

A M E N D E D 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 26, 2001, the Planning Board approved Detailed Site Plan DSP-99048 for Landy Property with fourteen conditions in accordance with PGCPB Resolution No. 01-164; and

*WHEREAS, on September 24, 2001, the District Council elected to review DSP-99048 for Landy Property; and

*WHEREAS, on November 5, 2001, the District Council ordered DSP-99048 for Landy Property remanded to the Planning Board for an evidentiary hearing and for a revised resolution; and

*WHEREAS, on December 20, 2001, the Planning Board conducted an evidentiary hearing regarding DSP-99048 for Landy Property in accordance with the Order of Remand issued by the District Council; and

*WHEREAS, in consideration of evidence presented at [a public hearing] the evidentiary hearing on [July 26, 2001] December 20, 2001, regarding Detailed Site Plan DSP-99048 and Secondary Amendment TS-99048A for Landy Property, the Planning Board finds:

1. The subject site consists of approximately 34 acres of land in the R-10 Zone and is located northwest of the intersection of Toledo Road and Belcrest Road. This Detailed Site Plan application is for the construction of 1,283 multifamily dwelling units within Subarea 1 of the Prince George's Plaza Transit District Overlay Zone. The new construction includes two 13-story buildings (Buildings A and B), two 16-story buildings (north and south towers of Building C), and the associated parking facilities. The existing development on the site is an 11-story multifamily building containing 288 dwelling units. The existing building was constructed in the 1960s. Another similar structure is existing on the adjacent property. The existing structures and parking facilities will remain.
2. The subject site consists of two parcels, currently known as Parcel ■A• and Parcel 139. Parcel ■A• was recorded on Plat 44@ 63, in land records in 1962, and Parcel 139 is an acreage parcel. The Subdivision Ordinance does not require a consolidation plat when two or more lots or parcels are combined to make up a development ■lot.• Parcel 139 is a deed parcel created

*Denotes amendment

[Brackets] denote deletion

Underlining denotes addition

prior to January 1, 1982, according to the 1982 Tax Maps, and is therefore a legally created parcel. Section 24-111(c)(4) of the Subdivision Regulations exempts a property from resubdivision if it is the subject of a record plat approved prior to October 27, 1970, and:

(4) The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of the site, has been constructed pursuant to a building permit issued on or before December 31, 1991.

Existing Parcel ■A• contains 1,402,000 square feet of tract area. Ten percent of the site is 140,200 square feet. The existing building on site contains 307,866 square feet of gross floor area.. Based on Section 24-111(c), the project is exempt from subdivision because the existing development exceeds ten percent of the site area. However, the site plan should demonstrate conformance to Section 24-111(c)(4) of the Subdivision Regulations, by adding a note to the plans that specifically states that 307,866 square feet of gross floor area was constructed on the site pursuant to a building permit issued before December 31, 1991.

Section 24-107(c) of the Subdivision Regulations would require a plat of subdivision for an acreage parcel for development of more than 5,000 square feet. However, Parcel 139 does not propose any development within its boundaries. Therefore, a preliminary plat of subdivision is not required.

3. Section 27-548.08.(c) Required finding for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

The Transit District Site Plan is in strict conformance with any Mandatory Development Requirements of the Transit District Development Plan;

Comment: Mandatory Development Requirements consist of Primary and Secondary requirements. The Detailed Site Plan is in conformance with all Primary Mandatory Development Requirements but is not in strict conformance with all of the Secondary Mandatory Development Requirements. The applicant has filed an application for two Secondary Amendments (TS-99048A) which are explained in Finding 7 below.

4. In regard to the Primary Mandatory Requirements, the Detailed Site plan is found to conform. However, the following Primary Mandatory Development Requirements warrant discussion in the review of this Detailed Site Plan application. Each of the following District-Wide requirements applies to all the properties within the TDOZ. Those Mandatory Requirements preceded by a ■P• are primary requirements.
5. **DISTRICT-WIDE MANDATORY DEVELOPMENT REQUIREMENTS**

P1 Unless otherwise stated within the Subarea Specific Requirements, each developer, applicant, and the applicant's heirs, successors and/or assigns, shall be responsible for streetscape improvements along the entire length of the property frontage from the building envelope to face of curb. (See Figures 7, 8

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and 9. Toledo Terrace: 20-foot pedestrian zone; East West Highway: 40-foot pedestrian zone; Belcrest Road: 20-40 foot pedestrian zone.) These improvements shall be included as part of any application for building or grading permits, except for permits for interior alterations which do not constitute redevelopment as defined in the previous chapter. No building or grading permits shall be issued without a Detailed Site Plan which indicates conformance with the streetscape requirements of the TDDP. Construction of the streetscaping improvements shall be in phase with development, or the construction schedule shall be determined at the time of Detailed Site Plan. [Emphasis added]

Comment: A 20-foot-wide pedestrian zone is required along Toledo Terrace by this Mandatory Requirement. The last sentence of the Primary Mandatory Requirement above allows for the phasing of the streetscape/pedestrian zone improvements at the time of Detailed Site Plan. The staff recommends that the streetscape improvements be completed in conjunction with the construction of the first building. The applicant's proposal for the phasing of the development is flexible, based on market conditions. The applicant has stated that Building A or one of the Towers of Building C (north or south) may be the first building built. In light of the applicant's request to allow for flexibility in the phasing of the development, the staff recommends that the streetscape improvements be fully bonded prior to the release of the first building permit, regardless of which building permit is applied for.

P2 All development/redevelopment shall have a sign plan approved by the Planning Board at the time of Detailed Site Plan. This plan shall provide the sign locations(s), size, color, lettering style, construction details and material specifications including the method of illumination.

Comment: Details and specifications of the proposed signage for the property have been submitted. The proposal is for a 5-foot-high by 30-foot-wide brick entrance feature to be placed at the entrance along Belcrest Road. The face of the sign is precast concrete panel placed into the brick. The staff recommends that entrance features be provided at each of the vehicular entrances into the property. A comprehensive sign design plan should be provided prior to signature approval of the plans. The detail of the proposed signage should be modified to include a decorative concrete cap atop the pillars to enhance the entrance feature.

P20 Developers shall provide continuous sidewalks along all frontages of their property on public rights-of-way in the transit district.

Comment: This requirement assures that the pedestrian facilities be provided within the TDDP in order to facilitate Metro ridership. This section of the TDDP states:
■A principle goal of the TDDP is the provision of a safe, effective and pleasant environment for pedestrian trips. Achieving this goal will require

improvement of pedestrian circulation and mobility throughout the transit district. •

A pedestrian zone exists along Belcrest Road and one is proposed for Toledo Terrace. The property has frontage on Northwest Drive and Dean Drive, and sidewalks are proposed along these streets as well.

- P25 Any development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations, Bioretention or other innovative water quantity or quality methods shall be used where deemed appropriate.**

Comment: The Prince George's County Department of Environmental Resources (DER) is responsible for the conceptual and technical stormwater management (SWM) plan review, as well as enforcement of SWM requirements. The proposed SWM appears to consist of an extended detention pond located on the northeast end of the site. DER shall determine if bioretention or other innovative water quality methods are appropriate. The applicant has submitted a copy of the Department of Environmental Resources Stormwater Management Concept Approval letter approved August 25, 1998, and valid until August 25, 2001. This approval is evidence that the requirement above has been fulfilled. DER requires a minor revision to the Conceptual plan to revise the footprint for Building C. On-site stormwater management is designed as an extended detention pond located in the northeast corner of the site; however, the applicant has stated a desire to convert the pond into a wet pond with a fountain. The staff includes a condition that would allow this flexibility.

- P27 Within 12 months after the District Council approves the Prince George's Plaza TDDP, the Department of Environmental Resources shall make recommendations to the District Council regarding treatment of pollutants based on the *Prince George's Plaza Transit District Overlay Zone Environmental Management Plan*, July 1993. Any property owner who completes construction or receives a use and occupancy permit prior to the completion of the Department of Environmental Resources study shall comply with the findings and recommendations of the study.**

Comment: The subject site should comply with the ■Water Quality Recommendations for the Prince George's Plaza TDDP• prepared by the Department of Environmental Resources (March 1999). DER is responsible for implementation of these recommendations through the approval of conceptual and technical stormwater management plans.

- P33 Each Preliminary Plat, Conceptual and/or Detailed Site Plan shall show a 65 dBA (Ldn) noise contour based upon average daily traffic volumes at LOS E. Upon plan submittal, the Natural Resources Division shall determine if a noise study is required based on the delineation of the noise contour.**

Comment: After review of the Transit District Development Plan text, it appears that the more appropriate contour for this residential use, based on Table 8: Established Noise Standards in Transit District, would be the 55 dBA. The plans indicate that the entire site is within the 55 dBA(Ldn) noise contour. Prior to the issuance of any building permit, the building plans should be certified by an acoustical engineer that the interior noise levels should not exceed 45 dBA (Ldn).

P34 At the time of Preliminary Plat of Subdivision or Conceptual or Detailed Site Plan, the Department of Parks and Recreation (DPR) will review the site plan related to the development's impact on existing public parkland and recreation facilities. Any residential development shall meet the mandatory dedication requirements of the County Subdivision Ordinance (Subtitle 24).

The Park Planning and Development Division of the Department of Parks and Recreation has reviewed the Detailed Site Plan and recommends approval subject to conditions. The following analysis is provided in memorandum dated July 11, 2001, Asan to Lareuse:

■Staff of the Park Planning and Development Division has reviewed the above-referenced Detailed Site Plan DSP-99048 and TS-99048A. Our review considered the recommendations of the Transit District Development Plan (TDDP), the Master Plan for Planning Area 68, current zoning and subdivision regulations and existing conditions in the vicinity of the proposed development.

■The project area consists of 34.2 acres of land and includes an existing high-rise building containing 288 units on 6.6 acres of land. The applicant proposes to construct three additional high-rise buildings on the remaining 27.6 acres of the property. It's estimated that the proposed development will generate 2574 additional residents in the community.

