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## Preliminary Plan of Subdivision Flats at Glenridge Station

## 4-23005

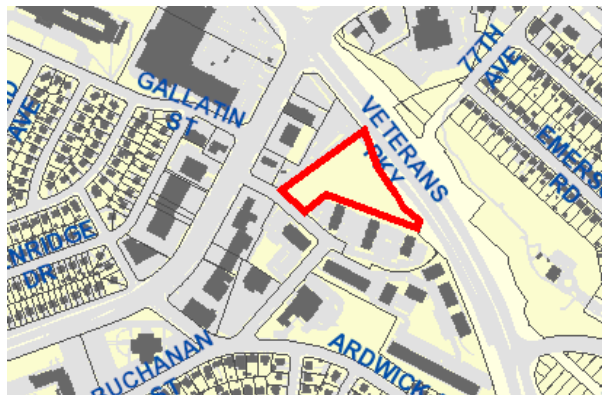
REQUEST	STAFF RECOMMENDATION
One parcel for mixed use development including 245 multifamily dwelling units and 1,380 square feet of office space	With the conditions recommended herein: <ul style="list-style-type: none"><li>• Approval of Preliminary Plan of Subdivision 4-23005</li><li>• Approval of Type 1 Tree Conservation Plan TCP1-020-2023-01</li><li>• Approval of a Variation from Section 24-122(a)</li></ul>

**Location:** On the north side of Chesapeake Road approximately 175 feet east of its intersection with MD 450 (Annapolis Road)

Gross Acreage:	3.00
Zone:	NAC
Prior Zone:	M-X-T/D-D-O
Reviewed per prior Subdivision Regulations:	Section 27-1704
Gross Floor Area:	1,380 sq. ft.
Dwelling Units:	245
Lots:	0
Parcels:	1
Planning Area:	69
Council District:	03
Municipality:	N/A

**Applicant/Address:**  
Landover Hills Leased Housing  
Associates I, LLLP  
2905 Northwest Boulevard, Suite 150  
Plymouth, MN 55441

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Planning Board Date:	06/27/2024
Planning Board Action Limit:	06/27/2024
Mandatory Action Timeframe:	70 days
Staff Report Date:	06/20/2024
Date Accepted:	04/18/2024
Informational Mailing:	04/18/2023
Acceptance Mailing:	04/01/2024
Sign Posting Deadline:	05/28/2024

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-23005  
Type 1 Tree Conservation Plan TCP1-020-2023-01  
Variation from Section 24-122(a)  
Flats at Glenridge Station

**OVERVIEW**

The subject site is located on the north side of Chesapeake Road approximately 175 feet east of its intersection with MD 450 (Annapolis Road), and adjacent to the future site of the Glenridge PurpleLine station. The property totals 3.0 acres and consists of one existing tax parcel, known as Parcel 21, which is recorded by deed in the Prince George's County Land Records in Book 16451 page 730. The property is subject to the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment* (sector plan).

The property is in the Neighborhood Activity Center (NAC) Zone. However, this application has been submitted for and reviewed under the applicable provisions of the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 ("prior Zoning Ordinance" and "prior Subdivision Regulations").

The subject property was included in Conceptual Site Plan CSP-23001, which was approved by the Prince George's County Planning Board on February 15, 2024 (PGCPB Resolution No. 2024-007), pursuant to the prior Zoning Ordinance. Pursuant to Section 27-1704(a) of the Zoning Ordinance, CSP-23001 remains valid for a period of 20 years from April 1, 2022; and pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid CSP, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the prior Subdivision Regulations. Under the prior Zoning Ordinance, the site was in the Mixed Use-Transportation Oriented (M-X-T) and Development District Overlay (D-D-O) Zones, which were effective prior to April 1, 2022.

The property is currently vacant and wooded, and it is not subject to any prior preliminary plan of subdivision (PPS). The applicant proposes to develop the property with a mixed-use building containing 245 multifamily dwelling units and 1,380 square feet of office space. The proposed office development is not ancillary to the multifamily use, but rather will be a separate use in the same building. A PPS is required for the development of multiple dwelling units. This PPS is supported by and subject to approved Certificate of Adequacy ADQ-2023-008.

The applicant filed a request for a variation from Section 24-122(a) of the prior Subdivision Regulations, in order to omit the requirement to provide public utility easements along the property's street frontages. This request is discussed further in the Public Utility Easement finding of this technical staff report.

Staff recommend **APPROVAL** of the PPS and Type 1 tree conservation plan, with conditions, and **APPROVAL** of the variation, based on the findings contained in this technical staff report.

## SETTING

The site is located on Tax Map 51, Grid E-1, and it is within Planning Area 69. To the northeast of the subject property is MD 410 (Veterans Parkway/ East West Highway), with West Lanham Hills Park beyond in the Residential Single-Family-65 Zone (formerly in the One-Family Detached Residential Zone). To the northwest and south of the subject property are commercial developments in the NAC Zone (formerly in the M X-T Zone). To the southwest of the subject property is Chesapeake Road, and beyond is commercial and institutional development in the NAC Zone (formerly in the Mixed Use-Infill Zone). The property and its surroundings are all within the D-D-O Zone associated with the sector plan.

## FINDINGS AND REASONS FOR STAFF RECOMMENDATION

- Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	EVALUATED
Zones	NAC	M-X-T/D-D-O
Use(s)	Vacant	Mixed-Use Residential/Office
Acreage	3	3
Lots	0	0
Parcels	1	1
Dwelling Units	0	245
Gross Floor Area (nonresidential)	0	1,380 sq. ft.
Subtitle 25 Variance	Yes (Section 25-122(b)(1)(G))*	Yes (Section 25-122(b)(1)(G))*
Variation	No	Yes (Section 24-122(a))

**Note:** \*This Subtitle 25 variance for four specimen trees was approved pursuant to CSP-23001; 7011 Chesapeake Road.

The subject PPS, 4-23005, was accepted for review on April 18, 2024. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, the PPS was reviewed by the Subdivision and Development Review Committee (SDRC), which held a meeting on May 10, 2024, at which comments were provided to the applicant. The requested variation from Section 24-122(a) of the prior Subdivision Regulations was received on April 18, 2024, and was also reviewed at the SDRC meeting on May 10, 2024. Revised plans were received on May 23, 2024, which were used for the analysis contained herein.

