



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.pgplanning.org](http://www.pgplanning.org)

PGCPB No. 2020-125

File No. DSP-19050

## 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 July 16, 2020, regarding Detailed Site Plan DSP-19050 for Dewey Property, the Planning Board finds:

- Request:** The subject application is for approval of a detailed site plan (DSP) for a mixed-use building consisting of 321 multifamily dwelling units and 1,258 square feet of commercial/retail uses on proposed Parcel 5. The remainder of the property will be graded, and a stormwater management (SWM) pond built, in preparation for future development.

A companion departure from design standards, DDS-660, (PGCPB Resolution No. 2020-126) for a reduction in the size of standard parking spaces to 9 feet by 18 feet in the Parcel 5 parking garage was approved by the Planning Board on the same day.

### 2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Surface parking	Multifamily and Commercial/Retail
Gross Acreage	21.16	21.16
Total Gross Floor Area	-	351,608 sq. ft.
Residential		350,350 sq. ft.
Commercial		1,258 sq. ft.
Dwelling Units Total		321
Multifamily		321

## OTHER DEVELOPMENT DATA

### Parking Spaces

	<b>MAX. PERMITTED*</b>
Residential Development – 321 units (1.25 spaces/unit in the Downtown Core)	401
Commercial Development – 1,258 sq. ft. (2.5 spaces/1,000 sq. ft. of GFA in the Downtown Core)	3
	<b>APPROVED</b>
<b>Total</b>	334
Standard Spaces (9-foot x 18-foot)**	326
Handicapped Accessible	6
Handicapped Van-Accessible	2

**Notes:** \*There is no minimum number of off-street parking or loading spaces within the Prince George's Plaza TDDP, only a maximum number of surface parking spaces, as specified on page 259.

\*\*Companion case DDS-660 was approved by the Planning Board, to reduce the standard parking space size from 9.5 by 19 feet to a standard 9 by 18 feet.

### Bicycle Spaces

<b>Total Required*</b>		<b>18</b>
Commercial – 1,258 sq. ft.	1 space per 10,000 sq. ft.	1
Multifamily – 321 units	1 space per 20 units	17
<b>Total Provided</b>		<b>50</b>

**Note:** \*All new structured parking facilities shall include secure bicycle parking, and the subject DSP does. These bicycle parking requirements are cumulative for mixed-use developments, and both open and covered bicycle parking areas may be provided, as appropriate.

### Loading Spaces

<b>Total Required*</b>	
Residential / Retail	2 spaces

**Note:** \*There is no minimum required number of off-street loading spaces in the Prince George's Plaza TDDP. The required number of off-street loading spaces shall be determined at the time of DSP.

3. **Location:** The subject property is located in Council District 2 and Planning Area 68. More specifically, the project is located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road. Proposed Parcel 5, which is the subject of this specific DSP, is located in the south-central portion of the property, just north of Toledo Road.
4. **Surrounding Uses:** The entire Dewey site is bounded by Belcrest Road to the west, Toledo Road to the south, and Adelphi Road to the east. Abutting properties to the north, and a property to the east, are zoned One-Family Detached Residential (R-55). These properties are in the Development District Overlay (D-D-O) Zone associated with the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, and are developed with institutional uses. A single parcel located to the east is also in the R-55 and D-D-O Zones, developed with a recreational use and owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). A single parcel to the east is zoned Mixed Use-Infill (M-U-I), in a Transit District Overlay (T-D-O) Zone, and is vacant and owned by M-NCPPC. To the west, beyond Belcrest Road, are multifamily dwelling units in the M-U-I, the Multifamily High Density Residential (R-10), and the One-Family Triple-Attached Residential (R-20) Zones. Beyond Toledo Road, to the south, is the University Town Center development with commercial and multifamily uses in the Mixed Use–Transportation Oriented (M-X-T) Zone.
5. **Previous Approvals:** The property is a portion of a larger 47.7-acre site, which was subject to Conceptual Site Plan CSP-00024 (PGCPB Resolution No. 00-195), approved by the Prince George's County District Council on January 8, 2001. The CSP created two subareas, Subarea 2 (21.46 acres) and Subarea 3 (26.24 acres). The subject site represents a portion of the site known as Subarea 2. Within Subarea 2, Parcel 6 (3.87 acres) was the subject of foreclosure proceedings (Civil Action No. CAE 11-11871) and is not included with this application. CSP-00024-01 was approved by the Prince George's County Planning Board on November 15, 2001.

The property was rezoned to the M-U-I Zone, and retained in the T-D-O Zone, through the adoption of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Prince George's Plaza TDDP). Pursuant to the general applicability and administration section (page 195) of the TDDP, a DSP in the transit district does not have to conform to a previously approved CSP; therefore, neither CSP is relevant to the review of this DSP.

The property is the subject of two recent preliminary plans of subdivision (PPS) for commercial and residential development: 4-18022, which was approved by the Planning Board on June 27, 2019 (PGCPB Resolution No. 19-82(C)); and 4-19033, which was approved by the Planning Board on November 21, 2019 (PGCPB Resolution No. 19-129).

6. **Design Features:** The site is currently improved with a surface parking lot, which is to be fully razed with this DSP. The DSP also proposes to grade the entire 21.16-acre site and to build a SWM pond through the middle of the property, in preparation for future development.

In addition, two public roads that form an L-shape, in the southwestern corner of the property, will be dedicated to the City of Hyattsville.