■TDDP mandatory development requirement (P-34) states:

▲At the time of Preliminary Plat of Subdivision or Conceptual or Detailed Site Plan, the Department of Parks and Recreation (DPR) will review the site plan related to the development's impact on existing public parkland and recreation facilities and the need for additional parkland and recreation facilities. Any residential development shall meet the mandatory dedication requirements of the County Subdivision Ordinance (Subtitle 24).▲

■Staff met with the applicant and developed a mutually acceptable
▲Recreational Facilities Package▲ which includes the following:

- A The donation of 4.0 acres of off-site public parkland for active recreation located in the northwest section of Parcel 102 on Tax Map 32, Grid F-4. (known as the Clay Property).
- A The dedication of 0.8027 acre adjacent to the Prince George's Plaza Community Center.
- A The provision of private recreational facilities located on private open space.

■Staff believes that this *package* meets mandatory dedication requirements for the subject property and Clay Property.

■Staff further agreed to the designation of an area of University Hill Community Park south of Dean Drive for a stormwater management area for the development of the Landy Property.

■Staff recommends that approval of the subject Detailed Site Plan, DSP-99048, and TS-99048A be subject to the following stipulations and recommendations:

- 1. The Developer shall donate 4 acres of off-site land to the Commission for use as public parkland. The donated land shall be located on the northwest section of Parcel 102 (Tax Map 32, Grid F-4) as shown on attached Exhibit *B* and known as the Clay Property. The parkland will be an addition to the University Hills Community Park. The balance of the Clay Property shall be exempt from mandatory dedication requirements when the property is subdivided.
- 2. The Developer shall dedicate 0.8027 acre adjacent to the Prince George's Plaza Community Center, known as P/O of Parcel 67 on Tax Map 42, Grid A-1, as shown on attached Exhibit *A*.
- 3. The land shall be conveyed to the Commission for public parkland prior to issuance of grading permit for construction on the Landy Property. The property shall be subject to conditions of attached Exhibit *C*.
- 4. Following the conveyance of the properties described above, the Commission shall designate an area of University Hills Park south of Dean Drive for the stormwater management area for the development of the Landy Property. The developer shall build this stormwater management facility as an attractive amenity for this area. The Department of Parks and Recreation shall review and approve the design of the facility prior to grading permit. The DPR

may require a performance bond and prior to issuance of grading permits.

- 5. The applicant, his successors, and/or assigns shall provide adequate, private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
- 6. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to signature approval of the Detailed Site Plan, DSP-99048, and TS-99048.
- 7. A site plan shall be submitted to the Development Review Division (DRD) of the Prince George's County Planning Department, which complies with the standards outlined in the Parks and Recreation Facilities Guidelines.
- 8. Submission of three original, executed private Recreational Facilities Agreements (RFA) to the DRD for their approval, three weeks prior to applying for building permits. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
- 9. Submission to the DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits.
- 10. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.●

Comment: The conditions above have been included in the Recommendation section of this report. The applicant has included the following recreational facilities on the plan:

- 1. Two tot-lots.
- 2. Two pre-teen lots.
- 3. One basketball court.
- 4. One volleyball court.

One tot-lot and one pre-teen lot have been located near Buildings A and B. The remaining facilities have been shown on a podium above the parking garage in association with Building C. These recreational facilities have been located, but have not been properly detailed in accordance with the Parks and Recreation Facilities Guidelines. The staff recommends that the plans be revised prior to signature approval to demonstrate conformance to the Parks and Recreation Facilities Guidelines.

6. **SUBAREA 1 MANDATORY DEVELOPMENT REQUIREMENTS**

The following Subarea 1 Primary Mandatory Development Requirements are contained within the TDDP and warrant discussion:

P35 The minimum building height shall be 6 stories above grade.

Comment: The proposed minimum building height for this project is 13 stories. Buildings A and B are proposed as 13-story structures.

P36 The maximum building height shall be 16 stories above grade.

Comment: The proposed maximum building height for this project is 16 stories. The north and south towers for Building C are 16 stories.

P37 A minimum 75-foot-wide undisturbed tree preservation buffer shall be preserved along Dean Drive; and a minimum 50-foot-wide tree preservation buffer shall be provided along Northwest Drive. A minimum 100-foot-wide undisturbed tree buffer shall be provided along the northwest perimeter of the site (See Figure 26.) The buffer along Northwest Drive may be reduced if the undisturbed buffer along the northwest perimeter is increased by an equal amount.

A minimum 50-foot-wide disturbed buffer shall be provided along the northeast perimeter of the site. Afforestation and reforestation will be required in this area. The retention of woodland along the perennial stream located on the eastern portion of Subarea 1 shall be required. The remainder of the woodland conservation requirements shall be determined at the time of Detailed Site Plan. Such conservation requirements shall be provided on-site. This requirement shall not preclude any necessary site entrances or utility installations. Site entrances shall be located so that they do not disturb existing specimen trees of 30 inches diameter at breast height (dbh) caliper or greater.

Comment: The applicant has shown a 75-foot-wide tree preservation buffer along Dean Drive, which is located directly adjacent to the right-of-way line. The plan shows supplemental plantings which increase the woodland buffer to 100 feet. The applicant has shown a tree preservation buffer along Northwest Drive, adjacent to the right-of-way. The

proposed tree preservation buffer does not meet the minimum 50-foot-wide requirement of the TDDP. However, the plan indicates additional woodland conservation along the northwest perimeter as noted below in the review of the northwest perimeter.

The plan shows an existing parking lot in the southwest corner of the site along Northwest Drive as part of this application. A tree preservation buffer cannot be provided since no trees currently exist; however, the provision of a landscape buffer adjacent to Northwest Drive would complement the streetscape plan for the TDOZ. The buffer provided is more than the minimum 35-foot width required by the Woodland Conservation Ordinance and may also be credited toward fulfillment of the woodland conservation requirement.

The required 100-foot-wide undisturbed buffer has been provided along the northwest perimeter of the site, adjacent to the school property.

Based on the comments above, the 50-foot-wide tree preservation buffer has not been fully retained along Northwest Drive. The reduction in the buffer along Northwest Drive, approximately 3,831 square feet, has been more than minimally offset by the retention of an additional buffer, approximately 29,202 square feet, along the northwest perimeter.

The area for the minimum 50-foot-wide buffer on the northeast perimeter includes wooded and unwooded areas. The unwooded areas were known at the time the TDDP text was written, as indicated by the requirement for afforestation. The plan shows extensive afforestation and reforestation in this area.

Existing woodlands along the perennial stream in the northeast corner of the site have been retained.

Woodland conservation requirements will be addressed under general comments. The plans show all woodland conservation on-site.

The locations of all specimen trees, with a delineation of their critical root zone (CRZ), are shown on the Site Plan. Site entrances have been located so that they do not disturb existing specimen trees.

P38 A survey of specimen or historic trees is required at the time of application for a Detailed Site Plan, Preliminary Plat of Subdivision or Grading Plan. This survey shall include the health and vigor of the trees. All efforts shall be made to preserve those specimen and historic trees identified. Justification must be provided in the event that preservation will not occur.

Comment: The locations of all specimen trees, with a delineation of their critical root zone (CRZ), are shown on the Site Plan. A list of the specimen and historic trees, including their species, size, condition, CRZ, and proposed disposition, has been submitted. A justification has been provided for review when preservation will not occur.

P39 Three-bedroom units shall be permitted only when developed as condominiums.

Comment: The project is proposed to be developed as one- and two-bedroom dwellings only.

P40 TDDP streetscape improvements shall only be required for the entire length of Toledo Terrace adjoining Subarea 1.

Comment: The subject property has frontage on Toledo Terrace, Belcrest Road, Dean Drive and Northwest Drive. The plans indicated streetscape improvements as defined in **P1** and **S8** along Toledo Terrace only.

7. In addition to the Primary Mandatory Requirements listed above, the application is also subject to the Secondary Mandatory Development Requirements. The applicant has filed an application for a Secondary Amendment (TS-99048A) which are explained below with the staff analysis and recommendations.

S8 All property frontages shall be improved in accordance with Figures 7, 8 and 9 in order to create a visually continuous and unified streetscape.

Comment: The applicant is requesting the approval of this amendment in order to preserve the mature Oak trees along the property frontage along Toledo Terrace. These existing Oak trees provide substantial shade along Toledo Terrace and contribute substantially to the environmental quality of that area. In the applicant's Statement of Justification in Support of the Secondary Amendment, the following justification is provided:

■Development Guideline S8 requires a streetscape on Toledo Terrace in accordance with Figure 8 on page 32 of the TDDP. This figure calls for a pedestrian zone 20 feet in width with an 8-foot grass strip next to the street curb and a 12-foot sidewalk. New street trees are shown placed within the 8-foot grass strip.

■Currently, there are numerous existing large (15-20" diameter) Oak trees along Toledo Terrace. They are located outside the existing sidewalk approximately 15 to 18 feet from the edge of paving. In order to provide the streetscape shown on page 32 of the TDDP, the Applicant will be forced to remove the existing mature Oak trees. These mature trees would be replaced with 3.-4 caliper Oaks in accordance with page 33 of the TDDP. Because the existing four to five foot wide sidewalks is located between the existing trees and the edge of curb, the sidewalk can only be widened to approximately eight feet without impacting the existing mature Oak trees. Maintaining the existing trees and widening the sidewalk to the extent possible will provide a streetscape that is as good as or better than that which would be created by S8 and will provide a visually continuous and unified streetscape along Toledo Terrace.

■The Urban Design section of the TDDP is intended to help achieve an overall design character through the Transit District Overlay Zone. This section helps to achieve the

TDOZ purpose to ensure developments within the transit district possess a desirable urban design relationship with one another, the Metro Station and adjoining areas. The secondary amendment proposed by the Applicant helps to achieve these purposes by preserve [sic] existing, mature Oak trees and providing a unified streetscape along Toledo Terrace.

