

PGCPB No. 2024-086

File No. DSP-23015

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Pinnacle Harbor L.L.C., submitted an application for approval of a detailed site plan; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, development applications in the Industrial, Employment (IE) Zone may utilize the prior Zoning Ordinance or Subdivision Regulations for development of the subject property; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on July 25, 2024, regarding Detailed Site Plan DSP-23015 for Salubria Center, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) approves physical site improvements for an eating and drinking establishment with drive-through service, a day care center for children, and reconfiguration of the existing parking lot.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	IE (Prior M-X-T)	M-X-T
Use(s)	Office/Medical Office	Eating and drinking establishment with drive-through service, a day care center for children, and 3,716 sq. ft. office/medical office
Parcels	3	3
Gross Acreage	9.14	9.14
Total Gross Floor Area	116,284 sq. ft.	129,284 sq. ft.

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

Base FAR Permitted	0.40
Total FAR Permitted	0.40
Total FAR Approved	0.32

Note: *The total proposed gross floor area of the project is 520,000 square feet, based on the total net acreage of 48.29, which results in a total FAR of approximately 0.25.

Parking Spaces

REQUIRED*	APPROVED*
Office – 29,084 sq. ft.	478 (including 12 handicap-accessible)
Medical Office – 87,200 sq. ft.	
Day Care for Children – 163 Children	
Eating and drinking establishment with drive-through – 92 seats / 1,370 sq. ft.	
Bicycle Spaces	14
Loading Spaces	2

Note: *Per Sections 27-574 and 27-583 of the prior Prince George’s County Zoning Ordinance, there is no specific required number of parking or loading spaces in the Mixed Used–Transportation Oriented (M-X-T) Zone. The applicant has included an analysis which is approved by the Prince George’s County Planning Board. See Finding 7f for a discussion of the parking analysis.

3. **Location:** The subject property is located at the northeast quadrant of the intersection of Oxon Hill Road and Tanger Boulevard, approximately 1,000 feet south of I-95/495 (Capital Beltway) and MD 210, in Planning Area 80 and Council District 8. The property is also located on Tax Map 104, Grids F1 and F2, and on Tax Map 105, Grids A1 and A2. The property is known as Parcels 1, 2,3, and 5 of Salubria. Parcel 1 was recorded in Plat Book MMB 237 Plat No. 68 of the Prince George’s County Land Records, in March 2013; Parcels 2 and 3 were recorded in Plat Book SJH 241 Plat No. 94, in February 2015; and Parcel 5 was recorded in Plat Book ME 254 Plat No. 71, in July 2020.
4. **Surrounding Uses:** To the north of the subject property is the Oxon Hill Park and Ride Lot, with a bus bay for the Washington Metropolitan Area Transit Authority bus services in the Industrial, Employment (IE) Zone, formerly the Planned Industrial/Employment Park (I-3) Zone. To the east

of the subject property is MD 210 and multifamily development (Wilson Bridge Condominium) in the Residential, Multifamily-20 (RMF-20) Zone, formerly the Multifamily Medium Density Residential (R-18) Zone. To the west of the subject property is Oxon Hill Road, and beyond is the Oxon Hill Manor Historic Site (80-001) in the Reserved Open Space (ROS) Zone, formerly labelled as R-O-S. To the south of the subject property is the Tanger Outlet Center in the M-X-T Zone.

5. **Previous Approvals:** The subject site for Detailed Site Plan DSP-23015 is a combination of four parcels. The northern most 21.23-acre parcel is part of a 35-acre parcel, previously zoned I-3 with an approved Conceptual Site Plan CSP-87024, Preliminary Plan of Subdivision (PPS) 4-88087 (PGCPB Resolution No. 88-254), and DSP-88069 (PGCPB Resolution No. 88-424). This provided for the development of less than 250,000 square feet of office space, or 530,000 square feet of light industrial space, with additional transportation. The remaining southernmost acres were previously zoned Rural Residential (R-R).

On May 24, 1994, Zoning Map Amendment A-9882-C was approved by the Prince George's County District Council (Zoning Ordinance 35-1994), to rezone the I-3 and R-R properties (totaling 54.7 acres) to the M-X-T Zone. A-9882-C was amended by the District Council (Zoning Ordinance 15-2012) on October 16, 2012.