2. **Previous Approvals**—A Conceptual Site Plan (CSP-23001; 7011 Chesapeake Road) was approved by the Prince George’s County Planning Board on February 15, 2024, and the resolution of approval was adopted on March 7, 2024 (PGCPB Resolution No. 2024-007), for a mixed-used development consisting of 245 to 300 multifamily dwelling units and 1,300 to 2,500 square feet of office space. The CSP was approved subject to four conditions and one consideration, and the following condition is relevant to the review of the PPS:

2. **Prior to the acceptance of a preliminary plan of subdivision, the applicant and the applicant’s heirs, successors, and/or assignees shall include a slope stability analysis for unmitigated conditions in the application package.**

A slope stability analysis for unmitigated conditions was provided with this case, as required. Staff reviewed the analysis and there are no issues at this time.

The consideration of the CSP is also relevant to the review of the PPS:

1. **The subject conceptual site plan application is located within walking distance of a Purple Line station, which can fully bring the vision of the 2010 Approved Central Annapolis Road Sector Plan and Sectional Map Amendment to fruition. The site has potential to foster community oriented businesses, such as doctors’ offices, small accounting firms, and banks, which may be attractive tenants. Its location can be attractive for back-office space for companies seeking affordable locations, with regional access necessary to support information technology, accounting, and other services. Explore opportunities to offer office space to these types of businesses as part of the mixed-use component of the building. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone, in accordance with Section 27-547(d) of the prior Prince George’s County Zoning Ordinance.**

To address this consideration, staff requested that the applicant provide a statement of justification (SOJ) discussing how the amount of square footage devoted to the office use was in sufficient quantity to serve the purposes of the M-X-T Zone given in Section 27-542(a) of the Zoning Ordinance. This SOJ was provided and is discussed in the Urban Design finding of this technical staff report.

3. **Community Planning**—The 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated, as follows:

#### **Plan 2035**

Plan 2035 places this application within the Annapolis Road/Glenridge (future Purple Line) Neighborhood Center. Plan 2035 classifies Neighborhood Centers as “primarily residential areas that are often lower in density. These areas generally have fewer transit options and offer neighborhood-serving retail and office uses” (page 108).

#### **Sector Plan**

The sector plan recommends mixed-use commercial as the preferred land use for the subject property (page 129). The subject property is within Character Area A: Glenridge Transit Village, around the proposed Purple Line light rail station. Glenridge is positioned to evolve into a mixed-use transit village (page 59).

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035, remain in full force and effect except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS must conform to the area master plan, unless events have occurred to render the relevant recommendations no longer appropriate, or the Prince George's County District Council has not imposed the recommended zoning. Staff find that this application, to develop a mixed-use building containing 245 residential units and 1,380 square feet of office space, conforms to the land use recommendations of the sector plan, because the sector plan recommends mixed-use commercial land use on the subject property.

Aside from land use, conformance with the recommendations of the sector plan is evaluated below and throughout this technical staff report. Relevant goals, policies, and strategies of the sector plan are listed below in **bold** text, and findings addressing conformance are given in plain text.

#### **Guiding General Plan Policies for Character Area A: Glenridge Transit Village** (page 61)

- ***Promote development of mixed residential and nonresidential uses at moderate to high densities and intensities in context with surrounding neighborhoods and with a strong emphasis on transit-oriented design.***
- ***Emphasize and encourage design of pedestrian-friendly environments***
- ***Provide adequate pedestrian and bicycle linkages to schools, parks, recreation areas, commercial areas, and employment centers.***
- ***Provide opportunities for high-density housing within centers, at selected locations along corridors, and in mixed-use areas.***
- ***Minimize impacts of noise on residential uses during the land development process.***

The proposed development complies with the intent of high-density mixed-use development established by the sector plan. Pedestrian connectivity is addressed in the Transportation finding of this technical staff report and approved ADQ-2023-008. Noise impacts on the proposed development are addressed in the Noise finding of this technical staff report.

#### **Housing** (page 68)

##### ***Goals:***

- **Increase the residential diversity of housing types in the Glenridge Transit Village.**
- **Provide a balanced mix of housing price points to diversify and ensure that affordable housing is available for young professionals, families, and Seniors.**

### ***Strategies:***

- **Encourage a mix of residential densities and housing types such as multifamily, live/work units, and townhouses.**

The addition of 245 multifamily dwelling units at this location will increase the diversity of housing types within the Glenridge Transit Village, which currently does not feature any residential uses. According to General Note 13 on the PPS, the multifamily component of the development is anticipated to contain a mix of one-bedroom, two-bedroom, and three-bedroom units, which will encourage a mix of housing price points.

Based on the above findings and further analysis of the sector plan goals, policies, and strategies given throughout this technical staff report, staff find that the PPS will conform to the relevant recommendations of the sector plan. It is further noted that the development will be required to conform to the requirements of the D-D-O Zone associated with the sector plan, at the time of DSP. Relevant standards of the D-D-O Zone include, but are not limited to, maximum setbacks (page 145); recommended right-of-way (ROW) (page 144); Parking and Access Management (page 157); and Building Design Guidelines (page 150).

### **Sectional Map Amendment/Zoning**

The subject property was placed in the M-X-T Zone with the adoption of the 2010 *Approved Central Annapolis Road Sectional Map Amendment* (SMA). In addition to rezoning the property to the M-X-T Zone, the SMA also placed the property in the D-D-O Zone. On November 29, 2021, the District Council approved Prince George's County Council Resolution CR-136-2021, the Countywide Map Amendment, which reclassified the subject properties from the M-X-T Zone to the NAC Zone, effective April 1, 2022. However, this PPS was reviewed pursuant to the prior zoning.

4. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or municipality having approval authority. An unapproved SWM Concept Plan (20142-2023-SCD) was submitted with this application, along with a customer invoice from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) dated October 19, 2023, indicating that the plan was sent for peer review. The unapproved plan shows the use of four micro-bioretenion facilities and a SWM vault. DPIE provides the review and is the approval authority for the SWM concept plan. Submittal of an approved SWM concept letter and plan will be required for subsequent development review applications. In accordance with Section 24-121(a)(15) of the prior Subdivision Regulations, staff find that an approved SWM concept plan is not necessary at this time, since such an approval will not affect the subdivision layout. The PPS includes one parcel for mixed-use development and one site access point. Revisions to the SWM design, if necessary, do not impact the review and approval of this PPS. No further information pertaining to SWM is required at this time.

Staff find that development of the site in conformance with the SWM concept plan and any subsequent revisions will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

5. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the sector plan, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the prior Subdivision Regulations, as they pertain to public parks and recreational facilities.

