

PGCPB No. 2025-108

File No. DSP-25006

## 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, A Determined Seed I LLC, submitted an application for approval of a detailed site plan; and

WHEREAS, Pursuant to Section 24-1704(a) of the Prince George's County Subdivision Regulations, subdivision approvals of any type remain valid for the period of time specified in the Subdivision Regulations under which the subdivision was approved. The subject property received prior development approvals including a Preliminary Plan of Subdivision 4-19052 (PGCPB Resolution No. 2021-141), which was reviewed and approved under the Subdivision Regulations effective prior to April 1, 2022 (prior Subdivision Regulations) which remains valid; and

WHEREAS, Pursuant to Section 27-1704(b) of the Prince George's County Zoning Ordinance, the project may proceed to the next steps in the approval process and continue to be reviewed and decided under the prior Zoning Ordinance and prior Subdivision Regulations; 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 October 30, 2025, regarding Detailed Site Plan DSP-25006 for The Promise, the Planning Board finds:

1. **Request:** Approval of a mixed-use development containing 448 multifamily residential units; 396 apartment housing units for the elderly and physically handicapped; 9,453 square feet of day care for 150 children; and 27,128 square feet of commercial/retail space. The applicant is proposing to phase the indoor and courtyard recreational facilities.

The applicant also requests a departure from design standards (DDS) to Section 27-558(a) of the prior Prince George's County Zoning Ordinance, for a reduction in the size of standard parking spaces to 9 feet by 18 feet for both structured and surface parking spaces.

2. **Development Data Summary:**

	EXISTING	APPROVED WITH DSP-19071-01	EVALUATED
Zone(s)	NAC	M-X-T/D-D-O	M-X-T/D-D-O
Use(s)	Vacant	Multifamily and Commercial	Multifamily and Commercial
Gross and Net Acreage	15.09	15.09	15.09
Lots	0	0	0
Parcels	7	7	7

	EXISTING	APPROVED WITH DSP-19071-01	EVALUATED
Gross Floor Area	0	817,944 sq. ft.	817,994 sq. ft.
Commercial/retail	0	27,128 sq. ft	27,128 sq. ft
Daycare Center	0	9,453 sq. ft	9,453 sq. ft
Floor Area Ratio (FAR)	1.24	1.24	1.24
Dwelling Units	-	844 (781,413 sq. ft)	844 (781,413 sq. ft)
Multifamily	-	448	448
Apartment Housing Units for the Elderly and physically handicapped	-	396	396

#### Parking and Loading Data

Parking Requirements*	Requirement	Evaluated
Surface parking spaces	169	169
On-street parallel parking spaces	31	31
Garage parking spaces	484	484
<b>Total Parking Spaces</b>	<b>639</b>	<b>684</b>

**Note:** \*Pursuant to Part 11, Parking and Loading, Section 27-568 of the prior Zoning Ordinance, the number of parking spaces required for the residential units and commercial uses in the Mixed Use-Transportation Oriented (M-X-T) Zone is to be calculated by the applicant and submitted to the Prince George's County Planning Board for approval, at the time of detailed site plan (DSP), as stated in Section 27-574 of the prior Zoning Ordinance.

The applicant submitted a parking analysis detailing the proposal for 684 on-site parking spaces for all of the included uses. The methodology in Section 27-574 of the prior Zoning Ordinance requires that parking be computed for each use, in accordance with Section 27-568. Using the parking schedule, the analysis determined that under a conventional review, the uses on this site would require 1,052 parking spaces. The parking analysis then considered the peak parking demand for each use; the provisions of mass transit with public bus service at the frontage on Southern Avenue and metro station within 0.50 mile of the site; the mix of residential, retail, grocery, and day care services provided on-site; and concluded that an overall parking requirement of 639 parking spaces would be sufficient.

In consideration of the information provided in the applicant's parking study, The Planning Board finds that the site plan provides adequate parking for the included uses, in accordance with Section 27-574 of the prior Zoning Ordinance.

Loading Spaces	Requirement	Required	Approved with DSP-19071-01	Evaluated
Multifamily dwelling	1 per 100 to 300 residential units	3	1	1
Apartment housing for the elderly and physically handicapped	1 per 100 to 300 residential units	2	1	1
Grocery	1 per 2,000 to 10,000 square feet + 1 per additional 10,000-100,000	2	2	2
Retail	1 per 2,000 to 10,000 square feet	1	1	1
<b>Total Loading Spaces</b>		<b>10</b>	<b>5</b>	<b>5</b>

**Note:** Per Section 27-583(a) of the prior Zoning Ordinance, the number of off-street loading spaces in the M-X-T Zone are to be calculated by the applicant. Each of the four buildings has a minimum of one loading space for the associated uses. Parcel 1, which includes multifamily dwelling units, the approved grocery store, and retail uses, has two loading spaces. The Planning Board finds this distribution of loading spaces sufficient for the development.

3. **Location:** The subject property is located on the south side of Southern Avenue, 2,100 feet north of its intersection with Wheeler Road, in Planning Area 76A and Council District 7, in Temple Hills. The site is also within the prior Development District Overlay (D-D-O) Zone designated by the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (Southern Green Line Station Sector Plan and SMA), as adopted in Prince George's County Council Resolution CR-10-2014.
4. **Surrounding Uses:** The subject site is bounded on the north by a wooded buffer to the Southern Avenue Metro Station, in the NAC Zone (previously the M-X-T Zone); on the east by an undeveloped, former surface mining site in the Residential, Multifamily-20 (RMF-20) Zone (previously the M-X-T Zone); to the south by a multifamily community in the RMF-20 Zone; (previously the Multifamily Medium Density Residential (R-18) Zone); and to the west by Southern Avenue, with an institutional use in the District of Columbia beyond.
5. **Previous Approvals:** The 15.09-acre property, known as Lot 1, Byrne Manor, is recorded in Prince George's County Land Records in Plat Book WWW 50, page 57. The property is currently vacant and partially wooded.

The Sector Plan retained the underlying prior M-X-T Zone for the property, but also established a D-D-O Zone over the entire Sector Plan boundary. The Sector Plan focuses on subareas surrounding the four metro stations within the plan area, with design concepts and policy recommendations, to ensure transit- and pedestrian-oriented redevelopment in the urban form. However, the Southern Avenue Station area does not contain any specific standards in which the subject property is located.

Preliminary Plan of Subdivision (PPS) 4-19052 was approved by the Planning Board on November 18, 2021 (PGCPB Resolution No. 2021-141), for nine parcels in support of a mixed-use consisting of 1,032 multifamily dwelling units, 28,775 square feet of commercial use, and 10,894 square feet of institutional use.