The only non-infrastructure improvement proposed with this DSP is construction of a 5-story building, with 321 multifamily dwelling units and 1,258 square feet of commercial/ retail uses, in the south-central portion of the property, on proposed Parcel 5. The building will have an internal parking garage that will be accessed on the west side from proposed public Road B. Just north of the parking garage entrance are two loading spaces that will also be accessed directly from Road B, which requires an amendment to the Prince George's Plaza TDDP standards. The applicant proposes a high-visibility sidewalk to transverse the wide vehicular entrance, to give priority to pedestrians. Above-ground transformers will be located in the streetscape within the tree and furnishing zone of Road B and Toledo Road. These transformers are adjacent to sidewalks and viewable from the rights-of-way, but will be screened by decorative screen panels and landscaping. The Planning Board approves an amendment to the TDDP standards for the location of the transformers.

Recreational and open space will be incorporated into the design of the building through an internal courtyard and a courtyard that is recessed in the northern elevation of the building. A dog park is planned on the east side of the building, adjacent to the proposed SWM pond. Trails will surround the east and north sides of the building, connecting to sidewalks that connect to the frontage sidewalks and a regional multi-use trail to the east.

### **Architecture**

The proposed 5-story, 351,608-square-foot building proposes a flat roof height of approximately 53 feet, with a varying top of parapet. The façade of the building is composed of a combination of masonry, cementitious panels, and metal panels in a range of white, black, and gray colors. Black elements anchor the corner and highlight building entrances with elevated parapet walls and increased amounts of glass. Windows and black metal balconies are provided on all façades to break up the building. The main residential lobby will be located at the corner of Toledo Road and Road B. A small amount of ground-floor retail will be just to the east of the residential lobby and will front on a small plaza adjacent to Toledo Road. The building will be set back further than the maximum build-to line, for which the applicant has requested an amendment to the TDDP standards. Further to the east, on the Toledo Road frontage, stoops will provide direct access to ground-floor residential units, which will help activate the primary street frontage.

### **Lighting**

The lighting plan proposes acorn-style, light-emitting diode (LED), pole-mounted lights around the perimeter of the building and along the proposed public roads. No details were provided for building-mounted lighting, but the photometrics shown indicate that the pole-mounted lights will provide sufficient lighting around the building. Given that there are no developed properties immediately adjacent to the proposed building, spill-over light is not a concern.

### **Signage**

The applicant proposes two wall-mounted signs and three canopy-mounted signs. The southwest corner of the building will have a 3.5-foot by 32-foot (112-square-foot), backlit wall sign that is

vertically oriented towards Toledo Road. Metal, individual letter, canopy signage will be provided for the leasing office near the parking garage, the lobby entrance, and the retail entrance. The retail will have a 1.67-foot by 22-foot (37-square-foot) sign and the leasing office shows an 11.67-foot by 1.67-foot (19.5-square-foot) canopy sign. A metal letter wall sign will be placed above the garage entrance, as well, which is 2 feet by 10 feet (20 square feet). The Planning Board has included a condition herein to clarify the signage details.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The proposed building is located within the Downtown Core Character Area of the Prince George's Plaza TDDP. The Downtown Core is the transit district's central activity hub, with a mix of residential, retail, and office development framing lively, walkable streets. These pedestrian-friendly streets are envisioned to be lined with cafés and stores, which draw commuters between the Prince George's Plaza Metro Station and the Mall at Prince George's, activating the streetscape. The existing surface parking lot is envisioned to be developed, in part, with a multistory mixed-use building that would front on Toledo Road and will be the terminus of America Boulevard. The TDDP uses urban design standards to implement the plan's vision for the Downtown Core Character Area, and the applicable standards have been evaluated as a part of the DSP process.

The submitted application and justification materials indicate the applicant's desire to deviate from five of the transit district standards to accommodate the development, as proposed, on the subject property. The following discussion relates to the TDDP standards, specifically those requirements from which the applicant has requested amendments, in accordance with Section 27-548.08(c)(3) of the Prince George's County Zoning Ordinance, as follows:

- (3) **The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**

**In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the Transit District and will not substantially impair implementation of the Transit District Development Plan, and the Board shall then find that the site plan meets all mandatory requirements which apply.**

These alternate standard requests warrant discussion, as follows (all page numbers reference the TDDP and amendments have been grouped by section):

- a. **Streets and Frontage, Blocks (page 208)**—The TDDP requires that blocks shall not be more than 500 linear feet from right-of-way to right-of-way. All proposed blocks conform to this, except the west side of proposed Parcel 2 on Belcrest Road, which is 550 feet measured from the northern right-of-way line of proposed Road A to the center line of a future private road. This amendment is justified because the location of Road A is set to be an extension of Toledo Terrace. The intent of the standard is achieved by the dedication of Road A and Road B, as required; the extension of the existing street network; and creation of a four-way intersection that enhances walkability, which is consistent with the intent of the TDDP. The Planning Board approves this amendment, as it will not substantially impair implementation of the TDDP, and other block lengths conform to the standards.
- b. **Streets and Frontage, Frontage Zones (page 208)**—The applicant proposes to place above-ground transformers within the frontage zone on public Road B. The TDDP sets forth requirements for streets and street frontages and requires that no new mechanical equipment be permitted above-ground along streets and promenades.

The applicant proposes additional screening and landscaping around the transformers, along Road B, that the Planning Board finds is a reasonable alternative and minimizes their impact to the public realm.

The transformers will be owned and maintained by the Potomac Electric Power Company, the public utility. In the statement of justification (SOJ), the applicant agrees that, throughout the current sector plan, multiple references are made to undergrounding utilities and that it is the intent of the standards, but the TDDP also allows above-ground utilities serving buildings fronting on A streets or Pedestrian Streets shall be located on B Streets or Alleys. The transformers will all be grouped on public Road B, along with the parking and loading docks entrances.