#### **Sector Plan Conformance**

The proposed development aligns with the sector plan's goal in meeting community needs for safe and accessible active and passive recreation (page 104).

Park and recreation amenities serving the subject property include Glenridge Park and the West Lanham Neighborhood Park, both of which are within 1.0 mile of the development site. Green community spaces are recommended for the applicant's development proposal. The applicant submitted an exhibit dated April 15, 2024 (included in the backup of this technical staff report), which identifies an indoor fitness room, a club/party room, and an 11,839-square-foot amenity plaza deck (the outdoor plaza originally proposed with the CSP) as recreational amenities within the development.

At the time of the DSP, the applicant should provide an exhibit identifying the proposed uses and square footage of the proposed facilities. In addition to the inclusion of landscaping (per the 2010 *Prince George's County Landscape Manual*) that provides natural elements to the area, the following design principles should also be incorporated at the time of DSP, based on the recommendations of the sector plan (pages 178–180):

- Integrate programmable gathering spaces.
- Integrate Crime Prevention Through Environmental Design (CPTED) principles.
- Incorporate passive features to protect pedestrians from errant vehicles, such as tree plantings, curbs, bollards, and decorative planters.
- Provide adequate seating in the form of benches, seat walls, and amphitheater-type terracing which may also serve as secondary elements and provide protection. Some seating will be permanent, while others may be designed to allow for flexible use during markets, festivals, concerts, etc.
- Include art pieces, shade structures, or fountains as central elements where appropriate in formal areas.
- Integrate play elements featuring multi-sensory focal elements if adequate protection and enclosure can be provided.
- Incorporate bike racks to allow greater accessibility. Provide adequate trash and recycle receptacles.
- Pedestrian-scale, dark-sky compliant lighting is essential to provide safe and secure use during evening hours, and to provide enhanced visual value.



### **Subdivision Regulations Conformance**

Sections 24-134 and 24-135 of the prior Subdivision Regulations, which relate to mandatory dedication of parkland, provide for the dedication of land, the payment of a fee-in-lieu, and/or the provision of private recreational facilities to meet the park and recreation needs of the residents of the subdivision. Based on the proposed density of development, 15 percent of the net residential lot area could be required to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks, which equates to 0.44 acre for public parklands. The subject property is not adjacent or contiguous to any property currently owned by M-NCPPC. Therefore, the 0.44 acre of dedicated land would not be sufficient to provide for the types of active recreational facilities that are needed.

The recreational guidelines for Prince George's County also set standards based on population. Based on the projected population for the development, 872 new residents, the typical public recreational needs include picnic and sitting areas, open play areas, and fitness trails. Per Section 24-135 of the prior Subdivision Regulations, the Prince George's County Planning Board may approve the payment of fees and/or the provision of private on-site recreational facilities, in place of parkland dedication. The developer has proposed to meet the requirement with private on-site recreational facilities. The proposal includes an indoor fitness room, a party room, and an 11,839-square-foot amenity plaza deck as recreational facilities. Section 24-135(b)(1) of the prior Subdivision Regulations requires that such facilities shall be superior, or equivalent to those that would have been provided under the provisions of mandatory dedication. Staff recommends that, in order to ensure Section 24-135(b)(1) is met, the value of facilities shall meet or exceed \$328,819.40. This value is calculated based on the projected population of the project and the Planning Department's standard recommended facilities value of \$188,500 for a population of 500 residents. The recreational facilities provided should include outdoor facilities; however, it is noted that the outdoor plaza was previously proposed with CSP-23001 for a density bonus, in accordance with Section 24-545(b)(6) of the prior Subdivision Regulations. Given the outdoor plaza will be required to satisfy the mandatory dedication requirements of the Subdivision Regulations, further evaluation, at the time of DSP, should consider whether this amenity also satisfies the requirement to gain density bonuses, including its availability and accessibility for public use.

Staff find that the proposed recreational facilities will be superior to or equivalent to those that would have been otherwise provided under the provisions of mandatory dedication. Staff recommend that the applicant provide outdoor recreation opportunities for future residents as part of the open space. Staff support the provision of on-site recreation. The details and cost estimates for the on-site facilities will be evaluated with the review of the DSP.

Staff find that the proposed provision of on-site recreation facilities will meet the recreational needs of the future residents of this community. The proposal will be in conformance with applicable plans and the requirements of prior Subtitle 24, as they pertain to parks and recreation facilities, with the recommended conditions contained in this technical staff report.

6. **Transportation**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the sector plan, and the prior Subdivision Regulations to provide the appropriate transportation recommendations.

## **MPOT and Sector Plan Conformance**

### **Master Plan Right-of-Way**

The subject property has frontage on both Chesapeake Road and MD 410, however, there is no direct access to MD 410 proposed with this application. MD 410 is a master-planned arterial (A-15) with 4–6 lanes and an ultimate ROW width of 100–120 feet. The ROW width of MD 210 fronting the subject property is variable, ranging from 200 feet to approximately 320 feet. Chesapeake Road does not have a master plan designation, but is currently improved as a 60-foot-wide ROW. There are no specific recommendations for MD 410 and Chesapeake Road in the sector plan. At this time, no additional ROW dedication is required. The existing ROWs conform to the requirements of the MPOT and will be adequate to serve the additional traffic generated by the project. Prior to signature approval of the PPS, the road centerlines for MD 410 and Chesapeake Road, and the ROW width from road centerline to the subject property line, should be shown and labeled on the plans.