DSP-19071 was approved by the Planning Board on November 17, 2022 (PGCPB Resolution No. 2022-118), for the development of a mixed-use development containing 481 multifamily residential units, 504 units for the elderly and physically handicapped, and 37,810 square feet of commercial space. Subsequently, DSP-19071-01 was approved by the Prince George's County Planning Director, to amend the site layout and optimize the number of residential units, which included a list of revisions to the architecture, parking, and signage, of the approved mixed-use development. The DSP-19071 approval is valid until November 17, 2025. Director level amendment, DSP-19071-01, does not extend the validity period. This new DSP has been filed in order to maintain a valid DSP for the property, given the impending expiration of DSP-19071 for site development. The development proposal remains the same as was previously approved.

6. **Design Features:** The applicant is approved to develop this site with 844 residential units, including 448 multifamily units, 396 units for the elderly or physically handicapped. The site is also approved to contain 18,000 square feet of grocery store; 9,128 square feet of retail space; and a 9,453-square-foot, 150-student day care center. Both indoor and outdoor amenities will be provided, allowing residents and guests access to public and private social areas, outdoor benches and plazas, rooftop gatherings, indoor fitness centers, playgrounds, and a Capital Bikeshare station.

#### **Site Layout**

This proposal is designed with a main avenue (Hillspire Way) that will extend from the narrow street frontage along Southern Avenue to the southeast side of the property. This main avenue will bisect the irregularly shaped property into two sides, and will be lined with a total of four buildings, as well as plazas, park-like open spaces, sidewalks, and landscaping, creating an active, pedestrian-centric streetscape. Most of the parking will be within structured garages, which will be fully concealed within the residential and retail façades. The subject DSP also includes a surface parking area, consisting of 169 spaces, for a portion of the retail uses, and 31 on-street parallel parking spaces throughout the site. The surface parking area is located north of the main avenue upon entering the subject property, and near the southeast corner of the site, behind Building 2.

#### **Architecture**

The residential buildings will be five stories on top of two garage levels, with façades containing a combination of brick, stone, cementitious siding, cementitious panels, metal, glass, and wood accent materials. The elevations show curated elements such as larger windows and more prominent massing on the front corners, to emphasize the entrance into the community. A mix of inset and projecting balconies with metal railings are shown throughout the buildings to provide private outdoor space for the residents.

The main entrances to the residential buildings will be centrally located along the long façade of each building facing Hillspire Way. Cable-hung steel canopies with a channel-letter sign offering

the building address across the top of each canopy and a projecting building section with wall sconces on either side of the entryways, emphasize the prominence of the main building entrances. A building name will be provided on a painted metal backer plate above the second-story windows, over the entrance canopy. Each building will include rooftop amenities and a courtyard with planting beds as well as an area for multi-use recreation. The parking garage and loading entries will be understated, located away from the central focus of the building, yet visible with signage identifying the garage entrance. The garage and loading entrances are approved in beige to match the brick siding material, and will have high speed, overhead, coiling doors.

The retail units and day care center will be incorporated into the residential building design, with the façades articulated by an abundance of storefront fenestration and a natural, grey stone veneer. Sufficient space is provided on the sidewalks in front of the retail units for the placement of bistro tables or other seating opportunities.

### **Green Building and Sustainable Site Development Techniques**

The project will be designed using the principles of Passive House to manage moisture, thermal transfer, air, and sunlight to create comfortable, healthy, and superefficient buildings. The building envelope will be designed with continuous insulation, thermal bridge-free design, airtight construction, high-performance windows and doors, and filtered fresh air with heat recovery. The residential units will be designed with energy-efficient heating, ventilating, and air conditioning (HVAC) units with programmable thermostats. Each building has been designed to maximize daylighting to as many units as possible. In addition, a heat island effect will be minimized with the use of a highly reflective cool roofing system to reflect sunlight heat including ultraviolet rays and solar heat. Cool roofs are white or light-colored roofs that have reflective properties.

Wherever possible, sustainable and recycled products will be used in the construction of the project. Prefabrication and modular construction are planned to be used. This will allow the structure to be built within a controlled environment. The materials needed are accurately measured in advance, resulting in less waste and more efficient structures.

Indoor air quality will be significantly improved through the use of low-emitting materials such as adhesives and sealants, paints and coatings, carpet systems, composite wood, and Agri fiber products, reducing the release of pollutants into the indoor environment.

High-efficiency lighting with controllability will be used throughout the project. Energy Star-rated, high-efficient residential appliances and fixtures, and water-efficient plumbing fixtures will be used to reduce the use of water and energy.

The roofs and infrastructure of the buildings will be designed to accommodate future photovoltaic panels to produce electricity directly from sunlight.

### **Signage**

The applicant is proposing several signs for the multiple buildings and multiple retail uses, as discussed below:

### **Building 1 on Parcel 1**

At the main entrance, the building located on Parcel 1 will have a building-mounted sign with the community's name on the residential portion of the building, a building mounted multitenant identification sign, and two additional grocery identification signs. The community name sign will be one-sided, 62.75 feet tall, vertically mounted and backlit, and facing northwest toward Southern Avenue.

The building-mounted signage will be located on the front façade facing Southern Avenue, and at each of the customer entrances to the grocery store. A wall-mounted, grocery store sign will face Southern Avenue, and be internally illuminated. Another building-mounted sign, displaying the community graphic and tenant names, will be placed on the west side facing Southern Avenue and wrapping the northwest corner to display the same information facing north. The sign at the north customer entrance will be similar to the front façade sign, displaying the grocery store name, but at a smaller scale. A third grocery identification sign will be located at the east side customer entrance. Additional directional signs are included on this building for wayfinding purposes over the primary resident entrance, and for identification of parking and loading areas.

### **Building 2 on Parcel 2 and Building 3 on Parcel 3**

The residential towers will all have address signage over the doorways, with 8-inch-tall lettering on a painted metal backer plate, and similar directional signs at the entrances to the garages.

### **Building 4 on Parcel 4**

On the front façade of Parcel 4, facing Southern Avenue (although mostly obscured by off-site woodland), four retail signs are included above each retail entrance. These signs will have lettering directly mounted to the stone façade and internally illuminated. The lettering size and design is to be determined by the specific tenants. On the south side of Parcel 4, facing Hillspire Way, the day care center sign will be located above the entrance and will be 14-inch, internally illuminated channel letters. Two signs identifying locations for loading and parking are also included.

