

## 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 May 21, 2020, regarding Detailed Site Plan DSP-20004 for Riverfront at West Hyattsville Metro - Parcel 1 ETOD, the Planning Board finds:

1. **Request:** A detailed site plan (DSP) for development of a 44,362-square-foot medical office building with a parking garage with up to 238 parking spaces. Amend the Land Use category to Mixed-Use Residential and add medical laboratory and eating and drinking establishment as allowed uses on the subject property.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T/T-D-O	M-X-T/T-D-O
Use(s)	Vacant	Medical office, medical laboratory, eating and drinking establishment
Gross acreage	1.87	2.02*
Gross Floor Area (GFA)	0	44,362 sq. ft.

**Note:** \*Includes 0.15-acre of surplus Ager Road right-of-way.

**Parking Requirements per the Sector Plan**

	MAXIMUM PERMITTED	PROPOSED
Retail/Commercial – 44,362 sq. ft. (2 spaces/1,000 sq. ft. of GFA)*	89*	Not to exceed 238*** (includes 21 handicap-accessible and three electric vehicle spaces)**

**Notes:** \* There is no minimum number of off-street parking or loading spaces within the West Hyattsville TDDP, only a maximum parking ratio, as specified on page 118.

\*\* The applicant is requesting an amendment to the T-D-O Zone parking standard, as well as an amendment to change the standard parking space size from 9.5 by 19 feet to 9 by 18 feet.

\*\*\*The final number will be determined at the time of certification in accordance with Conditions 1(h) and 1(l).

### **Bicycle Spaces per the Sector Plan**

<b>Required</b> (1 space per 20 parking spaces)*	12
<b>Provided**</b>	12

**Notes:** \* Bicycle spaces shall be a minimum of 6 feet long and 2.5 feet wide and shall provide an overhead minimum clearance of 7 feet for covered spaces. A minimum 5-foot-wide clear aisle shall be provided between each row of bicycle parking.

\*\*Bicycle parking is provided within the garage and within 50 feet of the entrance to the building. Both have direct access to the public right-of-way.

### **Loading Spaces**

<b>Required</b> Office Building (10,000–100,000 GFA)	1 space
<b>Provided</b>	1 space

3. **Location:** The property is located on the west side of Ager Road, at its intersection with Little Branch Run, 135 feet north of Jamestown Road and the West Hyattsville Metro Station. The subject property is also located in the 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* (West Hyattsville TDDP/TDOZMA) area. The property is abutting the north side of the Metro station in Planning Area 68, Council District 2, and within the City of Hyattsville.
4. **Surrounding Uses:** Development surrounding this site is within the Transit District Overlay (T-D-O) Zone and includes a multifamily residential use to the north, beyond Little Branch Run in the Mixed Use-Transportation (M-X-T) Zone; to the west, beyond the Metro railroad tracks is vacant land approved as townhouses, also in the M-X-T Zone; the West Hyattsville Metro Station is to the south; to the East is Ager Road, with one-family detached dwellings and commercial uses in the Residential Townhouse Zone beyond.
5. **Previous Approvals:** The West Hyattsville TDDP/TDOZMA retained the subject property in the T-D-O/M-X-T Zones.

The site was the subject of a previously approved Conceptual Site Plan, CSP-05006, approved by the Prince George's County District Council on August 8, 2008, and Preliminary Plan of Subdivision (PPS) 4-05145, approved by the Prince George's County Planning Board on December 21, 2006. Both the CSP and PPS included a larger land area (44.57 acres), of which the subject property was included. That project was the result of a public/private joint venture between the Washington Metropolitan Area Transit Authority (WMATA) and the applicant in

that case; however, the project never came to fruition. The conditions of these previous approvals do not apply.

On March 7, 2017, the Planning Board approved PPS 4-15020 (PGCPB Resolution No. 17-42), which supersedes the previous approvals and provides an adequacy analysis based on the development proposed herein. It should be noted that a new CSP approval is not required, due to the submittal requirements set forth in Section 27-290.01 of the Prince George's County Zoning Ordinance, for Expedited Transit Oriented Development, which provides that the elements normally required with a CSP approval should be incorporated into DSP review.

A DSP for infrastructure, DSP-16029, was approved by the District Council on April 25, 2017 for an overall 18.45-acre property, including the subject parcel. DSP-17044 was approved by the Planning Board on July 19, 2018, for architecture for 183 single-family attached townhouse dwelling units for the portion of the riverfront development to the southwest of the subject property.

The site also has an approved Stormwater Management (SWM) Plan, 11905-2016-01, which expires on February 3, 2023.

6. **Design Features:** The subject application proposes a 44,362-square-foot medical office building and 238-space parking garage. The 3-story medical office building, with an accessory ground-floor eating and drinking establishment (coffee shop) and an accessory medical laboratory use, will sit near the intersection of Ager Road and Little Branch Run, in the northeast corner of the property. The 4-level parking garage will sit to the south of the office building and will have access from Ager Road and Little Branch Run. The parking garage will maintain a common building wall along Ager Road with the office building, with an interior drop off area and covered access. Loading, trash, and transformers will all be located on the west side of the building, between it and the Metro tracks.

#### **Architecture**

The building will be composed mostly of metal and glass panels with masonry and other materials providing accents. The base of the building will be clad in a copper-colored metal panel with gray metal rainscreen panels above. The main building entrance will face the parking garage and vehicular drop off, but will also be accessible from the sidewalk along Ager Road. The entrance and stairs will be surrounded on two sides with floor-to-roof glass, making it stand out. A large canopy will connect the parking garage to the medical office building. The façade of the office building will have limited fenestration, which will include square windows on the east façade and two horizontal bands of window wrapping the corner of the building at Ager Road and Little Branch Run. The garage architecture continues a similar pattern of copper-colored metal panels on the lowest level and perforated gray metal screens along the upper levels.

#### **Signage**

The building will utilize large graphic elements to add interest, which will include a 3-foot-tall white welcome sign near the entrance to the building, and laser-cut metal panels with a geometric design and trademark logo facing Ager Road. The welcome sign will be one of four freestanding

signs proposed for the property. Directional signs will be located at both vehicular access points, one will be 13 feet tall and 6 feet wide, and the other will be 6 feet 5 inches tall and 3 feet 5 inches wide. A monument sign will be located at the corner of Little Branch Run and Ager Road. This sign proposes a 20-foot by 2.5-foot vertical band, with a 12-foot by 7-foot horizontal panel. The site and landscape plans do not show the locations of the proposed signs; therefore, a condition is included herein to add them and ensure they are located outside of the public utility easements (PUEs).

The applicant also proposes three building-mounted signs, each approximately 146 square feet, located on the north, west, and southeast elevations. The proposed building signage includes individual, wall-mounted, white letters, and a company logo. All elements are to be internally illuminated with plastic faces and aluminum returns. Amendments to the West Hyattsville TDDP/TDOZMA standards are requested for all signage.

#### **Lighting**

The photometric plan indicates the use of three different light emitting diode (LED) light fixtures on a 14-foot-high pole. Details of the proposed lighting fixture are provided on the plans. The applicant is asking for an amendment to the West Hyattsville TDDP/TDOZMA standards relating to lighting of the proposed alleyway, as discussed in Finding 8 below.