CSP-11006 was approved by the Planning Board on January 12, 2012 (PGCPB Resolution No. 12-04(C)), for up to 460,000 square feet of retail and hotel development. This CSP was reviewed and approved by the District Council on October 16, 2012 (Zoning Ordinance No. 16-2012). The subject site had an approved Stormwater Management (SWM) Concept Plan, 40537-2003.

PPS 4-11028, with Type 1 Tree Conservation Plan TCP1-014-11-01, was approved by the Planning Board on April 12, 2012 (PGCPB Resolution No. 12-26(C)), for 8 parcels, to support development of 400,000 square feet of retail development, 100,000 square feet of office development, and a 100-room hotel.

On May 17, 2012, DSP-11025, with Type 2 Tree Conservation Plan TCP2-015-12, was approved by the Planning Board (PGCPB Resolution No. 12-40) for 437,721 square feet of retail, office, and hotel development in the M-X-T Zone. This DSP was affirmed by the District Council on October 16, 2012.

DSP-11025-01 was approved by the Planning Board on July 31, 2012 (PGCPB Resolution No. 14-66), for a 53,790-square-foot hotel with 100 rooms, as required by Condition 14 of the amended A-9882-C, and Condition 6 of DSP-11025.

DSP-11025-02 was approved by the Planning Director on October 13, 2013, for the change of signage for Tanger Outlets.

On May 31, 2012, the Planning Board approved Departure from Design Standards DDS-614 (PGCPB Resolution No. 12-41), for a departure from Section 27-558(a) of the prior Zoning Ordinance, to allow a reduced standard nonparallel parking space size of 9 feet in width by 18 feet in length.

On November 14, 2023, the District Council amended the 2006 *Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment* (master plan), pursuant to Prince George's County Council Resolution CR-106-2023. None of the changes in the minor amendment nor the concurrent sectional map amendment impact the subject property associated with this DSP.

CSP-11006-01 was approved by the Planning Board, on April 11, 2024, to amend CSP-11006 to add a 7.4-acre lot with an existing office building, the development of a new eating and drinking establishment with drive-through service, and a new day care center for children, which is the subject of this DSP application.

6. **Design Features:** This DSP approves a mixed-use development with commercial and institutional/educational uses. Specifically, an existing office building on Parcel 5, and the approved eating and drinking establishment with drive-through service, and day care center for children on Parcels 2 and 3, respectively.

The submitted plans show an existing entry/exit point, which is located on the north side of Tanger Boulevard, to access the existing office building and the approved development projects on Parcels 2 and 3. The plans also show the approved drive-through vehicle circulation. Drop-off for the day care facility will be on the north side of the approved building. In addition to the vehicular circulation on-site, the submitted plan displays an internal pedestrian network that connects each of the uses, and a pedestrian connection to the existing Tanger Outlets to the south. Bike racks are located at each of the three buildings. The Planning Board finds the pedestrian and bicycle use provided to be acceptable. The plans also show the outdoor play area for the approved day care center for children.

Architecture

The approved 2,500-square-foot eating and drinking establishment with drive-through service is a single-story, rectangular-shaped structure with a height of approximately 18 feet. The western façade of the building includes its main entrance. An 11-foot-high metal canopy covers the entry and extends south to cover an outdoor seating area. The overall building consists of a mix of brick veneer and vertical wood siding for a clean modern appearance typical of the Starbucks branded buildings.

The approved day care center for children is in the southeast portion of the site. The one-story building is rectangular in shape. The front entrance has a vestibule with a gabled roof. Brick veneer, hardiplank siding, and window fenestration are consistent throughout the building's four elevations. A 6,292-square-foot outdoor play area is provided to the east of the building. This play area is protected by a 6-foot-high polyvinyl chloride (PVC) fence and divided into two separate play areas by a 4-foot-high PVC fence. One area is designated for pre-school and the other is designated for infants and toddlers. Each play area is equipped with appropriate playground equipment.

