewalks required on both sides of all internal roads, and pedestrian walkways are indicated in the office/commercial component of the development. A summary of bicycle, pedestrian and trail facilities required at the time of preliminary plan include:

1. Standard sidewalk along the subject site's frontage of MD 450.
2. Shared use sidepath along the subject site's frontage of MD 704.
3. Extension of the WB&A Trail through the subject site within the "perpetual easement for future transportation use."
4. Sidewalks along both sides of all internal roads.
5. Pedestrian walkways between and to different commercial and office sites.

Master plan facilities will be implemented via the sidepath along MD 704 and the extension of the WB&A Trail. Both of these facilities are critical to the planned trails network contained in the MPOT, as the WB&A Trail, when combined with the trail connection on-site and the planned sidepath along MD 704, will provide a complete “cross-county” connection from the Patuxent River near Bowie to the District of Columbia line. It appears that adequate access is provided from both sides of the development to the trail within the linear park. Several additional sidewalk connections are conditioned. Regarding the internal facilities shown on the site plan, the following modifications are also conditioned:

- Replace the standard sidewalk along MD 704 with a shared use sidepath along the frontage of the subject site.
- A few additional sidewalk connections are required along the internal drive aisles, to the existing office building, proposed hotel and the various pad sites. These additional connections will help to ensure a complete pedestrian network on-site and better link the master plan trail to all the adjoining uses.

The Planning Board approved this DSP with two trails-related conditions that have been included in this approval.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated November 9, 2017 (Zyla to Kosack), the Department of Parks and Recreation (DPR) provided the following summarized comments:

The applicant has proposed the use of recreational facilities in the form of a private pocket park and a public linear park/bikeway for the development. These meet the Mandatory Dedication requirements of Section 24-135 of the Prince George’s County Subdivision Regulations for the Preliminary Plan of Subdivision (4-13024), and are consistent with Conceptual Site Plan (CSP-14002).

The public linear park is proposed within the existing 66-foot-wide Maryland State Highway Administration (SHA) easement for future transportation use. Although SHA will not relinquish this easement, it has determined that the bikeway is considered to be a transportation use. A Memorandum of Understanding (MOU) will be executed between DPR and SHA to allow for the applicant to build recreational facilities within this area. It will also outline the rights, responsibilities, and liabilities of each party relative to the public linear park. DPR will then enter into a separate MOU with the applicant that will also outline the rights, maintenance responsibilities, and liabilities of the parties for the public linear park.

DPR and the Planning Board agree that the incorporation of an urban plaza area along the linear park/bikeway will further enhance this development as a destination center. Additionally, development of the linear park would provide a buffer between the commercial uses and the residential uses within the development.

The applicant has submitted plans proposing an approximately 800-foot linear park with a hiker/biker trail, benches, lighting and landscaping. There will also be three urban plazas with benches, seating walls, interpretative signage and a small open play area. While DPR conceptually approves the design of these recreational facilities plans, it reserves the right of final approval until time of MOU and recreation facilities agreement (RFA) execution.

The DPR recommends approval of this DSP with two conditions that are duplicative of PPS conditions, which will remain in effect.

- g. **Permit Review**—Permit comments have either been addressed through revisions to the plans or through conditions included in this approval.
- h. **Environmental Planning**—The Planning Board reviewed a discussion of the DSP's conformance with the WCO, as discussed in Finding 12 above, and the following additional comments:
 - (1) **Site Description:** A review of the available information indicates that nontidal wetlands and floodplain are found to occur on the property. No Forest Interior Dwelling Species (FIDS) habitat or FIDS buffer are mapped on-site. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The site drains to Folly Branch, which is a part of the Folly Branch watershed, then to Western Branch and then to the Patuxent River basin. The site has frontage on Martin Luther King Jr. Highway and Annapolis Road which are both classified as arterial roadways. The site also has frontage on Lottsford Vista Road and Business Parkway both of which are not classified as a master plan roadway. Martin Luther King Jr. Highway and Annapolis Road are traffic noise generators and because of the proposed residential development, noise is regulated in this subject application. No designated scenic or historic roadways are adjacent to the project site.