The signage schedule on Sheet 16 provided with this application shows a total of 1,719 square feet of total sign area among the four approved parcels for the community. Sections 27-613(f)(1) and 27-614(e)(1) of the prior Zoning Ordinance state that the design standards for all signs attached to a building and all on-site freestanding signs should be determined by the Planning Board, for each individual development in the M-X-T Zone, at the time of DSP review. Each DSP should be accompanied by plans, sketches, or photographs indicating the design, size, methods of sign attachment, and other information deemed necessary. In approving signage, the Planning Board is required to find that the included signs are appropriate in size, type, and design, given the location and the use to be served, and the signage should be in keeping with the remainder of the mixed-use zone development. The Planning Board finds that the signage meets the requirements, as discussed above.

### **Exterior Lighting Fixtures**

A photometric plan illustrating minimum lights levels throughout the site was submitted with this DSP. The primary light fixture for the site is a light emitting diode (LED) light on a 20-foot-high

pole. This lighting fixture is located throughout the project and is intended to illuminate the parking, drive aisles, entrances, and sidewalks. All lighting fixtures are full cut-off type. Specialty night lighting is intended to highlight the most attractive portions of the façade of the buildings.

### **Recreational Facilities**

At the time of PPS 4-19052, it was determined that the mandatory parkland dedication of 15 percent of the net residential lot area could be required to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks, which equates to 2.13 acres, which would be met through on-site private recreational facilities.

Included with this application are outdoor recreational facilities throughout the site, and interior and courtyard recreational facilities for Building 2. Subsequent DSP amendments will be required for the rest of the recreational facilities, including courtyards and interior amenities associated with Buildings 1, 3, and 4, which are conditioned herein.

The recreational amenities for this site are approved as a combination of indoor and outdoor facilities. The site will have a Capital Bikeshare station with 11 e-bike docking stations, which is located north of the grocery store, along Hillspire Way. In addition, there will be indoor and outdoor bike racks for each building, totaling 60 and 48 spaces, respectively. The outdoor bike racks will be located proximate to each building's primary entrance, and near outdoor recreational areas. An approximately 5,500-square-foot patio with café chairs and tables, benches, and planters is included around the front area of Building 4. The plans show the multipurpose recreational courtyard for Building 3 will be 5,500 square feet and include a play sculpture, café tables and chairs, benches, and will be surrounded by a planting bed and planting wall. Buildings 1 and 2 will also have multiuse courtyards and rooftop facilities; however, since the specific amenities for residential buildings (other than Building 2) have not been detailed on the plans provided, those details will have to be provided in subsequent detailed site plan amendment(s). At this time, only the outdoor recreational facilities and indoor amenities for Building 2 are being approved. A condition is included herein, requiring that the approval of an amended DSP application(s) will be necessary, prior to approval of any permits for the other residential buildings on this DSP. The size and scope of facilities in Building 2 will be used as a guide in reviewing and approving the facilities in the other buildings.

The dog park will be an enclosed area located on the eastern side of the property, adjacent to Building 3. The dog park will be approximately 2,200 square feet, set on pavers and artificial turf, and will include a watering station, benches, and canine agility furnishings.

The picnic pavilion will be located on the northeast corner of the development site, utilizing an existing approximately 1,250-square-foot building foundation. The picnic area will have a wood pergola and picnic tables with benches, and is accessible via a short trail extending from the sidewalk on the east side of Building 3.

Plaza and patio areas will be located adjacent to the commercial and day care uses and contain open areas with benches and/or tables. Stone benches are shown throughout the site along the internal sidewalks.

In addition to the on-site recreational facilities, at the time of PPS, the applicant proffered to provide 265 linear feet of closure to sidewalk gaps along the north side of Wheeler Road, and upgrade 36 area streetlights with LED bulbs.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **2014 Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment and D-D-O Zone Standards:** The Southern Green Line Station Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and superimposes a development overlay zone on the area within 0.5 mile of the Southern Avenue Metro Station, with the intent that the D-D-O Zone design standards advance the County and Sector Plan's vision of Southern Avenue as a priority area for transit-oriented development. However, the Southern Avenue Station area does not contain any specific standards in which the subject property is located.
8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the D-D-O Zone, the M-X-T Zone, and expedited transit-oriented development (ETOD) projects in the prior Zoning Ordinance.
  - a. Section 27-548.25(b) of the prior Zoning Ordinance requires that the Planning Board shall find that the site plan meets the applicable development district standards, in order to approve a DSP. The DDOZ germane to this site does not include design standards. As such this regulation is not applicable.
  - b. In accordance with Section 27-546(d) of the prior Zoning Ordinance, in addition to the findings required to approve a DSP, the Planning Board shall make the following findings for projects in the M-X-T Zone.
    - (1) **The proposed development is in conformance with the purposes and other provisions of this Division.** The purposes of the M-X-T Zone as stated in Section 27-542(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 DSP is approved to develop a site within 0.5 mile of the Southern Avenue Metro Station, with a mix of residential, commercial/retail, and institutional uses, including a grocery store. The property is in a regional transit center, as stated in the Prince George's County Growth Policy Map of the 2014 *Plan Prince George's 2035 Approved General Plan*. The vision for the regional transit center is to promote the County's

planned growth and mixed-use development around the Southern Avenue Metro Station area.

- (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 subject site is located within the transit-oriented development 0.5-mile walk circle, as shown on the Sector Plan. The Sector Plan recommends a mix of moderate and high-density development within walking distance of the transit station, to increase transit ridership, with generally the most intense density and highest building heights in close proximity to the transit station. The approved development is one of the envisioned components by the plan.

- (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 approved development plan takes full advantage of the development potential and mix of uses including residential, commercial/retail, and institutional uses in the M-X-T Zone, as envisioned by Sector Plan and SMA.

- (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 within a 0.5 mile of the Southern Avenue Metro Station. The Planning Board finds this location is well served by public transportation and a complete pedestrian network. The site layout further facilitates walking, bicycle, and transit use, and includes a Capital Bikeshare station on the premises.

To further promote effective and optimum use of transit and reduce automobile use, the Planning Board finds that an additional connection point on the southeast side of the site, for future connection to the adjacent property which is currently the subject of a separate CSP application, shall be provided. This connection point would encourage greater pedestrian and bicycle activity between the commercial areas of these two sites and facilitate transit use by providing convenient access to the Southern Avenue Metro Station. This is discussed further in Finding 8d.

- (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 Southern Avenue Metro Station, the mix of uses on-site, and the surrounding area will contribute to enhancing a dynamic 24-hour environment.

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

This development consists of a mix of horizontal and vertical uses which will integrate commercial/retail, institutional, and residential uses to serve the future residents and patrons of this site.

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

The structures and building façades included with this development will be varied and distinctive, providing residents and guests with visual interest and variety from the streetscape. The residential, institutional, and commercial/retail uses will contribute to a dynamic functional relationship and a distinctive visual identity for the area including the subject site.