### **Master Plan Pedestrian and Bike Facilities**

The MPOT recommends a shared roadway along the frontage of Chesapeake Road. The MPOT also provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10):

**Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

**Policy 3: Small area plans within the Developed and Developing Tiers should identify sidewalk retrofit opportunities in order to provide safe routes to school, pedestrian access to mass transit, and more walkable communities.**

**Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.**

**Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.**

**Policy 6: Work with the State Highway Administration and the Prince George's County Department of Public Works and Transportation to develop a complete streets policy to better accommodate the needs of all users within the right-of-way.**

In addition, the sector plan also recommends the following goal, strategies, and policy:

**Goal: Provide a continuous network of sidewalks, bikeways, and trails consistent with the forthcoming State of Maryland's Complete Streets policy and the Institute of Transportation Engineers' Proposed Recommended Practice: Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities. (page 51)**

### Strategies:

- **In the short term, develop a bike route, in the form of a shared-use roadway, using local, low-volume neighborhood streets. The bike route should be designed to meet three key objectives: (1) giving priority to bicycle mobility and comfort; (2) preserving auto access to all local land uses; and (3) discouraging cut-through auto traffic. Install wayfinding signs designating it as a preferred bicycle route.**
- **Incorporate findings from the ongoing Purple Line station pedestrian and bike access study into the design recommendations for the Glenridge Transit Village.**
- **Unless otherwise amended by this plan, reaffirm the trails, bikeways, and pedestrian mobility recommendations as presented in the 2009 Approved Countywide Master Plan of Transportation.**
- **Complete the sidewalk network along Chesapeake Road and provide bikeway signage (page 52)**

### Guiding General Plan and Master Plan of Transportation Policies:

- ***Provide for a multimodal, pedestrian-friendly, transportation system at centers and corridors that is integrated with the desired development pattern* (page 52)**

The subject site is located within a mixed-used transit village, and its northern boundary abuts an arterial roadway and the Purple Line, a planned light-rail transit route. The submitted plans show one site access point along Chesapeake Road. To address the MPOT and sector plan recommendations listed above, staff recommend a minimum 5-foot-wide sidewalk with shared road markings and signage be provided along the property frontage of Chesapeake Road, as well as associated crosswalks and Americans with Disabilities Act (ADA) curb ramps crossing the single vehicular access point. Staff also recommend long- and short-term bicycle parking be provided, to accommodate usage on site.

### Access and Circulation

The applicant proposes a single full-movement access point to the site from Chesapeake Road, to include an internal roundabout configuration, to allow drop-off at the main building entrance. Staff recommend that crosswalks and associated ADA curb ramps be provided at the vehicular access point, and throughout the site, to facilitate pedestrian movement to the building. Further details of the proposed circulation will be provided and evaluated at the time of DSP.

Based on the findings presented above, staff conclude that multimodal transportation facilities will exist to serve the proposed subdivision, as required under prior Subdivision Regulations, and will conform to the MPOT and sector plan, with the recommended conditions provided in this technical staff report.

7. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5). The sector plan contains the following goals relating to public facilities (pages 103–104):

**Public Schools**

**Goal: Preserve, retain, and support existing public-school facilities, school sites, and properties owned by the Board of Education.**

***Public Libraries***

**Goal: Preserve, retain, and support existing public libraries that provide services to the sector plan area.**

***Police***

**Goal: Maintain police facilities that meet the needs of the Central Annapolis Road sector plan area.**

***Fire and Emergency Medical Services***

**Goal: Provide fire and rescue facilities that meet the needs of the Central Annapolis Road sector plan area, based upon established county standards and their ability to accommodate modern vehicles and equipment.**

The project will not impede the achievement of the above-referenced goals. This PPS is subject to ADQ-2023-008, which established that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property in the sector plan.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, renovations to existing facilities, and construction of new facilities; however, none of its recommendations affect the subject site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for PPS or final plat approval. The 2018 *Water and Sewer Plan* placed this property in Water and Sewer Category 3, Community System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer. The property is within Tier 1 of the Sustainable Growth Act, which includes those properties served by public sewerage systems.

8. **Public Utility Easement**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for public utility easements (PUEs) is a minimum of 10 feet wide along both sides of all public ROWs. The site abuts Chesapeake Road and MD 410. The PPS does not show any PUEs. The applicant submitted a request for a variation from Section 24-122(a), to allow omission of PUEs from the public street frontages.

#### **Variation Request**

Section 24-113(a) of the prior Subdivision Regulations sets forth the required findings for approval of variation requests, as follows:

**(a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

**(1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The granting of the variation to omit PUEs along the public street frontages will not be detrimental to public safety, health, or welfare, or be injurious to other property. As provided in the applicant’s SOJ for the variation request, and as shown on the associated utility plans, there are sufficient dry utilities within the Chesapeake Road ROW to serve the subject property. In addition, no dry utilities must be routed through the subject property in order to reach adjacent properties, as all the adjacent properties are already developed and served by dry utilities. Existing utilities within the Chesapeake Road ROW include electric, phone, and internet lines. There is no existing gas line in the Chesapeake Road ROW; however, the applicant has indicated that gas service may not be needed for the proposed building, and that if it is needed, a gas line could be routed through the existing PUE located on the south side of Chesapeake Road, or through the ROW itself with the appropriate permit from DPIE. No property will be denied access to utilities due to the omission of PUEs from the subject property. Therefore, staff find this criterion is met.

**(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The conditions on which the variation request is based are unique to the site, in that the project is located in a built environment where all the adjacent developed properties are served by dry utilities, yet not all of the properties have provided PUEs. The adjacent platted properties were

generally platted between the 1960s and the 1980s, and some were platted with PUEs while others were not. Most of the dry utilities serving the area are within the ROW, with some being provided in PUEs, such that all of the properties are served. This is an uncommon arrangement given the requirements of Section 24-122(a), which typically require all platted properties to provide PUEs; therefore, the availability of PUEs in the area is a condition not generally applicable to other properties. The PUEs, if provided, would not connect to any existing PUEs, and also would not be used, which are also circumstances not generally applicable to other properties. Therefore, staff find this criterion is met.

**(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

The approval of a variation from Section 24-122(a) is unique to the Subdivision Regulations and under the sole approval authority of the Planning Board. In addition, this PPS and variation request for the location of PUEs were referred to the affected public utility companies on April 18, 2024. The companies that were contacted, which would potentially use the PUEs, included the Potomac Electric Power Company, Washington Gas, Verizon, Comcast, and AT&T. Although they would not use the PUEs, the Washington Suburban Sanitary Commission (WSSC) was also contacted to ensure there would be no conflicts between wet and dry utilities. A response was received from WSSC on May 9, 2024, which did not oppose the variation request. As of the date of this technical staff report, no other utility companies have responded. Staff are not aware of any other law, ordinance, or regulation that would be impacted by this request and, therefore, find this criterion has been met.