### **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Prince George's County Zoning Ordinance:** The subject DSP application has been reviewed for compliance with the requirements of the M-X-T Zone, the requirements for Expedited Transit-Oriented Development (ETOD) Projects, and the requirements of the T-D-O Zone, of the Zoning Ordinance.
  - a. Section 27-546(d), Site Plans, of the Zoning Ordinance, includes required findings that must be made by the Planning Board, as follows:
    - (1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

The proposed development is in conformance with the purposes of the M-X-T Zone, as stated in Section 27-542(a) of the Zoning Ordinance, as follows:

      - (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 property lies fully within one-quarter mile of the Metro station. The property is in the West Hyattsville Metro local transit center, as stated in the Prince George's County Growth Policy Map of the *Plan Prince George's 2035 Approved General Plan* (Plan 2035). Local Transit Centers are smaller-scale, mixed-use centers that are well connected by transit. Many of these areas are integrated with an established street grid and offer local-serving retail and limited office uses, to which this project conforms.

- (2) **To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The West Hyattsville TDDP/TDOZMA recommends a mix of townhouse, 4- to 6-story condominiums, and mixed-use residential on the subject property. The applicant proposes to add a medical office building on the east side of the Metro tracks, just north of the Metro station, which will provide jobs and a live-work environment that is important in any transit-oriented development. The overall Riverfront at West Hyattsville development will ultimately fulfill the vision for the area.

- (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 proposed development plan takes full advantage of the development pattern in the M-X-T Zone on the area proposed for the medical office building. For the overall site, as envisioned by the TDDP and the previously approved PPS, more development is anticipated. This application will conserve the value of the site and maximize the development potential inherent in the M-X-T Zone.

- (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 overall subject site is located directly adjacent to the Metro station. This location is so well served by public transportation that a person may not need an automobile, due to convenient access to the Metro station. The proposed site layout further facilitates walking, bicycling, and transit use, as conditioned herein.

- (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 proximity of the site to the Metro, and the future anticipated residential and retail development, will encourage activity in the area by the future residents and workers, as they conduct their everyday business and leisure activities, that will contribute to 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 single medical office use, with accessory commercial and medical laboratory uses, that will complement future uses, such as the approved townhouse development.

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

This medical office use, in relation to the Metro station and residential housing, creates a functional relationship that will provide regional access to the project while creating a local community and economy. The architecture submitted is modern and should blend into the surrounding neighborhood, but the use will stand out. This development can help spur a more complete mixture of uses that will create a more complete transit-oriented development.

- (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 site design of the subject DSP and future development will result in a mix of uses that will promote optimum land utilization.

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

The subject application is proposing a part of the mixed-use development that was envisioned by the West Hyattsville TDDP/TDOZMA.

- (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. (CB-84-1990; CB-47-1996; CB-78-2006)**

The applicant has requested a number of amendments to the West Hyattsville TDDP/TDOZMA that the Planning Board supports to give the applicant freedom of architectural design. Architectural elevations have been conditioned to provide more interest along the street and the parking garage. At the hearing, the applicant proposed revisions to the condition to modify the architectural elevations of the parking garage that will result in a reduction of its mass by reducing the height of the garage and by providing more architectural details or artistic elements. The Planning Board approves the modification to the conditions as proposed by the applicant to allow for the reduction in height of the parking garage and the associated reduction in the number of parking spaces.

- (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;**

The 2006 West Hyattsville TDDP/TDOZMA retained the subject property in the T-D-O/M-X-T Zones. Therefore, this requirement is not applicable to the subject project, notwithstanding the fact that the proposed development does conform to the development concept set forth in the TDDP.

- (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;**

In accordance with the section above, the ultimate development of the property will be oriented toward the Ager Road right-of-way to provide an outward orientation, which will integrate and catalyze the development of the surrounding neighborhood. The appearance of the project from the Metro tracks is equally important and, therefore, the applicant will fully screen the service area and has wrapped the parking garage with metal panels.

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

The development in the vicinity is a mixture of residential and commercial uses. The medical office building is 3-stories and separated from any residential uses by Metro tracks or roadways. The project is compatible with the mixed-use nature of the Ager Road corridor and the Metro station.

- (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 subject application arrangement is outward and community facing with a building that addresses all sides of the property. The use is compatible with the transit-oriented community that is cohesive in design.

- (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 DSP is for a single use and will be constructed in one phase. The development is designed as a self-sufficient entity that will allow for effective integration with future surrounding development.

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

This project is designed to be pedestrian-friendly with sidewalks and street trees throughout the project. The pedestrian system will connect to existing streets to create convenient access to the Metro station and the entire transit district.

- (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 site will have multiple pedestrian paths that will be well-landscaped and include site amenities, such as benches and bike racks. The building will have a clear change in materials to create an expression line and ground the building. The Planning Board finds that some additional sidewalk and elements shall be provided to further activate the Ager Road frontage.



- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

This finding does not apply to this DSP.

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

PPS 4-15020 was approved on March 7, 2017, pursuant to PGCPB Resolution No. 17-42, in which an adequacy finding was made, and the proposal is consistent with that approval.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The subject site is not a proposed mixed-use planned community.

- b. The DSP application is also in conformance with additional regulations of the M-X-T Zone, as follows:

**Section 27-544. Regulations.**

- (a) **Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

Section 27-544 of the Zoning Ordinance is modified by the West Hyattsville TDDP/TDOZMA and the provisions of an ETOD project, as stated specifically in Section 27-290.01(a)(1) and discussed below.

**Section 27-547. - Uses permitted.**

- (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.**

Section 27-290.01(a)(1) and (2) states that the requirements above are overridden and allows an application to include a mix of uses on-site or in the adjacent areas. The subject site is surrounded by a mix of uses, existing or proposed, including residential and uses in nearby areas.

**Section 27-548. M-X-T Zone.**

- (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.**

The subject DSP will require a variation at the time of final plat, in order to allow access to Ager Road. The other access point on Little Branch Run was included in the approval of PPS 4-15020.

- b. In accordance with Section 27-107.01(a)(242.2)(A) of the Zoning Ordinance, the DSP is an eligible ETOD project, as follows:

**(242.2) Transit Oriented Development Project, Expedited: A development proposal, designated for expedited review in accordance with Section 27-290.01 of this Subtitle, where:**

- (A) the subject property is located entirely within a Transit District Overlay Zone (“TDOZ”),**

The subject site is located entirely within the T-D-O Zone. Section 27-290.01 sets out the requirements for reviewing ETOD projects, including submittal requirements, use restrictions, review procedures, the roles of the Planning Board and District Council, and the time limit for both Planning Board and District Council actions. Specifically, Section 27-290.01(b) provides the requirements for the uses and design of ETOD projects, as follows:

- (b) As a condition of site plan approval, an Expedited Transit-Oriented Development Site Plan shall:**

- (1) Use the best urban design practices and standards, including:**

- (A) Encouraging a mix of moderate and high density development within walking distance of a transit station to increase transit ridership, with generally the most intense density and highest building heights in closest proximity to the transit station and gradual transition to the adjacent areas;**

The subject application is located entirely within one-quarter mile of the West Hyattsville Metro Station. This portion of the proposed development would be considered high-density development, with a floor area ratio of approximately 0.50.

- (B) Reducing auto dependency and roadway congestion by:**

- (i) Locating multiple destinations and trip purposes within walking distance of one another;**

The overall riverfront development, which includes this proposed office use, provides a mixture of uses that allow multiple trips to take place within the community.

**(ii) Creating a high quality, active streetscape to encourage walking and transit use;**

Landscaping, pedestrian pathways, and building architecture create a quality streetscape along both Ager Road and Little Branch Run. Upgraded sidewalks, street trees, and lighting will create attractive streets leading to the adjacent transit. The high-quality design and materials on the building placed close to the street create an attractive, urban pedestrian-oriented space. The Planning Board approves additional outdoor seating be provided to activate the street.