Signage

Signage details have been included with the DSP, which include monument, pylon, canopy-mounted, and building-mounted signs for the approved day care center and eating and drinking establishment with drive-through service. Within the M-X-T Zone, design standards for signage shall be determined by the Planning Board at the time of DSP review, in accordance with Section 27-613(f)(1) of the prior Zoning Ordinance, for building-mounted signage, and Section 27-614(e) of the prior Zoning Ordinance, for freestanding signage. The Planning Board finds that the signage provided is appropriate in size, type, and design, and is typical for the approved uses.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-X-T Zone and the site design guidelines of the prior Zoning Ordinance and was found to be in conformance as follows:
 - a. The subject application is in conformance with the requirements of Section 27-547 of the prior Zoning Ordinance, which governs uses in all mixed-use zones.
 - (1) The approved eating and drinking establishment, with drive-through service, and day care center for children uses are permitted in the M-X-T Zone and were shown on CSP-11006-01.
 - (2) Section 27-547(d) of the prior Zoning Ordinance provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**
 - (1) **Retail businesses;**
 - (2) **Office, research, or industrial uses;**
 - (3) **Dwellings, hotel, or motel.**

This DSP application proposes two types of uses, as required, including retail business and office uses. These approved uses satisfy the mixed-use requirement of Section 27-547(d).

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

(a) Maximum floor area ratio (FAR):

**(1) Without the use of the optional method of development—0.40 FAR;
and**

(2) With the use of the optional method of development—8.0 FAR.

The subject application does not use the optional method of development. The overall FAR for the site is 0.32, which is lower than the maximum allowed, which is 0.40.

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

The applicant proposes a mix of allowed uses including an office, an eating and drinking establishment with drive-through services, and a day care center for children. These uses will be located within multiple buildings on three parcels.

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

This DSP will approve the regulations for development on this property.

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

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). This will be discussed further in Finding 11 below.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of

development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

The FAR for the approved development is 0.32, which is below the maximum of 0.40.

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

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

- (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.**

All parcels associated with this DSP will have frontage on, and direct vehicular access to Tanger Boulevard, which is a public street.

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the**

Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

This regulation is not applicable to the subject DSP because it does not include any townhouse units.

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

This requirement is not applicable because this DSP does not include any multifamily buildings.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).**

The subject property was placed in the M-X-T Zone through A-9882-C. Therefore, this regulation is not applicable to the subject DSP.

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

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

The purposes of the M-X-T Zone are provided in Section 27-542 of the prior Zoning Ordinance. The subject DSP will be in conformance with the purposes and other provisions of the M-X-T Zone. Specifically, this DSP provides for a mixed-use development with retail, day care, and office uses near each other, maximizing the development potential inherent in the location. In addition, the project will promote the orderly development of land within this M-X-T Zone, located in the vicinity of a major interchange.

- (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 or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;**

This DSP is not subject to this requirement because the property was placed in the M-X-T Zone through A-9882-C.

- (3) **The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The subject site contains an existing office building and is adjacent to the existing Tanger Outlet Center. This DSP proposes to develop an eating and drinking establishment, with drive-through service, and a day care center for children. Both projects will have an orientation to connect with the existing office building to the north, the existing development along Oxon Hill Road to the west, and the Tanger Outlet Center to the south. The eating and drinking establishment's entrance faces outward, towards Oxon Hill Road. Vehicular access is integrated into the main entrance of the development. The day care center also uses the main vehicular entrance. However, the approved building entrance is oriented towards the existing building, shielding the drop-off area from Tanger Boulevard while creating a physical connection with the existing development. As a result, both projects are intended to integrate with existing adjacent development physically and visually.

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

The approved eating and drinking establishment with drive-through service and approved day care center for children will be compatible with the existing office building and existing Tanger Outlet Center. Both are permitted uses within the M-X-T Zone. Both will occupy their own pad sites with surrounding parking area, but will be connected to each other and the existing development in the vicinity via vehicular and pedestrian connectivity, to create a cohesive development.

- (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 site is currently encumbered by an existing office building and is adjacent to the existing Tanger Outlet Center. The approved improvements will be added to the site, between the two existing developments. The improvements will include additional sidewalks to provide pedestrian access between the uses and an outdoor seating area amenity adjacent to the eating and drinking establishment. The approved uses support one another and provide needed services to the surrounding development.