- (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 project will incorporate water-efficient landscaping and innovative wastewater technologies. The project is also using several bioretention areas to control, clean, and contain stormwater runoff on the site so that the runoff is not released into the existing sewer system. A heat island effect will be minimized with the use of structured parking garages to decrease the need for surface parking and increase the amount of pervious site areas available for site amenities and landscaping.

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

The subject application is proposing residential housing, assisted living units, a day care center, a mix of retail uses, and a grocery store. This

pattern of development represents the goals of the M-X-T Zone, by bringing the mix of uses to a single site, with spaces suitable for adapting to market changes.

- (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 development includes architectural elevations that have been reviewed by the Urban Design Section and are excellent, as discussed in Finding 6 above. The site design, if amended as conditioned below, will achieve excellence in physical, social, and economic planning, both internally to the site, and by promoting cross access with adjacent sites, which will support current and future businesses and further social interactions, as detailed in herein.

- (2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

This site was retained in the M-X-T Zone by the Sector Plan and SMA after October 1, 2006. Although the Sector Plan does not include specific design guidelines or standards for the subject property, the development meets the intent of the Sector Plan.

- (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 development is oriented towards Southern Avenue with a variety of façade heights and architectural treatments, and a mix of ornamental trees, shrubs, and herbaceous plantings along the frontage. Specifically, Building 1 will be oriented towards Southern Avenue while other three buildings will be oriented toward Hillspire Way, which bisects the subject property. The side elevations will be proportionally divided into visually smaller forms and will be adjacent to four-story, garden-style multifamily units to the south, and the Southern Avenue Metro Station to the north. The visual appeal and variety of on-site open spaces, plazas, and retail will integrate with and catalyze adjacent community improvements and rejuvenation. However, apart from the site's Southern Avenue frontage, the DSP has no other connection points to adjacent developments. The Planning Board finds that an additional pedestrian and vehicular connection point along the southeast side of the development to connect to the land adjacent to the southeast, currently under CSP review, shall be provided. This connection point

would catalyze adjacent community improvement by connecting more residents to the commercial uses included with this DSP, including a grocery store, and to the Southern Avenue Metro Station, enhancing multimodal transportation within the area. This is further discussed in Finding 8d below.

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

The existing and included development along Southern Avenue in this area is primarily low- to medium-density commercial, and medium-density residential uses, consistent with the approved 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 mix of uses will provide residents and visitors to the site with a variety of retail, daycare, grocery, and outdoor spaces. These uses, coupled with the proximity to the Southern Avenue Metro Station, a bus stop near the entrance on Southern Avenue, and a Capital Bikeshare station will provide an independent environment, with reasonable access to area amenities.

**(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 a single-phase development, though subsequent DSP amendments will be required for detailed design of recreational facilities associated with Buildings 1, 3, and 4.

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

The network of sidewalks along each side of the internal roads provides easy access throughout the site from the residential units to the site amenities and retail uses. The sidewalks also connect with an existing sidewalk network on Southern Avenue for access to the bus stop, the Southern Avenue Metro Station, and other area communities and resources.

**(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 buildings present a mix of materials and front elevations scaled back with lower building elevations along the streetscape, and the higher elevations set back for a more human scale experience at the ground-level with the variety of seating, plazas, and green space throughout the site.

- (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.**

The subject application is a DSP, and no conceptual site plan (CSP) is required per the ETOD process. This requirement is not applicable.

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

PPS 4-19052 was approved by the Planning Board on November 18, 2021, when a finding of adequacy was made. Since six years have not elapsed, this requirement is not applicable.

- (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 contains a total of 15.10 acres. Therefore, this requirement does not apply.

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

**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) of the prior Zoning Ordinance provides that ETOD projects located in a mixed-use zone, where a site plan approval is required, shall be exempt from applicable site plan requirements other than a DSP. Therefore, this site was not subject to the review of a CSP. The uses included with this application are for (1) retail businesses and (3) dwellings, satisfying the requirement of Section 27-547 of the prior Zoning Ordinance.

**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.**

The plan has been reviewed in accordance with the above applicable provisions of the prior Zoning Ordinance.

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

- (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—8.00 FAR.**

The D-D-O Zone of the Sector Plan does not amend this floor area ratio (FAR) requirement for the Southern Avenue subarea. The DSP includes a 1.24 FAR, which is consistent with the optional method of development requirements in the M-X-T Zone. The optional incentives for this application include residential use. The subject development includes more than 20 dwelling units. In accordance with Section 27-545(b)(4), the total FAR permitted for the subject development is 1.4.

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

The development consists of multiple buildings on multiple lots. The DSP satisfies this requirement.

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

The DSP shows a layout for the development of this project consisting of multiple buildings with dimensions provided.

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

The landscaping, screening, and buffering issues have been reviewed along with this DSP. Finding 11 below provides a detailed discussion of the landscaping included in this DSP.

- (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.**

As discussed previously, this site was not subject to approval of a CSP; however, the applicant has applied the FAR in accordance with this provision.

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

All buildings will be located outside of the public rights-of-way (ROWs).

- (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 site has very limited frontage on the public ROW, Southern Avenue. Building 1 on Parcel 1 has frontage on Southern Avenue, with the remaining three buildings having frontage on private ROWs within the site.

- d. In accordance with Section 27-107.01(a)(242.2)(B) of the prior Zoning Ordinance, this 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**

- (B) **for a constructed Washington Metropolitan Area Transit Authority (“WMATA”) Metrorail station for which there is no approved TDOZ, the subject property has greater than fifty percent (50%) of its net lot area located within a one-half mile radius of the constructed WMATA Metrorail station as measured from the center of the transit station platform.**

The subject site is located completely within a 0.5-mile radius of the Southern Avenue Metro Station platform. Section 27-290.01 of the prior Zoning Ordinance sets out the requirements for reviewing ETOD projects, including submittal requirements, use restrictions, review procedures, the roles of the Prince George’s County District Council and Planning Board, and the time limit for both Planning Board and District Council actions.

**27-290.01. Requirements for Expedited Transit-Oriented Development Projects.**

- (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;**

This site is located within 0.5 mile of the Southern Avenue Metro Station. The development is considered a high-density development surrounded by various other uses.

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

- (i) Locating multiple destinations and trip purposes within walking distance of one another;**
- (ii) Creating a high quality, active streetscape to encourage walking and transit use;**
- (iii) Minimizing on-site and surface parking; and**
- (iv) Providing facilities to encourage alternative transportation options to single-occupancy vehicles, like walking, bicycling, or public transportation use;**

This site is located within 0.5 mile of the Southern Avenue Metro Station and has a public bus stop along its frontage. The proposal is minimizing parking, to the extent practical, is providing a Capital Bikeshare station on-site, and is designed for a pedestrian-focused lifestyle.