**(iii) Minimizing on-site and surface parking; and,**

The 238-space parking structure is proposed, in conformance with the TDDP. The large parking structure has been designed to be fully wrapped with architectural details that are designed to make it look like a unified building with the office building. At the hearing, the applicant proposed to reduce the height of the parking garage, with a corresponding reduction in the number of parking spaces to be determined prior to certification.

**(iv) Providing facilities to encourage alternative transportation options to single-occupancy vehicles, like walking, bicycling, or public transportation use.**

Carpool, vanpool, and bike racks are provided in the parking structure and the project is adjacent to the Metro station.

**(C) Minimizing building setbacks from the street;**

The building is proposed as close to the street as possible, behind only the sidewalk and PUEs. The parking structure and the building maintain a consistent setback along Ager Road.

**(D) Utilizing pedestrian scale blocks and street grids;**

Infrastructure DSP-16029 established block lengths and the surrounding street grid.

**(E) Creating pedestrian-friendly public spaces; and**

This DSP includes a large entrance walkway and plaza element in front of the garage that the applicant may use for events. The Planning Board approves that café seating be provided along the Ager Road frontage to activate the street and highlight the eating and drinking establishment inside the building.

**(F) Considering the design standards of Section 27A-209.**

Section 27A-209 has general design principles of urban centers, as stated below:

**(a) Building façades should be aligned and close to the Street. Buildings form the space of the Street.**

The building is as close to the street as possible, forming the space of the street and allowing for an active streetscape.

**(b) The Street is a coherent space, with consistent building forms on both sides. Buildings facing across the Street-Space contribute to a clear public space and Street-Space identity.**

Ager Road has a variety of building forms that include both residential and commercial forms. Across Ager road are two-story, single-family, detached houses and a one-story commercial building. There are no buildings proposed on the other side of Little Branch Run within this section of Riverfront at West Hyattsville. Sidewalks, the only public space, create the street-space identity. The rest of the property is surrounded by Metro uses.

- (c) **Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit, and auto facilities are essential elements of the Urban Centers and Corridor Nodes.**

This property is adjacent to the Metro station, and ample off-street parking and bicycle parking are provided. In addition, a covered drop-off will provide convenient pick up and drop off. Street design was addressed with the PPS approval and remains unchanged by this DSP.

- (d) **Consideration of the natural environment is paramount in the Urban Centers and Corridor Nodes. All new development should be designed in accordance with best practices of environmentally-sensitive site design and sustainability. Development within the Urban Centers and Corridor Nodes shall demonstrate consideration of the natural environment through several means, including the environmental infrastructure Functional Overlay, Regulating Plan, and Permit Site Plan application.**

The site has been graded and cleared under the approval of DSP-16029, which was also an ETOD project and found to be in conformance with this requirement.

- (e) **Regulated Environmental Features shall be preserved, protected, and restored to a natural state to the fullest extent possible.**

The site has been graded and cleared under the approval of DSP-16029, in which the regulated environmental features were found to have been preserved, protected, and restored in a natural state to the fullest extent possible.

- (f) **Buildings oversee the Street-Space with active fronts. This overview of the Street-Space contributes to safe and vital public spaces.**

The proposed medical office building is designed with an active street front through the pedestrian/streetscape improvements and landscaping areas proposed along the façades of the building. The façade materials incorporate curtain wall glass that also promote an active front. The Planning Board approves that additional outdoor seating be provided along the streetscape to help further activate the internal eating and drinking establishment.

- (g) **In an urban environment, property lines are generally physically defined by buildings, walls or fences. Land should be clearly public or private—in public view and under surveillance or private and protected from view.**

The building is proposed close to both streets and maintains a common building wall along both frontages. The south and west property lines are well defined by Metro uses. The recessed and covered entrance clearly highlights the change in public and private land.

- (h) **Buildings are designed for neighborhoods, towns, and cities. Rather than being simply pushed closer together, buildings should be designed for the urban situation within towns and cities. Views are directed to the Street-Space and interior gardens or courtyards to highlight these key amenities for the community and reinforce visual surveillance and sense of communal ownership of these spaces.**

The proposed building fronts both Ager Road and Little Branch Run. Views are directed toward these streets and the space between the building and the street. Minimal setbacks are proposed, to allow for an active streetscape, creating the urban setting envisioned by the TDDP.

- (i) **Vehicle storage and parking (excluding on-Street parking), garbage and recycling storage, and mechanical equipment are kept away from the Street-Space.**

Loading, garbage, and mechanical equipment are proposed to be fully screened in the rear of the building, well away from the streetscape. The shorter side of the parking garage fronts Ager Road to the east; the access to the garage is angled to the south, and away from the street space.

- (2) **Provide a mix of uses, unless a mix of uses exists or is approved for development in the adjacent areas,**

The subject DSP proposes a mix of retail and office uses, with existing and proposed residential uses in the adjacent areas.

- (3) **Not include the following uses, as defined in Section 27A-106 or, if not defined in Section 27A-106, as otherwise defined in this Subtitle (or otherwise, the normal dictionary meaning):**

- (A) **Adult entertainment;**
- (B) **Check cashing business;**
- (C) **Liquor store;**
- (D) **Pawnshop or Pawn Dealer;**
- (E) **Cemetery;**
- (F) **Vehicle and vehicular equipment sales and services (also includes gas station, car wash, towing services, RV mobile home sales, and boat sales);**
- (G) **Wholesale trade, warehouse and distribution, or storage (including self-service storage, mini-storage, and any storage or salvage yards);**
- (H) **Industrial;**
- (I) **Amusement park;**



- (J) Strip commercial development (in this Section, “Strip commercial development” means commercial development characterized by a low density, linear development pattern usually one lot in depth, organized around a common surface parking lot between the building entrance and the street and lacking a defined pedestrian system);**
- (K) Sale, rental, or repair of industrial or heavy equipment;**
- (L) Any automobile drive-through or drive-up service;**
- (M) Secondhand business (in this Section, a “Secondhand business” is an establishment whose regular business includes the sale or rental of tangible personal property (excluding motor vehicles) previously used, rented, owned or leased);**
- (N) Nail salon and similar uses designated as North American Industry Classification System (NAICS) No. 812113, except as an ancillary use;**
- (O) Beauty supply and accessories store (in this Section, a “Beauty supply and accessories store” is a cosmetology, beauty, or barbering supply establishment engaged in the sale of related goods and materials wholesale and/or retail.), except as an ancillary use; or**
- (P) Banquet halls, unless accessory to a restaurant, tavern, hotel, or convention center.**

None of the above uses are included in this DSP.

- (4) Comply with the use restrictions of Section 27A-802(c), and**

Section 27A-802(c) states the following:

- (c) Public utility uses or structures including underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards, shall be permitted in all frontages (Building Envelope Standards), subject to the design**

**regulations of this Subtitle. These uses or structures shall be designed to be harmonious to the overall design and character of the Urban Center District. Other public utility uses or structures including major transmission and overhead distribution lines and structures are prohibited within the Urban Centers and Corridor Nodes Districts.**

This section of the Zoning Ordinance speaks about the installation of public utility structures around the perimeter of the development and creating a harmonious design around these necessary elements and the proposed development. The plans do not reflect public utility structures or uses on the subject property.

