

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on July 25, 2019, regarding Detailed Site Plan DSP-99044-17 for Mall at Prince George's Plaza - Miller's Ale House, the Planning Board finds:

1. **Request:** The subject application is for approval of an amendment to a detailed site plan (DSP) for the construction of an 8,285-square-foot, freestanding eating and drinking establishment at The Mall at Prince George's Plaza, and a request to amend the transit district standards.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Integrated Shopping Center	Integrated Shopping Center/ Eating and drinking establishment without drive through
Acreage	51.03	51.03
Building Square Footage/GFA	0	0
Total Square Footage/GFA	1,120,732	1,129,017

Parking

	MAX. PERMITTED	APPROVED
Prince George's Plaza – 1,129,017 sq. ft. (Preferred Ratio of <4.35 spaces/1,000 sq. ft.)*	4,911*	3,347

Note: *The existing parking lot on the site was approved under previous DSPs that were subject to the 1998 *Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay Zone*, which included the specified maximum parking ratio. The subject DSP amendment proposes only the removal of parking spaces, adding stormwater management facilities, and landscaping, and is therefore exempt from the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* standards, per Exemption E3 on page 198.

	REQUIRED	APPROVED
Loading Spaces for 995,758 gross leasable area (GLA) (3 per 100,000 GLA + 1 each additional 100,000 GLA)	12	27**

Note: **One new loading space is provided for the eating and drinking establishment.

3. **Location:** The subject property is located in Council District 2 and Planning Area 68. More specifically, the project is located in the northwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road, approximately 1,600 feet west of the intersection of MD 410 and MD 500 (Queens Chapel Road), within the property known as the Mall at Prince George's.
4. **Surrounding Uses:** The entire Mall at Prince George's site is bounded to the south by MD 410, to the north by multifamily apartments in the Mixed Use-Infill (M-U-I) Zone, to the west by commercial office space in the M-U-I Zone, and to the east by Belcrest Road. Surrounding the property are a variety of retail and multifamily uses in the M-U-I, Multifamily High Density Residential, Mixed Use-Transportation Oriented, and Multifamily Medium Density Residential Zones.
5. **Previous Approvals:** The original existing development on the site was an enclosed shopping mall that was developed in the late 1950s. The 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* (Prince George's Plaza TDDP and TDOZ) retained the property in the M-U-I and Transit District Overlay (T-D-O) Zones. DSP-99044 and companion cases Primary Amendment TP-00001 and Secondary Amendment TS-99044A were originally approved in 2001. The property was also the subject of a Departure from Sign Design Standards (DSDS-440), approved in December 1991, and Departure from Design Standards DDS-515 was reviewed and approved by the Prince George's County District Council on July 10, 2001.

The original DSP-99044 was designed for Phase I of the redevelopment of the mall and included the renovation of an existing pad site as Outback Steakhouse, a portion of the streetscape improvements along MD 410 in front of Outback Steakhouse, and redesign of the area around the east end of the shopping center.

DSP-99044-01 was for the purpose of constructing a new anchor store (Target) and the addition of two tenants at the rear of the shopping center. The Prince George's County Planning Board granted a further amendment to Standard S8 in 2003, in conjunction with approval of DSP-99044-01 in 2003.

DSP-99044-02 was for the purpose of renovating the rear (north side) of the shopping mall to improve access into the center, repaving, and incorporating additional green area, and was approved by the Planning Director in 2003.

DSP-99044-03 was to allow two-way traffic in an existing drive aisle that was previously utilized for one-way traffic for loading purposes and was approved by the Planning Director in 2005.

DSP-99044-04 was for the purpose of adding a restaurant pad site (Olive Garden) of 7,685 square feet and was approved by the Planning Board on June 21, 2005.

DSP-99044-05 was for modification of the rear elevation on the east end of the structure to accommodate new tenants and to remove 19 parking spaces, and was approved by the Planning Director in 2006.

DSP-99044-06 was for the purpose of constructing a pad site for a sit-down restaurant (Famous Dave's) of 6,574 square feet, and was approved by the Planning Board on September 11, 2008, but the restaurant was never constructed.

DSP-99044-07 was for the purpose for constructing a Chick-fil-A fast-food restaurant on Parcel A-1 and was approved by the Planning Board on October 3, 2013. The approved Chick-fil-A fast-food restaurant was appealed to the District Council on April 14, 2014. The District Council approved the use but disapproved the drive-through service and the fast-food restaurant was never constructed.

DSP-99044-08 was for the purpose of adding a retail store, T.J. Maxx, including signage, to an existing tenant site, and was approved by the Planning Director in 2013.

DSP-99044-10 was for the purpose of exterior renovations to Outback Steakhouse and changes to the entrance, and was approved by the Planning Director in 2015.

DSP-99044-12 was for the purpose of amending the building-mounted signage criteria of the Prince George's Plaza TDDP and TDOZ, to allow two 6.5-foot, building-mounted, internally-lit, channel letter signs. It was approved by the Planning Board on May 4, 2017.