■The streetscape development guidelines are intended to establish a sense of identity for the area. The existing mature Oak trees and sidewalks have established an identity for Toledo Terrace. The existing trees provide a desirable and shady pedestrian zone. Since the Applicant is not proposing any construction activities that will disturb the existing streetscape, we believe that preserving the existing mature trees will be more beneficial in maintaining the identity of Toledo Terrace than would be achieved by strict compliance with this guideline through destruction of these trees. Finally, maintaining the existing trees and widening the sidewalk to the extent possible satisfies the intent of the TDDP to create an identity for the area.

■The original intent of the streetscape development guideline is still fulfilled in that new sidewalks and existing trees along Toledo Terrace provide a well-designed streetscape and sense of identity for this area. The Toledo Terrace frontage of the Applicant's property is already developed with existing high-rise buildings and the Applicant is not proposing any new development along this frontage.

■For the reasons stated herein, the Applicant respectfully requests that this Secondary Amendment to Mandatory Development Guideline S8 of the TDDP for the Prince George's Plaza TDOZ be approved in conjunction with the approval of SP-99048 for Subarea I to permit the preservation of mature Oak trees on Toledo Terrace at the frontage of the site.●

The Community Planning Division, in a memorandum dated June 8, 2001, Fisher to Development Review Division, offered the following analysis:

■The applicant has applied for a Secondary Amendment because the proposed streetscape does not conform to Figure 8 (p. 32). Instead, the applicant proposes to retain the existing oaks. We concur that this will result in a superior streetscape and recommend approval. However, the six Willow Oaks (3 - 4" cal.) shown on the applicant's Streetscape Plan for Toledo Terrace will need to be included within the Landscape Plan plant schedule (sheet L- 2 of 7); see Figure 9 (p.33) of the TDDP.●

Comment: The Urban Design staff supports the secondary amendment because the existing trees along Toledo Terrace provide for a substantial urban design element. In order to comply strictly to the requirements of S8 above, the impact to the existing trees' root system would be substantial and may even require the removal of the trees.

The plans indicate streetscape improvements consisting of replacing the existing four-foot-wide sidewalk with an eight-foot-wide sidewalk and preserving the existing shade trees along Toledo Terrace. The construction process of removing the existing sidewalk and creating a new sidewalk that is of the same material and size as the sidewalk detailed in the TDDP may impact the root systems of the existing trees to such an extent that it may cause

premature decline of the trees. This risk is not worth taking considering the quality of the streetscape as it exists today. There are minor improvements that should be done at this time to further enhance the streetscape in the approval of the plans, but these improvements would be limited to the development of a tree assessment plan by a licensed arborist and incorporating those changes into the approval of the plan. The details and specifications for the development of the streetscape are consistent with the TDDP as stated on page 30:

■It is the intent of this TDDP to continue the strong sense of identity that has been established along Belcrest Road through public investment of streetscape improvements. All future development/redevelopment within the transit district shall conform to the streetscape standards of Belcrest Road . . . Modification of these standards is only permitted where justification is provided and if determined to be equal or better than the existing improvements along Belcrest Road. Modifications must be consistent and compatible with the existing improvements along Belcrest Road.●

The proposed modifications to the details of the streetscape improvements will minimally affect the root systems of the existing trees within the right-of-way. The proposal for the design of the streetscape is similar to the improvements within Belcrest Road as delineated in Figures 7, 8 and 9, and will be compatible to those improvements.

S23 All surface parking lots shall be screened from view of roadways by the use of both a low opaque wall and an evergreen hedge (See figure 7), unless they are providing short-term parking for ten cars or fewer.

Comment: Again, the applicant is requesting the approval of this amendment in order to preserve the mature Oak trees located along the property frontage between the roadways and the existing parking facilities (associated with the existing 11-story building on site) on Toledo Terrace and Belcrest Road. In the applicant's Statement of Justification in Support of the Secondary Amendment, the following justification is provided:

■Development Guideline S23 requires the screening of the parking lots on Belcrest Road and Toledo Terrace in accordance with Figure 7 on page 29 of the TDDP. This figure calls for construction of a low wall to screen the parking lot from the roadway.

■Currently, there are numerous existing, large (15-20" diameter) Oak trees with full canopies located along both Belcrest Road and Toledo Terrace. The trees are located along the property line, and inside the property line at some locations, approximately 15 to 20 feet from the edge of the existing parking lots. In order to install the low wall shown on page 29 of the TDDP, the Applicant would endanger the existing trees because the wall would be located within the critical root zone and the required excavation will endanger the root system. The Applicant cannot comply with S23 without jeopardizing the existing mature Oak trees. Maintaining the existing trees and providing a 10-foot landscape strip between the parking lot and the adjacent right-of-way will provide screening that is as good or better than that which would be created by S23 and will protect the mature trees along Belcrest Road and Toledo Terrace.

■The Parking and Loading section of the TDDP is intended to provide screening for surface parking throughout the Transit District Overlay Zone. The secondary amendment proposed by the Applicant helps to achieve this purpose by preserving existing, mature Oak trees while still providing landscape screening for the parking areas along Belcrest Road and Toledo Terrace. The Applicant previously requested a Secondary Amendment to S8 in order to preserve mature trees along Toledo Terrace.

■The existing trees provide a desirable and shady pedestrian zone. Since the Applicant is not proposing any construction activities in the area of the existing parking lots that will disturb the existing trees, we believe that preserving the existing mature trees will be more beneficial than strict compliance with this guideline through destruction of these trees. Finally, maintaining the existing trees and providing the landscape strip satisfies the intent of the TDDP to provide screening for these existing parking areas.

■For the reasons stated herein, the Applicant respectfully requests that this Secondary Amendment to Mandatory Development Guideline S23 of the TDDP for the Prince George's Plaza TDOZ be approved in conjunction with the approval of SP-99048 for Subarea I to permit the preservation of mature Oak trees on Belcrest Road and Toledo Terrace along the frontage of the site.●

Comment: The staff agrees with the applicant's request to delete the requirement for the wall within the existing landscape strip to screen the front of cars along Toledo Terrace and Belcrest Road. The plan proposes shrub plantings that will act as a low screen for the front of the parked vehicles. Deletion of the wall will prevent root disturbance that may impact the health and vigor of the existing trees. The retention of the existing trees along the right-of-way provides for a shaded streetscape, desirable to the future pedestrians; therefore, the staff recommends support of this secondary amendment.

8. Section 27-213.06(c)(3)(B), Required Findings for Secondary Amendment of Transit District Development Plan:

- (i) **The requested Secondary Amendment is in compliance with the requirements for the approved Transit District Development Plan as set forth in Section 27-548.08 (c).**

Comment: The requested Secondary Amendments are in compliance with the requirement of the TDDP in that the Detailed Site Plan meets all of the applicable regulations of the underlying zone; the building, parking, loading and pedestrian facilities are designed to maximize safety and efficiency; and each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with the existing and proposed adjacent development.

- (ii) **The requested Secondary Amendment is in conformance with the purposes of the Transit District Overlay Zone.**

Comment: The proposed Secondary Amendments are in conformance with the applicable purposes of the TDOZ. Specifically, the amendments to S8 to modify the streetscape improvements along the property frontage and S23 to delete the requirement for a wall to screen the parking are necessary to accomplish an efficient design for the proposed development and will therefore provide the necessary flexibility in the design and layout of the buildings and structures to promote a coordinated and integrated streetscape development scheme.

(iii) The original intent of the Transit District Development Plan element or mandatory requirement being amended is still fulfilled with the approval of the Secondary Amendment.

Comment: Given the nature of the existing improvements and the desire to protect the quality of the existing mature Oak trees near the right-of-way, the requested amendments are justified and fulfill the original intent of the Transit District Development Plan.

9. In addition to the Secondary Requirements for which the applicant is requesting amendments, the following District-Wide Secondary Mandatory Development Requirements warrant discussion:

S3 All primary and secondary walkways shall be well lighted to a minimum of 1.25 foot candles.

Comment: The applicant submitted a photometric plan with the original submission but some of the information was missing. The staff recommends that the applicant provide lighting information on the plan prior to signature approval that includes the details and specifications for the street lighting fixtures within the streetscape along Toledo Terrace. A photometric plan shall demonstrate that the primary and secondary walkways within the development will be lighted to a minimum of 1.25 foot candles.

S5 All primary and secondary pedestrian routes shall be constructed using special paving materials. (See Figure 7 for crosswalks.)

Comment: The sidewalks along all the streets provide for special paving materials. However, the plans should be revised prior to signature approval to indicate that a crosswalk has been provided at the vehicular entrances into the development along Toledo Terrace and Belcrest Road, including the existing driveways.

S11 All street trees shall be limbed up to a minimum of 6 feet above grade.

Comment: The plan should be revised to provide a note that states that street trees will be limbed up to a minimum of six feet.

- S14 Building materials shall be high quality, enduring and distinctive. Exterior building materials such as pre-cast concrete brick, tile and stone, are encouraged.**

Comment: The application includes proposed architectural elevations showing pre-cast concrete at the base of the buildings and exterior insulation finish system (EIFS) elsewhere. The greatest amount of detailing of the buildings is provided at the pedestrian level and at the top of the structures so it will be visible from a distance. The color selection is beige, compatible with the two existing structures on the site.

- S24 All lighting poles, fixture designs, light retention and level of illumination shall be coordinated throughout the transit district to achieve a recognizable design, and be consistent with the streetscape construction drawings provided in Appendix A.**

Comment: The light fixtures and poles have not been shown on the plan and the staff recommends that a condition be added to provide light fixtures and poles consistent with the TDDP.

- S25 All lighting shall have a minimum level of 1.25 foot candles, and shall be provided for all outdoor spaces, plazas, parking lots, etc., for the safety and welfare of all users.**

Comment: The staff recommends that a photometric plan demonstrate that primary and secondary walkways and parking compounds within the development will be lighted to a minimum of 1.25 foot candles.

- S29 The location and number of bicycle lockers, racks and other features shall be determined at Detailed Site Plan.**

Comment: Prior to signature approval, the Detailed Site Plan should be revised to include a minimum of 1 bike rack(s) (for 15 bikes) per building, for a total of 60 bike parking spaces.