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

The site has very limited frontage on Southern Avenue. However, given this constraint, the applicant is developing the site with minimal setbacks to Southern Avenue and to the main roads within the community for an active, urban experience.

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

The site is limited in area, but the proposal provides a main avenue through the center of the site, with variation and visual interest for a pedestrian scale experience.

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

Plazas, patios, and recreation areas have been provided throughout the site, accessed by sidewalks on both sides of the internal roads.

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

Although Subtitle 27A was technically repealed by Prince George's County Council Bill CB-77-2021, the former subtitle is a pertinent reference regarding design standards in an ETOD development. Section 27A-209 of the prior Zoning Ordinance contains 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.**
- (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.**
- (c) Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit, and auto facilities are essential elements of the Urban Centers and Corridor Nodes.**
- (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.**
- (e) Regulated Environmental Features shall be preserved, protected, and restored to 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.**
- (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.**
- (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.**
- (i) **Vehicle storage and parking (excluding on-Street parking), garbage and recycling storage, and mechanical equipment are kept away from the Street-Space.**

The DSP is consistent with the applicable design principles of Section 27A-209 of the prior Zoning Ordinance regarding the following: building façades, complete streets, multimodal transportation options, active street fronts, pedestrian-friendly public plaza, well-defined street walls, and attractive streetscapes.

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

The DSP includes multifamily residential, day care and commercial/retail uses, including a grocery store.

- (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 prohibited uses are included in this DSP.

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

Section 27A-802(c) provides restrictions on public utility uses or structures within the Urban Center District that also require the overall design of those uses and structures to be harmonious with development in general. This site has very limited frontage, approximately 250 feet, along Southern Avenue. All the public utilities serving this site are already installed within Southern Avenue and this project only needs to connect to the existing utilities.

- (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.**

This application is generally compatible with the governing Sector Plan; however, there are no standards that apply to this subarea within the Sector Plan. The Sector Plan identifies transit-oriented development goals for land use and urban design (page 35), including the following:

- 3. Design mixed-use walkable communities near each station that allow residents to access basic daily needs without requiring the use of a private automobile.**
- 8. Create a grid of streets to increase connectivity, allow for pedestrian passage to the station and to increase available frontage.**

The DSP represents these goals well within the site. DSP-19071 and its amendment approved this site in the configuration included with the subject application, with no provisions for pedestrian and vehicular cross access with adjacent sites. At the time of approval for DSP-19071-01, there were no known mixed use development proposals within the vicinity. However, abutting the site to the southeast is property within the RMF-20 Zone (formerly M-X-T Zone), currently under review for a CSP known as Southern Hills (CSP-24001), which proposes a mix of housing types and commercial uses, along with assisted living facilities. In alignment with the Sector Plan goals above, the Planning Board finds that Hillspire Way shall continue to a 'stub' along the southeast side of the site, to allow for a future vehicular and pedestrian connection between these two mixed use communities, along with any necessary easement or covenants, as conditioned herein.

**(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 specified in this DSP.

- f. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the prior Zoning Ordinance, as cross-referenced in Section 27-283 of the prior Zoning Ordinance. The site design guidelines address general site and building design including parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture. The specific applicable elements, as set forth in Section 27-274, are addressed below.

The surface and garage parking are located and designed to provide safe and efficient vehicular and pedestrian circulation for the site.

The vehicular and pedestrian circulation routes are designed in accordance with the guidelines to ensure safe, efficient, and convenient traffic flow and access. Parking and loading spaces will be clearly marked and signed and are separated, to the extent possible, from conflicting vehicular circulation. Barrier-free access is provided to the various building entrances.

A photometric plan is included with the DSP and shows that the lighting provided will illuminate important on-site elements such as the parking areas, entrances, and pedestrian pathways.

This development will create an inviting and well-scaled main entrance along Southern Avenue and will provide tree canopy coverage (TCC) in accordance with the current regulations.

The green area will be provided on-site in accordance with the Landscape Manual as further detailed in Finding 10 below.

The site and streetscape amenities are designed in accordance with these guidelines with on-site lighting fixtures, seating, and plazas coordinated to be attractive.

The site is designed to meet the grading requirements and the SWM is designed to meet or exceed current Prince George's County regulations.

Service and loading areas are located inside the parking garages. These service areas are accessible, but not obtrusive. They will be adequately screened from the public view.

Public spaces and plazas are designed throughout the community. The architectural and landscape site plans show the spaces, and their organization, design, and features. The spaces are well defined by the building massing and façade design. The plazas comprise shade trees, landscaping, furnishings, lighting, and paving scaled to accommodate groups or individuals. Pedestrian pathways are clearly indicated.

The architecture included for this site is contemporary and serves the purposes of the intended building typologies. The finish materials are durable and of good quality.

9. **Preliminary Plan of Subdivision (PPS) 4-19052:** On November 18, 2021, the Planning Board approved PPS 4-19052 (PGCPB Resolution No. 2021-141) for this property with 18 conditions. The conditions relevant to this DSP are listed below, in **bold** text. The Planning Board's analysis of the PPS conditions follows each one, in plain text:

2. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.**

This DSP is proposing development consistent with the approved PPS.

3. **Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 36900-2020-00, and any subsequent revisions.**

The approved SWM concept plan and letter were submitted with the subject DSP. The concept plan shows only one outfall structure to the northeast of the facility that outlets into an ephemeral stream channel that drains into the on-site stream system. No SWM fee for on-site attenuation/quality control measures is required.

6. **Total development within the subject property shall be limited to uses which generate no more than 492 AM peak-hour trips and 523 PM peak-hour vehicle**

**trips. Any development generating an impact greater than that identified herein above shall require approval of a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The uses and total gross floor area included in this application are within the development anticipated per PPS 4-19052. The applicant has submitted a trip generation memo as part of the DSP submission. The trip generation memo indicates that the approved trip cap established in the PPS considers the development of 1,032 dwelling units, an 18,500-square-foot grocery store, 10,275 square feet of retail use, and a 10,894-square-foot day care center. The number of dwelling units and overall square footage for the retail and grocery uses approved with the PPS are slightly higher than the overall amount included with the subject DSP. The trip generation study considers the construction of a mixed-use development, as previously described above, that consists of a combination of residential units, a grocery store, general retail uses, and day care uses resulting in the generation of 384 AM peak-period trips and 482 PM peak-period trips. While the subject DSP differs slightly from the approved PPS, the trips associated with this proposal are within the peak-hour trip cap approved in PPS 4-19052.