DSP-99044-13 was for the purpose of constructing a building addition within the 15 percent threshold allowed by the TDDP. It was withdrawn and proceeded through the permit process.

DSP-99044-14 was for approval of an infrastructure-only DSP for construction of a pad site for a future 7,718-square-foot freestanding restaurant, which is the subject site of the current application. It was approved by the Planning Board on December 14, 2017 (PGCPB Resolution No. 17-154). In the approval of the infrastructure-only DSP, the applicant was notified that future amendments would be subject to any relevant standards of the TDDP for construction of the freestanding restaurant, which is the subject of this application.

DSP-99044-15 was for the purpose of amending the building-mounted signage criteria of the TDDP, to allow a 6.5-foot, building-mounted, internally-lit, channel letter sign for one new retail location, and was approved by the Planning Board on December 14, 2017.

6. **Design Features:** This application proposes construction of an 8,285-square-foot, freestanding eating and drinking establishment, without drive through, on a pad site at The Mall at Prince George's, that is not in conformance with the TDDP standards. The site is currently improved

with a mall, which includes multiple retail stores and two freestanding restaurants. The site can be accessed from multiple locations; the main vehicular entrance at the center of the site off MD 410; a western access drive off MD 410; multiple entrances off Belcrest Road on the east; and an entrance off Toledo Terrace in the northwest corner. The existing parking compound fully encircles the mall.

The eating and drinking establishment is located within the existing parking compound on the southwestern side of the site, near the western access drive off MD 410. The building is set back approximately 80 feet from MD 410 in violation of the TDDP standards and requires an amendment. The setback and freestanding nature of the eating and drinking establishment, with parking surrounding the building, is characteristic of suburban design and does not reflect the more compact Main Street character envisioned in the TDDP, which would include a consistent frontage of stores and cafés lining MD 410, as discussed in detail in Finding 7 below.

The structure will front on MD 410 and proposes a nonconforming 350-square-foot outdoor patio on the eastern portion of the building, which is set back 65 feet from the roadway. The site furnishings, details, and specifications for this space were not provided on the submitted DSP. Therefore, if approved as submitted, a condition has been included in this resolution requiring the applicant to provide these details. Approximately 25 feet of the existing brick landscape wall that runs along the MD 410 frontage of the site is being removed, to allow for construction of a 5-foot-wide handicap-accessible ramp, and a 20-foot-wide staircase that leads to the entrance of the building, and will provide access to the facility for pedestrians from the sidewalk along MD 410.

Architecture

The one-story, square building proposes a generally flat roof, which varies in height from approximately 21 to 27 feet. The façade of the building is composed of a combination of stone veneer, glass windows, dark brown and red metal trim and awnings, wood paneling, and two brown shades of exterior insulation finishing systems (EIFS). The building is finished in natural colors and proposes a high-profile roof near the main entrance to the building. The entrance vestibule projects from the building and is accented by stone veneer, which is provided along the base of all sides of the building. The main entrance includes double glass doors with a metal trellis and building-mounted lighting above the building entry.

Commercial-grade, glass, roll-up doors are provided on the eastern portion of the southern elevation, with wood paneling shown along the roofline. The roll-up doors open to the partially covered patio, which includes a steel colonnade. Sliding glass doors are shown on the western portion of the elevation and provide balanced fenestration. The sliding glass doors and roll-up doors are accented by metal awnings, which provide architectural interest and are the subject of an amendment to the TDDP architectural standards.

The eastern elevation faces the existing parking compound and main entrance to the mall. The glass roll-up doors and wood paneling are repeated on the southern portion of this elevation, and stone veneer is provided along the water table of the building. Metal awnings are shown over the doors and vertical pilasters, in a complimentary color, on the northern portion of the eastern

elevation to break up the building's mass.

The western elevation faces the existing access drive to the mall and includes stone veneer at the base of the building and vertical pilasters across the building face. Metal awnings are included above three smaller windows on the building face.

The northern elevation, which functions as the service side, faces the mall and the existing parking compound and is not visible from the street. This elevation continues the same building materials, as on the other elevations of the building, and shows a balanced composition of stone, EIFS, and vertical pilasters in a complimentary color to break up the building's mass.

The Planning Board notes that the architectural elevations provided with the DSP do not show a scale, and do not include dimensions. Therefore, the applicant shall revise the architectural elevations to provide a scaled drawing with dimensions showing the building height. Conditions have been included herein requiring these revisions.

Lighting

The pole-mounted lighting in the parking area, near the building and throughout the site, was found to be acceptable with DSP-99044-14. The pole-mounted lighting is not changing with this application. However, it is noted that additional building-mounted lighting is shown on the building elevations to accent the building and the entrance. Details of the building-mounted lighting on the elevations and above the building entrance have been provided, as required. The Planning Board noted that these lights are low profile and do not create architectural interest or are reflective of the architectural quality and style that the TDDP is trying to create. Therefore, the building-mounted lights shall be revised to a style and character that visually relay the interest of the site (and use) and to complement the recent façade improvements at the Mall at Prince George's Plaza. These lights shall be consistent with the TDDP standards and include a full cutoff. Conditions have been included in this resolution requiring that the applicant provide revised building-mounted lighting prior to certification.