- (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 subject DSP is not staged. Therefore, this requirement is not applicable.

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

A convenient and comprehensively designed pedestrian system is provided. There are existing sidewalks along the majority of Oxon Hill Road to the west, and along the north and south sides of Tanger Boulevard. Additional sidewalks and crosswalks are provided internal to the site to connect to the existing and approved buildings.

- (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 DSP provides sidewalks throughout the site, as well as an outdoor eating area along the southern façade of the approved eating and drinking establishment building. As discussed in Finding 6, high quality materials have been used in the design and adequate lighting is provided for the site. Landscaping will be provided and further discussed in Finding 11 below. Given the approved uses of the site, the Planning Board finds that adequate attention has been paid to the scale, design, and amenities associated with pedestrian activities and gathering areas for people.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending its finding during its review of subdivision plats.**

The subject application is a DSP; therefore, this requirement does not apply.

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately**

served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).

Adequacy findings associated with this DSP were made through the Planning Board's approval of PPS 4-23013, on May 23, 2023. Certificate of Adequacy ADQ-2023-020 was approved by the Planning Director on May 10, 2024.

- (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 property of this DSP is 9.14 acres and is not approved as a mixed-use planned community.

- d. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the prior Zoning Ordinance, and as cross-referenced in Section 27-283 of the prior Zoning Ordinance. The guidelines relevant to the review of the DSP are as follows:

Section 27-274 – Design guidelines.

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site...**

The applicant has provided a DSP that shows adequate circulation, parking, and loading facilities. There is existing surface parking to the east and west of the existing office building. The approved buildings to the southwest and southeast of the existing building will add additional parking that serves the approved uses. However, this additional parking will result in a reconfiguration of a portion of the existing parking lot. The Planning Board finds that the additional and reconfigured parking has been located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars by locating parking internally to the site, as much as possible.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To achieve this goal, the following guidelines should be observed:

- (i) Loading docks should be oriented toward service roads and away from major streets or public view; and**
- (ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.**

Currently, there are two loading spaces provided at the existing office building. The approved eating and drinking establishment with drive-through service and daycare center would be required to provide a loading space for each use. As described above, given the operation of the facilities, the applicant does not propose additional loading spaces and as provided in Note 3 of the parking and loading analysis, all deliveries will occur outside of normal operating hours for both uses. Given the timing of deliveries and the peak hour parking demand, this will minimize the conflicts with vehicles or pedestrians while still allowing the loading operations to occur. The Planning Board believes that loading operations can occur for the approved uses without dedicated loading spaces.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...

The subject DSP provides safe, efficient, and convenient vehicular and pedestrian circulation. The primary vehicular access is provided via an existing driveway from Tanger Boulevard. A 22-foot access easement has been provided that allows access via a private easement to the eating and drinking establishment and day care center. A truck-turning exhibit was submitted for the eating and drinking establishment, and demonstrates that delivery vehicles will be able to maneuver through the site.

The plan includes a network of sidewalks, with striped crosswalks crossing all drive aisles, to facilitate pedestrian movement on site. Sidewalks are provided around the perimeter of all buildings and are adjacent to parking areas, providing convenient access to the existing and approved buildings.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character...**

A photometric plan has been provided that demonstrates the approved lighting fixtures will provide adequate illumination and enhance the site's design character. The approved lighting fixtures will be full cut-off appliances that will be directed towards the subject site to prevent light pollution into the neighboring uses.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...**

The subject site is an infill site which has been previously graded. Minimal grading will be required to construct the approved improvements. Environmental impacts will be discussed further in Findings 11 and 12 below.

(8) Service areas.

- (A) Service areas should be accessible, but unobstructive...**

As previously stated, there are two loading areas serving the existing office building. These spaces are accessible, but unobstructive and adequately screened.

(10) Architecture.

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) These guidelines may only be modified in accordance with Section 27-277.**

The applicant included approved architecture with their submittal. The approved architecture is described in Finding 6 above.