**(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The particular physical surroundings of the subject property, which affect the variation request, include its hilly topography, limited frontage on Chesapeake Road, and the abutting Purple Line ROW with associated retaining wall. Based upon the existing topography depicted on the PPS, the site has a 52-foot change in elevation from its highest point to its lowest point along its frontage on MD 410. The applicant is proposing a 22-foot-wide driveway for access from Chesapeake Road, and much of the site's 161 linear feet of frontage on Chesapeake Road will be taken up by the 3:1 grading needed to make the access viable. Along the Purple Line ROW, the retaining wall that protects the track has a zone of influence which cannot be disturbed without compromising its integrity. The topographic conditions create engineering practical difficulties for the site that would be complicated if the applicant were required to provide space for PUEs along the site frontages. Given that the PUEs are not needed to serve the site or any other parcels with dry utilities, carrying out the strict letter of the regulations and requiring the PUEs would be a particular hardship as

opposed to a mere inconvenience to the owner, given the engineering which would have to be carried out to make space for utilities that will never be installed. Therefore, staff find this criterion is met.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The site is not in any of the above-listed zones. Therefore, this criterion is not applicable.

Based on the preceding findings, staff find the purposes of prior Subtitle 24 are served to a greater extent by the alternative proposal set forth and recommend approval of the variation from Section 24-122(a), to omit PUEs from the public street frontages of the property.

9. **Historic**—The sector plan contains no goals or policies related to historic preservation. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicated the probability of archeological sites within the subject property is low. A Phase I archeology survey is not recommended. The subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.
10. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-045-2023	N/A	Staff	Approved	6/23/2023	N/A
CSP-23001	TCP1-020-2023	Planning Board	Approved	2/15/2024	2024-007
4-23005	TCP1-020-2023-01	Planning Board	Pending	Pending	Pending

### **Grandfathering**

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 because the application is for a new preliminary plan of subdivision.

### **Site Description**

A review of the available information indicates that the only regulated environmental feature (REF) on-site is an isolated wetland and associated buffers. According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources, Natural Heritage Program, and used on PGAtlas, there are no rare, threatened, or endangered species found to occur on or near this property. During the natural resources inventory (NRI) plan review process, a letter dated June 7, 2023, was

submitted from the Maryland Department of Natural Resources, Wildlife and Heritage Service stating that there are no known rare, threatened or endangered species found to occur on or near this property. This site is located in the Lower Beaverdam Creek watershed that flows into the Anacostia River.

### **Plan 2035**

The site is located within the Environmental Strategy Area 1 of the Regulated Environmental Protection Areas map, as designated by Plan 2035, and within the Established Communities of the General Plan Growth Policy in Plan 2035.

## **Environmental Conformance with Applicable Plans**

### **Sector Plan Conformance**

The sector plan contains goals, policies, and strategies in the Environmental Infrastructure and Sustainability section. The following policies have been determined to be applicable to the current project. The text in **bold** is the text from the sector plan, and the plain text provides comments on the plan's conformance.

- **Preserve, protect, and enhance the designated green infrastructure elements.** (page 77)

The PPS is found to be in conformance with the 2017 Green Infrastructure Plan, as discussed below. Protection of green infrastructure elements and REF of the site will be further evaluated with future development applications.

- **Preserve, protect, and enhance surface/ground water feature; restore lost ecological functions.** (page 77)

DPIE is currently reviewing the stormwater management concept for this project for technical conformance with County Code requirements and will continue to review through the development process. The review includes checking that the use of environmental site design practices and techniques are used for preservation, protection, and enhancement of surface and ground water features and for the restoration of ecological functions. Sediment and erosion control measures will be reviewed by the Prince George's County Soil Conservation District.

- **Reduce energy consumption countywide.** (page 104)

The use of green building techniques and energy conservation techniques should be used as appropriate. The use of alternative energy sources such as solar, wind and hydrogen power are encouraged.

- **Reduce overall sky glow, minimize the spill-over of light from one property to the next, and reduce glare from light fixtures.** (page 104)

The use of alternative lighting technologies is encouraged so that light intrusion onto adjacent properties is minimized. Full cut-off optic light fixtures should be used. Lighting will be evaluated at the time of DSP.



- **Minimize impacts of noise on residential uses during the land development process.** (page 104)

Noise impacts on the proposed development are addressed in the Noise finding of this technical staff report.

### **Conformance with the Green Infrastructure Plan**

The 2017 *Countywide Green Infrastructure Plan* (Green Infrastructure Plan) was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (Resource Conservation Plan) (CR-11-2017) on March 7, 2017.

According to the Green Infrastructure Plan and the Resource Conservation Plan, a majority of the project area, except for a small section in the northern central part of the site, is identified as being in an evaluation area. There are no regulated areas located on this site.

The proposed development will impact a small portion of an isolated wetland and wetland buffer, which is considered an REF. This wetland is part of a larger wetland that is located adjacent to this site. While the evaluation area green infrastructure elements mapped on the subject site will be impacted, the overall site will be graded under Subtitle 32 requirements, and the intent of the growth pattern established in Plan 2035.

Based on the proposed layout, the project demonstrates substantial conformance with the applicable policies and strategies of the Green Infrastructure Plan.

The following policies and strategies of the Green Infrastructure Plan are applicable to the subject application. The text in **bold** is the text from the Green Infrastructure Plan and the plain text provides findings on plan conformance:

#### **POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.**

The property is within the Lower Beaverdam Creek of the Anacostia River watershed and is not within a Tier II catchment area. The site contains a portion of an isolated wetland that is a continuation of the wetland located off-site. Stormwater management will be reviewed by DPIE, and sediment and erosion control measures will be reviewed by the Soil Conservation District. The limits of disturbance shown on the SWM plans and the sediment and erosion control plans shall be consistent with the limits of disturbance on the future Type 2 tree conservation plan (TCP2).

#### **1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**

According to the sensitive species project review area map received from the Maryland Department of Natural Resources, Natural Heritage Program, and used on PGAtlas, there are no rare, threatened, or endangered species found to occur on or near this property.

**POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.**

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**

The current Green Infrastructure Plan (2017) shows that the majority of the site is mapped as an evaluation area. No primary management area (PMA) exists either on or adjacent to this site; therefore, no regulated areas are mapped. The natural features of this property are isolated by developed lands on all sides, and the site contains only a small section of land that is not within the evaluation area, along the boundary of the fully developed property to the north. There are no meaningful network gaps to consider with this property.

- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**

Mitigation for the isolated wetland and the associated buffer will be determined by Maryland Department of the Environment (MDE), Non-tidal Wetlands Division, during their review of the permit for the disturbance to the wetland and its associated buffer.

- 2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

Any requirements to locate off-site mitigation for the protection of the green infrastructure network will be determined by MDE at the time of permit review for the disturbance to the wetland and its associated buffer.

**POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.**

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**

- a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**

No transportation related impacts to the green infrastructure network are proposed with the subject application.