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains Regulated areas, Evaluation areas, and Network Gap areas.
 - (2) **Natural Resources Inventory:** The application has two approved Natural Resource Inventory areas separated by Lottsford Vista Road (NRI-036-13 and NRI-025-09-01). There are regulated environmental features such as wetlands, 100-year floodplain, associated buffers, Primary Management Area (PMA), and three specimen trees on-site. The overall NRI totals states that the 31.34-acre site contains 13.82 areas of woodlands of which 3.79 acres is found within 100-year

floodplain. The TCPI and the Conceptual Site Plan show all the required information correctly in conformance with the NRI. There were five specimen trees, but two of the specimen trees have died since the NRI's were approved and are correctly shown on the TCP2. No revisions are required for conformance to the NRI.

- (3) **Specimen Trees:** A Subtitle 25 Variance Application to remove Specimen Trees 1, 3 and 5 was reviewed and approved with CSP-14002. No additional information is required with regard to removal of Specimen Trees 1, 3 and 5.
- (4) **Primary Management Area Impacts:** Wetlands and 100-year floodplain are found to occur on this property. These features and the associated buffers comprise the primary management area (PMA) on the subject property. The applicant proposed one impact to the PMA with the Conceptual Site Plan CSP-14002 application. The proposed impact for a sewer line connection will disturb wooded 100-year floodplain, wetlands, and wetland buffer. The Planning Board approved this impact because it has been minimized to the fullest extent possible and essential for the development of the site. No changes to the impact areas have occurred with this DSP application. No additional information is required regarding impacts.
- (5) **Noise:** The site has frontage on MD 704 and MD 450, which is a master planned arterial roadway that generates enough traffic to produce noise levels above 65 dBA Ldn. The site is proposing 115 townhouse units, a hotel, retail pad sites and a gas station facility. This area is located in a heavily used and growing commercial/residential area along MD 704 and MD 450.

As part of the CSP and PPS review process, a Phase II noise study was required to be submitted with the DSP application. A Phase II noise study dated April 11, 2017 was prepared by Phoenix Noise and Vibration and was received by the Environmental Planning Section on August 7, 2017. The study provided an analysis of noise impacts along MD 704 and MD 450. No noise model was conducted by staff.

The noise study states that measurements were made at 5.5 feet above ground level and 25 feet above ground for the upper level. The TCP2 did show the upper and lower unmitigated and mitigated 65dBA Ldn noise contour, but the DSP did not show the upper and lower unmitigated and mitigated 65dBA Ldn noise contours. The upper and lower unmitigated 65dBA Ldn noise contours need to be shown on the DSP.

The Phase II noise study provided exhibits of the measured upper and lower 65 dBA Ldn noise contour and where noise impacts the site. The measured unmitigated lower and upper level 65dBA Ldn noise contours per the noise study

will affect 18 townhouse lots (Lots 1–18) along Annapolis Road and 14 townhouse lots (Lots 98–85) along Martin Luther King Jr. Highway. Based on the study, upper and lower noise impacts are anticipated to affect Lots 1 through 18 along Annapolis Road. The applicant proposes to provide noise mitigation in the form of an earthen and vegetative berm along Annapolis Road, which will mitigate the ground level noise impacts to below 65 dBA Ldn. Based on the current location of the unmitigated 65 dBA Ldn noise contour in this area, a berm is sufficient to mitigate ground level noise impacts. These 18 townhouse lots units will be required to have the minimum STC (Sound Transmission Class) rated patio door/window along with standard building construction materials to maintain indoor doors levels below 45 dBA Ldn.