Signage

Three identical building-mounted signs are included with this DSP and are shown on all sides of the building, except the west. Each sign is located at a consistent height of approximately 17 feet above the sidewalk. The signs are generally placed above the windows on the building face and line up with the edge of the window. Each sign measures approximately 90 square feet and states the tenant's name.

A diagram referenced in the TDDP shows that the maximum allowed building-mounted sign height is 36 inches, or 3 feet. The signs included with this application are 38 inches in height. Therefore, a condition has been included in this resolution requiring that the applicant reduce the sign's height to the maximum dimension of 36 inches, as allowed by the TDDP.

Two additional signs are located on the southern building elevation and appear to be menu boards or display boards for advertisements, such as daily specials. Details have not been provided with this application and are required. Therefore, a condition has been included in this resolution

requiring the applicant to provide details showing the materials and specifications for this additional signage prior to certification. No freestanding signage is being approved with this application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone**—This development includes an 8,285-square-foot building and the associated pedestrian and vehicular circulation for a freestanding eating and drinking establishment, excluding drive-through service. The subject site is located within the Downtown Core Character Area of the TDDP. The downtown core is the transit district's central activity hub, with a mix of residential, retail, and office development framing lively walkable streets. These pedestrian-friendly streets are envisioned to be lined with cafés and stores, which draw commuters between the Prince George's Plaza Metro Station and the Mall at Prince George's, activating the streetscape. The parking lot at the mall is envisioned to be developed with new buildings, such as the one approved with this application, and help reposition MD 410 from a local commuter route to a true Main Street. The TDDP uses urban design standards to implement the plan's vision for the Downtown Core Character Area, and the applicable standards have been evaluated as a part of the DSP process.

The submitted application and justification materials indicate the applicant's desire to deviate from a number of transit district standards to accommodate the development on the subject property. Per Section 27-548.08(c)(3) of the Prince George's County Zoning Ordinance, these alternate standards may be approved if they can be found to benefit the development and the transit district and not substantially impair implementation of the TDDP. These alternate standard requests, along with other standards, warrant discussion, as follows (all page numbers reference the TDDP):

- a. **Streets and Frontage, Frontage Zones (page 208)**

The building is required by the TDDP to be placed no further than 25 feet from the back of the curb along MD 410, and the applicant is proposing the building with a setback of approximately 80 feet. They state that an existing sidewalk, streetlights, seatwall, and landscaping runs along the entire frontage of the site, which creates a consistent streetscape along MD 410. This existing condition would need to be substantially removed or altered to adhere to this standard.

In addition, the applicant states that the building is placed on the site in its current location to allow space for the required stormwater facilities, which have been mostly placed between the building and the sidewalk. The stormwater facilities have received technical approval from the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) and construction has commenced on some of the related improvements, so any changes to the building location would require potential changes to the stormwater facilities. The applicant claims that in designing the site, the required setback cannot be met, and the location of the building cannot be moved without

major negative cost implications, which would impact the development. Therefore, the applicant is unable to strictly adhere to the frontage requirement and requests an amendment to this standard.

The TDDP provides a clear vision for the future transformation of MD 410 from an auto-dominated roadway into a vibrant, pedestrian- and bike-friendly environment, complete with cafés, outdoor dining and street furniture, store frontage, and a consistent building face to activate the streetscape.

The requested amendment to the maximum 25-foot build-to line to allow an 80-foot setback perpetuates suburban typologies and is inconsistent with the strategies and one of the main purposes of the TDDP, to transform MD 410. Further, the setback is inconsistent with the vision for the downtown core, which includes the mall parking lot being fully redeveloped with new buildings that help reposition MD 410 from a local commuter route to a true Main Street (page 70). For these reasons, the requested amendment does not benefit the development and the transit district and substantially impairs the TDDP.

In front and side yards where buildings do not meet the build-to line, only public open spaces, plazas, or seating for eating and drinking establishments are permitted. The applicant must demonstrate that any requested modification to allow a departure from the maximum 25-foot build-to line will be effectively mitigated by installing design features that will ensure an inviting pedestrian experience.

The Planning Board noted that during the review of this application, staff requested that the applicant conform to the standards of the Transit District Development Plans and relocate the building and/or include additional elements to activate the streetscape and mitigate the layout's deficiency, with regard to the required building setback from the back of the curb along MD 410. However, the applicant did not revise the site plan sufficiently, but rather added a slightly widened sidewalk with some furnishings, and a small outdoor dining area adjacent to the front of the building. In addition, in an email from DPIE dated July 3, 2019 (Snyder to Bishop), and a memorandum dated July 11, 2019 (Giles to Bishop), incorporated herein by reference, the district engineer indicated that the applicant will be able to move the building forward and relocate the front micro-bioretenement facility to the left and right sides of the building. In addition, the memorandum indicated that such a revision would be considered minor, the application would be grandfathered from the recently revised stormwater management (SWM) requirements, and the redesign of the site's layout should not require a site development concept plan revision.