- (5) Be compatible with any site design practices or standards delineated in any Master Plan, Sector Plan or Overlay Zone applicable to the area of development. To the extent there is a conflict between the site design practices or standards of subsection (b)(1), above, and those of a Master Plan, Sector Plan or Overlay Zone applicable to the area that is proposed for development under this Section, the site design practices and standards of the Master Plan, Sector Plan or Overlay Zone shall apply.**

The application is generally compatible with the governing TDDP requirements, and where the application deviates, the applicant has filed amendment requests, in accordance with the requirements in the T-D-O Zone. The alternative standards will benefit the development and the Transit District and will not substantially impair implementation of the TDDP, as discussed in Finding 8 below.

- (6) Nothing in this Section shall be interpreted to preclude projects that include the uses described in subsection (b)(3), above, from proceeding without the use of expedited review prescribed in this Section.**

This requirement is not applicable to this DSP because none of the uses listed in (b)(3) are proposed within this DSP.

- 8. 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone:** In general, the proposed application conforms to the West Hyattsville TDDP/TDOZMA and Plan 2035 recommendations for Local Transit Centers. The general pattern of development reflects the

recommendations of the TDDP. While proposed land uses are not entirely consistent with the desired future land use plan, they reflect the desired walkable urban scale and current market realities.

There are several elements within the proposed development that are consistent with the goals and general policies of the TDDP, but whose details deviate, given the current and anticipated real estate market and the anticipated timing of development on neighboring parcels. The TDDP assumes a coordinated, phased development of the transit district and is influenced by real estate market practices pre-Great Recession; this is challenging to execute in the contemporary market with multiple property owners. The subject application provides an excellent example of walkable urbanism proximate and accessible to a Metro station. The provision of commercial uses closest to Ager Road maximizes the potential of this property to meet the goals of Plan 2035 and the West Hyattsville TDDP/TDOZMA.

This DSP is required by Section 27-548.08(c) of the Zoning Ordinance to conform to the applicable Transit District Standards in the West Hyattsville TDDP/TDOZMA. Section 27-548.08(c)(3) requires that, in approving the DSP, 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 TDDP. In general, the subject DSP meets the applicable transit district standards, with the exception of the following, for which the applicant has requested amendments:

- a. Amendment to the Preferred Land Use Plan Category and list of allowed uses (page 36): To change the Preferred Land Use Plan category from Multifamily to Mixed-Use Residential, and to add medical laboratory, and eating and drinking establishment uses as allowed uses for the subject property.

The West Hyattsville TDDP/TDOZMA divides the area into small blocks, which are shown on Map 13, Block Registration Plan (page 35). The subject property is within Block G. These blocks were then designated with preferred land use categories, which determine which uses are permitted within each block. In the previously approved DSP-16029, the subject property was approved for an amendment of the preferred land use category from the Townhouse to Multifamily category. The applicant states that this did not accurately reflect the requested category of Mixed-Use Residential, which would allow for commercial uses, as proposed. However, the Planning Board resolution and District Council Order for DSP-16029 clearly state that the subject property was placed in the Multifamily Preferred Land Use Plan category. Hence, the applicant requests an amendment to the Preferred Land Use Plan category for the subject property to the Mixed-Use Residential category with this DSP, in order to permit construction of a medical office building. The applicant's proposed amendment reflects mixed-use development practices that take into account the contemporary real estate market and the difficulty of executing the development concept of the TDDP through a single-property application. The alternative design continues to meet the vision and goals of the TDDP, in regard to land use.

The proposed medical office building will include administrative offices, medical offices, a pharmacy, a small medical laboratory (containing less than 2,000 square feet), and a coffee shop on the ground floor. The coffee shop will be available for use by members, but also will be open to the public who may be walking by the facility to the Metro station. In the Mixed-Use Residential Preferred Land Use Plan category, offices, medical offices, and a pharmacy are all permitted. However, a medical laboratory, and eating and drinking establishment are not permitted. Typically, a use such as a laboratory or coffee shop would be permitted as an accessory use, even if not permitted as a principal use, but this is not clear from the use list in the West Hyattsville TDDP/TDOZMA. Thus, an amendment is requested to allow a medical laboratory, and eating and drinking establishment as accessory uses in the proposed medical office building. To approve this amendment, in accordance with Section 27-548.09.01(b), the District Council must find that the proposed development conforms with the purposes and recommendations for the Transit Development District, as stated in the TDDP, and meets applicable site plan requirements. This application does meet applicable site plan requirements, as discussed in multiple findings herein. In addition, the proposed uses conform with the purpose of the West Hyattsville TDDP/TDOZMA, which is to create moderate- to higher-density development within an easy walk of the transit stop, with a mix of uses. The additional uses will provide for a fully functioning, cohesive office building that will serve multiple needs of the users within walking distance of the Metro station.

The Planning Board recommends that the District Council approve the changes to the Preferred Land Use Plan category and the addition of medical laboratory, and eating and drinking establishment, as allowed uses for the subject property.

- b. Parking Space Size: To allow for a standard parking space size of 9 feet by 18 feet, instead of the 9.5 by 19-foot standard parking space size required in Section 27-558(a) of the Zoning Ordinance.

The West Hyattsville TDDP/TDOZMA does not modify the size of parking spaces. Section 27-548.06(d)(2) further states that “if a Transit District Development Plan does not contain specific parking requirements, the requirements shall be determined at the time of DSP review by the Planning Board in accordance with the regulations of Part 11.”

The applicant is proposing that all parking spaces, with the exception of the spaces provided for the physically handicapped, be 9 feet by 18 feet. The Planning Board has consistently supported parking size changes within parking structures as proposed, to minimize impervious surfaces and allow for sufficient parking, and the applicant’s Statement of Justification (SOJ) also points out that the proposed parking space size is consistent with the new zoning ordinance.

The Planning Board agrees with the applicant’s SOJ and approves the proposed amendment, as it will benefit the proposed development and the Transit District and will not substantially impair implementation of the TDDP.

- c. Building Envelope and Block Standards—General Design Principles and Intent (page 67):

**Buildings shall front the street and square and provide ground level retail uses to provide an active, vital, and safe pedestrian public space.**

**Buildings shall provide retail on all ground floor elevations to provide an active and interesting pedestrian street life.**

The proposed building is a self-contained medical office building. While there will be some retail in the form of a pharmacy and a small coffee shop in the building, these uses will not fill the ground floor and will not have separate exterior entrances. While these services are planned primarily for the members, the coffee shop will be open to the public and provide an opportunity for transit riders to obtain a beverage. The purpose of this requirement is to provide an active pedestrian public space. The proposed medical office building achieves that purpose by creating an active streetscape along the road.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment, as it will benefit the proposed development and the Transit District and will not substantially impair implementation of the TDDP. Outdoor seating along Ager Road is recommended to further activate the frontage, in fulfillment of the purpose of these standards.

- d. Building Envelope and Block Standards—General Design Principles and Intent (page 68):

**Building parking areas (off-street) shall be located away from the street and shared by multiple owners/uses.**

The applicant proposes not to provide a shared parking garage, but a single-use parking garage for only the proposed medical office building. The applicant states that the parking must be proximate to the medical office building, due to mobility issues of some users. Also, while Riverfront at West Hyattsville is a mixed-use development, the mix of uses is horizontal, and the proposed site is isolated from the rest of the development by the Metro tracks. Thus, the proposed parking garage cannot be reasonably shared by other uses. Finally, the number of parking spaces provided is the minimum determined necessary by the tenant to meet the current and future needs of its users. Allowing public parking in the garage would not allow for sufficient parking to meet the needs of the building.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment, as it will benefit the proposed development and the Transit District and will not substantially impair implementation of the TDDP. Planning Board suggests that the tenant monitor garage usage and consider potentially allowing shared use of the garage in the future, should the proposed use and surrounding development warrant it.