- S31 At the time of Detailed Site Plan, the number of trash cans and locations shall be shown on the plan. Trash receptacles should be placed in strategic locations to prevent litter from accumulating in and around the proposed development.**

Comment: Prior to signature approval, the Detailed Site Plan should be revised to include trash receptacles along the streetscape of Toledo Terrace and the details and specifications should also be provided.

- S32 Prior to the final inspection and sign-off of permits by the Sediment/Stormwater or Building Inspector, any storm drain inlets associated with the development and all inlets on the subject subarea shall be stenciled**

with ■Do Not Dump, Chesapeake Bay Drainage.● The Detailed Site Plan and the Sediment Control Plan (in the sequence of construction) shall contain this information.

Comment: Prior to signature approval, the Detailed Site Plan and the Sediment Control Plan should be revised to include notes and details necessary to implement the stenciling of storm drain inlets.

S36 All Conceptual and Detailed Site Plans shall be referred to the County Police Department for review and comments pertaining to the impact on police services.

Comment: In accordance with the 1998 TDOZ document, it was recommended by the Fire Department that a medivac landing area with adequate vehicle access, lighting and glide path be designated within the Prince George's Plaza Transit District. Because the Home Depot, USA, Inc. site (SP-99006), which is southwest of East West Highway and Toledo Terrace, has been approved for the location of the medivac landing, the requirements of the transit district have been met. The applicant therefore will not be required to provide a medivac landing area.

The proposed site is within the service area for District I- Hyattsville. The staff conclude that the existing county police facilities will be adequate to serve the proposed residential use.

10. The following Subarea 1 Secondary Mandatory Development Requirements are contained within the TDDP and warrant discussion:

S37 The proposed architecture shall be enduring, high quality, distinctive and compatible with the existing buildings on Subarea 1.

Comment: The application includes proposed architectural elevations showing pre-cast concrete at the base of the buildings and exterior insulation finish system (EIFS) elsewhere. Detailing of the buildings is provided at the pedestrian level and at the top of the structures so it will be visible from a distance. The color selection is beige, compatible with the two existing structures on the site. The proposed architectural elevations fulfill the requirements of compatibility as stated above; however, the staff has concerns about the architectural design of Building C. The staff recommends that elevation 3 of the south wing and elevation 4 of the north wing include an architectural element to provide some relief from the monotonous appearance as currently designed.

S38 Rental residential units shall provide an increase in luxury through architectural features, building construction and added amenities to the site and units.

Comment: The applicant has provided the following description of the amenities of the site in a letter dated June 28, 2001, from Elliot Gitlin, Registered Architect, to Susan Lareuse:

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■For your evaluation this office submits the following items as evidence of my client's desire to provide a luxury development as noted in Paragraph S 38 (Page 97) of the development guidelines.

■Under Paragraph G 53 (pages 42 & 43) the buildings will have the following amenities:

■A. GENERAL

- 1. Party and community rooms will have a fully equipped kitchen . building with fireplace).
- 2. A furnished lobby including 24 hour lobby attendant(s) manning a centrally located front desk and 24 hour answering service.
- 3. A fully furnished fitness facility, including interior heated swimming pools, wading pools and spas, lockers, toilet facilities and shower rooms.
- 4. A well illuminated porte cochere in all main lobbies that is visible from the front desk.
- 5. Well landscaped gardens that soften the exterior parking lots as well as an undisturbed heavily treed buffer area.
- 6. A business and computer center in a separate room adjacent to the lobby in all of the building main lobbies.
- 7. Card and game rooms.
- 8. A day care center attended by qualified and license personnel.
- 9. Well illuminated indoor assigned parking spaces with strategically located video cameras and a roaming security guard. The entry into the garage is by a TESA control activated garage door with restricted entry for tenant access only. All elevator and stairways will also required [sic] a TESA security system.

■B. TENANT AMENITIES

- 1. Wall to wall carpeting for all sleeping and living areas. Bathrooms will have ceramic tile floor and wainscot. The tub/shower will be fully tiled.
- 2. Floor to ceiling, which is 8'-8" clear will have crown molding in the living area. Due to setback restraints the clear ceiling height of 9'-0" could not be achieved.
- 3. A fully equipped kitchen as noted in Paragraph G 53 with the exception of a trash compactor. This office's experience with residential trash compactors has been unsatisfactory and they are a constant maintenance headache. Instead of individual compactors, our plan locates a central trash chute to a commercial trash compactor conveniently located near the loading area. By providing for a central trash room, it also makes the tenant conscious of environmental recycling by providing recycling bins in each trash room on every floor.
- 4. Each residential unit will have on-demand heating or air conditioning that is thermostatically controlled.
- 5. Full size stacked washer/dryer unit.
- 6. Separate bathroom for master bedroom.
- 7. For energy, safety and furniture placement reasons, the windows start 2'-6" above the finish floor and are 4'-6" high. The energy code is strict and to

have a large expanse of glass will waste considerable energy even with insulated glass.

- 8. Most units have walk-in closets. In some instances the path dictates the depth of the closet as shown at the entry foyer.
- 9. All units will be pre-wired for cable and telephone with a master antenna located on the roof.
- 10. Our past history in providing balconies in the units is not good. Aside from making the exterior of the building unattractive and unsafe, they are a substantial maintenance problem and a potential fire hazard created by outdoor cooking.
- 11. The setback requirements restrict the use of cathedral ceilings at the top floor. Additionally, roof drainage is difficult to achieve.

■In conclusion, it is our intent to provide for a dignified building and not one that could possibly be *trendy* and within a few years not be *in style.* The massing of the building as well as its height demand a quiet and dignified elegance and not a cluttered look. It is the intention of the designer to provide a light colored building rather than a heavy (dark) and busy facade as is existing at adjacent buildings.●

The District Council in their Order of Remand, requested the applicants proffers above added as conditions of approval of a revised Planning Board Resolution. These proffers with slight modifications have been included as conditions of approval. Furthermore, the Order of Remand included additional conditions for increased amenities for the site and apartment units for Planning Board consideration. The additional conditions have also been included as conditions of approval except for the following two conditions which warrant discussion:

19. Before approval of any revised Planning Board resolution to approve the application, the applicant shall provide new renderings to the Planning Board or its designee, to show details of the entrance area, the main lobby, and from and rear building facades.

Comment: The applicant provided new renderings for the Planning Board review of the details of the entrance area, the main lobby and the front and rear building facades. The Planning Board found the renderings acceptable.

21. Gas fireplaces shall be provided in all units, unless the applicant demonstrates and the Planning Board or its designee finds that gas devices would be a substantial safety hazard.

*Denotes amendment

[Brackets] denote deletion

Underlining denotes addition

*Comment: The applicant has repeatedly stated that gas fireplaces are a hazardous condition in multi-family housing, and is not willing to agree with the condition.

11. Section 27-548.08.(c) Required finding for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

The Transit District Site Plan is consistent with, and reflects the Site Design Guidelines and criteria contained in the Transit District Development Plan;

The Site Design Guidelines are criteria for the development and are generally performance standards which the Planning Board uses in reviewing Detailed Site Plans. The Detailed Site Plan is in general conformance with all of the Site Design Guidelines; however, the following guidelines warrant discussion:

G5 Building facades should be varied and articulated to provide visual interest. Arcades, bay windows and balconies should be provided where appropriate to define and enhance the pedestrian experience.

Comment: As stated earlier in this report, some of the proposed architectural elevations lack sufficient interest in design, particularly the north and south wings of the north and south towers of Building C. These facades should be enhanced with some articulation or other feature. The staff recommends that the architectural elevations be revised prior to signature approval to provide for a change in the facade to create more visual interest.

12. Section 27-548.08.(c) Required findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone and applicable regulations of the underlying zones;

Comment: The following chart demonstrates conformance to the underlying zone:

The development data is as follows:

Zone	R-10
Total Site Area	34.22 acres
Area within 100-year floodplain	0 acres

*Denotes amendment
[Brackets] denote deletion
Underlining denotes addition

Net Tract Area	34.22 acres
Proposed Use	Multifamily Dwellings
Density Permitted (48 D.U.s / net tract acre)	1,642 units
Density Proposed	1,571 units
Existing No. of Units	288 units
Proposed No. of Units	1,283 units
Building A	270 units
Building B	218 units
Building C	795 units
Existing Parking (to remain)	316 surface spaces
Parking Proposed	178 surface spaces
	<u>2,618 structured spaces</u>
Total Parking Proposed	3,102 spaces
Loading	
1 Loading Space Required for 100-300 Dus	1 space
Plus 1 space for each additional 200 Dus	<u>7 spaces</u>
Total Loading Required	8 spaces
Total Loading Proposed	8 spaces
Minimum Green Area Required (50%)	17.1 acres
Green Area Provided (60%)	20.4 acres

13. Variance Requests: The Detailed Site Plan is in conformance with the regulations governing development in the R-10 Zone and the *Landscape Manual* except as specified in the request for a Variance, VD-99048A. The applicant is requesting a variance from Section 27-442(e) and 27-442(i). Section 27-442(e) of the Zoning Ordinance requires a minimum 10-foot side yard setback, with a total 30-foot side yard setback for both yards, plus 1 foot for each 2 feet the building exceeds 36 feet in height. The second variance requested is for a guardhouse located at the entrance to the development. Section 27-422(i) requires a setback of 60 feet from the front street line for accessory buildings. The applicant provides the following justification statement:

*Denotes amendment

[Brackets] denote deletion

Underlining denotes addition

■The Applicant has requested approval of Detailed Site Plan SP-99408 for development of the remaining area of Subarea 1 of the Prince George's Plaza TDOZ. A portion of Subarea 1 is already developed with an 11-story apartment building that was constructed in the 1960's. At the time of construction of this building, it was on the same lot as an adjacent 13-story apartment building. Subsequent to construction of the two buildings, the property was subdivided. As a result of the subdivision, the adjacent 13-story building is now on a separate lot that is not a part of Subarea 1 and the 11-story apartment building in Subarea 1 is located 24.1 feet from the property line of that lot. The Applicant is requesting a variance from the setback provisions of Section 27-442(e), Table 4 of the Zoning Ordinance, that requires a minimum 10 foot side yard setback, with a total 30 foot side yard setback for both yards, plus one foot for each two feet the building exceeds thirty-six feet in height. The 11-story building is 99 feet tall. Based on this building height, calculated based on the Zoning Ordinance calculation of building height on a through lot, the building would be required to have a 51.5-foot building setback. As stated before, this existing building is located 24.1 feet from the property line. Therefore, a 27.4 feet variance from this requirement is requested in order to validate the existing 11-story apartment building included in Subarea 1.