Along Martin Luther King Jr. Highway, Lots 85–98 will be impacted by upper noise levels at 65 dBA Ldn or higher; however, only Lots 85–87 will be impacted by ground level noise at 65 dBA Ldn or higher. While the upper levels of the lots can be mitigated through standard construction materials, proposed Lots 85–87 will require to have the STC (Sound Transmission Class) rated patio doors/windows greater than a 27 rating.

The proposed plans show a homeowner's association outdoor recreation area adjacent to the proposed on-site trail extension. According to the noise study, this proposed outdoor play area will not be affected by the unmitigated or mitigated 65 dBA Ldn noise contours. Earthen berms proposed along Annapolis Road and Martin Luther King Jr, Highway will provide the mitigation to reduce the noise impacts.

- (6) **Soils:** The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Christina-Downer complex, Christina-Downer-Urban land complex, Issue silt loam, and Russett-Christina-Urban land complex soil series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, Christiana complexes are mapped on-site.

This information is provided for the applicant's benefit. Since this site is located within a Christiana clay complex area, the Prince George's County Department of Permitting, Inspection and Enforcement (DPIE) may require a report of soil conditions within the Christiana clay area in conformance with County Council Bill CB-94-2004 during the building permit process review.

- (7) **Stormwater Management:** A copy of the revised approved Stormwater Management Concept plan and letter (47327-2007-04) dated November 22, 2016, were submitted with the subject application. The concept plan appears to show stormwater to be directed to an existing off-site extended detention facility, and

on-site facilities, such as two bio-retention areas, a wet pond, swales and an extended detention facility. The wet pond is used for and during construction activities only. The site will be required to pay \$28,000 in a stormwater management fees toward providing on-site attenuation/quality control measures. The TCP2 is consistent with the concept plan.

The Planning Board approved DSP-16055 and TCP2-094-96-04 subject to three environmental-related conditions that have been included in this approval.

- i. **Prince George's County Fire/EMS Department**—The Fire Department did not provide comments on the subject application.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide any comments on the subject application. Therefore, a condition has still been included in this approval requiring that prior to certification, documentation be provided from DPIE, to confirm that the DSP is in conformance with the approved stormwater concept plan.
- k. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
- l. **Prince George's County Health Department**—In a memorandum dated August 23, 2017 (Adepoju to Kosack), the Health Department provided the following comments on the subject application:
 - (1) During the demolition/construction phases of this project, noise should not 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.

A condition is included in this approval that requires this County requirement to be noted on the DSP prior to certification.

- (2) During the demolition/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.

A condition is included in this approval that requires this County requirement to be noted on the DSP prior to certification.

- (3) There are more than five existing carry-out/convenience store food facilities and two grocery store/markets within a one-half mile radius of this site. 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.

This is noted, and the information has been transmitted to the applicant.

- (4) Research shows that access to public transportation can have major health benefits as it contributes to good connectedness and walkability. Indicate the available or proposed means of connecting to neighboring communities through public transportation.

Transportation connections were evaluated at the time of PPS when various requirements were made.

- (5) The detailed site plans should include open spaces and “pet friendly” amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are recommended at strategic locations at the Linear Park and any future park or trail locations.

This is noted, and the information has been transmitted to the applicant.

- (6) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote an improved quality of life. The developer should consider setting aside space for a community garden.

This is noted, and the information has been transmitted to the applicant.

- m. **Maryland State Highway Administration (SHA)**—In a letter dated August 16, 2017 (Young to Dasher), SHA provided standard comments relating to traffic and construction that will be required to be addressed prior to issuance of SHA access permits.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated August 24, 2017 (Russell to Kosack), WSSC provided standard comments on the DSP regarding the provision existing and proposed water and sewer connections on the plan, along with requirements for service and connections, requirements for easements, spacing and alignments, easements, and coordination with other utilities. These issues must be addressed at the time of permits and will be enforced through their separate permitting process.
- o. **Verizon**—Verizon did not offer comments on the subject application.