- e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval, at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b) of the prior Zoning Ordinance. The applicant has submitted a parking analysis. In consideration of the information provided in the applicant's parking study, the Planning Board recommends that the site plan provides adequate parking for the approved uses, in accordance with Section 27-574.
8. **Zoning Map Amendment A-9882-C:** A-9882-C, which rezoned approximately 54.7 acres of land from the I-3 and R-R Zones to the M-X-T Zone, was approved by the District Council on May 24, 1994, in accordance with Zoning Ordinance 35-1994, subject to conditions. An amendment to A-9882-C was approved by the District Council on October 16, 2012 (Zoning Ordinance 15-2012), to amend the conditions of A-9882-C, subject to 14 conditions. The conditions relevant to the review of the DSP are listed below, in **bold** text. The Planning Board's analysis of the project's conformance to the conditions follows each one, in plain text:

- (1) **Any residential housing on the site shall be restricted to single-family detached and/or attached units.**

This condition is not applicable to the subject DSP application because it does not include any residential units.

- (2) **For that portion of the site south of the freeway ramp, a common pedestrian path system shall be designed to link all segments of the proposed development. Any retail segment shall not be designed as a typical strip shopping center or large single-use site.**

The plans submitted for this DSP illustrate an internal pedestrian network, connecting development projects located in the north and south sides of Tanger Boulevard. The Tanger Outlet Center, located to the south of Tanger Boulevard, has been developed with a pedestrian path system within the mall site.

- (3) **All future development plans for the subject property shall show buffering along Oxon Hill Road and the southern boundary of the site consistent with the following:**
- (a) **Along the frontage along Oxon Hill Road on old Parcel 7 and that portion of old Parcel 8 north of the existing paved entrance drive onto the subject property, not being adjacent to Oxon Hill Manor, a minimum 20-foot-wide landscape strip shall be maintained in accordance with the specifications of Section 4.6 of the Landscape Manual. The strip may incorporate a variety of buffering and screening methods, including, but not limited to, landscaping, and low walls. The type and quantity of plant materials and other methods**

to be utilized shall be reviewed and approved at the time of Detailed Site Plan.

This condition has been addressed in CSP-11006 and DSP-11025. The plans submitted for this DSP show a 20-foot-wide landscape strip along the Oxon Hill Road frontage, on Parcels 2 and 5. Landscaping will be further discussed in Finding 11 below.

- (b) Along the frontage along Oxon Hill Road on old Parcel 8 south of the paved entrance drive and on Parcel 18, a 25-foot to 55-foot landscaped buffer in conformance with the County Landscape Manual with enhanced plantings across from the adjacent Oxon Hill Manor historic site, in accordance with Type “E” Bufferyard. Additionally, in accordance with a Type “E” Bufferyard, there shall be a ten-foot building setback from the buffer.**

This condition has been addressed in CSP-11006 and DSP-11025.

- (4) The Salubria Historic site #80-002 and its 2.7 acres environment setting should be eliminated from the Historic Sites and District Plan.**

The Historic Site of Salubria (80-002) was deleted from the inventory on January 4, 2012. All conditions related to the historic site and its environmental setting were satisfied and are no longer operable.

- (5) The Historic Site status of Salubria, as well as the extent of the Environmental Setting, shall be noted on all plans and other documents submitted for this site.**

The previous Historic Site (80-002) and its 2.7-acre environmental setting were not shown on the submitted plans. A condition is included herein requiring the applicant to note these on the plans.

- (6) All subsequent submittals for this site shall be referred to the Historic Preservation Section staff and the Historic Preservation Commission for their review and comment prior to approval.**

This development was reviewed by the Historic Preservation Section and the Historic Preservation Commission, and no additional archeological investigations were recommended. In addition, the parcels that are the subject of this application do not contain, and are not adjacent to, any designated Prince George’s County historic sites or resources.

- (11) Noise-related issues shall be addressed at the time of Conceptual Site Plan submittal. The Plan shall include needed mitigation measures and provide adequate screening and buffering along Indian Head Highway (MD 210).**

The site has frontage along Oxon Hill Road, a master-planned collector roadway, and is bounded on the east by MD 210, a designated freeway. The noise-related issues for the development of the Tanger Outlet Center were addressed with CSP-11006.