- e. Building Envelope and Block Standards—Building Street Types (page 69): To reduce the build-to line façade percentage on Ager Road from the required 75 percent to 68.4 percent.

The property has 295.5 feet of frontage on Ager Road and the proposed building occupies 199.3 feet along this frontage, or 68.4 percent. The site is impacted by an existing Washington Suburban Sanitary Commission easement that extends diagonally from Ager Road to the southern property line, and then extends along the entire length of that property line. Buildings cannot be located within that easement; thus, the parking garage is angled so that it does not encroach. While this prevents the applicant from achieving full compliance with the build-to line design standard, it allows the applicant to minimize the garage as a street element. Given these constraints, the applicant conforms to the design standard to the maximum extent possible.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- f. Building Envelope and Block Standards—Building Street Types (page 74): To allow the building height along a residential street, Little Branch Run, to be three stories.

**Residential Street: All buildings shall be a minimum of four stories and a maximum of six stories in height, except where otherwise noted in the TDDP.**

The property fronts on Ager Road and Little Branch Run, which is classified as a residential street. On Ager Road (a primary street), the minimum height is three stories. On Little Branch Run, a residential street, the minimum height is four stories. However, the minimum and maximum heights on the residential street are "except as otherwise noted in the TDDP." The primary frontage is Ager Road and the height requirements for Ager Road should control.

Therefore, the Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- g. Building Envelope and Block Standards—Building Street Types (page 75): To reduce the build-to line façade percentage on Little Branch Run from the required 75 percent to 59 percent.

There are two factors which constrain full conformance to this design standard. The first is that the building must be set back from the road to accommodate the PUE, or 28.4 feet. Also, a driveway is provided between the building and the Metro rail tracks to allow access to the garage and service area. The combination of these two factors prevents the building from achieving the full 75 percent frontage buildout. In addition, it should be noted that the subject property is unusually shaped along Little Branch Run. There is a

small finger of land, which extends along the right-of-way of Little Branch Run over the Metro tracks, which is only 10 feet wide and 44.5 feet long. This area has been included in the frontage calculation, but in reality, provides no visual contribution to the frontage. The West Hyattsville TDDP/TDOZMA was not referring to such an unusual situation in establishing the 75 percent requirement. If this frontage is removed from the calculation, the build-to line façade percentage increases to 74 percent. Thus, while a modification of 16 percent is technically required, the applicant submits that it conforms to the intent of the design standard.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- h. Streetscape Standards—General Design Principles and Intent (page 82):

**Building fronts (public), along the streetscape, shall provide planters and window boxes with flowering plants within two feet of the building face.**

The building front will be attractively landscaped, but planters and window boxes are not proposed. The style and design of the building is not conducive to window boxes and the applicant prefers planting in the ground, as opposed to planters. The building front will be landscaped, and the pedestrian space well-defined to eliminate the need for planters.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- i. Streetscape Standards—General Streetscape Standards (pages 81–90): The applicant looks to modify a number of standards within this section, to allow the existing streetscape conditions along Ager Road to remain.

The West Hyattsville TDDP/TDOZMA contains several requirements related to the desire for certain streetscape elements in the public right-of-way of Ager Road. These address sidewalk materials, street tree types and spacing, median and crosswalk locations, and public street lighting. Prince George's County is in the process of implementing a green street construction project for Ager Road. The applicant has no control over the construction of these improvements, which are subject to the approval of the operating agency. Therefore, they are unable to implement the TDDP standards with this application.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- j. Streetscape Standards-General Streetscape Standards—Public Street Lighting-Lighting Fixtures (page 90):

**Lighting fixtures shall be incandescent, metal halide, or halogen only. No high-pressure sodium, mercury vapor, fluorescent lights, or floodlighting (i.e., no up-lighting) may be used on the exterior of buildings.**

The lighting fixture standard in the West Hyattsville TDDP/TDOZMA are outdated and not consistent with energy-efficient and sustainable building design practices. LED lights, as proposed by the applicant in this DSP, last much longer and use far less electricity than standard lighting.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- k. Streetscape Standards—General Streetscape Standards-Blocks and Alleys (page 91):

**Alleys shall provide access to the rear of all building lots and off-street parking facilities. Where not constructed, right of way for an alley must be dedicated.**

The proposed parking garage will be accessed from a private driveway located to the rear of the building, which will access Little Branch Run. The applicant requested an amendment to this standard, however, none is required as the West Hyattsville TDDP/TDOZMA maps and illustrations do not indicate that an alley has to be provided within this block, given the western edge is made up of the Metro tracks.

- l. Streetscape Standards—General Streetscape Standards-Blocks and Alleys (page 92):

**Curb cuts shall be prohibited on Boulevard and Main Street development sites.**

The applicant is proposing to construct a right-in/right-out only entrance to the garage on Ager Road, a boulevard street. The applicant's justification is this will be the primary entrance to the garage and drop off area. Also, if all access were required from Little Branch Run, this would force the commercial traffic onto a residential street serving the rest of the Riverfront at West Hyattsville community. The Ager Road access will provide for better wayfinding and the two accesses will improve traffic circulation.

The Planning Board agrees with the applicant's SOJ and approves the proposed amendment.

- m. Architecture Standards—Building Facades (pages 104–105):

**Permitted and Prohibited Materials: Facades shall provide architectural material that meets the materials list specified in the architectural standards.**



None of the prohibited materials included in the West Hyattsville TDDP/TDOZMA are proposed to be used. However, materials not listed (or listed for only limited purposes) are proposed. The TDDP states that “equivalent or better material is also encouraged but shall be approved at the discretion of the Planning Board.” The applicant proposes to use equivalent or better materials in the façade of the proposed building. For example, the list of permitted uses includes metal, but such use is limited to beams, lintels, trim elements, and ornamentation only. The applicant proposes to use metal panels as one of the primary materials. The use of materials, as proposed projects a modern aesthetic that is high in design and quality. The applicant proposes to utilize digital LED panels on the façade facing Ager Road. These phenolic panels are architectural and include a digital LED signage graphic. All of these materials are proposed to enhance the architecture of the building, but were not specifically included in the list of permitted uses. The list of prohibited materials includes concrete masonry units, which is proposed, but will be faced with brick and will not be exposed.

The Planning Board agrees with the applicant’s SOJ and approves the proposed amendment.

- n. Architecture Standards—Windows and Doors/Entrances (page 106): To allow the building façade to include glass curtainwall framing systems that extend from the ground floor to the roof and relief from other window design standards, including the following:

**Windows shall not span vertically more than one story.**

The building façade includes curtainwall framing systems with insulated glazing that extends from the ground floor to the roof.

**Windows may be ganged horizontally (maximum five per group) if each grouping is separated by a mullion, column, pier or wall section that is a minimum of seven inches wide.**

Windows are ganged horizontally in groups larger than five windows.

**Windows shall be no closer than 30 inches to building corners (excluding bay windows and where the building corner is also a block corner).**

Windows are placed closer than 30 inches to building corners.

**Single panes of glass shall not be larger than six feet high by four feet wide.**

The curtainwall and storefront glass panels are larger than 6 feet high and 4 feet wide.

**Windows shall not be made opaque by window treatments and shall allow a minimum 60 percent of surface view into the building for a depth of at least 20 feet.**

The view into the building to a depth of 20 feet is interrupted by interior wall configurations.