■The Applicant proposes to locate a guardhouse at the main entrance to the project on Adelphi Road. Section 27-442(i) Table VIII requires a 60 foot setback from the front street line for accessory buildings in the R-10 zone. The guardhouse will provide a secured environment for the type of luxury development proposed by the Applicant. The Applicant proposes to locate the guardhouse 15 feet from the front street line. This location is necessary in order to provide an appropriate turning radius for garbage trucks and other trucks leaving the site. Thus, a variance of 45 feet is requested from Section 27-442(i) of the Zoning Ordinance.

■The Planning Board may grant a variance in conjunction with approval of a Detailed Site Plan if it makes the following findings:

■(i) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional conditions, or other extraordinary situations or conditions.**

■The subdivision of the subject property after construction of the new buildings created the extraordinary situation of placing the new property line too close to the 11-story building. At the time the separate lot was created, the property owner was not aware of the situation and it was not brought to his attention at the time of the subdivision since both buildings existed, and the 11-story building was not the subject of the subdivision. Thus, it appears that focus was only on the setback for the 13-story building that was the subject of the new subdivision. This extraordinary situation makes it impossible for the Applicant to meet the current setback requirements.

■The guardhouse is an important element of the security system provided for this development. Without a variance, the Applicant cannot provide an adequate turning radius for trucks, including garbage trucks, leaving the site. Because of the site layout, there is no other location for the guardhouse that will provide the required turning radius. Without the variance, the Applicant will be faced with the extraordinary situation of being forced to delete an important element of the security system; an element that is essential to the success of luxury apartment development, and is in accordance with the TDOZ recommendation for security.●

Comment: The staff agrees with the applicant's statements above in regard to the existing 11-story building. The approval of the separate lot after construction of the building and the inadvertent creation of this instance of nonconformance with the Zoning Ordinance is an extraordinary situation which justifies Planning Board approval of the requested side yard variance.

The location of the guardhouse and entrance drive off of Belcrest Drive is the optimum location based on the existing features of the site. In order for the guardhouse to be effective and to provide for efficient circulation on-site, a variance is necessary and approval of the variance is justified by the conditions on the site.

■(ii) **The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property.**

■An existing 11-story apartment building, constructed in the 1960's is located 24.1 feet from the property line. The current Zoning Ordinance requires a setback of 51.5 feet from the property line because of the building height. The Applicant will suffer exceptional or undue hardship if he is required to demolish or in some way move the building 51.5 feet in order to meet the required setback. In addition, undue hardship would also be suffered by current residents of the building if the Applicant were required to move or demolish the existing building to meet the side yard setback.

■The guardhouse provides an important amenity for the type of luxury development favored by the TDOZ. In order for the guardhouse to be effective, it should be located close to the entrance to the property as proposed by the Applicant. If the guardhouse is required to be setback 60 feet, it would have to be deleted from the plan because any location other than the one proposed on the site plan will interfere with trucks leaving the site since an adequate turning radius will not be possible. Without the variance, the Applicant will suffer practical difficulties by being forced to delete one of the important amenities of the project, the guardhouse, and will not be able to (1) provide the type of secure environment necessary for this type of project, or (2) provide the type of security recommended by the TDOZ.●

Comment: The staff agrees with the applicant's argument above in regard to the 11-story building and the guardhouse. It would be an undue hardship to the applicant to require deletion of the guardhouse, thereby reducing the desired security and then require additional security measures.

■(iii) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

■The Property is zoned R-10 and the apartment building has existed on this site for more than 30 years. The TDOZ recommended high rise residential development for the Property. In addition, the TDOZ recommends security for residential development. The guardhouse is an important element of the overall security system. Approval of these variances will not substantially impair the intent, purpose, or integrity of the Master Plan or the Prince George's Plaza TDOZ.●

Comment: Granting the applicant's request for approval of the aforementioned variances will not impair the intent, purpose or integrity of the master plan or the TDOZ in any way.

14. Section 27 548.08(c) Required findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

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;

Comment: The layout of the development minimizes conflicts between pedestrian and vehicular circulation systems, provides for coordinated architectural building style and materials, provides adequate open space areas for landscaping to screen undesirable views, provides for safe and efficient parking and loading areas, and is adequate to meet the purposes of the TDOZ.

15. Section 27-548.08(c) Required findings for a Detailed Site Plan in the Transit District Overlay Zone (TDOZ).

Each structure and use, in the manner proposed, is compatible with other structures in the Transit District and with existing and proposed adjacent development.

Comment: If the conditions of approval are adopted, the proposed buildings will be architecturally coordinated in terms of building materials and style and are situated on the site in a manner which is compatible with the surrounding existing and proposed development.

16. The Detailed Site Plan application is subject to the following sections of the *Landscape Manual*: Section 4.1, Residential Requirements, Section 4.3, Parking Lot Requirements, Landscape Strip Requirements and Interior Planting, Section 4.4, Screening Requirements and Section 4.7, Buffering Incompatible Uses. The Detailed Site Plan demonstrates that it is in general conformance with all applicable sections of the *Landscape Manual*. However, a schedule to demonstrate plant quantities for Section 4.7 should be added to the plans, and the details and specifications of the gates which screen loading spaces should be added to the plans.
17. The Countywide Planning Section reviewed the above-referenced plan according to the requirements of the adopted *Prince George Plaza Transit District Development Plan*. The following analysis of the adequacy of public schools is provided for information purposes only:

Findings for Tower A

Building Permit Test for Affected Public Schools			
	Affected School Name		
	University Park Elementary School	Nicholas Orem Middle School	Northwestern High School
D.U. by Type	270 MFD	1,283 MFD	1,283 MFD
Pupil Yield Factor	0.24	0.06	0.12
Development Pupil Yield	64.80	76.98	153.96
9/2000 Enrollment	615	843	2,084
Adjusted Enrollment	0	0	0
Total Projected Enrollment	679.80	919.98	2,237.96
State Rated Capacity	546	873	2174
Projected% Capacity	124.51%	105.38%	102.94%
Source: Prince George's County Planning Department, M-NCPPC, January 2001			

Findings for Tower B

Building Permit Test for Affected Public Schools			
	Affected School Name		
	University Park Elementary School	Nicholas Orem Middle School	Northwestern High School
D.U. by Type	218 MFD	1,283 MFD	1,283 MFD
Pupil Yield Factor	0.24	0.06	0.12
Development Pupil Yield	52.32	76.98	153.96
9/2000 Enrollment	615	843	2,084
Adjusted Enrollment	0	0	0
Total Projected Enrollment	667.32	919.98	2,237.96

State Rated Capacity	546	873	2,174
Projected% Capacity	122.22%	105.38%	102.94%
Source: Prince George's County Planning Department, M-NCPPC, January 2001			

Findings for Tower C: North and South

Building Permit Test for Affected Public Schools			
	Affected School Name		
	Carole Highlands Elementary School	Nicholas Orem Middle School	Northwestern High School
D.U. by Type per Building	398 MFD	1,283 MFD	1,283 MFD
Pupil Yield Factor	0.24	0.06	0.12
Development Pupil Yield	95.52	76.98	153.96
9/2000 Enrollment	545	843	2,084
Adjusted Enrollment	0	0	0
Total Projected Enrollment	640.52	919.98	2,237.96
State Rated Capacity	614	873	2,174
Projected % Capacity	104.23%	105.38%	102.94%
Source: Prince George's County Planning Department, M-NCPPC, January 2001			

18. The Environmental Planning Section reviewed the Detailed Site Plan and recommended the following findings in a memorandum dated July 13, 2001, Stasz to Lareuse:

■The Environmental Planning Section has reviewed the above Detailed Site Plan for Landy Property, SP-99048, stamped as accepted for processing on May 15, 2001. Revised plans were accepted for processing on June 27, 2001. The Environmental Planning Section recommends approval of TCPII/97/00 and SP-99048 with one condition.

■**Background**

■The Environmental Planning Section previously reviewed a Preliminary Plan, 4-88249, for this site.

■Site Description

■The 34.22-acre site is wholly within Subarea 1 of the Prince George's Plaza Transit District Overlay Zone. The site is bounded on the east by Belcrest Road, on the south by Toledo Terrace, on the west by Northwest Drive, and on the north by Dean Drive and the Prince George's County Board of Education property. There is no floodplain on the property. There are no wetlands on the property. A stream flows from north to south near the eastern edge of the site. Approximately 60 percent of the site is wooded.

■Environmental Review

■Development of the site, in addition to other regulations, is subject to the requirements of the approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone.

■Woodland Conservation Ordinance

■The site is subject to the Woodland Conservation Ordinance because it is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Forest Stand Delineation was submitted for review and meets all requirements of the Woodland Conservation Ordinance. A Tree Conservation Plan, TCPII/97/00, has been reviewed. The Woodland Conservation Ordinance requires conservation of 6.84 acres (20 percent of the net tract) plus replacement for clearing of woodland. The plan proposes clearing 13.08 acres of woodland with a resulting replacement requirement of 3.45 acres. The total requirement of the Woodland Conservation Ordinance is 10.29 acres. The plan proposes meeting this requirement with 5.88 acres of on-site preservation and 5.20 acres of on-site reforestation, for a total of 11.08 acres.