The Planning Board approves the request for above-ground transformers within the frontage zone on Road B, and those located on the east side of the building, with additional screening to be provided prior to certification as conditioned herein.

- c. **Streets and Frontage, Build-To Lines and Zones, Articulation (pages 209–210)**—The TDDP establishes build-to lines that create a minimum and maximum distance a building can be from the face of the curb. As in many similar circumstances, the existence of public utility easements impacts the location where buildings can be constructed. There are two standards which the proposed development cannot conform to and which require an amendment:

**Table 42: Minimum/maximum build-to line from Toledo Road is 20 feet/25 feet.**

**Table 43: Minimum/maximum build-to line from new B Street is 15 feet/20 feet.**

The building façade is within the minimum and maximum allowances required by the TDDP for approximately 74 percent of the frontage along Toledo Road. The only area that does not conform is the retail area along Toledo Road, which was pulled away from the build-to line to help emphasize the public space. This public space will act as a focal point, and ties into the elements along America Boulevard to the south. The east end of the southern façade also has encroached past the minimum build-to line, to allow for residential stoops to further activate the Toledo Road frontage.

Road B is not intended to be activated like Toledo Road, which is a primary street. However, over 80 percent of the façade is within the build-to line along this frontage. The only area which is set back behind the build-to line (approximately 3 feet) is the corner of the building. This additional setback is intended to accentuate the corner and the entrance to the building, which allows a wider sidewalk and additional landscaping at the base of the building.

This TDDP standard also states that service entrances shall be at the rear of the building. Access to the rear of the building is limited by the proposed building and the SWM pond to the east. Therefore, the entrance to the loading area is directly from Road B. The Planning Board conditioned that the applicant provide a raised sidewalk and/or other pedestrian enhancements across this loading area and adjacent parking garage entrance, to improve the walkability of this frontage.

The Planning Board approves the request for the deviations from the build-to line and to allow the service entrance not to be at the rear of the building. This is supported to provide greater pedestrian activity at a significant corner area.

- d. **Parking and Loading, Loading (page 263)**—The applicant proposes to place two loading spaces on the Road B frontage and requests an amendment from the following TDDP standard:

**Off-street loading spaces may only be located in the rear of buildings.**

There is no required minimum number of off-street loading spaces in the TDDP. However, the DSP proposes two spaces located directly off of Road B. The applicant has stated that the reason they are not located in the main garage is that the larger height requirements of loading vehicles will cause issues with the structural design, complicating an efficient layout of parking levels matching residential levels.

The applicant is providing a raised sidewalk in front of the garage, so as to not have a 60-foot-wide gap in the sidewalk along Road B. The sidewalk material will be modified along this area, as well. This will ensure that the location of the service entrance is aesthetically pleasing and that the pedestrian experience will not be disrupted. The Planning Board approves this requested amendment.

- e. **Downtown Core Standards (pages 265–269)**—The TDDP states that the minimum clear height of retail space and of storefront fenestration is 14 feet. The applicant is proposing a 10-foot clear height. All major residential amenity spaces, such as the fitness room, clubroom, and leasing space, within the building will be two-story spaces. The façade along Toledo Road, at the retail portion, has been designed to emphasize a two-story aesthetic to express the visual intent of a larger retail space within the structure. The inner retail space is small in square footage and will be provided with a 10-foot clear height. Given the relatively small area of retail space, the applicant submits that this amendment will benefit both the development and the transit district, and will not substantially impair implementation of the TDDP. The Planning Board approves the requested amendment.
8. **Prince George’s County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I and T-D-O Zones of the Zoning Ordinance:
- a. The Prince George’s Plaza TDDP permits or prohibits certain uses, in accordance with Section 27-548.05 of the Zoning Ordinance, to limit uses that are incompatible with, or detrimental to, the goals of the transit district and the purposes of the T-D-O Zone. The applicable Transit District Use Table for the T-D-O/M-U-I Zones (pages 276–291) permits multifamily dwelling units and various commercial uses.
  - b. Section 27-546.19(c), Site Plans for Mixed Uses, of the Zoning Ordinance requires that:
    - (c) **A Detailed Site Plan may not be approved unless the owner shows:**
      - 1. **The site plan meets all approval requirements in Part 3, Division 9;**
      - 2. **All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan does not meet all applicable development standards, but represents a reasonable alternative for satisfying the site design guidelines, as conditioned, and meets the development standards, except for those alternative standards, as discussed in Finding 7 above.
      - 3. **Proposed uses on the property will be compatible with one another;**
      - 4. **Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**

The proposed commercial and multifamily residential uses are compatible with the existing and proposed adjacent development, which includes lower-density residential development to the north, and higher-density commercial and residential development to the south.

**5. Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:**

**(A) Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;**

The 5-story-tall building will provide a transition from the 14-story buildings to the south; the 4-story, garden-style apartments to the northwest; and institutional uses to the north and east. The building will frame the street and provide a common street wall. Architectural details and breaks in the massing will provide a variety of façades that will relate to surrounding buildings.

**(B) Primary façades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;**

The building fronts on Toledo Road, which is the primary street per the Prince George's Plaza TDDP. This frontage includes the main residential lobby, retail storefront, and stoops of ground-floor residential units. A large sidewalk has been provided at the corner and in front of the retail space, and public crosswalks are provided at nearby intersections. Parking and loading will be accessed from Road B. A leasing office has been placed next to the parking garage access point to allow convenient parking and access for prospective tenants. The applicant proposes a highly visible sidewalk that will help protect pedestrians across these access points.