**Windows shall be double hung, single-hung, awning or casement windows. Fixed windows are permitted only as a component of a system including operable windows within a single wall opening. The maximum pane size for office uses is 48 inches vertical by 40 inches horizontal.**

All windows are proposed to be fixed units and non-operational; the window systems are not limited to double-hung, single-hung, awning, or casements; and some windowpanes are larger than 48 inches by 40 inches.

A glass curtainwall framing system is proposed in two locations and provides visually attractive breaks in the building mass. The northernmost curtainwall allows visibility of the internal metal stairs, which provides architectural interest around the main building entrance and helps activate the street. Interior walls will limit views into the building on the ground floor and all windows will be fixed. The modern architecture does not coincide with the TDDP standards. The proposed windows are appropriate for a medical office building and the design is current. The City of Hyattsville submitted a letter into the record dated May 5, 2020. The City did not support the requested modification to the design standard requiring that a minimum 60 percent of surface view into the building for a depth of 20 feet be provided. At the hearing, the applicant agreed to withdraw its request for this modification and submitted revised conditions reflecting this. The Planning Board approves this amendment to allow the windows, as proposed with this DSP, with the exception of the ground floor surface view into the building.

o. Architecture Standards—Signage (page 108):

**Building signage shall be illuminated with external lighting only. Lettering for all signage shall not exceed 18 inches in height or width and 3 inches in relief. Ground-mounted signage is prohibited.**

Building signage will be internally illuminated and the lettering will vary in height between 24 and 36 inches, and will be 4–5 inches deep. Ground-mounted monumental signage is proposed.

The four ground-mounted signs will include three directional signs and a Welcome artistic sign near the building entrance. The signage will be appropriate in scale to the building and identify the nature of the use for pedestrians, motorists, and transit riders seeking the medical office. In addition, a larger LED panel with logo and graphic will

make up part of the eastern façade. The Planning Board approves this amendment to allow the signs, as proposed with this DSP.

- p. Parking Standards—General Design Principles and Intent (page 109 and 118): To allow for a higher number of parking spaces than allowed, per the maximum parking ratios for land uses within the West Hyattsville T-D-O Zone.

The maximum number of parking spaces for retail/commercial uses is 2 spaces per 1,000 square feet. For the subject development, this equates to 89 parking spaces. The applicant proposes to construct a parking garage with 238 parking spaces and attributes the need to exceed the maximum based on the current and projected number of daily patients whose health-related conditions may prevent them from using transit and must arrive by automobile. The applicant has indicated that the proposed parking reflects the parking demand that is experienced with similar facilities in the region. Planning Board concurs with this justification. In addition, the applicant sponsors a “Wage Works” commuter spending account program to encourage transit and intends to continue this program in the proposed office.

Prior to the hearing, the applicant submitted revised architectural drawings of the garage showing the height reduced to three and one-half levels of parking. The applicant stated that the impact of the COVID-19 pandemic had increased the usage of telemedicine to such an extent that the applicant could reduce the number of parking spaces. The reduction in the number of parking spaces allows for a reduction in the height of the parking garage, with the exact number to be determined prior to certification.

The Planning Board approves this amendment to allow up to 238 parking spaces.

- q. Parking Standards—General Design Principles and Intent (pages 109–115): To allow a number of design modifications to allow the proposed garage to be constructed, as proposed.

**For off-street parking structures, landscaping shall be provided at the rate of one tree (2.5-inch caliper) and three shrubs (24-inch height) per ten linear feet of parking façade.**

The parking structure is 66 feet wide along Ager Road, requiring 7 shade trees and 20 shrubs; 3 shade trees and 20 shrubs are provided.

**Retail uses shall be provided on the ground floor of any parking structure with street frontage within commercial mixed-use blocks.**

The proposed parking structure contains no other uses within it.

**Parking structure entrances and exits shall not exceed 16 feet clear height and 24 feet clear width. Parking access shall consist of a single location point for entry/exit purposes to minimize curb cuts.**

The parking structure entrance is not more than 16 feet clear height, but is more than 24 feet clear width. There are two points of access to the garage, but off of two different roads.

**Parking structure elevators shall be constructed of glass walls to provide an open view to provide pedestrian safety and enhanced visibility.**

The parking structure elevator will not be transparent.

**Parking structure lighting shall be 250W metal halide.**

The parking structure lights will be LED.

**Parking structures shall have 10-foot 6-inch ceilings.**

The first level of the parking structure has a 12-foot ceiling.

The applicant is proposing a parking structure that will maintain a common building wall along Ager Road and will be designed in the same modern design as the medical office building. The applicant has provided justification for a number of the design changes for the garage, which include lighting, floor to ceiling heights, landscaping, and others to create a more modern parking structure design that will integrate with the office building design better. The Planning Board agrees with the applicant's justification and approves the proposed amendment.

9. **Preliminary Plan of Subdivision 4-15020:** The property is the subject of PPS 4-15020, which was approved by the Planning Board on March 2, 2017 (PGCPB Resolution No. 17-42). The PPS includes 183 lots and 32 parcels for townhouse, multifamily, and commercial development. A variation to allow the right-in/right-out access to Ager Road, a master-planned arterial right-of-way, will be required at the time of final plat, as this was not approved with the PPS. The Planning Board approved the PPS with 24 conditions, of which the following warrant discussion:

2. **Total development on the subject site shall be limited to the mix of uses that will generate no more than 247 AM, and 326 PM weekday peak-hour trips. Any development that is determined to generate more peak-hour vehicle trips than identified herein shall require a new preliminary plan of subdivision with a new determination of adequacy for transportation facilities.**

PPS 4-15020 established a trip cap for the residential and commercial development proposed at that time, which, at full buildout with eligible transit credits, was projected to generate 247 and 326 vehicle trips during the AM and PM peak hours, respectively.

**\*\*Pass-by trip reduction** refers to credit reduction for trips made to a commercial site, from already “passing by” that site on an adjacent street that contains direct access to the site.

This DSP is requesting a change in use within the Riverfront at West Hyattsville development to 183 townhouse units (as approved in DSP-17044) and 47,000 square-feet of medical office. Indicated below, the full buildout of the currently approved residential and proposed commercial, with eligible transit credits, is projected to generate 237 and 296 vehicle trips during the AM and PM peak hours, respectively.

\*\*Pass-by trip reduction refers to credit reduction for trip made to a commercial site, from already “passing by” that site on an adjacent street that contains direct access to the site.

The uses currently proposed or approved for this project are within the PPS 4-15020 trip cap. However, there are only a minimal amount of trips (10 AM, 30 PM) left under this PPS, which may limit the development of the remaining parcels, unless another PPS is approved.

**6. In conformance with the 2009 Approved Countywide Master Plan of Transportation and the 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following at the time of detailed site plan review:**

- b. Frontage improvements along subject site's entire frontage of Ager Road shall be consistent with the Prince George's County Department of Public Works and Transportation's complete and green street designs, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.**

The Prince George's County Department of Public Works and Transportation (DPW&T) has included the frontage improvements, including complete and green street techniques, in the approved Ager Road Improvements from MD 410 to MD 500 project. The Planning Board reviewed the plans for Contract 886-H(F), Project 661091, to confirm that these improvements were included.