Therefore, as a result of DPIE's memorandum noting that the site layout can be revised without revising the applicant's stormwater concept, staff created a series of exhibits that provide alternative building locations, which are closer to meeting the TDDP standard, with the addition of strategically placed outdoor elements, including outdoor dining. Strict conformance to the maximum 25-foot build-to-line would place the building within

the existing sidewalk, which runs along and within the front of the entire mall property. This existing sidewalk serves as a pedestrian through-access to the Metro station for users throughout the transit district. The approved revised site layout preserves the location of the existing sidewalk, avoiding an awkward jog, and moves the building behind it to accommodate the door swing of the building without impeding pedestrian traffic. The initial revised plan moved the building 35 feet behind the curb of MD 410 and includes program elements, design features, and site furnishings that would comply with the TDDP standards and activate the streetscape without requiring unreasonable cost or deviating substantially from the utility of the development for its intended use. After receiving the additional memorandum and further communication from DPIE, staff developed an alternative revised site layout to account for the existing stormdrain pipe on the site. DPIE has issued a fine grading permit for this site and indicated this pipe is likely installed in the ground and is located approximately 45 feet from the back of the curb. Therefore, the revised staff recommended layout requires the building to be 55 feet behind the curb, allowing 10 feet of clearance from the pipe for maintenance, as requested by DPIE. The revised staff recommended layout has placed the building 20 feet further from the curb than the initial staff recommended layout (or 55 feet from back of curb) and added an area for outdoor dining along MD 410 and the eastern edge of the building, to activate the street and improve the pedestrian experience along the frontage.

On July 22, 2019, staff met with the applicant to discuss the alternative layout and the amended staff recommendation for a 55-foot building setback from the back of the curb along MD 210. Staff advised the applicant that this recommendation was dependent on providing outdoor dining along the southeast frontage and eastern side of the building, and bio-retention and extension of the outdoor plaza along the southwest frontage, which is to tie into the public plaza to west of the building, recommended by the City of Hyattsville (July 16, 2019, Hollingsworth to Hewlett). The intent is to “wrap” the building frontage with the extension of the public plaza and private dining to the southeast, to activate and frame the streetscape environment. Staff requested an additional applicant exhibit to ensure a visual agreement, which was provided at the hearing.

The applicant exhibit should create a design adjacent to MD 410 to activate the streetscape consistent with the TDDP standards. Design solutions should include site furnishings, architectural treatments, designed stormwater techniques, enhanced lighting, textures, patterns, and art to enhance the streetscape. These design alternatives will help create an attractive pedestrian experience and enhance the streetscape along MD 410, as envisioned by the TDDP. Therefore, conditions have been included in this resolution requiring the relocation of the building to maintain the existing sidewalk and create a consistent frontage along the mall property, and relocation of the outdoor dining area to the eastern and southeastern sides of the building. The plan, if amended as conditioned to activate the streetscape, will benefit the development and transit district and will not substantially impair implementation of the TDDP. For these reasons, the Planning Board **approved** an amendment to allow a maximum 55-foot build-to-line because it will benefit the development and transit district and will not substantially impair the

implementation of the TDDP.

During the hearing on July 25, 2019, the applicant's representative presented several exhibits showing illustrations of the type and character of the outdoor dining space that is proposed to be included on the south and east sides of the building, wrapping around the corner. In addition to these exhibits, the applicant submitted revisions to the staff's revised conditions, and included additional language for clarification, which was reviewed by the Planning Board. The Planning Board accepted these illustrations into the record, and approved the applicant's revised conditions, which have been included in this resolution.

b. **Architectural Elements, Awnings (page 256)**

The TDDP does not permit metal, plastic, and backlit awnings as building elements. The application is proposing colored metal awnings and the applicant states that these are characteristic of the style, identification, and branding for the eating and drinking establishment. The Planning Board noted that the amount of metal awning is a small percentage of the total building material and is designed to highlight and provide articulation to the building façades. Given the limited number of metal awnings and the applicant's justification, the requested amendment will benefit the development and transit district and will not substantially impair the implementation of the TDDP. The Planning Board **approved** this amendment request.

c. **Downtown Core Standards, Intent: Downtown Core Fenestration (page 266)**

The TDDP requires that façades at the ground level facing A Streets, such as MD 410, be visually permeable (clear glass windows, doors); at a minimum, 50 percent of the ground floor façade shall consist of transparent materials (glass).