**(C) Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building façades on adjacent properties;**

The building uses a rhythm of windows, with minimal glazing. Lights will light the street, interior and exterior open spaces, and will have minimum impact on the adjacent properties.

- (D) Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**

The use of cementitious panels, metal, and masonry is in line with materials used on adjacent buildings. The white and black colors of the project could be highlighted with art or brighter colors, in keeping with the City of Hyattsville's vision. The applicant uses changes in color, balconies, articulation of the mass, and other details to provide interest and break up the building.

- (E) Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;**

The applicant proposes to place above-ground transformers within the frontage zone of proposed Road B. The applicant has offered to screen the transformer with a decorative metal screen, to be determined at a later date. The Planning Board approves of this amendment, but has conditioned that the transformer on Road B, as well as, the above-ground transformers to the east of the building, be surrounded with a decorative metal screen, as conditioned herein, to minimize their visibility from the public street and adjacent properties.

- (F) Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and**

The signs conform to the TDDP standards. With one large wall sign on the corner of Toledo Road and proposed Road B and signage mounted on canopies over the retail and leasing office, signage is minimized and in scale with the building.

- (G) The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**

- (i) Hours of operation or deliveries;**
- (ii) Location of activities with potential adverse impacts;**

- (iii) **Location and use of trash receptacles;**
- (iv) **Location of loading and delivery spaces;**
- (v) **Light intensity and hours of illumination; and**
- (vi) **Location and use of outdoor vending machines.**

The applicable TDDP has multiple compatibility standards and guidelines regarding building placement, orientation, design, lighting, outdoor storage, and signage. The proposed development is consistent with the majority of these, as discussed in Finding 7 above. The applicant has requested amendments from the development standards for block length, frontage zone, build-to line, loading location, and Downtown Core standards. Loading and the parking structure will be accessed from Road B and will be internal to the project, to minimize impacts on neighboring properties.

- c. Pursuant to Section 27-548.08(c)(2), the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:

**(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The DSP is in strict conformance with the mandatory requirements of the Prince George's Plaza TDDP, except where amendments to the TDDP standards are requested. The Planning Board approves the amendments and includes conditions herein to revise the proposed site plan, in order to create a proposal that will not substantially impair implementation of the TDDP.

**(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;**

The DSP is consistent with, and reflects, the guidelines and criteria for development contained in the TDDP. The applicant has requested amendments to the TDDP standards, of which the Planning Board approves all of the requested amendments. The DSP, with the proposed conditions and approved amendments, conforms with the purposes of the TDDP, which include requirements to ensure that development within the transit district possesses a desirable urban design relationship with one another, the Metro station, and adjoining areas.

- (C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;**

The DSP, with the requested amendments, meets the requirements of the T-D-O Zone and the underlying M-U-I Zone, as discussed above and in Finding 7. The Planning Board finds that the DSP meets the requirements of the T-D-O and M-U-I Zones with the conditions included herein.

- (D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

The DSP demonstrates that the location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking maximize safety and efficiency, and are adequate to meet the purposes of the T-D-O Zone. The DSP requests amendments to the TDDP standards, relative to building location, loading, and placement of transformers in the streetscape, among others. These include standards that require reduced conflict points with pedestrians on proposed Road B, which the applicant proposes to enhance pedestrian safety measures across this access point. These improvements, if provided, along with standards for building placement to frame and activate the street, support the vision of a walkable transit district. Therefore, conditions have been included in this approval supporting the amendments.

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and**

The DSP proposes building materials that are compatible with adjacent commercial and multifamily uses. The building is located to frame the streetscape and maintains a common street wall, while activating the streetscape, as envisioned by the TDDP. The building includes open space and amenities around the exterior of the building that will provide connections to future development. The scale of the building will help transition from the high-rise development abutting to the south and lower-scale residential to the north. The proposed structure and uses are compatible with the existing and proposed adjacent development.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 of the Zoning Ordinance, meets the stated location criteria and are accompanied**

**by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

This requirement does not apply to the subject application because there is no total minimum required parking spaces.

9. **Preliminary Plan of Subdivision 4-18022:** On June 27, 2019, PPS 4-18022 was approved by the Planning Board (PGCPB Resolution No. 19-82(C)) for four parcels for mixed-use development. A final plat of subdivision will be required for the subject site. The approval of this PPS generated 15 conditions, of which the following are applicable to the review of this DSP:

5. **In conformance with the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment, prior to certification of the preliminary plan of subdivision, the following changes shall be made:**

- a. **The Wells Run Greenway within Parcel 4, from Toledo Road to Belcrest Road, shall clearly delineate the multiuse trail. The feasibility of the construction of the trail by the applicant shall be determined with the detailed site plan.**

The submitted plans clearly delineate a 10-foot-wide multi-use trail that runs within proposed Parcel 4, from Belcrest Road to Toledo Road.

7. **Prior to acceptance of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. **Provide an exhibit that illustrates the location, limits and details of the off-site improvements along Adelphi Road, consistent with Section 24-124.01(f).**

The submitted plans are in conformance with the condition noted above. The pedestrian and bicycle adequacy improvements generated from PPS-4-18022 include 975 feet of ADA-compliant, 5-foot-wide sidewalks along the west side of Adelphi Road, between Belcrest Road and Toledo Road. The applicant has submitted an exhibit that illustrates the off-site pedestrian and bicycle adequacy improvements from PPS 4-18022.