- b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No trail systems are proposed with this application.

**POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.**

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

The REF on-site will be permanently impacted, and no conservation easement will be required.

**POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.**

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

The proposal has not received SWM concept approval, but is in review with DPIE. The unapproved SWM concept plan submitted with this application shows use of micro-bioretenion facilities and a SWM vault. The TCP2 shall match the SWM concept plan, when approved. The applicant proposes to permanently impact the REF on-site for construction of the proposed building and associated infrastructure, which is supported.

**POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.**

***General Strategies for Increasing Forest and Tree Canopy Coverage***

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**

The overall site will be cleared and graded under Subtitle 32 requirements, and under the intent of the growth pattern established in Plan 2035. The woodland conservation requirement will be met using off-site mitigation credits.

- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

This site will need to meet the requirements for tree canopy as provided in Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance. Tree canopy coverage requirements will be evaluated at the time of DSP review. The proposed development will also be subject to the provisions of the 2010 *Prince George's County Landscape Manual*, and Section 4.9, Sustainable Landscaping Requirements. Conformance to this section of the Landscape Manual will be evaluated at the time of DSP review.

#### ***Forest Canopy Strategies***

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**

The site is surrounded by developed areas and no new forest edges will be created by this development.

- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

The subject property does not contain connected, closed canopy forests. No forest interior dwelling species are present on this site or in the surrounding area.

- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

As stated previously, this site will need to meet the requirements for tree canopy as provided in Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, which will be evaluated at the time of DSP. Green and open space is encouraged to serve multiple eco-services.

## **Environmental Review**

### **Natural Resources Inventory**

A Natural Resources Inventory (NRI-045-2023) was approved on June 23, 2023, and is provided with this application. This site does not contain any streams, but does have a small portion of an isolated wetland and associated buffer, which is a REF. Four specimen trees are associated with this site.

It should be noted that during review of this application it was reported that the soil on this site was contaminated from off-site sources. The applicant is working with MDE to clean the site of these contaminants through a voluntary cleanup program, monitored by MDE. Since this is considered an existing condition, the NRI shall be updated prior to signature approval of the PPS with a note explaining this condition and the participation in the voluntary MDE program.

### **Woodland Conservation**

The site is subject to the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Type 1 Tree Conservation Plan (TCP1-020-2023-01) was submitted with this PPS showing the site contains 2.79 acres of woodland in the net tract and has a woodland conservation threshold of 0.45 acre (15 percent). The woodland conservation worksheet proposes the removal of 2.79 acres of woodland, resulting in a woodland conservation requirement of 1.49 acres. According to the TCP1 worksheet, the requirement is proposed to be met with 1.49 acres of off-site woodland conservation credits. The environmental letter of justification previously submitted with CSP-23001 indicates that on-site preservation, afforestation, and reforestation cannot be met as it would limit the developable area of the site. The site has a 50-foot drop in elevation from the western side of the property to the east. This results in extra earthwork and grading limiting the amount of woodland on-site.

### **Specimen Trees**

A Subtitle 25 variance was approved with CSP-23001 for the removal of Specimen Trees ST-1 through ST-4. No additional specimen trees have been requested for removal with this PPS application.

### **Regulated Environmental Features**

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision Regulations. The site contains no streams or floodplain; therefore, no PMA is on-site. However, there is a total of 5,228 square feet of environmental features, which consist of 96 square feet of isolated wetlands on-site, and 5,132 square feet of wetland buffer that is associated with an off-site wetland. Isolated wetlands, not associated with a stream, stream buffer, or 100-year floodplain, are not delineated as PMA; however, authorization from MDE, Nontidal Wetlands Division, is still required prior to disturbance.

The applicant proposes to permanently impact this isolated wetland and wetland buffer area for the construction of the proposed building and associated infrastructure. Section 24-130(b)(5) of the Subdivision Regulations states:

**Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.**

Impacts to REF should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use, and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the REF. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

The applicant submitted a SOJ dated March 7, 2024. The SOJ provided that this project is a transit-oriented project located in a General Plan Center. The Environmental Technical Manual states the following:

**Where properties are located in the Developed Tier or a designated center or corridor, impacts to regulated environmental features may be considered where needed to accommodate planned development on constrained sites. Such impacts may include allowing impervious surfaces to remain within the buffer or the placement of structures within a currently unvegetated buffer. Preservation of existing vegetated buffers will be a priority.**

After evaluating the applicant's SOJ, the proposed impacts on the REF are supported. The proposed REF impacts are considered necessary for the orderly development of the subject property and surrounding infrastructure. This project is a planned development within a General Plan Center on a constrained site in the Developed Tier. The site is constrained by many factors such as its irregular shape, a 52-foot change in elevation, and location adjacent to an existing retaining wall for the Purple Line track.

### **Soils**

The predominant soils found to occur on-site, according to the United States Department of Agriculture, Natural Resources Conservation Service Web Soil Survey are Russett-Christiana-Urban land complex, Christiana-Downer-Urban land complex, and Urban land. Marlboro clay is not found on or near this property.

A condition of CSP-23001 required that the applicant provide a slope stability analysis for unmitigated conditions in the application package. The applicant provided this documentation. The Commission's geotechnical planner has reviewed the documentation and has no issues at this time.

The applicant has indicated that this site has been contaminated from off-site sources. The applicant is working with MDE's Voluntary Cleanup Program to remediate this contamination.

Based on the preceding findings, staff find that the PPS conforms to the relevant environmental policies of the sector plan and the Green Infrastructure Plan, and the relevant environmental requirements of prior Subtitle 24 and Subtitle 25, with the recommended conditions of approval.

11. **Urban Design**—Per Section 27-546(a) of the prior Zoning Ordinance, a DSP will be required for the development.

The subject PPS satisfies the minimum lot requirements of the M-X-T Zone as required by the prior Zoning Ordinance. The regulations and requirements of the prior Zoning Ordinance applicable to this development within the M-X-T Zone will be evaluated at the time of DSP review.

The applicant proposed at the time of the CSP to use the optional method of development per Section 27-545. The applicant proposed an outdoor plaza, in accordance with Section 27-545(b)(6) of the prior Zoning Ordinance, to gain a density bonus allowing additional floor area ratio. An exhibit was included to show the location and square footage of the outdoor plaza. This approximately 11,839-square-foot outdoor plaza will be further reviewed and evaluated at the time of detailed site plan review, when considering if the final gross floor area proposed for this development may be permitted. This outdoor plaza will be evaluated at the time of the DSP to ensure it is appropriately scaled for the development, and to confirm it is available for public use. Pursuant to Section 27-545(a)(1), greater densities shall be granted for amenities listed in 27-545(b) which are provided by the developer and are available for public use.