- 11. Prior to acceptance of a detailed site plan, the package shall contain an arborist's evaluation, prepared in accordance with Part B, Section 5.2.3C of the Environmental Technical Manual, for all specimen trees whose critical root zones cannot be wholly preserved. Every effort shall be made to preserve the specimen trees not approved for removal with the preliminary plan of subdivision.**

This condition was met with the DSP submission, and the arborist evaluation provided the professional determination about the status of the specimen trees with impacted root zone.

- 13. The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicyclist adequacy improvements approved with Preliminary Plan of Subdivision 4-19052, consistent with Section 24-124.01(f) of the Prince George's County Subdivision Regulations as part of any Detailed Site Plan submission.**

The applicant has provided a bicycle and pedestrian facilities plan on Sheet 2 of the DSP, which includes locations, limits, specifications, and details of bicycle and pedestrian facilities.

- 14. Prior to acceptance of any detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide plans that illustrate the location, limits, specifications, and details displaying the following facilities, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence:**

- a. Standard sidewalks along both sides of all new roads.**

- b. **Crosswalks at all locations where sidewalks intersect with roads.**
- c. **Bicycle parking throughout the development.**

The applicant's submission accurately displays crosswalks at all locations where sidewalk facilities intersect with roadways. In addition, bicycle parking has been provided throughout the development at locations that the Planning Board finds suitable.

15. **In accordance with Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate on-site indoor and outdoor recreational facilities.**

The on-site recreational facilities approved with this DSP include a fitness center for each multifamily building, courtyards for each multifamily building, two play sculptures, a dog park, plazas, and a picnic pavilion. The Planning Board finds that these facilities are adequate.

16. **At the time of detailed site plan review, the on-site indoor and outdoor recreational facilities shall be reviewed by the Urban Design Section of the Prince George's County Planning Department, Development Review Division for adequacy and proper siting, in accordance with the Park and Recreation Facilities Guidelines and the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment*.**

The applicant has included on-site recreational facilities with this DSP, which include a fitness center for Building 2 and courtyards for each multifamily building, two play sculptures, a dog park, plazas, a picnic pavilion, and benches throughout the community. The applicant has provided a recreational facilities calculation table on the cover sheet of the DSP, with associated costs and construction triggers for these facilities associated with Building 2; however, not all of the recreational facilities are included in the table. The dog park, plazas, and picnic pavilion are missing from the table. The applicant has listed the trigger for construction as prior to record plat. However, these triggers on the chart should be revised to include the triggers relative to actual building construction or number of dwelling units. A condition is included herein reflecting that prior to certificate of occupancy for all residential buildings, the indoor and courtyard recreational facilities shall be fully constructed. In addition, subsequent DSP amendment(s) shall be required for the courtyards and internal amenities associated with Buildings 1, 3, and 4, as conditioned herein.

10. **2010 Prince George's County Landscape Manual:** Per Section 27-544(a) of the prior Zoning Ordinance, landscaping, screening, and buffering for property zoned M-X-T are subject to the provisions of the Landscape Manual. Specifically, this application is subject to the requirements of Section 4.1, Residential Requirements; Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets. The landscape plan provided with this DSP contains errors and deficiencies, which have been

addressed as conditions herein. The required plantings and schedules are provided in conformance with the Landscape Manual and are acceptable, except for Section 4.2 and Section 4.10.

Alternative compliance is requested from the requirements of the Landscape Manual, specifically from Section 4.2, Requirements for Landscape Strips Along Streets, for the site's Southern Avenue frontages, and from Section 4.10, Street Trees Along Private Streets, for the private streets in the development.

#### **Section 4.2-1, Requirements for Landscape Strips Along Streets**

##### **REQUIRED: Section 4.2(3)(A)(i), Requirements for Landscape Strips Along Streets, along Southern Avenue**

Length of Landscape Strip	150 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	5
Shrubs	43

##### **PROVIDED: Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, along Southern Avenue**

Length of Landscape Strip	150 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	0
Ornamental/Evergreen Trees	6
Shrubs	56

#### **Justification of Recommendation**

The applicant is requesting AC from Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, which requires a landscape strip be provided for the entire 150 feet of the property's frontage along Southern Avenue.

The applicant is proposing to use Option 1 to satisfy the requirements of Section 4.2, which requires a 10-foot-wide landscape strip, planted with 1 shade tree and 10 shrubs, per 35 feet of linear frontage. The applicant is proposing a varied-width landscape strip that is a minimum of 12.6 feet, and a maximum of 21.5 feet wide. The landscape strip includes a slope that rises approximately 6 feet to the building and includes additional planting. None of the required shade trees are included in the landscape strip in this area, but they have been replaced by columnar evergreen trees. The planting strip includes 56 shrubs, which exceeds the 43 shrubs that are required, as well as other perennial and groundcover plantings.

The Alternative Compliance Committee finds that the applicant's solution meets the requirements of the width of the landscape strip and the number of shrubs, but is deficient in the required number of shade trees. Instead, the applicant includes six columnar evergreen trees, and 13 more

shrubs than would be required. It should be further noted that there are four minor shade trees included along the site's Southern Avenue frontage, however, these trees are located within the right-of-way (ROW), which is within the District of Columbia. The Alternative Compliance Committee finds that the applicant's proposal will be equally effective as normal compliance with Section 4.2.

**REQUIRED: Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, on Hillspire Way (Private Road A) to screen the parking lot**

Length of Landscape Strip	155 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	5
Shrubs	44

**PROVIDED: 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, on Hillspire Way (Private Road A) to screen the parking lot**

Length of Landscape Strip	155 feet
Width of Landscape Strip	7 feet
Shade Trees (1 per 35 linear feet)	5
Shrubs	52

**Justification of Recommendation**

The applicant is requesting AC from Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, which requires a landscape strip be provided for the entire 155 linear feet of frontage of the parking lot on Parcel 4 along internal Hillspire Way (Private Road A).

The applicant is proposing to use Option 1 to satisfy the requirements of Section 4.2, which requires a 10-foot-wide landscape strip, planted with 1 shade tree and 10 shrubs, per 35 feet of linear frontage. The applicant is proposing a 7-foot-wide landscape strip for the entire frontage and is providing the required 5 shade trees and 52 shrubs, which is more than the 44 required. Due to spatial limitations between the ROW and curb-line of the parking lot, the landscape strip has been reduced by 3 feet. The applicant is providing eight more plant units than would be required, for a total of 102 planting units.

Due to the increase in the number of shrubs and the total number of plant units, the Alternative Compliance Committee finds that the parking lot will be adequately screened and that the applicant's proposal is equally effective as normal compliance with Section 4.2.