- b. **Provide street cross sections that demonstrate conformance to the frontage/build-to overlay zone standards for existing public streets, as identified in Table 42 on page 211 of the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment (TDDP), as depicted in the illustrative street sections for the applicable street segment within the TDDP, as modified (if necessary) at the time of detailed site plan in accordance with**

**Section 27-548.08(c)(3), or a comparable Department of Public Works & Transportation Urban Street Design Standard.**

- c. **Provide a feasibility analysis regarding a pedestrian connection from Parcel 2 to Parcel 3, crossing Parcel 4 for review by DPIE/DPW&T, the City of Hyattsville, and M-NCPPC.**

The applicant submitted a trails plan showing a pedestrian connection from Parcel 2 to Parcel 3 via the trail around the SWM pond on Parcel 4, in conformance with this condition. Further details of the pedestrian connection will be provided in future DSPs that include the full development on Parcels 2 and 3.

10. **Preliminary Plan of Subdivision 4-19033:** On November 21, 2019, PPS 4-19033 and an associated variation were approved by the Planning Board (PGCPB Resolution No. 19-129) for two parcels for residential and commercial development. A final plat of subdivision will be required for the subject site. The approval of this PPS generated 11 conditions, of which the following are applicable to the review of this DSP:

2. **Development of this site shall be in conformance with an approved Stormwater Management Concept Plan (34347-2018-0) or any subsequent revisions.**

An approved SWM Concept Plan, 34347-2018-00, was submitted with the subject application, that is consistent with the Type 2 tree conservation plan (TCP2) and DSP. A regional SWM facility is proposed in the middle of the property that will serve as detention for stormwater from the subject mixed-use development.

3. **Prior to signature approval of the preliminary plan of subdivision, an approved stormwater concept plan shall be submitted and demonstrate whether unsafe soils are present on-site. If present, prior to approval, the detailed site plan must clearly delineate the location of any associated safety factor lines, as well as any accompanying building restriction lines that are required by Prince George's County Department of Permitting, Inspections and Enforcement.**

A global/slope stability geotechnical report was submitted with the February 21, 2020 submission. This report was referred to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The plans, as submitted, show a 1.5 safety factor line under a portion of the proposed building footprint.

The comments from DPIE regarding the slope stability analysis were received via email on March 12, 2020. DPIE indicated that it is acceptable to have a mitigated 1.5 safety factor line adjacent to the building line, but outside of it, not inside, provided that its frame will truly be supported on deep foundation, as proposed. Minor adjustments to the building or to the slope could be made to accommodate this requirement. Typically, there is a building setback from the 1.5 safety factor line; however, DPIE has indicated

that no buffer will be needed. In reaching out to DPIE for clarification on the comments provided, it was learned that, while moving the building footprint is an option, a revision to the adjacent slope would be fairly minor and the most feasible path forward.

A revised global stability analysis demonstrating a mitigated 1.5 safety factor line outside of the building footprint must be submitted as part of the certification package for this DSP. The revised report will be referred to DPIE for review and comment.

A determination of safety must be made by DPIE, prior to certification of the DSP and TCP2.

4. **Total development within the subject property shall be limited to uses which generate no more than 207 AM and 248 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This condition establishes an overall trip cap for the subject property of 207 AM and 248 PM peak-hour trips. The proposed mixed-use development would generate 169 AM and 206 PM peak-hour trips. This complies with the established trip cap.

The table below summarizes the trip generation in each peak hour that was used to demonstrate conformance to the PPS trip cap for the site:

<b>Trip Generation Summary: DSP-19050: Dewey Property</b>								
<b>Land Use</b>	<b>Use Quantity</b>	<b>Metric</b>	<b>AM Peak Hour</b>			<b>PM Peak Hour</b>		
			<b>In</b>	<b>Out</b>	<b>Tot</b>	<b>In</b>	<b>Out</b>	<b>Tot</b>
Residential	321	Residences	32	135	167	125	68	193
Commercial/Retail	1,258	square feet	1	1	2	15	17	32
Less Pass-By (60 percent PM)			0	0	0	-9	-10	-19
Net Trips for Proposed Commercial/Retail			<b>1</b>	<b>1</b>	<b>2</b>	<b>6</b>	<b>7</b>	<b>13</b>
<b>Total Trips for DSP-19050</b>			<b>33</b>	<b>136</b>	<b>169</b>	<b>131</b>	<b>75</b>	<b>206</b>
<b>Trip Cap: PPS 4-19033</b>					<b>207</b>			<b>248</b>

5. **Prior to approval of the initial detailed site plan proposing development within Parcel 1 and/or Parcel 2, the applicant shall submit an acceptable traffic signal warrant study to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and/or the Prince George's County Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Belcrest Road and Toledo Terrace/site access. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic, as well as existing traffic at the direction of the County. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the**

**improvements with DPIE/DPW&T prior to release of any building permits within Parcels 1 or 2, and complete installation at a time when directed by DPIE/DPW&T.**

The traffic signal warrant study has been submitted and is under review by the County.