The D-D-O Zone imposes architectural and site design standards to implement the sector plan's vision for the Central Annapolis Road Corridor and this character area. This development will be evaluated for conformance to the applicable D-D-O Zone standards at the time of DSP review, which include bulk and yard requirements, setback requirements, parking and access management, landscaping, screening, buffering, and building design (pages 145–153 of the sector plan).

The CSP included the following consideration related to the amount of office development proposed on the property:

1. **The subject conceptual site plan application is located within walking distance of a Purple Line station, which can fully bring the vision of the 2010 Approved Central Annapolis Road Sector Plan and Sectional Map Amendment to fruition. The site has potential to foster community oriented businesses, such as doctors' offices, small accounting firms, and banks, which may be attractive tenants. Its location can be attractive for back-office space for companies**

seeking affordable locations, with regional access necessary to support information technology, accounting, and other services. Explore opportunities to offer office space to these types of businesses as part of the mixed-use component of the building. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone, in accordance with Section 27-547(d) of the prior Prince George's County Zoning Ordinance.

To address this consideration, staff requested that the applicant provide a SOJ discussing how the amount of square-footage devoted to the office use was in sufficient quantity to serve the purposes of the M-X-T Zone given in Section 27-542(a) of the Zoning Ordinance. Staff reviewed the applicant's SOJ to determine whether the purposes were met. The purposes given in Section 27-542(a) are listed below in **bold** text, while staff findings regarding each purpose are given in plain text.

**Sec. 27-542. - Purposes.**

**(a) The purposes of the M-X-T Zone are:**

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**
- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The proposed development will add desirable living opportunities within walking distance of the Glenridge Purple Line Station. However, the development does not include substantial employment opportunities as part of its application. The applicant included a market study attached to their SOJ, indicating that market conditions near the Glenridge station do not support large offices or ground-level retail. The applicant states in their SOJ that it does not predict increased demand for these commercial uses in the foreseeable future. As such, staff find that the modest office space proposed with this development is appropriate.

- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

Given the proximity to Glenridge station, the mix of commercial and residential uses surrounding this property, and the lack of demand for additional commercial development, the development of multifamily



dwelling units maximizes the development potential inherent in the property.

- (4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The proximity of the development to Glenridge station and the commercial uses already existing within walking distance will promote the use of transit and reduce automobile use.

- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The proposed development will offer a plaza area that should be designed so as to encourage activity throughout the day. The modest office space will provide additional opportunity for activity during workday hours. As previously mentioned, the proposed development is within walking distance of public transit and existing commercial uses.

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

Given the need for housing, the proposed plaza, the proximity of existing commercial uses, and the market analysis, staff find the proposed residential and commercial uses to blend harmoniously.

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

The proposed development of a mixed-use building at the site will help create a dynamic functional relationship between the existing commercial developments to the west and north of the property, and the existing office, multifamily, institutional, and single-family uses to the south and east, by infilling a vacant site.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**

The design of the building and site efficiently incorporates the existing conditions, consolidates SWM facilities, and decreases the length of water and sewer connections. The project will play an integral role in revitalizing the Glenridge area, bringing new foot traffic to the nearby commercial areas.

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

The proposed development adds much needed housing to the County. In addition, the market analysis included with this application indicates that office space is not needed in the foreseeable future.

- (10) **To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

Architectural design will be evaluated at the time of DSP.

Based on the above findings, staff find that the 1,380 square feet of office space proposed by the applicant will meet the purposes of the M-X-T Zone, and additional office space is not needed to serve the intent that the property be developed as mixed-use.

12. **Noise**—The property abuts MD 410, which is an arterial roadway, as well as a transit ROW, which will be used by the Purple Line. Therefore, the applicant was required to provide a noise study analyzing whether any noise mitigation would be needed for the subject property. The applicant provided a July 31, 2023, Phase I noise study for the PPS.

The most recent standards require that noise must be mitigated to be no more than 65A weighted decibels (dBA) continuous equivalent sound level (Leq) during the hours of 7:00 a.m. to 10:00 p.m. (daytime), and no more than 55 dBA/Leq during the hours of 10:00 p.m. to 7:00 a.m. (nighttime), in outdoor activity areas. This method of measurement establishes that the average noise level in outdoor activity areas must be no more than 65 dBA during the daytime and 55 dBA during the nighttime. The most recent standards also establish that noise must be mitigated to be no more than 45 dBA in the interiors of dwelling units.

The Phase I noise study submitted by the applicant follows the current standards. The study delineated the future ground level unmitigated 65 dBA/Leq noise contour during the daytime, and the future ground level mitigated 55 dBA/Leq noise contour during the nighttime (based on the anticipated footprint and massing of the building). These two noise contours are reproduced on the PPS. Although the applicant indicated that there will be upper-level outdoor activity areas (in the form of balconies for the individual units), the study did not delineate upper-level noise contours. Instead, the noise study included a massing model of the building with noise levels mapped as a gradient across the facades. The position of the future ground level mitigated 55 dBA/Leq nighttime noise contour should be confirmed with a Phase II noise study at the time of DSP, when the final positions of the building and any noise mitigation features are known.

The Phase I study found that at ground-level, the site would not be affected by noise levels above 65 dBA/Leq during the daytime. During the nighttime, the site will be affected by noise above 55 dBA/Leq at ground-level. However, the building will shield the ground-level outdoor activity areas in front of the building from high noise levels along the transit and arterial ROW. The Phase I study also found that the parts of the building façades would be

affected by noise levels above 65 dBA/Leq during the daytime and above 55 dBA/Leq during the nighttime, according to the massing model. These noise levels will affect upper-level balconies for the units that are proposed on these façades. The Phase II noise study should explain how noise will be mitigated in these outdoor activity areas, to ensure they are not exposed to noise above the required maximum levels.

With regard to interior noise, standard building construction materials are capable of reducing noise levels at building exteriors of up to 65 decibels (dB), to be no more than 45 dB in building interiors. Therefore, to ensure noise levels in dwelling unit interiors remain below the required level of 45 dBA, noise mitigation will be required for the dwellings units exposed to exterior noise levels above 65 dBA/Leq. This mitigation may consist of upgraded building materials, which reduce sound transmission from outside the dwellings. To ensure interior noise is mitigated to the required level, at the time of DSP, the DSP should identify which dwelling units within the building will need interior noise mitigation, and the building shells or structures shall be designed to reduce interior noise levels in the units to 45 dBA or less.