- p. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
15. As required by Section 27-285(b) of the Zoning Ordinance, the required findings for a DSP are as follows:
- (1) **The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.**

Based on the foregoing, the detailed site plan, if approved with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

- (2) **The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).**

As discussed in Finding 10 above, the DSP has been found to be in conformance with the applicable CSP.

- (3) **The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

The subject application is not a DSP for infrastructure. Therefore, this requirement is not applicable.

- (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The Planning Board found that the regulated environmental features on the subject site have been preserved and/or restored in a natural state to the fullest extent possible.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-094-96-04 and APPROVED Alternative Compliance AC-17019, and further APPROVED Detailed Site Plan DSP-16055, for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:
 - a. Revise notes and labels on the plans to consistently reflect the proposed square footage and required and provided overall parking and loading spaces.
 - b. Add site plan notes as follows:

“During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”
 - c. Provide three total loading spaces within the commercial area on proposed Parcels 1–7.
 - d. Provide commercial building dimensions and heights on the site plan and provide residential building templates including all options, decks, garages, driveway dimensions, and materials.
 - e. Revise the site plan to provide the required drive aisle widths, as necessary, and label the existing and proposed parking space dimensions.
 - f. Provide clear dimensions from property lines to all buildings.
 - g. Revise the plan and labels to clearly depict the proposed gas station use.
 - h. Provide clear labels of the location of the all proposed freestanding and wall-mounted signs and demonstrate the setbacks.
 - i. Revise the plans to show the following pedestrian improvements:
 - (1) A ten-foot-wide shared use sidepath along the subject site’s entire frontage of MD 704, unless modified by the Maryland State Highway Administration.
 - (2) A sidewalk connection linking the existing office building to the sidewalk within the public right-of-way along Business Parkway.
 - (3) An additional sidewalk connection linking the WB&A Trail extension with the multi-tenant retail building on Parcel 2.

- (4) A sidewalk connection linking the walkway around the proposed hotel with the sidewalk within the public right-of-way along Business Parkway.
 - (5) A sidewalk connection to the proposed gas station.
 - (6) Additional sidewalk segments along the internal drive aisles within the commercial section.
 - (7) Crosswalks across all vehicular entrances to the site.
- j. Redesign the parking at the rear of the convenience store to include two landscape islands adjacent to the main access easement on proposed Parcel 5.
- k. Clearly delineate and label all public utility easements, the perpetual easement per the Maryland State Highway Administration Right-of-Way Plat No. 53896, all proposed vehicular access easements, and the all areas to be vacated on all sheets.
- l. Provide an exhibit that illustrates the location, limits, details and specifications of all off-site improvements per Condition 24 of PPS 4-13024 (PGCPB Resolution No. 16-91). This exhibit shall include all Americans with Disabilities (ADA) ramps, pedestrian signals, crosswalk improvements, bus shelter installations, pavement markings and signage required in Condition 23 of PPS 4-13024.
- m. Mark and label the amount and location of bicycle parking at each of the pad sites proposed on the subject site.
- n. Provide a location of the interpretive signage highlighting the history of the Buena Vista Community (including the Burke-Jackson House, 70-037) and the Vista Raceway along the proposed bikeway through the subject property. The wording and placement of the interpretive signage shall be reviewed and approved by Historic Preservation staff.
- o. Provide a photometric plan, including details of all light fixtures, for the development indicating full cut-off optics, with minimum spillover at the adjacent property lines, and sufficient lighting for all parking facilities, entrances, pedestrian pathways, public spaces, private streets, and property addresses, to be reviewed by the Urban Design Section as the designee of the Planning Board.
- p. Provide documentation from the Prince George's County Department of Permitting, Inspections and Enforcement to confirm that the DSP is in conformance with the approved stormwater management concept plan, unless provided prior to the Planning Board hearing.
- q. Provide a note on the site plan regarding the variances and standards approved for the subject development in PPS 4-13024.