- 7. Prior to acceptance of the detailed site plan (DSP), the application package shall include the following items or information:**
  - a. An exhibit that illustrates the location, limits, specifications and details of the off-site sidewalk and pedestrian crossing improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations and the cost cap in Section 24-124.01(c).**
  - b. Demonstrates compliance with the 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment street section for Toledo Road, as modified (if necessary) at the time of DSP, in accordance with Section 27-548.08(c)(3) of the Zoning Regulations or a comparable Prince George's County Department of Public Works and Transportation Urban Street Design standard.**
- 8. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that one or more of the following required adequate pedestrian and bikeway facilities as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations and the cost cap in Part (c), have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:**
  - a. Construct a 5-foot-wide, Americans with Disabilities Act-compliant sidewalk within the public right-of-way, along the western side of Adelphi Road, as shown on the off site bicycle pedestrian impact statement improvements exhibit, subject to the cost cap in subsection (c).**
  - b. Improve the pedestrian facilities at the Toledo Road and Adelphi Road intersection with crosswalk restriping and upgrades to the ADA ramps and push buttons where necessary.**

The submitted plans are in conformance with the conditions noted above. The pedestrian and bicycle adequacy improvements generated from PPS 4-19033 include 320 feet of ADA-compliant, 5-foot-wide sidewalks along the west side of Adelphi Road, south of Toledo Road, and pedestrian crossing improvements at the intersection of Adelphi Road and Toledo Road featuring a crosswalk, crossbar, and pushbutton pedestrian assemblies. The applicant has submitted an exhibit that illustrates the off-site pedestrian and bicycle

adequacy improvements from PPS 4-19033. Compliance with the street section for Toledo Road is discussed in Finding 7 above.

11. **2010 Prince George's County Landscape Manual:** Per page 194 of the Prince George's Plaza TDDP, the TDDP standards replace the comparable standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). For standards not covered in the TDDP, the Landscape Manual shall serve as the requirement, unless explicitly stated otherwise. The applicant is in conformance with the applicable Landscape Manual requirements and the landscape requirements of the TDDP.
12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet and is subject to a previously approved TCP2. A TCP2 has been submitted for review and has been assigned the -01-revision number to TCP2-042-2019, that was approved as a stand-alone case. The TCP2 covers the entire site because the grading permit for this project will require clearing and grading on land beyond the limits of the application for purposes of balancing the cut and fill dirt on the overall site, as well as installation of the SWM pond needed to serve this site.

The subject area of development contains no existing woodlands on the net tract; however, it is one phase within an overall TCP2 that contains 3.37 total woodlands and 5.24 acres of woodlands within the floodplain for the overall site. The TCP worksheet has been broken down into three phases. Phase 1 was approved under TCP2-042-2019, Phase 2 covers this DSP application, and Phase 3 will cover future development of the remainder of the overall site.

According to the worksheet submitted, the woodland conservation threshold for the overall 21.47-acre site is 15 percent of the net tract area, or 2.42 acres, which is consistent with the previously approved TCP2. The current area of improvement with this DSP does not contain any woodlands or propose any additional clearing. There is no woodland conservation requirement associated with Phase 2. The 8.89-acre cumulative requirement will be met off-site, prior to the first grading permit for Phase 1.

There are additional technical revisions that need to be addressed on the TCP2, prior to certification, as conditioned herein.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-127(b)(1)(I) of the Prince George's County Code states that "properties subject to tree canopy coverage requirements contained in an approved T-D-O Zone or a Development District Overlay Zone are exempt from the tree canopy coverage requirements contained in this Division." Pursuant to this section, the tree canopy coverage requirements for the T-D-O Zone shall be met through the provision of street, on-site, and other trees preserved by a property owner or provided to comply with other transit district standards and guidelines.

**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, and are incorporated herein by reference:

- a. **Historic Preservation**—The Planning Board adopts, herein by reference, a memorandum dated January 29, 2020 (Stabler to Hurlbutt), which noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain, and is not adjacent to, any Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required.
- b. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated March 3, 2020 (Mierow to Hurlbutt), which offered an in-depth discussion of the DSP’s conformance with the Prince George’s Plaza TDDP, that has been incorporated into Finding 7 above.
- c. **Transportation Planning**—The Planning Board adopts, herein by reference, a memorandum dated March 16, 2020 (Masog to Hurlbutt), which noted that access and circulation are acceptable. The number and locations of points of access are consistent with those reviewed and approved during the PPS. Toledo Road is a master plan commercial roadway with a proposed width of 60 feet. The current right-of-way width is adequate along Toledo Road, and no additional dedication is required with this plan. The proposed rights-of-way are consistent with the conditioned in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The rights-of-way are also consistent with the rights-of-way shown on the PPS, as approved. The Planning Board approved the PPS with traffic-related conditions, which are applicable to the review of this DSP and are discussed in Finding 10 above. From the standpoint of transportation, and in consideration of the findings contained herein, it is determined that this plan is acceptable.

#### **Parking**

Given that the subject property has been used as surface parking for the adjacent University Town Center site for several years, the applicant has provided a parking analysis, in consideration of the uses on that site and the parking supply. The Parking Generation Manual (Institute of Transportation Engineers) includes dense, multi-use, urban, demand models to better assess parking demand in this mixed-use setting, particularly given the proximity of the transit station.

The maximum parking demand is 2,334 spaces, based on the analysis that was provided. This includes 1,095,377 square feet of office space, 224,786 square feet of retail space, and 1,361 residences within the University Town Center. In addition, the Prince George’s Plaza TDDP has no minimum parking requirements for any of these properties.

Current parking spaces are 4,845, based on the analysis, and the removal of 1,503 spaces on the Dewey Property would yield a parking supply of 3,342 spaces. There would be a surplus of 1,008 spaces without the Dewey surface parking spaces, with all of these spaces existing within the University Town Center site.