The applicant has requested an amendment to this standard to allow for less than the required amount of glass and open fenestration on the façade and proposes visual permeability facing the street varying from 28 to 42 percent. The applicant states that the open dining area created by the roll-up door and the open patio create visual openness and visual interest to enhance the streetscape. The Planning Board agreed that this does improve the viewshed during certain times of the year, but believes that this standard can easily be met through alternative design solutions, such as enlarging or providing additional roll-up doors and through expansion of the patio area, as conditioned. For these reasons, the Planning Board **disapproved** this amendment request.

d. **Downtown Core Standards, Intent: Downtown Core Mixed-Use and Nonresidential Buildings (page 267)**

The TDDP requires the minimum clear height of retail space and of storefront fenestration to be 14 feet.

The applicant has requested an amendment to this standard to allow for less than the required height of the storefront fenestration and is proposing a minimum height of approximately 10 feet at the entrance and roll-up doors on the building. The applicant

states that raising the heads of the windows to comply with the minimum height would result in mechanical and structural systems being visible through the windows, and has included the outdoor patio and architectural pilasters on the sides of the building to create height. Given the applicant's justification, the requested amendment will benefit the development and transit district and will not substantially impair implementation of the TDDP. The Planning Board **approved** this amendment request.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I and T-D-O Zones of the Zoning Ordinance:
- a. The eating and drinking establishment, excluding drive-through service, is permitted in the M-U-I Zone within the Prince George's Plaza TDDP.
 - b. Section 27-546.19(c), Site Plans for Mixed Uses, of the Zoning Ordinance requires that:

(c) A Detailed Site Plan may not be approved unless the owner shows:

- 1. The site plan meets all approval requirements in Part 3, Division 9;**
- 2. All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan, as conditioned, represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the development for its intended use, and meets the development standards of the Prince George's Plaza TDDP, except for those alternative standards as discussed in Finding 7 above.

- 3. Proposed uses on the property will be compatible with one another;**
- 4. Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**

The application proposes an eating and drinking establishment on a pad site within the existing shopping center site. The approved use will be compatible with the other commercial uses on the north side of MD 410 and the new residential uses on the south side of MD 410.

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

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

- (B) Primary façades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;**
- (C) Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building façades on adjacent properties;**
- (D) Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**
- (E) Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;**
- (F) Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and**
- (G) The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**
 - (i) Hours of operation or deliveries;**
 - (ii) Location of activities with potential adverse impacts;**
 - (iii) Location and use of trash receptacles;**
 - (iv) Location of loading and delivery spaces;**
 - (v) Light intensity and hours of illumination; and**
 - (vi) Location and use of outdoor vending machines.**

The applicable T-D-O Zone has multiple compatibility standards and guidelines regarding building placement, orientation, design, lighting, outdoor storage, and signage. The development is consistent with all applicable T-D-O Zone standards, except for those amended as discussed in Finding 7 above. The subject site is currently used as a surface parking lot for the shopping center. The

building is compatible in size and height with the existing buildings on the property and the primary façade faces the street. The site design minimizes visual intrusion onto adjacent properties and the signs will conform to the TDDP standards, if revised as conditioned. The location of loading and trash is appropriate to minimize adverse impacts on adjacent properties.

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

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

The DSP requests construction of a freestanding eating and drinking establishment, and proposes four amendments to the design standards, which differ from the TDDP. However, if revised as conditioned in this resolution, these amendments will not substantially impair implementation of the TDDP and will benefit the development and transit district.

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

The DSP is generally consistent with the TDDP and proposes development that is consistent with the mall property. It is noted that the subject site is currently being used for parking and the subject application, if approved as conditioned, will reduce the number of parking spaces, encourage metro ridership, reduce the burden on the surrounding road network, and encourage redevelopment of this area and, thereby conforms with the purposes of the TDDP.

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

The subject DSP has been reviewed for conformance with all the requirements and applicable regulations of the underlying zone, which are the M-U-I Zone and T-D-O Zone standards, except four amendments that the Planning Board has reviewed as discussed in Finding 7, and concludes that the DSP meets the requirements of the T-D-O and M-U-I Zones.

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

Site features, with respect to landscaping and vehicular circulation systems, were approved with DSP-99044-14, and the minor adjustments to these features in this application will not substantially change that finding. The signage and building designs approved with this application are high quality and adequate to meet the purposes of the T-D-O Zone. However, the building location, open spaces, and pedestrian system have been found to be inadequate to meet the purposes of the T-D-O Zone. Therefore, conditions have been included in this resolution requiring redesign of the frontage along MD 410.

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

The DSP proposes a building that is compatible with the other adjacent eating and drinking establishments and the overall integrated shopping center uses. It's approval will allow opportunities for outdoor dining and enhancement of the streetscape, if approved as conditioned, and be a catalyst for future development and redevelopment along MD 410.

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

The T-D-O Zone has a maximum allowed parking requirement, and the reduction in parking by constructing the eating and drinking establishment meets the parking-related requirements and does not require a Memorandum of Understanding.