The 65 dBA noise limit contour is noted on the plans submitted for the subject DSP. Based on the notation of the 65 dBA noise limit shown on the plan, all the approved development projects with this DSP are outside the noise limit. The Planning Board finds that no noise mitigation measures are required.

- (12) Development on the site shall not produce a greater number of vehicle trips than that identified in the previous approval for Salubria Office Park (SP-88069) and shall be subject to the same transportation conditions and improvements.**

DSP-88069 approved a total of 500,000 square feet of office space, which was determined to generate 1,000 AM and 925 PM peak-hour trips, or a total of 1,925 combined AM and PM peak-hour trips. The subject DSP is within the established trip cap.

9. **Conceptual Site Plan CSP-11006-01:** On April 11, 2024, the Planning Board approved CSP-11006-01, to amend CSP-11006, with conditions which are relevant to the review of this DSP, as follows:

1. **Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**

- c. **Label the contour of the 65 dBA noise limit on the plans.**

The contour of the 65 dBA noise limit is shown and labeled on the submitted DSP.

- d. **Label the parking location for the day care use on the plans.**

The parking location for the day care use is shown on the DSP.

10. **Preliminary Plan of Subdivision 4-23013:** PPS 4-23013 was approved by the Planning Board on May 23, 2024, subject to seven conditions. The following conditions from 4-23013 are relevant to the review of the subject DSP:

2. **Prior to approval, the final plat of subdivision shall include:**

- a. **Dedication of 10-foot-wide public utility easements along all abutting public rights-of-way, as delineated on the approved preliminary plan of subdivision.**

The DSP shows 10-foot-wide public utility easements along Tanger Boulevard and Oxon Hill Road rights-of-way, consistent with the approved PPS. This condition will be evaluated again at the time of final plat approval.

- b. A note that vehicular access to Parcel 7 and Parcel 8 is authorized, pursuant to Section 24-128(b)(9) of the prior Subdivision Regulations, and note the recording reference of an access easement or covenant for the properties. The easement or covenant shall be reviewed and approved by the Subdivision Section of the Development Review Division of the Prince George's County Planning Department and be fully executed, prior to approval of a final plat for the development. The document shall set forth the rights, responsibilities, and liabilities of the parties and shall include the rights of the Prince George's County Planning Board. The documents shall be recorded in the Prince George's County Land Records, and the Book/page indicated on the final plat, prior to recordation.**

This condition will be reviewed by the Subdivision Section prior to final plat approval.

- c. Label the frontage of Oxon Hill Road and Tanger Boulevard, except for the width of the private access easement, as access denied.**

This note will be added to the final plat, and this condition will be further reviewed at the time of final plat approval.

- d. A note to state that direct vehicular access to MD 210 (Indian Head Highway) is denied.**

The DSP does not show vehicular access to MD 210, consistent with the PPS. This note will be added to the general notes of the final plat, and this condition will be further reviewed at the time of final plat approval.

- 3. Development of this subdivision shall be in conformance with Stormwater Management Concept Plan, 24991-2023-SDC, and any subsequent revisions.**

Copies of the approved Stormwater Management (SWM) Concept Plan 24991-2023-SDC and approval letter were submitted with this DSP application. The approved development and the SWM concept plan should be reviewed by the Environmental Planning Section for conformance to this condition.

- 4. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan TCP1-014-11-02. The following note shall be placed on the final plat of subdivision:**

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan TCP1-014-11-02, or most recent revision, or as

modified by the Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

The Planning Board finds the approved development to be in conformance with the approved Type 1 Tree Conservation Plan, TCP1-014-11-02. This condition will be met at the time of final plat approval.

5. **Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

"This plat is subject to the recordation of a woodland and wildlife habitat conservation easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved."

This condition will be met at the time of final plat approval. A Type 2 Tree Conservation Plan, TCP2-015-12-03, was submitted with this DSP application and the Planning Board recommends approval, with conditions.

6. **Prior to approval of a detailed site plan, the site plan shall show the extent and location of the private access easement for Parcels 7 and 8.**

The DSP shows the extent and location of the private access easement for Parcels 7 and 8, in conformance with the approved PPS.