- r. Provide a chart and details of all of the proposed signage for the entire development, including size, materials, and lighting.
- s. Revise the landscape plan as follows:
 - (1) Revise the plan to reflect the approved Alternative Compliance, including the linear footage of all private streets.
 - (2) Revise the landscape and site plan to demonstrate conformance to Section 4.4 for screening of loading spaces, trash facilities and mechanical equipment.
 - (3) Revise the Section 4.7 schedule for Bufferyard '2' to reflect the correct requirements and demonstrate conformance.
 - (4) Revise the plan and schedules to demonstrate conformance to the requirements of Section 4.7 for Bufferyard '3' or obtain approval of an Alternative Compliance.
 - (5) Provide the street trees, which should be major shade trees, in a minimum five-foot-wide strip between the street curb and sidewalk along both sides of "Road A."
 - (6) Provide additional street trees as follows: Road "B" – five shade trees; Road "C" – five shade trees; Road "D" – one shade tree; and Road "E" – three shade trees.
- t. Revise the architecture as follows:
 - (1) Provide a chart on the plan indicating that at least 60 percent of the residential units will be constructed with full front façades of brick or stone.
 - (2) All townhouse side elevations shall provide a minimum of two standard architectural features. For highly-visible townhouse lots, a minimum of three standard endwall features combined with a minimum of the first floor finished in brick, stone, or stucco shall be provided. Highly-visible lots shall be as shown on the DSP, revised to include Lots 18 and 85.
 - (3) Provide side elevations of the Clifton II model for the dwelling units on Lots 100 and 101, abutting the private recreational facility.
 - (4) Provide standard decks, unless the buyer opts out, and a minimum of the first floor finished in brick, stone, or stucco on all rear-load garage townhouse units.

- u. Revise the Type 2 tree conservation plan (TCP2) as follows:
- (1) Show the current TCP2 signature approval block and include the correct TCP number (TCP2-94-096).
 - (2) Add the correct previous approvals information to the approval block as follows:

“00 Robert Metzger 10/16/1996.”
“01 Robert Metzger 11/26/1996.”
“02 Lori Shirley 7/21/2004.”
“03 Megan Reiser 6/30/2009.”
 - (3) Create a revision table with dates:

“11/15/1996 Added specimen trees locations, rev. LOD moved trap & rev. fence type to save trees

“8/7/1996 Add notes for future parking display area

“5/14/2004 Revise plan to add stockpile and sediment control

“7/15/2004 Revise plan to add tree conservation sign

“10/5/2004 Revise compaction notes

“6/14/2006 Update sediment control plan

“2/21/2008 Revise grading Lot 45 and Out Parcel B

“5/5/2009 Revise to incorporate new parking area along business parkway

“6/2/2009 Revise per MNCPPC comments dated 6/1/2009

“2017 NEW ENTRY FOR DSP-16055”
 - (4) Show on Sheet T-OV all the stormwater management structures.
 - (5) Show the off-site stormwater pond and proposed improvements on Sheet T-5.
 - (6) Show the specimen trees to be removed on Sheet T-2.
 - (7) Add a property owner’s awareness certificate for each owner of the site, to be signed prior to signature approval of the TCP2.

- (8) Have the revised plan signed and dated by the qualified professional who prepared it.
2. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
3. Prior to the approval of the 86th residential building permit, the applicant shall design and construct the master planned WB&A Trail extension, including the historic interpretive signage and adjacent improvements on homeowner's association Parcel M.
4. Prior to approval of building permits for townhouse Lots 1 through 18 and Lots 85 through 98, final plans containing a list of all materials to be used for the construction of these lots shall be submitted to the acoustical engineer at the same time of permit application submission. A noise certification shall be prepared by a professional engineer with competency in acoustical analysis using the certification template. The list shall be modified to the satisfaction of the acoustical engineer with regard to interior noise mitigation. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less for the portions of the residential units within the unmitigated 65 dBA Ldn or higher noise impact area.

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 Bailey, with Commissioners Washington, Bailey, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, December 14, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of December 2017.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JK:ydw