9. **Preliminary Plan of Subdivision 4-97084:** The property is the subject of Preliminary Plan of Subdivision (PPS) 4-97084, which was approved by the Planning Board on January 8, 1998 (PGCPB Resolution No. 97-355), subject to four conditions. The following conditions are applicable to the review of this DSP:

1. **There shall be no additional direct access to MD 410 or Belcrest Road from either parcel within the subdivision.**

The DSP does not show any direct access to MD 410 or Belcrest Road from the eating and drinking establishment.

3. **The following note shall be placed on the Preliminary Plat prior to signature approval and on the Final Plat:**

This subdivision conforms to the requirements of the 1991 Adopted and Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone (TDOZ). Its approval in no way precludes the ultimate realization of the current TDOZ vision for this property: an eight-story community landmark hotel. This subdivision is solely for the purpose of refinancing and is not to be used as justification for any amendment to the TDOZ. This note is not to be construed as a use restriction on this property.

The note stated in Condition 3 was included in the record plat as plat note 1. The 1991 TDDP established a development capacity for this site, which would have been the capacity generally established with the PPS. Conformance to the requirements of the 1991 TDDP for the purpose of PPS conformance, and the 2016 Prince George's Plaza TDDP has been reviewed and is adequate.

4. The following note shall be placed on the Final Plat of Subdivision:

"Any additional physical development on this property shall require Detailed Site Plan approval."

The property was recorded in Plat Book VJ 186-9 on April 2, 1999. The record plat contains a note reflecting Condition 4. The applicant has submitted this revised DSP for the subject property, in part to address the requirement of Condition 4 above.

The condition for the DSP with the PPS was based on a finding that reiterated the existing zoning requirement for DSPs and was not independently required by the Planning Board pursuant to Subtitle 24. Subsequent to approval of the PPS, the zoning changed and therefore the independent requirement for a DSP by a condition of the PPS is no longer valid, based on the findings contained in the resolution of approval of the PPS. The site is subject to a DSP based on the T-D-O Zone, and not by condition of the PPS.

10. **Detailed Site Plan DSP-99044 and its amendments:** DSP-99044 was approved for construction of the Prince George's Plaza Shopping Center on April 12, 2001 (PGCPB Resolution No. 1-77). The site plan was subsequently revised 15 times. None of the approvals have any conditions that are applicable to the review of this DSP.
11. **2010 Prince George's County Landscape Manual:** Per page 190 of the Prince George's Plaza TDDP, the TDDP standards replace the comparable standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). For standards not covered in the TDDP, the Landscaper Manual shall serve as the requirement, unless explicitly stated otherwise.

The development is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The subject DSP does not substantially change the findings of conformance

made for the subject development with the previous relevant approval, DSP-99044-14. The landscaping approved with this DSP revises some of the placement and quantities.

The plant schedule has been revised to indicate the quantity and species of landscaping, but some of the landscape schedules showing conformance to the Landscape Manual have not been revised to reflect the additional landscaping that is approved with this application. Therefore, a condition has been included in this resolution requiring the applicant to revise the landscape schedules as appropriate, to reflect the new plant material.

It should be noted that the prior approval included a condition that required the applicant to submit a Certificate of Landscape Maintenance, in accordance with Section 1.7, to indicate that the required landscaping on-site has been provided or replaced prior to approval of use and occupancy permits for the freestanding restaurant, and this condition is still applicable to the subject application.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The proposal is not subject to the requirements of the Woodland and Wildlife Habitat Conservation Ordinance because it will not affect the previously approved Type II Tree Conservation Plan, TCPII-100-00.
13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that proposed more than 5,000 square feet of disturbance. The subject DSP provides the appropriate schedule demonstrating conformance to this requirement by the provision of a minimum of 10 percent of the subject site in plantings.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
 - a. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated June 12, 2019 (Stabler to Bishop), which noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required on the subject property, and this application will not impact any historic sites, historic resources, or known archeological sites.
 - b. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 27, 2017 (Sams to Bishop), which offered an in-depth discussion of the DSP's conformance with the TDDP that has been incorporated into Finding 7 above. It was noted that the 2016 *Approved Prince George's Plaza Transit District Overlay Zoning Map Amendment* reclassified the subject property into the M-U-I Zone, while retaining it within the superimposed T-D-O Zone. In addition, an analysis was provided relative to the Plan Prince George's 2035 Approved General Plan.

- c. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 19, 2019 (Masog to Bishop), which noted that there were no specific transportation requirements related to the prior approvals, and determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

Access and circulation are acceptable. MD 410 is a master plan arterial facility. Adequate right-of-way has been previously dedicated or deeded, no further dedication is required of this site. Two other master plan roadways abut the overall site, but are not adjacent to the pad site. Belcrest Road is a master plan collector roadway with a width of 100 feet. Toledo Terrace is a master plan commercial roadway with a width of 70 feet. In both cases, the current right-of-way widths are adequate, and no additional dedication is required of this site.