- d. Provide plans to show a conceptual location for two Capital Bikeshare stations within public spaces: one along or near Ager Road and another on the promenade along River Terrace Road, subject to modifications by the operating agencies.**

In the approval of DSP-16029, a conceptual location was shown for a 19-dock, 10-bike Capital Bikeshare station near the intersection of Ager Road and Little Branch Run. This DSP was conditioned to be revised to show the final location for this station in the vicinity of Ager Road, in conformance with the PPS condition. As explained at the hearing by staff and the applicant, the bikeshare station was moved to the north side of Little Branch Run, as part of the approval of DSP-17044-01.

- 10. Detailed Site Plan DSP-16029:** DSP-16029 for infrastructure was approved by the District Council in an order issued April 25, 2017, including an amendment to the Preferred Land Use Map, to place the subject property in the Multifamily Preferred Land Use Category. None of the conditions are applicable to the subject DSP.
- 11. 2010 Prince George's County Landscape Manual:** The proposed development is within the West Hyattsville TDDP/TDOZMA and is subject to the standards, as contained under the Landscape Section of the TDDP. Those landscaping requirements not covered by the TDDP standards, are governed by the applicable 2010 *Prince George's County Landscape Manual*

(Landscape Manual) regulations. Therefore, the proposed development is subject to the requirements of Sections 4.2, 4.4, and 4.9 of the Landscape Manual. The Planning Board reviewed the submitted plans against the requirements of the sections and found them to be in conformance.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan, TCP2-001-2017, was previously approved for this site, which covered a greater area than that of this DSP. A revision to this Type 2 Tree Conservation Plan, TCP2-001-2017-01, was submitted with the current DSP application.

According to the worksheet, the overall site is 18.60 acres within the M-X-T Zone. No acres of existing woodlands are on the net tract, while 0.42 acre of existing woodlands are within the floodplain. The site has a woodland conservation threshold of 0.49 acres, or 15 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 0.91 acre. The TCP2 shows this requirement will be met by providing 0.91 acre of off-site afforestation on another property to obtain off-site conservation credits.

It appears that there may be an error with the woodland conservation worksheet. The gross tract area increased from 18.43 acres to 18.60 acres since the original TCP2 was approved. This change in acreage must be accounted for. This discrepancy has caused the overall woodland conservation requirement for the site to increase from 0.88 acre to 0.91 acre. Although 0.88 acre of the woodland conservation requirement was previously met off-site, proof that the remaining 0.03 acre of woodland conservation requirement has been met must be provided, prior to issuance of the first permit. The TCP worksheet must be revised accordingly. Additional minor technical revisions to the TCP2 are included in the conditions below.

13. **Prince George's County Tree Canopy Coverage Ordinance:** A 10 percent tree canopy coverage requirement applies to this M-X-T-zoned site, in accordance with the Prince George's County Tree Canopy Coverage Ordinance. This amounts to approximately 0.20 acre, if applied to the entire acreage of the property. The subject application provides a schedule showing that the requirement has been met through the proposed on-site 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 memorandum dated April 3, 2020 (Stabler to Hurlbutt), incorporated herein by reference, which provided that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. 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 reviewed a memorandum dated April 21, 2020 (Mierow to Hurlbutt), incorporated herein by reference, which provided an analysis of the proposed amendments to the West Hyattsville TDDP/TDOZMA standards, as incorporated into Finding 8 above.
- c. **Transportation Planning**—The Planning Board reviewed a memorandum dated April 20, 2020 (Hancock to Hurlbutt), incorporated herein by reference, which provided an analysis of previous conditions, including the trip cap, as well as the applicable West Hyattsville TDDP/TDOZMA transportation-related standards. From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.
- d. **Trails**—The Planning Board reviewed a memorandum dated April 21, 2020 (Ryan and Hurlbutt), incorporated herein by reference, which provided an analysis of previous conditions of approval, as incorporated into the findings above, as well as the following:

A 5-foot-wide sidewalk along Ager Road and an internal sidewalk network have been proposed and will sufficiently serve the development. There are no dedicated bike lanes in the immediate vicinity of the subject property.

The required right-of-way width for Ager Road has already been dedicated and the implementation of a master plan street section, including bicycle facilities, will be required by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPPIE) as appropriate, or may be constructed as part of a future roadway improvement project by DPW&T.

The applicant’s submission features sidewalks along Ager Road and an internal walkway from the sidewalks to the parking garage and medical office building. A continental-style crosswalk is depicted on the submitted plans crossing the parking garage driveway entrance at Little Branch Run. The Planning Board conditions that a continental-style crosswalk crossing the parking garage driveway entrance at Ager Road be provided.

The DSP indicates that a minimum of 12 bicycle spaces will be provided within the parking garage, which meets the minimum requirements of the West Hyattsville TDDP/TDOZMA. The Planning Board finds that the applicant revise the submitted plans



to show the location of the bicycle parking near the main entrance of the parking garage. In addition, the Planning Board finds that the applicant provide inverted U-style, or similar bicycle racks that will provide two points of contact between the bicycle and the rack for support and security.

The Planning Board finds that the submitted site plans meet the necessary findings for a DSP and is deemed acceptable from the standpoint of pedestrian and bicycle transportation, with the conditions.

- e. **Environmental Planning**— The Planning Board reviewed a memorandum dated April 20, 2020 (Juba to Hurlbutt), incorporated herein by reference, which provided the following:

**Natural Resources Inventory/Existing Conditions Plan**

An approved Natural Resources Inventory, NRI-002-16, was submitted with the application. The NRI was prepared for a larger area than what has been included in this DSP.

The NRI indicates that there is floodplain on the overall site associated with the Northwest Branch of the Anacostia; the floodplain comprises the primary management area. Three specimen trees were identified on the NRI for the overall site; however, one is located on the adjacent property to the south (Parcel 112), and the other two are located on another off-site property to the south (Parcel 111). Both adjacent properties are owned by the Maryland-National Capital Park and Planning Commission. The site was recently graded, in accordance with permits associated with DSP-16029. There are no woodlands or regulated environmental features currently located within the limits of this DSP application.

**Soils**

The predominant soils found to occur on-site according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey include the Codorus and Hatboro, Codorus-Hatboro-Urban land, Elisinboro-Urban land, and Urban land-Elisinboro complexes. Based on available information, Marlboro clay and Christiana clay are not found to occur in the vicinity of this property.

**Stormwater Management**

An approved SWM Concept, 11905-2016-01 was submitted with the subject application. Floodplain compensatory storage has been provided.

The proposed SWM features include several micro-bioretenion facilities, as well as two submerged gravel wetlands. The approval requires a SWM fee towards providing on-site attenuation/quality control measures.

- f. **Prince George's County Fire/EMS Department**— The Fire Department did not offer comments on the subject application.

- 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 Planning Board reviewed a memorandum dated April 14, 2020 (Contic to Planner Coordinator), in which the Police Department provided no comments at this time.
  - i. **Prince George's Health Department**—The Health Department did not offer comments on the subject application.
  - j. **Maryland State Highway Administration (SHA)**—The Planning Board reviewed an email dated March 3, 2020 (Woodroffe to Hurlbutt), which provided no comments or objection.
  - k. **City of Hyattsville**— The Planning Board reviewed a letter dated May 5, 2020 (Hollingsworth to Hewlett), incorporated herein by reference, which stated that the Hyattsville City Council, at their meeting on May 4, 2020, voted to support the approval of DSP-20004, subject to three conditions, which have been included herein.
  - l. **Washington Metropolitan Transit Authority (WMATA)**— WMATA did not offer comments on the subject application.
15. Based upon the foregoing analysis and as required by Section 27-548.08(c)(2), the following findings can be made:
- (A) **The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The subject DSP for a medical office building is consistent with the land use vision of the West Hyattsville TDDP/TDOZMA, which is to create a compact, high-density, pedestrian-friendly, mixed-use center around the Metro station. The DSP conforms to most of the mandatory requirements of the TDDP, except for standards for which the applicant has requested the Planning Board to apply transit development standards that are different from the mandatory requirements in the TDDP, in order to achieve a superior development, in accordance with the prescribed procedure allowed by the Zoning Ordinance in Section 27-548.08(c)(3).
  - (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 subject site is within the West Hyattsville TDDP/TDOZMA and the development proposal is consistent with the development standards and guidelines of the TDDP, except as noted in this report.