7. **In conformance with the 2009 Approved Countywide Master Plan of Transportation, the 2006 Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment, and approved conceptual site plan CSP-11006 (PGCPB Resolution No. 12-04), the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, and reflect the same on the detailed site plan:**

- a. **Inverted U-style, or similar style bicycle parking racks at locations no more than 50 feet from the entrances to all buildings.**

The DSP shows inverted U-style, or similar style bicycle parking racks within 50 feet of all building entrances.

11. **2010 Prince George's County Landscape Manual:** The development approved by this DSP is subject to Section 4.2, Requirements for Landscape Strips Along Streets (Tanger Boulevard and

Oxon Hill Road); Section 4.3, Parking Lots Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The Planning Board has reviewed the landscape plans and finds that conformance with the applicable requirements of the Landscape Manual has been demonstrated.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland.

This DSP is part of an overall tree conservation plan which consists of 50.04 acres. The woodland conservation threshold for this 50.04-acre property is 15 percent of the net tract area, or 7.24 acres. The previous tree conservation plans for the overall area previously met the woodland conservation requirements with on-site preservation (3.23 acres) and off-site woodland credits (10.28 acres).

This application proposes no woodland clearing, only the addition of another developed parcel. This increase in the net tract area will increase the woodland conservation requirement from the previous tree conservation plans. The applicant has provided a statement of justification on why the woodland requirement cannot be met on-site, indicating that there are no additional on-site woodland preservation or reforestation planting opportunities. This revision shows the woodland conservation requirement will be met using an additional 5.32 acres of off-site woodland credits and was approved by the Planning Board with PPS 4-23013.

The Planning Board has reviewed the submitted TCP2-015-12-03 and recommends approval, with conditions.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128, Tree Canopy Coverage Requirements, of the Prince George's County Code, requires properties in the M-X-T Zone to provide a minimum tree canopy coverage (TCC) of 15 percent. The 9.14-acre subject site is required to provide 1.37 acres (59,721 square feet) in TCC. The TCC schedule provided shows 0.93 acre (40,391 square feet) of TCC, which must be increased to satisfy the requirement. Therefore, a condition has been included herein for the applicant to meet the 15 percent TCC requirement and ensure any existing discrepancies between the TCC schedule and landscape schedules are addressed.

14. **Referral Comments:** 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. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated June 17, 2024 (Mekonnen to Price), in which the Community Planning Division noted that pursuant to Part 3, Division 9, Subdivision 3, of the prior Zoning Ordinance, master plan conformance is not required for this application.

- b. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated June 26, 2024 (Patrick to Price), in which the Transportation Planning Section concluded that the vehicular, pedestrian, and bicycle access and circulation for this plan are acceptable, consistent with the site design guidelines pursuant to Subtitle 27, and meet the findings for pedestrian and bicycle transportation purposes.
- c. **Permit Review**—The Planning Board has reviewed and adopts the memorandum dated June 24, 2024 (Jacobs to Huang), in which the Permit Review Section identified minor technical corrections to be made to the DSP, which are conditioned herein, as appropriate.
- d. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated June 20, 2024 (Schneider to Price), in which the Environmental Planning Section offered an analysis of the subject property and recommended a condition which has been included herein.

An approved SWM Concept Plan (P39763-2024-SDC/24991-2023-SDC) was submitted with the application for this site.

The approved Natural Resources Inventory NRI-049-2023 was submitted with the application. The site contains regulated environmental features (REF) and primary management areas (PMAs) from two on-site stream systems, floodplain, non-tidal wetland, and associated stream and wetland buffers. The NRI indicates that prior to on-site development, the site contained four forest stands labeled as Stand 1 through Stand 4, with 53 specimen trees identified on-site. After the site was developed, the application retained two forest stands labeled as Stand 2 and Stand 3, with 15 specimen trees. The TCP2 and the DSP show all required information correctly, in conformance with the NRI.

This site contains REFs that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations. The on-site REFs include streams, stream buffers, wetlands, wetland buffers, and 100-year floodplain. This DSP application does not propose any additional PMA impacts to the impacts previously approved with CSP-11006. The previously approved impacts (Impacts A and B) were for two SWM outfall areas totaling 0.16 acre.