Given the long history of the development of the site, a discussion of the history and the associated trip cap for the Mall at Prince George's site was provided, and summarized, as follows:

PPS 4-97084 was approved pursuant to the 1992 *Approved and Adopted Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*. The traffic analysis within this document (page 118) was based on uses generating 190 AM and 300 PM additional peak-hour trips for the mall site. For purposes of understanding what was considered when the Planning Board approved PPS 4-97084, the Planning Board believes that the 190 AM and 300 PM additional peak-hour trips constitutes a trip cap for the overall site.

When the 1992 TDDP and the last traffic analysis were done, based on a review of plans and aerial photography, it is believed that 960,757 square feet existed on the site. That amount of retail space would generate 506 AM and 2,319 PM peak-hour trips. With the additional development that was analyzed for the 1992 TDDP added to the existing development in 1992, the Planning Board determined that the trip quantities of 696 AM and 2,619 PM peak-hour trips constitute the trip cap for the entire Mall at Prince George's site.

Over time, approximately 68,065 square feet were razed, and an additional 228,040 square feet were constructed. These numbers are approximate and are developed by comparing the current plans for the subject site, less the eating and drinking establishment. It appears that site plan boundaries have consistently included both Parcels A-1 and A-2, and it is believed that both banks near the intersection of MD 410 and Belcrest Road are included in all development quantities shown on the plans.

The Planning Board determined that the site, as it exists today, is developed with 1,120,732 square feet. That amount of retail space would generate 570 AM and 2,599 PM peak-hour trips. There appears to be no outstanding, valid, approved development that is

unbuilt and would need to be counted. DSP-99044-07 approved an eating and drinking establishment (Chick-fil-A) of 5,105 square feet near the southwestern corner of the site that has never been built, but the current proposal for the site subsumes most of the area to be developed by that plan.

With the addition of the square footage approved with this plan, the approval would be for 1,129,017 square feet. That amount of retail space would generate 573 AM and 2,613 PM peak-hour trips. Therefore, it is believed that the development approved with this site plan is within the presumed trip cap of 596 AM and 2,619 PM peak-hour trips approved by PPS 4-97084.

Under the trip rates in use today, it appears that a total of 1,132,600 square feet, or an additional 3,583 square feet, can be approved within the overall Mall at Prince George's site under the trip cap.

- d. **Subdivision Review**—The Planning Board adopted, herein by reference, a memorandum dated June 21, 2019 (Davis to Bishop), which offered an analysis of the DSP's conformance with the PPS conditions, which are incorporated into Finding 9 above. The Planning Board noted that the subdivision issues have either been addressed through revisions to the plans or through conditions included in this resolution.
- e. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated June 21, 2019 (Shaffer to Bishop), which analyzed the DSP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the TDDP in addition to the previous conditions of approval.

The streetscape along MD 410 was constructed consistent with Condition 5 of DSP-99044. It appears to comply with the tree and furnishing zone and sidewalk clear zone required in Table 42 of the TDDP. One sidewalk connection is provided from the public right-of-way along MD 410 and the building entrance. A plaza/patio area has been added to the plans, which integrates the building with the streetscape along MD 410, consistent with Condition 5 of DSP-99044. Bike parking is indicated on the DSP, consistent with Strategy TM8.4 of the TDDP. Handicap-accessible ramps, crosswalk markings, and signalization have been provided across MD 410 at Editor's Park Drive, consistent with Strategy TM4.4 of the TDDP. The Planning Board noted that trail issues have been addressed and no conditions of approval were included in this resolution.

- f. **Permit Review**—The Planning Board adopted, herein by reference, a memorandum dated June 12, 2019 (Larman to Bishop), and noted that the permit-related issues have either been addressed through revisions to the plans or are included as conditions in this resolution.
- g. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 19, 2019 (Juba to Bishop), which noted that a Natural Resources Inventory Equivalency Letter (NRI-080-12-01) has been issued for the site,

and that TCPII-100-00 was approved on August 7, 2001. The DSP demonstrates that the development will not result in any significant changes to the limits of disturbance of the previously approved TCPII-100-00 or create any additional impacts to any regulated environmental features. In addition, it was noted that the site has an approved SWM Concept Plan (10794-2017-00) that is valid until April 17, 2020. The Planning Board approved this application, with no environmental conditions, and noted that no revision to the TCPII is required.

- h. **Prince George's County Fire/EMS Department**—At the time of the writing of this resolution, the Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopted, herein by reference, a memorandum dated June 20, 2019 (Giles to Bishop), in which DPIE offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through DPIE's separate permitting process.
- 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**—At the time of the writing of this resolution, the Health Department did not offer comments on the subject application.
- l. **Maryland State Highway Association (SHA)**—The Planning Board adopted, herein by reference, an email dated June 05, 2019 (Woodruffe to Bishop), in which SHA indicated that they have no comments or objections for the subject application.
- m. **City of Hyattsville**—In a memorandum dated July 16, 2019 (Hollingsworth to Hewlett), the City of Hyattsville indicated that the City Council voted in support of the DSP, subject to conditions, which are incorporated into staff's recommended conditions. In addition, the City recognized the applicant's challenge in developing the pad site while meeting both stormwater regulations and the development standards, but indicated that the applicant's proposed site plan does not adequately incorporate pedestrian-oriented connectivity, and conditions recommended by the City are necessary to mitigate the building setback to align the project with the vision and land-use goals contained within the 2016 Prince George's Plaza Transit District Development Plan. An exhibit with the City's recommended layout was attached to their correspondence. Staff consulted with the City in developing a new exhibit, Staff's Exhibit #3, to merge the recommended improvements into one cohesive design, which the Planning Board approved.