■Environmental Recommendation

■The Environmental Planning Section recommends approval of TCPII/97/00 and SP-99048 with one condition:

- 1. Prior to the issuance of any building permit, the building plans shall be certified by an acoustical engineer that the interior noise levels shall not exceed 45 dBA (Ldn).

Comment: This condition has been included in the Recommendation section of this report.

19. The Urban Design Section has a number of concerns relating to the development of the site that have not been addressed. These issues include:

- a. The design of retaining walls should be revised to delete the proposed key-stone style design and include a stone veneer or equally attractive retaining wall. The retaining walls should be setback from the edge of paving and curb and gutter so that the proposed security fencing can be placed on top of the retaining wall so it is visible from within the proposed development.
- b. The fencing proposed for security of the development is a combination of estate fencing and chain-link fencing. Where the fence is visible from the public roads and from the interior of the development along the main roadways, the estate fencing is proposed. Where the fencing will not be visible from the public roads or from the internal roadways, a six-foot-high, black vinyl clad, chainlink fence will be used.
- c. The details and specifications of special paving materials should be provided on the plans.

20. The Senior Trails Planner, Fred Shaffer, has provided the following comments in his memorandum dated November 7, 2000, to Lareuse:

■ In accordance with the Adopted and Approved Prince George's Plaza Transit District Development Plan (TDDP), the applicant and the applicant's heirs, successors and/or assigns shall provide the following:

- 1. An on-road bike lane is recommended in the TDDP for the entire length of Toledo Terrace Road. This bike lane will link the development proposed on the subject site with Prince George's Plaza, the planned pedestrian zone along East West Highway, and the Metro station. Therefore, it is recommended that the applicant provide bike lanes along both sides of Toledo Terrace Road in conformance with the 1999 AASHTO Guidelines for Bicycle Facilities. Appropriate signage and pavement markings shall be provided.
- 2. As bicycle and pedestrian transportation modes are both integral parts of the transportation network for the TDDP, bike racks are strongly encouraged on the subject site. While there are currently no guidelines in the TDDP for the number of racks provided for residential development, it is recommended that a bicycle rack(s) accommodating a minimum of 15 bicycles be provided for each tower. Consequently, racks for a minimum of 75 bikes are recommended on the subject site, with at least 15 spaces located at Tower A, at least 15 located at Tower B, and at least 45 located at Tower C (15 at each separately building, as shown on the site plan).
- 3. There is also a master plan bike lane recommended along Belcrest Road. However, this improvement has already been accommodated as part of recent DPW&T improvements to Belcrest Road.

- 4. Standard sidewalks shall be constructed along the subject property's entire road frontage of Dean Drive.

Comment: The recommendations of the Senior Trails Planner are included in the Recommendation section of this report. In regard to the sidewalk along Dean Drive, the plans propose this improvement, therefore, it has not been included as a condition.

21. The Transportation Planning Section provided the following analysis of the proposed development in their memorandum dated July 13, 2001, Mokhtari to Lareuse:

■This referral memo will present a discussion on the PG-TDDP's Transportation and Parking, and Parking and Loading Mandatory Development Requirements (or MDRs) and the submitted Detailed Site Plan's compliance with these requirements. The MDRs for Trails and Bicycle Facilities will be discussed on a separate referral memo from the Transportation Planning Section's Trails Planner.

■The approved PG-TDDP guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and each of the requested amendments and the ways in which the proposed development conforms to the MDRs and guidelines outlined in the PG-TDDP.

■One of the purposes of this TDDP is to ensure a balanced transportation and transit facilities network. Therefore, staff performed an analysis of all road facilities in the vicinity of the transit district. This analysis indicated that the primary constraint to development in the transit district is vehicular congestion, particularly the congestion caused by Single-Occupant Vehicle (SOV) trips that can be combined to High-Occupancy Vehicle (HOV) trips or converted to trips taken on the available transit service in the TDDP. One method for relieving congestion is to reduce the number of SOV trips to and from the transit district. As result, this TDDP addresses transportation adequacy by recommending a number of policies for managing the surface parking supply in the transit district, and by adopting Level-of-Service E (LOS E) as the minimum acceptable operating standard for transportation facilities. Among the most consequential of these are:

- a. Establishment of a Transit District-wide cap on the number of additional surface parking spaces (3,000 Preferred, plus 1,000 Premium) that can be constructed or provided in the transit district to accommodate any new development.
- b. Implementation of a system of developer contributions based on the number of Preferred and Premium surface parking spaces attributed to each development project. The contributions are intended to recover sufficient funding to defray some of the cost of the transportation improvements as summarized in Table 4 of the

TDDP, and are needed to ensure that the critical roadways and intersections in the transit district remain at or above LOS E.

- c. Retaining a mandatory Transportation Demand Management District (TDMD). The TDMD was recommended by the 1992 TDDP to ensure optimum utilization of Trip Reduction Measures (TRMs) to combine, or divert to transit, as many peak hour SOV trips as possible, and to capitalize on the existing transit system in the district. The TDMD will continue to have boundaries that are coterminous with the transit district. As of this writing, the TDMD has not been legally established under the TDMD Ordinance (now Subtitle 20A, Division 2 of the County Code) enacted in 1993.
- d. Requiring payment of an annual TDMD operations fee based on the total number of parking spaces (surface and structured) that each property owner maintains.
- e. Requiring that the TDMD prepare an annual transit district transportation and parking operations analysis that would determine whether or not the LOS E has been maintained, and to determine additional trip reduction, transportation and parking management measures that are required to restore LOS E.

■MDRs P6, P7, P8, P9, P10, P11, P12, P17, P18, and P19, on pages 58-61 of the PG-TDDP, includes only surface parking in the definition of parking. The distinction between surface parking and structure parking (which is exempt from these MDRs) is significant because these PG-TDDP MDRs are used to determine the level of required contribution toward the cost of implementing the needed transportation improvements to ensure that traffic operations within the transit district do not degrade below LOS E. It is the Planning Department staff's understanding that the reason for this distinction (between surface and structure parking) is the District Council's intent to create an urban atmosphere for developments within close proximity to Metro stations, to encourage the use of structured parking and to discourage construction of large amounts of surface parking within the Transit District. This is also consistent with the Urban Design Goals as noted on page 14 of the PG-TDDP.

■While the absence of structure parking in these MDRs may initially result in traffic operations degrading below LOS E, MDRs P13, P14, P15, P16 would require the establishment of a Transportation Demand Management District (TDMD) and development of a mandatory annual TDMD operations fee based on the total number of maintained parking spaces (surface and structure) for all property owners in the transit district to fund specific transportation improvements, parking management measures, transit initiatives or enhancements to restore LOS E.

■It should be noted that the PG-TDDP also authorized the Prince George's Plaza Transportation Demand Management District (TDMD), which requires that each property

owner in the district to be a member and participate in the TDMD. The annual TDMD membership fee is \$5.00 for each surface parking space. The annual TDMD membership fee for parking spaces in structures and surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools are set at a rate of \$2.00 per space. The required TDMD annual fee will be collected once the PG-TDMD has been enacted pursuant to Subtitle 20A, Division 2, of the County Code.

■Finally, in addition to the Washington Area Metropolitan Transit Authority (WMATA) Metrorail system, this area is currently served by Metrobuses and The University of Maryland's Shuttle UM transit service.

■Status of Surface Parking in the Transit District

■Pursuant to the Planning Board's previous approvals of Detailed Site Plans in the transit district, the remaining available Preferred and Premium surface parking for the transit district and each class of land use are reduced to the following values:

	RESIDENTIAL		OFFICE/RESCH		RETAIL		TOTAL	
	PREF.	PREM	PREF.	PREM	PREF.	PREM	PREF.	PREM
TDDP Caps	920	310	1,170	390	910	300	3,000	1,000
Subarea 2&3*								
Subarea 4					(121)			
Subarea 6					(72)			
Subarea 9					(321)			
Unallocated	920	310	1,170	390	396	300	2,486	1,000
* In Subarea 2 & 3 all new parking spaces are proposed to be structured parking (CSP-00024).								

■ Following approval of the subject Detailed Site Plan, these figures would be as follows:

	RESIDENTIAL		OFFICE/RESCH		RETAIL		TOTAL	
	PREF.	PREM	PREF.	PREM	PREF.	PREM	PREF.	PREM
TDDP Caps	920	310	1,170	390	910	300	3,000	1,000
Subarea 2&3*								
Subarea 1	(178)							
Subarea 4					(121)			
Subarea 6					(72)			
Subarea 9					(321)			
Unallocated	742	310	1,170	390	396	300	2,261	1,000
* In Subarea 2 & 3 all new parking spaces are proposed to structured parking (CSP-00024).								

■ Findings

- a. The subject property is part of the Transit District's Subarea 1. There are 15 subareas in the transit district, of which two are designated as open space and will remain undeveloped. The proposed site consists of approximately 34.22 acres of land in the R-10 Zone. The property is located at the northwest quadrant of the

Belcrest Road and Toledo Terrace intersection and contains one existing multi-story residential buildings with 288 apartment units. The total number of legally approved existing surface parking spaces on this site is 316 spaces. Pursuant to the PG-TDDP's MDR P6 (see Finding c. below), these surface parking spaces or their replacement are exempt and will not be subject to the PG-TDDP Transportation and Parking Mandatory Requirements.