**Section 4.10, Street Trees Along Private Streets**

The application is subject to Section 4.10, which requires a 5-foot-wide landscape strip between the street curb or edge of paving and the sidewalk, and a minimum number of shade trees per linear feet of roadway. Hillspire Way (Private Road A) is approximately 5,684 linear feet, minus driveway openings for parking lot and garage access, which would be required to include 162 shade trees, but the applicant is proposing to plant only 17 shade trees. Hillspire Way

includes both the central primary roadway for the development and a road located at the rear of the buildings, which is included more as an emergency access road. The primary road includes planting areas and landscaping; however, the emergency access roads do not include shade trees. It should be noted that the landscape schedule submitted for Section 4.10 is inaccurate, and will need to be revised, as conditioned herein.

**REQUIRED: Section 4.10(c)(1), Street Trees Along Private Streets, along Hillspire Way (Private Road A)**

Length of Landscape Strip	5,684 linear feet*
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	162

**PROVIDED: Section 4.10(c)(1), Street Trees Along Private Streets, along Hillspire Way (Private Road A)**

Length of Landscape Strip	5,684 linear feet*
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	17

**Note:** \*A portion of Hillspire Way (Private Road A) includes the emergency access roads, which do not include any landscape treatment.

**Justification of Recommendation**

The applicant is requesting AC from Section 4.10, along the entirety of Hillspire Way on the subject property. Along the central primary portion of the road, landscape treatment is provided by including shade and ornamental trees, shrubs, and perennials. However, the roadway continues behind the buildings on-site and no shade trees are provided in these areas because these portions are intended to provide service and emergency access. Therefore, the applicant's proposal does not meet the required number of shade trees for the private streets on-site. The applicant states that strict conformance to the requirements of the Landscape Manual cannot be met, due to limited space within the private ROW for the placement of necessary site utilities, stormwater management devices, and the number of required shade trees.

While the Alternative Compliance Committee understands that the limitations of the site hinder the ability to meet the requirements of Section 4.10, the Committee finds that the applicant's proposal is not equally effective as normal compliance in fulfilling the intent and purposes of Section 4.10, which is to define the private streets, establish human scale, and promote pedestrian activity by fostering a safe, pedestrian-friendly streetscape along private streets. Therefore, it is determined that the alternative design solution fails to meet the approval criteria.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the 2010 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. A Type 2 Tree Conservation Plan, TCP2-036-2022, was submitted with the DSP application.

Based on the revised TCP2, the overall 15.10-acre site contains a total of 10.31 acres of net tract woodlands and does not contain floodplain. The plan shows a proposal to clear 7.04 acres of net tract woodland and no off-site woodlands. The resulting woodland conservation requirement is 4.02 acres, which is approved to be met with 3.14 acres of on-site preservation, 0.12 acre of landscape credit, and 0.76 acre of off-site woodland credits.

Technical revisions are required to the TCP2, which are conditioned herein.

12. **Prince George's County Tree Canopy Coverage Ordinance:** Per Council Bill CB-046-2025, landscape plans demonstrating conformance to this Ordinance approved as part of a permit or an entitlement case or entitlement cases subject to Transitional Provisions of Zoning Ordinance (Section 27-1700) or Subdivision Regulations (Section 24-2700) shall be subject to the regulations in place at the time of approval or any grandfathered permit or grandfathered development application. The subject project has prior approved PPS 4-19052, which was approved by the Planning Board on November 18, 2021. As such, a 10 percent TCC requirement applies to sites zoned M-X-T, in accordance with the Tree Canopy Coverage Ordinance. The subject site is 15.10 acres in size and the required TCC amounts to approximately 1.51 acres, or approximately 65,732 square feet. The subject application provides a schedule showing that 4.33 acres, or 188,828 square feet, has been provided through the on-site tree plantings, in conformance with the Tree Canopy Coverage Ordinance.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and incorporated herein by reference:
  - a. **Community Planning**—In a memorandum dated September 15, 2025 (Sams to Myerholtz), incorporated herein by reference, it was noted that, pursuant to Section 27-548.25(b) of the prior Zoning Ordinance, this DSP application meets the pertinent D-D-O Zone standards of the Sector Plan and SMA and is in keeping with the purposes of the M-X-T Zone.

It was further noted that this site is located within the Southern Avenue Metro Neighborhood Center, and the vision for neighborhood centers is lower density mixed-use development that is primarily residential with neighborhood-serving retail and office uses. The Sector Plan and SMA recommend mixed land uses on the subject property.
  - b. **Environmental Planning**—In a memorandum dated September 10, 2025 (Kirchhof to Myerholtz), incorporated herein by reference, the following information was noted:

**Specimen Trees**  
With PPS 4-19052, the Planning Board approved six on-site specimen trees for removal, Specimen Trees ST-1, ST-2, ST-8, ST-9, ST-16, and ST-23. In addition, the PPS showed

two off-site specimen trees, ST-7 and ST-10, to be removed. The removal of off-site specimen trees occurs through the variance process.

Condition 17 of the PPS requested that the applicant provide an arborist evaluation of all on- and off-site specimen trees whose critical root zones cannot wholly be preserved with DSP-19071. This evaluation of the two off-site trees determined that these trees can be saved with pre- and post-construction methods. As conditioned by 4-19052 an arborists evaluation was provided with DSP-25006.

Specimen Trees ST-3 through ST-7, ST-10 through ST-15, and ST-17 through ST-22 are shown as retained. The required findings of Section 25-119(d) of the County Code were adequately addressed at PPS for the removal of six specimen trees, identified as Specimen Trees ST-1, ST-2, ST-8, ST-9, ST-16, and ST-23. With further review by an arborist, it was determined that the two off-site trees ST-7 and ST-10 can be saved. No additional specimen trees are approved for removal with this DSP application.

### **Soils**

In accordance with Section 24-131 of the County Code, this application was reviewed for unsafe land restrictions. The soil types found on-site, according to the United States Department of Agriculture Natural Resources Conservation Services Web Soil Survey are Collington-Wist-Urban land complex, Croom-Marr complex, Marr-Dodon-Urban land complex, Sassafras and Croom soils, and Sassafras-Urban land complex soils. Marlboro and Christiana clays do not occur on or in the vicinity of this site.

A tall retaining wall with a maximum height of 15.8 feet has been included at the entrance of the site. Based on the Preliminary Global Stability Analysis report prepared by Terracon, dated August 26, 2025, the global stability analysis achieved a satisfactory factor of safety of 1.5 with drilled shaft foundation with a minimum length of 9 feet. The final set of the retaining wall design including the geotechnical analysis shall be reviewed and approved by DPIE prior to issuance of grading and building permits.

### **Stormwater Management**

Section 27-282(e)(11) of the prior Zoning Ordinance requires a SWM concept approval prior to acceptance of a DSP. A SWM Concept Approval Letter and associated plan (36900-2020-00) were submitted with the application for this site. The approval was issued from DPIE on May 21, 2024, expires on May 21, 2027, and is approved to construct 26 micro-bioretenment facilities, one green roof, and six subsurface filters. The SWM concept plan shows only one outfall structure to the northeast of the facility that outlets into an ephemeral stream channel that drains into the on-site stream system. No SWM fee for on-site attenuation/quality control measures is required.