While there might have been a factor of convenience for some uses within the University Town Center to use surface parking within the Dewey Property, there is sufficient parking within University Town Center to serve the uses on that site. Any matters regarding private agreements for use of the parking on the Dewey property are not relevant to the DSP requirements or analysis. In addition, the Board reviewed and considered a waiver granted by the District Council in 1970 to the adjoining property owner allowing the owner to develop its property without sufficient parking. The Board determined the waiver was for the sole benefit of the owner and did not restrict the future development of the Dewey Property so had no relevance to this application. The Board also found that the parking requirements that limited the development of the adjoining property in 1970 have changed and that sufficient parking exists to accommodate the current parking requirements even if the surface parking on the Dewey Property is no longer available.

- d. **Trails**—The Planning Board adopts, herein by reference, a memorandum dated March 2, 2020 (Ryan to Hurlbutt), which analyzed the DSP for conformance with the MPOT and the Prince George’s Plaza TDDP, in addition to the previous conditions of approval.

The subject property has existing sidewalks along the frontage of Toledo Road. A network of sidewalks is included in the proposed DSP and appears to adequately serve the subject site. There are no dedicated bike lanes associated with the project.

The TDDP recommends, in the immediate vicinity of the project site, shared roadways along Toledo Road and Adelphi Road, and a planned side path along Belcrest Road.

The Planning Board conditioned that the applicant provide a “share the road with a bike” bikeway sign along the subject site’s frontage on Toledo Road. A sidepath along Belcrest Road and bikeway signage for Adelphi Road will be addressed at future DSPs that propose improvements abutting those roadways.

The pedestrian and bicycle adequacy improvements required for this project will greatly improve the pedestrian sidewalk facility along Adelphi Road, approaching its intersection with Toledo Road from the north and south. In addition, the applicant is proposing a 6-foot-wide sidewalk along Toledo Road and a 5-foot-wide sidewalk along the east side of Public Road B, to directly serve the subject property. The on-site and frontage sidewalks will connect the subject site with the off-site pedestrian and bicycle adequacy improvements and with the greater pedestrian network in the area.

Designated space for bicycle parking that is convenient is an important component of a bicycle-friendly roadway network. The submitted site plans indicate a bike room area inside the parking garage for the use of residents. The Planning Board conditioned that inverted u-shaped bicycle racks be installed outdoors, as well, for visitors, at a location convenient to building entrances.

- e. **Environmental Planning**—The Planning Board adopts, herein by reference, a memorandum dated March 20, 2020 (Juba to Hurlbutt), which provided an analysis of previous conditions, as incorporated into the findings above. Additional analysis was provided as follows:

**Natural Resources Inventory/Existing Conditions**

The site has an approved Natural Resources Inventory, NRI-120-05-01, which correctly shows the existing conditions of the property. No specimen or historic trees are associated with this phase of development. No regulated environmental features, such as streams, wetlands, 100-year floodplain, associated buffers, and PMA, are located within this phase. The existing conditions are correctly shown on the TCP2 and DSP.

**Soils**

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Urban Land-Russett-Christiana Complex (0–5 percent slopes) and Issue Urban Land Complex. Although soils containing Marlboro clay have not been identified on this site, unsafe soils containing Christiana complexes have been identified on-site. The Planning Board notes that the footprint of the multifamily building and parking garage are proposed to be constructed immediately adjacent to proposed steep slopes, in excess of 40 percent, associated with the proposed pond embankment located on proposed Parcel 4.

According to DPIE, when existing or proposed steep slopes exceed 20 percent on unsafe soils, government agencies should insist on submission of a full geotechnical report that includes a global stability analysis, with the proposed mitigated 1.5 safety factor line determined and shown on the report plan and on any supporting plans, for County review and approval.

**Specimen, Champion, or Historic Trees**

A Subtitle 25 Variance application and an SOJ, in support of a variance for removal of all 12 specimen trees located on the overall site, was previously approved by the Planning Board under PPS 4-18022.

- f. **Prince George's County Fire/EMS Department**—The Planning Board adopts, herein by reference, a letter dated January 23, 2020 (Reilly to Hurlbutt), in which the Fire/EMS Department offered comments, relative to hydrant and fire department connection locations, that have been provided to the applicant. These comments will be addressed through a separate permitting process.

- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**— DPIE did not offer comments on the subject application.
- h. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
- i. **Prince George's County Health Department**—The Health Department did not offer comments on the subject application.
- j. **Maryland State Highway Association (SHA)**—SHA did not offer comments on the subject application.
- k. **City of Hyattsville**—The Planning Board adopts, herein by reference, a letter dated March 3, 2020 (Hollingsworth to Hewlett), in which the City of Hyattsville offered numerous comments on the subject application that are summarized, as follows:

The City Council voted in support of the applicant's proposed Detailed Site Plan (DSP-19050) and Departure from Design Standards (DDS-660) application subject to conditions.

The City is in support of the amendments to the Prince George's Plaza TDDP standards, with the exceptions of the above-ground transformer and increase in the build-to-line. The City requested that the transformer on Road B be installed sub-grade and the transformer to the east be screened from public view. The City did not find a compelling reason to support the applicant's request for an amendment to the build-to-line beyond the 25-foot maximum depth permitted.

The City is requesting that the Planning Board require the applicant to improve of the western leg of the existing crosswalk on Toledo Terrace, adjacent to America Boulevard, as this right-of-way improvement is imperative to maintaining the pedestrian connection between the proposed development and University Town Center. In addition, the applicant shall dedicate a space within the enclosed garage structure, so as to not solely rely on on-street parking for unscheduled deliveries.