- 13. Community Feedback**—At the time of the writing of this technical staff report, the Prince George's County Planning Department has not received any correspondence from the community regarding this subject application. It is noted, however, that staff coordinated with the Town of Landover Hills, prior to the approval of the associated Certificate of Adequacy ADQ-2023-008, in order to formulate appropriate conditions for the applicant to provide bicycle and pedestrian facilities within 0.5-mile of the subject site, pursuant to Section 24-4506 of the Subdivision Regulations.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
  - a. Add a general note indicating approval of a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations, to omit public utility easements from the property street frontages.
  - b. Label the existing fence, in the eastern portion of the site, stating whether it is to be retained or removed.
  - c. In General Note 27, correct the number of the Type 1 Tree Conservation Plan to TCP1-020-2023-01.
  - e. In General Note 21, add the stormwater management concept number and approval date, once the stormwater management concept plan has been approved.
  - f. Revise General Note 8 to include the area of the on-site isolated wetland and wetland buffer, which are regulated environmental features.

- g. Add a general note stating that the preliminary plan of subdivision was submitted for review under the prior Prince George's County Zoning Ordinance and Subdivision Regulations.
  - h. Show and label the road centerlines for MD 410 (Veterans Parkway/East West Highway) and Chesapeake Road, and the right-of-way widths from the road centerline to the subject property line.
- 2. Development of this site shall be in conformance with Stormwater Management Concept Plan 20142-2023-SCD, once approved, and any subsequent revisions.
- 3. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall include a note on the final plat indicating approval of a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations, to omit public utility easements from the property street frontages.
- 4. In accordance with Section 24-135 of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, adequate on-site recreational facilities.
- 5. Prior to submission of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall submit an executed private recreational facilities agreement (RFA) to the Development Review Division (DRD) of the Prince George's County Planning Department, for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.
- 6. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Park and Recreation Facilities Guidelines*, with the review of the detailed site plan (DSP). Timing for construction shall also be determined at the time of DSP.
- 7. Prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities.
- 8. Prior to acceptance of the detailed site plan, a slope stability analysis for mitigated conditions shall be included in the acceptance package.
- 9. Prior to signature approval of the preliminary plan of subdivision, the applicant shall provide the approved stormwater management concept plan, which shall be consistent with the layout shown on the Type 1 tree conservation plan.
- 10. Prior to issuance of the first building permit for the site, the applicant shall provide a Certificate of Completion from the Maryland Department of the Environment stating that the site has completed the Voluntary Cleanup Program for any contamination that may have been present on-site.

11. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-020-2023-01. The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-020-2023-01 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George’s County Planning Department.”

12. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
13. Prior to issuance of permits for this project, a Type 2 tree conservation plan shall be approved.
14. Prior to signature approval of the preliminary plan of subdivision, the natural resources inventory (NRI) shall be updated with the approximate area of contamination. The following note shall be added to the NRI:

“This site is subject to a response action plan (RAP) in association with participation with the Maryland Department of the Environment’s (MDE) Voluntary Cleanup Program (VCP). MDE concurs that a proposed RAP should be developed, approved by MDE, and satisfactorily implemented to address risks to human health and the environment resulting from the presence of Total Petroleum Hydrocarbons (“TPH”) in soil, and TPH and Volatile Organic Compounds (“VOCs”) in groundwater at the Property. Upon satisfactory implementation and completion of the requirements set forth in the approved RAP and any subsequent addendums, the MDE will issue a Certificate of Completion for the Property which must be recorded in the land records of Prince George’s County within 60 days following receipt”.

15. In accordance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2010 *Approved Central Annapolis Road Sector Plan and Sectional Map Amendment*, the applicant and the applicant’s heirs, successors and/or assignees shall provide the following facilities, and the facilities shall be shown on a pedestrian and bikeway facilities plan as part of the detailed site plan, prior to its acceptance:
  - a. A minimum 5-foot-wide sidewalk and shared roadway pavement markings and signage along the property frontage of Chesapeake Road, unless modified by the operating agency with written correspondence.

- b. A minimum 5-foot-wide sidewalk from the building entrance to the frontage of Chesapeake Road.
  - c. Provide Americans with Disabilities Act-compliant curb ramps and crosswalks crossing all vehicular access points throughout the site.
  - d. Designated pathways for pedestrians throughout the site, to all uses, and through surface parking lots.
  - e. Streetscape amenities to be accessible and functional throughout the site, to accommodate the mixed-use community.
  - f. Long-term bicycle parking within the multifamily building and short-term bicycle parking near the building entrance, in accordance with American Association of State Highway and Transportation Officials guidelines.
  - g. Short-term bicycle parking for the commercial area, at a location convenient to the building, in accordance with American Association of State Highway and Transportation Officials guidelines.
16. At the time of the Detailed Site Plan (DSP) review, the applicant shall delineate the boundary of the proposed outdoor plaza, with details of amenities included within.
17. Prior to acceptance of a detailed site plan (DSP), the applicant shall submit a Phase II noise study based on the final site layout and building architecture. The study shall demonstrate that outdoor activity areas (including any upper-level balconies) will be mitigated to 65 dBA/Leq or less during the hours of 7:00 a.m. to 10:00 p.m., and 55 dBA/Leq or less during the hours of 10:00 p.m. to 7:00 a.m., and that the interiors of dwelling units will be mitigated to 45 dBA or less. The DSP shall identify all dwelling units requiring enhanced building shell design or construction materials for interior noise mitigation, and the architecture shall reflect the enhancements required to these units. The DSP shall show the locations and details of features provided for outdoor noise mitigation. The ground-level mitigated 65 dBA/Leq noise contour, ground-level mitigated 55 dBA/Leq noise contour, upper-level mitigated 65 dBA/Leq noise contour(s), and upper-level 55 dBA/Leq noise contour(s) shall be delineated on the DSP, accounting for the locations of buildings and all noise barriers.

**STAFF RECOMMEND:**

- Approval of Preliminary Plan of Subdivision 4-23005
- Approval of Type 1 Tree Conservation Plan TCP1-020-2023-01
- Approval of a Variation from Section 24-122(a)