- c. **Transportation Planning**—In a memorandum dated September 11, 2025 (Smith to Myerholtz), incorporated herein by reference, a review of the application using the standards of the prior Zoning Ordinance and a response to the PPS conditions was noted.

- d. **Prince George's County Department of Parks and Recreation (DPR)**—In an email dated September 12, 2025 (Thompson to Myerholtz), incorporated herein by reference, it was noted that, pursuant to Conditions 15 and 16 of PPS 4-19052, the applicant shall provide adequate on-site indoor and outdoor recreational facilities.
  - e. **Historic Preservation**—In a memorandum dated September 16, 2025 (Stabler, Smith, and Chisolm to Myerholtz), incorporated herein by reference, it was noted that 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 recommended.
  - f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comments on the subject DSP.
  - g. **Prince George's County Health Department**—In a memorandum dated September 8, 2025 (Adepoju to Myerholtz), incorporated herein by reference, four comments on this DSP were noted regarding research on the prevalence of grocery stores and the regulatory requirements associated with the day care facility.
  - h. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject DSP.
  - i. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject DSP.
  - j. **Prince George's County Police Department**—The Police Department did not offer comments on the subject DSP.
14. **Community Feedback:** The Prince George's County Planning Department did not receive any written correspondence from the community for this subject application.
15. **Planning Board Hearing:** The Planning Board held a public hearing on October 30, 2025. 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, the applicant provided one exhibit (Applicant Exhibit 1) which proposed revisions to the findings and to Conditions 1a and 5. In addition, this exhibit detailed the applicant's concerns with the conditions, as written, citing that vehicular cross access would cause additional through traffic, further delays to the project, and additional approvals. Staff agreed with the applicant on the proposed revised findings, but not on the requested condition revisions.

The hearing began with a technical staff presentation followed by the applicant's presentation. The technical staff presentation addressed written comments submitted by the applicant and provided a detailed account of how the conditions regarding cross access were supported by the

Zoning Ordinance and aligned with the Sector Plan and the 2025 *Go Prince George's Preliminary Countywide Master Plan of Transportation*, along with best practices in transportation planning. Technical staff explained that through-traffic would not be likely on this site, given the traffic calming measures along Hillspire Way and, due to the multiple other access points which the property to the southeast is proposing. Technical staff also clarified that no further changes to the site were recommended and that no additional redesign of the plans or further approvals would be necessary.

16. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with the conditions below, will represent 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 development for its intended use.
17. Section 27-285(b)(2) of the prior Zoning Ordinance does not apply to this DSP because there is no CSP for the subject property.
18. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.
19. Per Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

**(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(15).**

The REF on the subject property have been preserved and/or restored, to the fullest extent possible, based on the limits of disturbance shown on the tree conservation plan submitted for review. The two primary management area (PMA) impacts (stormwater pipe installation and one stormwater outfall) remain unchanged as approved under PPS 4-19052, and no new PMA impacts are included with this DSP.

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 TCP2-2025-0056 and APPROVED Alternative Compliance ACL-2025-0006, and further APPROVED Detailed Site Plan DSP-25006 for the above-described land, subject to the following conditions:

- A. APPROVE Departure from Design Standards DDS-689, for The Promise, to allow standard, nonparallel parking space size of 9 feet in width by 18 feet in length; to allow loading spaces to be located 36 feet and 42 feet from residential uses; and to allow a reduction in the number of street trees from 162 required shade trees to 17 shade trees provided along a private road, in accordance with Section 4.10 of the 2010 *Prince George's County Landscape Manual*.

- B. APPROVE Detailed Site Plan DSP-25006, and Type 2 Tree Conservation TCP2-2025-0056, for The Promise, subject to the following conditions:
1. Prior to certification of this detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall revise the DSP, as follows, or provide the specific documentation:
    - a. Provide a recreational facility chart that identifies the total required value of the recreational facilities for the entire development. Itemize all recreational site details, including quantities, values, and construction timing of each feature approved with this DSP.
    - b. Revise the construction timing of the recreational facilities approved with this DSP to be prior to issuance of the Use and Occupancy Permit for the building each facility is associated with.
    - c. Revise the coversheet to identify the daycare as an institutional use and update the square footage accordingly
    - d. Revise the parking calculation table to identify the parking spaces on Parcel B.
    - e. Revise the trip generation matrix to reflect the updated number of units included in this DSP.
    - f. Add the total square footage of the dwelling units to the general notes
  2. Prior to certification, the applicant shall revise the Type 2 tree conservation plan (TCP2), as follows:
    - a. Revise Standard TCP2 General Note 9 to state that this plan is grandfathered under Prince George's County Council Bill CB-020-2024, Section 25-119(g).
    - b. Provide a 2-inch by 2-inch outlined blank square on each page for an approval block (to be inserted by staff at time of approval).
    - c. Provide a TCP2 approval history table.
  3. Prior to certification, the applicant shall revise the landscape plan, as follows:
    - a. Revise the schedule for Section 4.10 to accurately reflect the linear feet of Hillspire Way, and required street trees, calculated per the 2010 *Prince George's County Landscape Manual* requirements.
  4. Except for Building 2, prior to the issuance of building permits for any residential units, all internal and courtyard recreational facilities associated with Buildings 1, 3, and 4 shall be reviewed for adequacy by the Urban Design Section of the Prince George's County

Planning Department, Development Review Division, in accordance with Condition 16 of Preliminary Plan of Subdivision 4-19052, and shall receive approval through a detailed site plan amendment.

5. Prior to approval of the final plat of subdivision or certification of the detailed site plan, if the final plat approval has already occurred, a cross-access easement or covenant and crosswalk establishing pedestrian cross-access with the property to the southeast shall be provided for review to the Development Review Division of the Prince George's County Planning Department, for approval. The easement agreement or covenant shall contain the rights of the Prince George's County Planning Board, be recorded in the Prince George's County Land Records, and the Liber/folio shown on the final plat and/or detailed site plan. The final plat and/or detailed site plan shall reflect the location and extent of the 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 Barnes, with Commissioners Washington and Barnes voting in favor of the motion, and with Commissioner Geraldo opposing the motion at its regular meeting held on Thursday, October 30, 2025, in Largo, Maryland.


Adopted by the Prince George's County Planning Board this 20th day of November 2025.

Darryl Barnes  
Chairman

By   
Jessica Jones  
Planning Board Administrator

DB:JJ:DM:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: November 12, 2025