It is the City's opinion that the applicant shall install a minimum of two inverted-U shaped bike racks in front of the leasing office and at least two inverted-U shaped bike racks in front of the retail space. The City believes that the multi-modal transition of the area requires a greater emphasis on non-motorized vehicle storage and therefore the applicant shall accommodate a 1:1 ratio of bicycle parking spaces to dwelling units.

The applicant shall utilize a vibrant and visually stunning architectural color palette and integrate public art into the development. The Prince George's Plaza TDDP envisions the Downtown Core as an "exciting, desirable, trend-setting regional destination" (TDDP, page 70). One major opportunity to make this development lively and inviting is

through the integration of vibrant colors and public art. It is important for the area to have a sense of place and identity and to avoid the conventionality and conformity that often comes with large-scale residential development.

The Planning Board adopts conditions herein addressing the City's comments; however, finds to approve the applicant's requested amendment regarding above-ground transformers.

- l. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopts, herein by reference, a memorandum dated March 2, 2020 (Sun to Hurlbutt), in which DPR reviewed the subject application and previous approvals, as they pertain to public parks and recreation, and offered the following comment:

The approval of PPS 4-19033 (PGCPB Resolution No. 19-129) contains findings which state that the subject development is exempt from mandatory dedication requirements because of the mandatory dedication provided under PPS 4-01092 satisfied the requirements for all of the properties included with CSP-00024, pursuant to Section 24-134(a)(3)(D) of the Subdivision Regulations. DPR staff has determined that this DSP will have no impact to nearby parkland.

- m. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopts, herein by reference, an email dated February 2, 2020, in which WSSC provided comments relating to coordination with other buried utilities, forest conservation easements, labelling of nearby water and sewer facilities, connection, spacing requirements, etc. The requirements prescribed by WSSC will be enforced by them at the time of permit review.

15. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:

- (4) **The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).**

There are no regulated environmental features within this phase of the development on the subject property; therefore, the plan preserves regulated environmental features, 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:

A. APPROVED the following alternative transit district development standards:

1. **Streets and Frontage, Blocks (page 208)**—To allow for Parcel 2 to exceed the 500-foot block maximum, so Road A may intersect Belcrest Road, across from Toledo Terrace.
2. **Streets and Frontage, Frontage Zones (page 208)**—To allow the placement of transformers above-ground within the frontage zone on Road B and on the east side of the building, along the Toledo Road frontage.
3. **Streets and Frontage, Build-To Lines and Zones, Articulation (pages 209–210)**—To allow for the building to deviate from the build-to line along Toledo Road and Road B, as shown on the plan, and for the service entrance to be placed along Road B.
4. **Parking and Loading, Loading (page 263)**—To allow loading spaces to not be located in the rear of the building, but placed on the Road B frontage.
5. **Downtown Core Standards (page 265–269)**—To allow a minimum clear height of retail space to be reduced from 14 feet to 10 feet, while maintaining the storefront fenestration at 14 feet.

B. APPROVED Detailed Site Plan DSP-19050 and Type 2 Tree Conservation Plan TCP2-042-2019-01 for Dewey Property, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
  - a. Provide at least two inverted U-shaped bicycle racks near the building entrance to the leasing office and at least two inverted U-shaped bicycle racks at an outdoor location convenient to the retail space.
  - b. Provide a “share the road with a bike” bikeway sign along the subject site’s frontage of Toledo Road.
  - c. Provide a decorative metal screen around the above-ground transformers to the east of the building within the frontage zone on Road B and on the side facing the stormwater management pond, subject to approval by the Urban Design Section staff as designee of the Planning Board, with input from the City of Hyattsville.
  - d. Dedicate a space for small delivery vehicles (such as vans) within the parking garage.
  - e. Show the western leg of the existing crosswalk on Toledo Road at America Boulevard to be improved, in order to maintain the connection between the proposed development and properties to the south.

- f. Revise the architecture to include a more vibrant color palette and integrate public art into the development.
    - g. Provide details for all proposed site features including, but not limited to, the multi-use trail, high-visibility sidewalk, enhanced paving, benches, fences, gates, tables, and bike racks.
  - 2. Prior to certification of the detailed site plan, the Type 2 tree conservation plan (TCP2) shall be revised, as follows:
    - a. Type-in all previous TCP2 approval information in the TCP2 approval block. Add the detailed site plan number in the DRD column associated with this TCP2 revision.
    - b. Make the following revisions to the TCP2 general notes:
      - i. Revise Note 6 to reference the correct environmental strategy area.
      - ii. Revise Note 8 to correctly reference that the property is adjacent to Adelphi Road, which is an arterial road.
    - c. Show all temporary tree protection fence/silt fence within Phase 1, per the previously approved TCP2.
    - d. Add the standard tree preservation and retention notes to the TCP2, as shown on the previously approved TCP2.
    - e. Add the detailed site plan number for Phase 2 in the TCP worksheet in the Plan Number row.
  - 3. Prior to certification of the detailed site plan (DSP), the applicant shall submit a revised global stability analysis demonstrating a mitigated 1.5 safety factor line outside of the proposed building footprint. The building location and grading associated with the findings of the global stability analysis shall be reflected on the DSP and Type 2 tree conservation plan.

Should the global stability analysis determine that no safety factor line is required, the following note shall be added to the plan:

“The global stability report prepared by (enter name of company), and dated (enter date), has determined that, based on the layout shown on this plan, the over consolidated clays will be mitigated such that no safety factor line is required, as verified by the Prince George’s County Department of Permitting, Inspections and Enforcement.”

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, July 16, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of July, 2020.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:nz

Approved as to form, David S. Warner /s, Principal Counsel, July 29, 2020