- (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 subject DSP has been reviewed for conformance with all the requirements and applicable regulations of the underlying M-X-T Zone. The DSP meets the applicable requirements of the T-D-O/M-X-T Zones.

- (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 subject DSP meets the requirements of the T-D-O Zone, except where amendments to the standards have been requested. The Planning Board approves all of the proposed 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 structure is part of the first redevelopment project in the area and is compatible with the proposed architecture within the Riverfront at West Hyattsville development. The proposed building is the first substantial new development in the area that will improve the appearance of the area significantly and set the tone for future redevelopment.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

The applicant has requested an amendment to exceed the maximum parking standard based on the needs of the proposed use.

In conclusion, the proposed development, as contained in DSP-20004, meets all required findings for approval.

- 16.** The Planning Board finds that the DSP is in conformance with Section 27-285(b)(4) of the Zoning Ordinance. The regulated environmental features on the subject property have been preserved and/or restored in a natural state to the fullest extent possible, based on the evaluation provided with PPS 4-15020.

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. Recommends to the District Council APPROVAL of the property owner's request to permit medical office, drug store, medical laboratory and eating and drinking establishment uses on the subject site.
- B. APPROVES the following amendments to the 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone*, as follows:
  - 1. **Amendment to the Preferred Land Use Plan category (page 36)**—To change the Preferred Land Use category from Multifamily to Mixed-Use Residential for the subject property.
  - 2. **Parking Space Size**—To allow a standard parking space size of 9 feet by 18 feet within the parking structure.
  - 3. **Building Envelope and Block Standards – General Design Principles and Intent (page 67)**—To not provide ground floor retail.
  - 4. **Building Envelope and Block Standards – General Design Principles and Intent (page 68)**—To not provide a shared parking garage, but a single-use parking garage.
  - 5. **Building Envelope and Block Standards – Building Street Types (page 69)**—To reduce the build-to line façade percentage on Ager Road from the required 75 percent to 68.4 percent.
  - 6. **Building Envelope and Block Standards -Building Street Types (page 74)**—To allow the building height along a residential street, Little Branch Run, to be 3 stories.
  - 7. **Building Envelope and Block Standards – Building Street Types (page 75)**—To reduce the build-to line façade percentage on Little Branch Run from the required 75 percent to 59 percent.
  - 8. **General Design Principles and Intent – General Design Principles and Intent (page 82)**—To not provide window boxes or planters in front of the building.
  - 9. **Streetscape Standards – General Streetscape Standards along Ager Road (pages 81-90)**—To modify a number of standards within this section, to allow the existing streetscape conditions along Ager Road to remain.
  - 10. **Streetscape Standards-General Streetscape Standards – Public Street Lighting-Lighting Fixtures (page 90)**—To use LED lighting fixtures.

11. **Streetscape Standards – General Streetscape Standards-Blocks and Alleys (page 92)**—To allow a right-in/right-out vehicular access from Ager Road, a Boulevard Street.
  12. **Architecture Standards – Building Facades (pages 104–105)**—To allow alternative materials for the building façades, as proposed herein.
  13. **Architecture Standards – Windows and Doors/Entrances (page 106)**—To allow the building façade to include glass curtainwall framing systems that extend from the ground floor to the roof, and relief from other window design standards, as proposed herein, with the exception of the ground floor surface view into the building.
  14. **Architecture Standards – Signage (page 108)**—To allow for internally illuminated, ground-mounted large signs, as proposed herein.
  15. **Parking Standards – General Design Principles and Intent (page 109 and 118)**—To allow for a higher number of parking spaces than allowed, per the maximum parking ratios for land uses within the West Hyattsville Transit District Overlay Zone, to allow up to a maximum of 238 parking spaces.
  16. **Parking Standards – General Design Principles and Intent Off-street Parking Structures (pages 109–115)**—To allow a number of design modifications, to allow the proposed parking structure, as proposed herein.
- C. APPROVES Detailed Site Plan DSP-20004 and Type 2 Tree Conservation Plan TCP2-001-2017-01 for Riverfront at West Hyattsville Metro – Parcel 1, 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. Provide a continental-style crosswalk crossing the parking garage entrance at Ager Road.
    - b. Provide inverted U-style or a similar bicycle rack style that will allow bicycles to be supported and secured at two points of contact.
    - c. Show the bicycle parking location near the main entrance of the parking garage.
    - d. Show the location and type of a public art element (such as a mural, sculpture or functional art piece) to be integrated into the project in a high visibility area viewable from the public realm, in addition to the proposed LED supergraphic.

- e. Revise the site and landscape plans to show locations of all proposed freestanding signs, outside of public utility easements.
- f. Revise the sign plan to provide a signage schedule detailing all proposed signage, correctly label Sign B, label the width of all signs, and provide details and dimensions of the LED façade logo/graphic within the east elevation.
- g. Provide additional outdoor seating for the eating and drinking establishment, along the Ager Road frontage.
- h. Revise the parking garage by reducing the height to three and one-half parking levels and adjust the number of parking spaces provided, as a result of the reduction in height. Provide more architectural details or artistic elements to the modified garage elevations to provide more visual interest.
- i. Demonstrate that the LED façade panel will not spill over into the street or neighboring properties by providing a photometric plan for this feature.
- j. Revise the Type 2 tree conservation plan (TCP2), as follows:
  - (1) Identify the limits of this DSP on the TCP2.
  - (2) Revise the TCP2 worksheet, as follows:
    - (a) Revise the gross tract area of the site, so it is consistent with the approved Natural Resources Inventory and previously approved TCP2 or provide information to verify the acreage shown on the current application.
    - (b) Revise the TCP worksheet by placing an asterisk next to the Off-Site Woodland Conservation Credits Required Value, with a corresponding asterisk and the following footnote underneath the TCP worksheet:

“\*Note: 0.88 acres of the woodland conservation requirement for this site was previously met off-site and recorded under Off-Site Woodland Conservation Acreage Transfer Certificate No. 11 Tower Preserve WC Bank, as recorded under Liber 40015 Folio 196 in the Land Records of Prince George’s County.”
  - (3) Sign and date the Property Owner’s Awareness Certificate on each sheet of the TCP2.

- (4) Add the DSP case number to the TCP2 approval block in the signature row for this revision.
  - k. The “Welcome” sign along Ager Road shall be illuminated externally.
  - l. Provide final allocation of parking spaces, not to exceed 238 parking spaces.
  - m. Provide an additional outdoor seating area for employees along the rear (west side) of the building, update the loading area layout per coordination with M-NCPPC staff, add egress sidewalk for the garage adjacent to the southern property line, and revise the landscape plan to reflect and account for these changes.
2. Prior to approval of the final plat, a variation shall be approved by the Prince George’s County Planning Board for vehicular access to Ager Road.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 21, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 28th day of May 2020.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:nz

APPROVED AS TO LEGAL SUFFICIENCY  
David S. Warner /s/  
M-NCPPC Legal Department  
Date: May 26, 2020