No specimen trees are requested for removal with this application.

- e. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated June 21, 2024 (Vatandoost to Price), in which the Subdivision Section noted that the DSP is subject to the approved PPS 4-23013 and ADQ-2023-020. No issues were cited.

- f. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated June 25, 2024 (Smith, Stabler, and Chisholm to Price), in which it was noted that the subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources.
 - g. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the email dated June 16, 2024 (Ivy to Price), in which DPR offered comments, but no conditions regarding the approval of this application.
 - h. **Prince George’s County Fire/EMS Department**—The Planning Board has reviewed and adopts the memorandum dated June 7, 2024 (Reilly to Huang), in which the Fire/EMS Department offered two comments. One, which requires showing the location of fire department connections on the site plan, is included as a condition of approval herein.
 - i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated July 8, 2024 (Guzman to Huang), in which DPIE offered comments and analysis of the application. DPIE offered no objection or conditions to the approval of this application.
 - j. **Prince George’s County Police Department**—At the time of the writing of this resolution, the Police Department did not offer comments on the subject application.
 - k. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts the memorandum dated May 29, 2024 (Adepoju to Huang), in which the Health Department offered comments which have been included as conditions of approval herein.
 - l. **Maryland State Highway Association (SHA)**—At the time of the writing of this resolution, SHA did not offer comments on the subject application.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this resolution, WSSC did not offer comments on the subject application.
15. **Community Feedback:** At the time of the writing of this resolution, staff did not receive any community feedback regarding this application.
16. **Planning Board:** The Planning Board held a public hearing on this application on June 27, 2024. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board’s procedures.

Prior to the hearing, and in accordance with the Planning Board’s procedures, the applicant provided an exhibit, which provided revised findings and conditions regarding the technical staff report. The exhibit updates the TCC requirements, revised Conditions 1b and 1d, and added Condition 1i.

The hearing began with a technical staff presentation, followed by the applicant's presentation. Following the presentations, the Board voted to approve Detailed Site Plan DSP-23015 and Type 2 Tree Conservation Plan TCP2-015-12-03, subject to the recommended conditions of approval within the technical staff report, as revised by the applicant's exhibit.

17. Based on the foregoing, and as required by Section 27-285(b) of the prior Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable cost and without detracting substantially from the utility of the approved development for its intended use.
18. As required by Section 27-285(b)(2) of the prior Zoning Ordinance, this DSP is in general conformance with the approved CSP-11006-01.
19. The subject application is not a DSP for infrastructure; therefore Section 27-285(b)(3) of the prior Zoning Ordinance is inapplicable.
20. Section 27-285(b)(4) of the prior 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).

No impacts to REFs or PMAs are approved by this DSP, satisfying this requirement.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-015-12-03, and further APPROVED Detailed Site Plan DSP-23015 for the above-described land, subject to the following conditions:

1. Prior to certification, the detailed site plan shall be revised, or additional information shall be provided, as follows:
 - a. Show dimensions for all sides of the approved buildings, including the entry vestibule.
 - b. Show the distance from the street to the day care building.
 - c. Show day care center play area gate locations on all site plans.
 - d. Show the distance from the street to the approved freestanding sign planned for the day care center.
 - e. Provide full canopy details for the approved removal and replacement of the existing porte cochere at the entrance of the existing office building.

- f. Show the location of any fire department connections (FDCs). A hydrant must be provided within 200 feet of all FDCs, to be measured as hose is laid by the fire department, in accordance with Prince George's County Subtitle 4-167.
 - g. Add the following notes to Sheet 1:
 - (1) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
 - (2) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - h. Correct General Note 2 acreage to be consistent with the plans.
 - i. Revise the landscape plan, the landscape schedules, and the Tree Canopy Coverage schedule to reflect and meet the 15 percent tree canopy coverage requirement.
2. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber _____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”

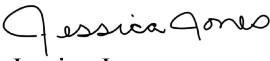
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, July 25, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of September 2024.

Peter A. Shapiro
Chairman

By  Jessica Jones
Planning Board Administrator

PAS:JJ:TD:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: August 19, 2024