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 Detailed Site Plan DSP-99044-17 for the above described land, subject to the following conditions:

- A. APPROVE the alternative development standard of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* for:
1. **Streets and Frontage, Frontage Zones** (page 208): To permit an increase in the maximum build-to line to 55 feet from the back of curb of MD 410 (East West Highway), and relocate the building to 25 feet from the north side of the existing sidewalk, subject to conditions requiring frontage improvements.
 2. **Architectural Elements, Awnings** (page 256): To allow the use of metal awnings on the building.
 3. **Downtown Core Standards, Intent: Downtown Core Mixed-Use and Nonresidential Buildings** (page 267): To allow a reduced minimum clear height of retail space and storefront fenestration of only 10 feet.
- B. DISAPPROVE the alternative development standard of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* for:
1. **Downtown Core Standards, Intent: Downtown Core Fenestration** (page 266): To allow less than 50 percent of the ground floor façade facing MD 410 (East West Highway) to be transparent materials (glass).
- C. APPROVE Detailed Site Plan DSP-99044-17 for the Mall at Prince George's Plaza – Miller's Ale House, subject to the following conditions:
1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Update the Mall Additions table on Sheet 6 and the calculations in the general notes on Sheet 4, so that the total square footage reflects the accurate square footage of the proposed restaurant building.
 - b. Revise the general notes on Sheet 4 to include reference to the site's record plat, VJ 186-9.
 - c. Revise the overall site plan (Sheet 4) so that the bearings and distances and the 10-foot-wide public utility easement are clear and legible, in accordance with the record plat.
 - d. Revise the architectural elevations to provide:
 - (1) Alternative building-mounted lighting to accent the building's architecture and compliment the surrounding site and uses.
 - (2) A scaled drawing with dimensions showing the building height.

- (3) A minimum of 50 percent of the reduced minimum clear height of the façade facing MD 410 (East West Highway) to consist of transparent materials (glass).
- e. Reduce the proposed sign dimension to conform with the maximum height of 36 inches allowed by the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone*.
- f. Provide details and specification for the menu boards shown on the southern building elevation.
- g. Revise the site plan to clarify that the proposed 8,285-square-foot eating and drinking establishment is included in the parking and loading schedule.
- h. Revise the site plan to label the height of the proposed restaurant on the building layout.
- i. Provide the site furnishings, details, and specifications for the outdoor seating/dining area.
- j. Revise the landscape schedules to show conformance to the 2010 *Prince George's County Landscape Manual*, as appropriate, to account for the newly proposed plant material.
- k. Revise the site plan, to be reviewed and approved by the Urban Design Section, as designee of the Prince George's County Planning Board, (and as may be further modified by an applicant exhibit) in accordance with M-NCPPC staff's exhibit, to include the following elements:
 - (1) Move the front building line to a maximum of 55 feet from the back of the curb of MD 410 (East West Highway).
 - (2) Remove the stormwater facilities to the southeast in front of the building and relocate the stormwater facilities to the southwest of the building and adjust the proposed western parking lot landscape island at the south. Redesign the parking area west of the building to eliminate the loop south of the stormwater facilities. The redesign shall still provide for a turnaround of the parking spaces in that area north of the plaza.
 - (3) Remove the existing brick wall along the entire length of the building's frontage on MD 410 (East West Highway).
 - (4) Locate the outdoor seating/dining area, consistent with Applicant's Photo Exhibit, adjacent to the southeast and east side of the building, extending

from the building to the adjacent existing sidewalk, and use architectural elements, which may include a wall to define the plaza space. A pergola shall be included, which will be designed to not block the views of the building. The plaza space may be level with the sidewalk along MD 410. Submit renderings and details of the outdoor seating area to the City of Hyattsville for review.

- (5) Provide site furnishings, with details and specifications, along the building's frontage on MD 410 (East West Highway) to improve the pedestrian experience and streetscape.
- (6) Introduce a gateway feature at the intersection of the access drive and MD 410 (East West Highway), west of the building.
- (7) Include a prominent pedestrian plaza to the south and west of the building, along the MD 410 frontage, to include ground lighting, landscaping, benches, prominent artistic/sculptural elements, and removal of the existing amenity wall in this area. Extend the public plaza elements into the southern frontage of the building. Submit renderings and details of the pedestrian plaza to the City of Hyattsville for review.

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 Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, July 25, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of July 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:gh