- b. The proposed application is for construction of an additional 1,279 two-bedroom and 4 one-bedroom apartment units.
- c. The applicant proposes to construct 2,618 additional parking spaces, consisting of 2,618 spaces in structure parking and 178 spaces in surface parking. As structure parking is not included in the Parking Caps pursuant to MDR P6, approval of the subject development would reduce the TDDPs unallocated and available Preferred Residential surface parking spaces by a total of 178 spaces.
- d. The PG-TDDP contains a goal of *encouraging the use of structured parking and discouraging huge expanses of surface parking*. MDR P6 provides that *the term parking, as used in these requirements, shall refer only to surface parking. Parking provided in or below a structure that is used, built or redeveloped for a use or uses approved under the provisions of this plan shall be considered surface parking as used in these requirements.* ▲
- e. The exclusion of the proposed 2,618 structure parking spaces from the Parking Caps under MDR P6 leaves only 178 new surface parking spaces to be considered in the MDRs related to transportation adequacy. The achievement of the PG-TDDP's Transportation Goal of *providing for adequate transportation operations and transit service efficiency*, and its objective of *promoting alternatives to SOV use, such as trip reduction policies, ridesharing, priority and market-rate pricing of parking, and other types of transportation demand management, to reduce peak-hour traffic congestion*, for the proposed project with substantial number of structure parking may require (1) formal establishment of the PG-TDMD and (2) initiation of the Transportation Demand Management Plan (TDMP) for the subject property as provided in Section 206 of the TDM District Ordinance, pursuant to MDR P13, P14 and P16.
- f. The internal vehicular and pedestrian circulation patterns as generally proposed in the plan appear to be acceptable. However, the provision of a bus shelter at each of the proposed main site access locations along Belcrest Road, Dean Drive and Northwest Drive are recommended which would encourage transit use and would provide safe locations for school bus embarking and disembarking.

- g. Staff concurs with the applicant's desire to reconstruct the existing right-in/right out access along Belcrest Road located north of Toledo Terrace as a right-out only. This action would improve traffic operations along Belcrest Road.
- h. A principal goal of the TDDP is the provision of a safe, effective and pleasant environment for pedestrian. Achieving this goal will require construction of the needed pedestrian circulation network throughout the transit district. The TDDP identifies the East West Highway between Queens Chapel Road and Toledo Terrace, and Belcrest Road between Queens Chapel and Adelphi Roads as the primary pedestrian corridors. MDR P20 requires applicants to provide continuous sidewalks along all frontages of their property on public rights-of-way in the transit district. While the district-wide MDR P1 of the Urban Design Section (page 30) indicates that the construction of the required streetscape improvements shall be in phase with development, it is the planning staff's opinion that no building permits may be issued without applicant funding of the required pedestrian facilities.

■Transportation Staff Analysis and Conclusions

■Based on the preceding findings, the Transportation Planning Section concludes that the proposed development in the Detailed Site Plan as submitted will meet the circulation requirements of the Prince George's Plaza Transit District Development Plan (page 22) and Section 27-548(c)(1)(D) of the County Code, provided that:

- a. Prior to the issuance of any building permit, the applicant shall provide funding for provision of three bus shelters, to be placed along Belcrest Road, Dean Drive and/or Northwest Drive, and near the proposed access locations when deemed necessary by the Prince George's County Department of Public Works and Transportation and the Washington Metropolitan Area Transit Authority.
- b. Prior to the issuance of any building permit, the applicant, his successor, and/or assign shall provide payment of \$71,200.00 (calculated as \$400.00 per parking space x 178 proposed new preferred surface parking spaces) to DPW&T. The required fee is expressed in 1998 dollars, and shall be adjusted for inflation at the time of payment using the following formula: $\$71,200.00 \times (\text{most recent Federal Highway Administration Construction Cost Composite Index four-quarter average available at time of building permit application} / \text{Federal Highway Administration Construction Cost Composite Index four-quarter average for 1998})$. The collected fee shall be applied toward the construction of the required transportation improvements listed in Table 4 of the 1998 PG-TDDP.
- c. Prior to issuance of any building permit, the applicant, his successor, and/or assigns shall submit to the Transportation Planning Section of The Maryland-National Capital Park and Planning Commission written evidence that the required

streetscape improvements including sidewalks as deemed necessary by the TDDP have been fully funded for construction.●

Comment: The conditions above have been included in the Recommendation section of this report.

22. The City of Hyattsville, in a letter dated September 13, 2000, Robert W. Armentrout, Mayor, to Susan Lareuse, provided the following comments:

■City staff reviewed the materials provided with the referral request and find the following:

■Our review and comments are based upon the premise that parking restrictions and criteria addressed in the TDOZ are specific to surface parking designations. With the proposed construction of structured parking, the current TDOZ parking criteria is removed. If this is not the case then we would like to have an opportunity for further comment. We do have concerns regarding the impact that an increase of 2,098 spaces required for this residential project will have on existing traffic volumes, intersections and demand for on-street parking in the immediate area.

■District Wide

- That bus and trolley cut outs external to the property be required in the plan to provide necessary space for larger vehicles and to reduce traffic tie-ups from vehicles blocking the road, including ADA access requirements.
- Special attention should be provided for pedestrian drop off areas.
- We request that there are identified connections to existing bike paths and that adequate bike storage facilities and on-site bike racks be provided in the development plans.
- P 83: Public School Facilities●This project will have a major impact on public school facilities. Even if this project is ■grandfathered in● and is not required to meet current standards, impacts will have to be met. We would like to see some assistance from the developer in meeting the current requirements.
- Police and Fire Rescue Services●This project will increase the demand and requirements for police and fire services especially for special equipment and training required for ■high-rise▲ building rescues.
- We would like to see a Plat of the site clearly indicating adjacent roads and elevations, and we be extended the opportunity to review a comprehensive list of on-site amenities.

- We trust the M-NCPPC will take into consideration the following items:

- 1. Need for Park and Recreational Facilities and Services

- The City of Hyattsville is already aware of open space shortages based upon current residential counts. The field needs include: basketball courts, football fields, soccer fields, baseball fields and tennis courts. There is also a shortage of multi-purpose community center space and facilities especially with dedicated child care areas and programs for teens and seniors.

- We note that existing exterior recreation facilities are not being expanded and find that the current outdoor swimming pool and tennis courts appear to be inadequate for the expanded residential structures being proposed. We request that discussions with the developer include some agreement for measurable improvements.

- 2. Per the Mandatory Development Requirement on pages 96/97 of the Prince George's Plaza Transit District Overlay Zone, we request that mandatory development requirements including, P. 37 are followed and that the minimum tree preservation buffers are maintained as indicated in the Transit District Development Plan (TDDP).

- 3. Finally we would like to request an opportunity to review and comment on S 37, Architectural elements and design of the project, to assure that the criteria is being met.●

23. University Park, in a letter dated September 11, 2000, John L. Brunner, Mayor, to Susan Lareuse, provided the following comments:

- I have reviewed the above-reference plan and offer the following comments. The comments take into account the scope and the requirements as described in the ■Approved Transit District Development Plan (TDDP) for the Prince George's Plaza Transit District Overlay Zone,● dated June, 1998.

- The green areas do not appear to include landscaped gardens, such as arbors, courtyards, fountains, and custom features, such as walls, fences, and other ornaments. These are features commonly found in quality residential complexes. (See G 53, page 42, TDDP)

- The applicant does not include any new exterior recreational facilities. The five new residential towers would share an existing small outdoor swimming pool and two tennis courts built for use by the residents of the two existing mid-rises. A recent

site visit revealed that the pool was probably built in the 1960's and has not been lengthened or upgraded since then. There are no changing rooms or toilets. The two tennis courts, likewise, were probably constructed at the same time and show their age.

- Quality housing on a large scale should have its own quality and adequate recreational facilities, such as a modern swimming pool (G53, page 42, TDDP), tennis courts, hand-ball courts, shuffleboard, horse shoe pits, picnic pavilion, etc. The DSP is devoid of any of these amenities.
- The locations of bicycle facilities do not appear to be designated on the site plans as required (See G 48, page 41, TDDP). A separate bicycle parking area should be provided (See G 49, page 441, TDDP) and located near building entrances (See G 48, page 41 TDDP). Bicycle racks and/or lockers when located outside of parking structures should be sited near landscape plantings, berming, and/or how walls (Se G 51, page 41, TDDP).
- The applicant does not indicate the number of shade trees proposed for either Section 1 or Section 11 for internal green space (See Sheet L 4 of 4)
- The applicant has not provided for bicycle lanes, 4 to 6 foot wide, Class III, on Toledo Terrace (See Table 10, page 83, TDDP). An important goal of the TDDP is to have in place a uniform, totally connected, continuous trail and biking network with access opportunity to shopping, parks, and transit (See page 80, TDDP).
- The applicant, while proposing to replace the existing sidewalk on Toledo Terrace and widening it to 8 feet, if possible, does not appear to comply to mandatory streetscaping requirements (See Figure 8, page 32, and P I, page 30, TDDP). The Toledo Terrace streetscape calls for a 20 foot pedestrian zone, with a 12 foot sidewalk and an 8 foot tree well, as well as a bicycle zone.
- The plan does not appear to indicate that street trees (Red Summit Maples 30' o.c. and 3.-4 inch caliper) are planted or will be planted along Northwest Drive and Dean Drive (See Figure 9, page 33, TDDP).
- The plan recommends a 4'-6' wide Class III bicycle lane on both sides of Toledo Terrace (See Table 10, page 83, TDDP), yet parking along Toledo Terrace would be permitted during off-peak hours and off-peak hours for loading/unloading. It is recommended that parking be prohibited both during peak and non-peak hours to avoid conflicts with the designated bike lanes. (See also Figure 22, page 8, TDDP).•

24. The proposed Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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 the Type II Tree Conservation Plan (TCPII/97/00) APPROVED Variance Application No. VD-99048A, and Secondary Amendment TS-99048A and further APPROVED Detailed Site Plan DSP-99048 for the above-described land, subject to the following conditions:

1. The developer shall donate four acres of off-site land to the Commission for use as public parkland. The donated land shall be located on the northwest section of Parcel 102 (Tax Map 32, Grid F-4) as shown on attached Exhibit B and known as the Clay Property. The parkland will be an addition to the University Hills Community Park. The balance of the Clay Property shall be exempt from mandatory dedication requirements when the property is subdivided.
2. The developer shall dedicate 0.8027 acre adjacent to the Prince George's Plaza Community Center known as P/O of Parcel 67 on Tax Map 42, Grid A-1, as shown on attached Exhibit A.
3. The land shall be conveyed to the Commission for public parkland prior to issuance of grading permit for construction on the Landy Property. The property shall be subject to conditions of Exhibit C below:
 - a. An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), prior to first building permit for construction on Landy Property.
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits which include such property.
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC

development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.

- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance prior to the release of the first building permit.
 - g. No stormwater management facilities, or tree conservation or utility easements shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits. The Commission designated an area at University Hills Community Park south of Dean Drive for the stormwater management area for the development of subject property.
- 4. Following the conveyance of the properties described above, the Commission shall designate an area of University Hills Park south of Dean Drive for the stormwater management area for the development of Landy Property. The developer shall build this stormwater management facility as an attractive amenity for this area. The Department of Parks and Recreation shall review and approve the design of the facility prior to grading permit. DPR may require a performance bond prior to issuance of grading permits.
 - 5. The applicant, his successors, and/or assigns shall provide private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for property siting, prior to signature approval of the Detailed Site Plan, DSP-99048.
 - 6. Three original, executed private Recreational Facilities Agreements (RFA) or other suitable guarantee shall be submitted to DRD for their approval, three weeks prior to applying for building permits. Upon approval by DRD, the RFA (or suitable alternative) shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
 - 7. The applicant shall submit to DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.

8. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.
9. Prior to signature approval the plans shall be revised as follows:
 - a. The Conceptual Stormdrain approval shall be revised to indicate the new footprint of Building C, and the pond located along Belcrest Drive shall be converted into a wet pond, if feasible.
 - b. The Landscape Plan and Woodland Conservation Plan shall be revised to indicate larger plant material in the islands within the existing parking compound, in front of the existing 11-story building, along Northwest Drive, and in the bufferyard adjacent to the school site. The sizes of the plant material shall meet the minimum standards within the *Landscape Manual*.
 - c. A schedule demonstrating conformance to Section 4.7 of the *Landscape Manual* shall be added to the plans.
 - d. The details and specifications of the proposed screen gate located at the loading entrances along Northwest Drive and Dean Drive shall be added to the plans.
 - e. A detail of the fencing shall be added to the plans to include estate fencing where visible from the public right-of-way and the main vehicular driveway. Fencing located to the rear of the building or near the service areas may be chain link with black vinyl coating.
 - f. The details and specifications for the pedestrian lighting posts, consistent with the lighting posts on Belcrest Drive, shall be added to the streetscape plans for Toledo Terrace. A photometric plan shall demonstrate that the primary and secondary walkways and parking areas within the development will be lighted to a minimum of 1.25-foot candles.
 - g. The details and specifications for special paving should be added to the plans.
 - h. A comprehensive sign design plan shall be submitted to and approved by the Urban Design Section. An entrance feature shall be provided at each of the vehicular entrances into the property. The detail shown on the plans of the proposed entrance feature located near Belcrest Road should be modified to include a decorative concrete cap atop the pillars to enhance the entrance feature.

- i. The Detailed Site Plan and the Sediment Control Plan shall be revised to include notes and details necessary to implement the stenciling of storm drain inlets, in accordance with S32 of the TDOZ.
 - j. The 6 Willow Oaks (3 - to 4-inch caliper) shown on the applicant's Streetscape Plan for Toledo Terrace shall be included within the Landscape Plan plant schedule (sheet L-2 of 7).
 - k. Street trees shall be included on the plans along Northwest Drive and Dean Drive in accordance with Figure 9 of the TDDP
 - l. The plans shall be revised to indicate a crosswalk at the vehicular entrances into the development along Toledo Terrace and Belcrest Road, including the existing driveways, in conformance with Figure 7 of the TDOP.
 - m. A note shall be added to the plans that states 307,866 square feet of gross floor area was constructed on-site pursuant to a building permit issued before December 31, 1991.
 - n. The Detailed Site Plan shall be revised to include a minimum of one bike rack (for 15 bikes) per building, for a total of 60 bike parking spaces. A revised location for the bike racks shall be shown away from the main entrance in an area which is secure and convenient, yet not at the front door.
 - o. The Detailed Site Plan should be revised to include the details and specifications of trash receptacles to be placed along the streetscape of Toledo Terrace.
 - p. The applicant shall submit a tree assessment plan signed by a licensed arborist for the existing trees located along Toledo Terrace.
 - q. The architectural elevations shall be revised to provide for an architectural element to provide some visual interest or relief on elevation 3 of the south wing and elevation 4 of the north wing of Building C.
 - r. The details and specifications of the retaining wall shall be revised to delete the proposed key-stone-style design and shall include a stone veneer or equally attractive retaining wall.
 - s. The retaining walls shall be set back a sufficient distance from the edge of paving to create a relatively flat area at the top of the retaining wall where the proposed fencing can be placed.
10. Prior to the issuance of a building permit, the building plans shall be certified by an acoustical engineer that the interior noise levels shall not exceed 45 dBA (Ldn).

11. Prior to the issuance of any building permit, the applicant shall provide funding for provision of three bus shelters, to be placed along Belcrest Road, Dean Drive and/or Northwest Drive, and near the proposed access locations when deemed necessary by the Prince George's County Department of Public Works and Transportation and the Washington Metropolitan Area Transit Authority.
12. Prior to the issuance of any building permit, the applicant, his successor, and/or assigns shall provide payment of \$71,200.00 (calculated as \$400.00 per parking space x 178 proposed new preferred surface parking spaces) to DPW&T. The required fee is expressed in 1998 dollars, and shall be adjusted for inflation at the time of payment using the following formula: $\$71,200.00 \times (\text{most recent Federal Highway Administration Construction Cost Composite Index four-quarter average available at time of building permit application} / \text{Federal Highway Administration Construction Cost Composite Index four-quarter average for 1998})$. The collected fee shall be applied toward the construction of the required transportation improvements listed in Table 4 of the 1998 PG-TDDP.
13. Prior to issuance of any building permit, the applicant, his successor, and/or assigns shall submit to the Transportation Planning Section of The Maryland-National Capital Park and Planning Commission written evidence that the required streetscape improvements, including sidewalks, as deemed necessary by the TDDP have been fully funded for construction.
14. Prior to issuance of any building permit, the applicant shall submit a phasing plan for site improvements and architecture to demonstrate that interim development is attractive and functional to be reviewed and approved by the Planning Board or its designee.
- *15. Party and community rooms shall have a fully-equipped kitchen.
- *16. Each main entrance lobby shall be fully furnished and have a centrally-located front desk with 24-hour attendant staffing.
- *17. Off each main lobby there shall be a fully-furnished fitness facility with an interior heated swimming pool, a wading pool and spa, lockers, toilet facilities, and shower rooms (or equivalent facilities). Card and game rooms shall be located in the same area.
- *18. Each main lobby shall have a well-lighted porte cochere viewable from the front desk.
- *19. The site shall have an undisturbed, heavily-treed buffer area and fully-landscaped garden areas in and adjacent to the exterior parking lots, as shown on the plans.
- *20. Off each main lobby there shall be a business and computer center, with at least five PC work stations and with facsimile and photocopy facilities, available to residents with or without charge. If after one year, the PC workstations are not substantially utilized by the

residents, they may be removed and the room may be used for some other amenity. The facsimile and photocopy facilities may be relocated to the front desk for residents use.

- *21. Structured parking areas shall follow a security regimen: The interior shall be well lighted, residents shall have assigned parking spaces, a CCTV system with well placed video cameras shall cover all parking areas, and one or more roaming security personnel shall also provide coverage. Entry into parking structures shall be through garage doors activated by a TESA control system (or equal) which restricts access to residents. The same system shall be used for elevator and stairway access, subject to the Fire Marshal's approval.
- *22. All sleeping and living areas shall have wall-to-wall carpeting. Bathrooms shall have ceramic tile flooring and wainscot, and tubs and showers shall be fully tiled.
- *23. Floor to ceiling clearance shall be at least 8'8", with crown molding in the living area.
- *24. Kitchens in all units shall be fully-equipped. Each floor shall have one or more trash chutes connected to a commercial trash compactor accessible to a loading area. The trash room on each floor shall have recycling bins.
- *25. Each unit shall have thermostatically-controlled, on-demand heating and air conditions and a full-sized, stacked washer and dryer.
- *26. The master bedroom in each unit shall have its own separate bathroom.
- *27. Window size and placement shall follow these requirements: Windows shall be 2.5 feet off the floor, at least five feet high, at least six feet wide, uniform in appearance on outside facades, recessed, and designed to maximize views from living and bedroom areas. Window size, placement, materials, and design shall be reviewed and approved by the Planning Board or its designee before any building permit applications are filed.
- *28. At least 60% of the units shall have walk-in closets.
- *29. All units shall be wired before initial occupancy for telephone, cable, and DSL access. DSL access shall be provided to all units unless the applicant files a statement and then Planning Board or its designee makes a finding that DSL access will not be available before completion of construction of the first building.
- *30. Prior to signature approval the plans shall be revised as follows:

*Denotes amendment

[Brackets] denote deletion

Underlining denotes addition

- a. Penthouse units in building A, Phase 1 (and in subsequent buildings if proven marketable) shall be designed, in consultation with Development Review staff, to meet the following:
 - i. Each unit shall have high, cathedral-style ceilings or minimum ten-foot-high standard ceilings and rooms of appropriate size and proportion for the penthouse floor.
 - ii. Two-story penthouse units and community or recreational rooms for residents shall be provided, if reasonably feasible.
- *31. In front of the main entrance lobby, the fountain shown in submitted plans shall be replaced by sculpture or other suitable public art, after consultation with Development Review staff.
- *32. The Planning Board or its designee will also review and approve revised landscaping plans for the front of the building. The entrance and areas in front of the main lobby shall have substantial landscape materials, trees and shrubbery in addition to what is shown on submitted plans, notwithstanding planting ground depth constraints
- *33. If reasonably feasible, a concierge service shall be provided for building residents.

*Denotes amendment

[Brackets] denote deletion

Underlining denotes addition

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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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Scott, Brown, and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, December 20, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of December 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:rmk