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Detailed Site Plan
Departure from Design Standards
Alternative Compliance
The Herman Apartments

DSP-22017
DDS-24003
AC-25009

REQUEST	STAFF RECOMMENDATION
DSP: Development of 145 multifamily dwelling units with associated infrastructure and amenities. DDS: Reduction of the standard, nonparallel parking space size from 9.5 feet by 19 feet to 9 feet by 18 feet, pursuant to Section 27-239.01 of the prior Prince George's County Zoning Ordinance. AC: Alternative compliance from the buffer width requirement of Section 4.6, Buffering Development from Streets, of the 2010 <i>Prince George's County Landscape Manual</i>.	With the conditions recommended herein: • APPROVAL of Detailed Site Plan DSP-22017 • APPROVAL of Departure from Design Standards DDS-24003 • APPROVAL of Alternative Compliance AC-25009 • APPROVAL of Type 2 Tree Conservation Plan TCP2-023-2025 • APPROVAL of a Variance to Section 27-442(c)

Location: On the north side of Ager Road, approximately 1,500 feet southeast of its intersection with MD 410 (East West Highway).

Gross Acreage: 9.51

Zone: RSF-65/RSF-A

Prior Zone: R-55/R-35

Reviewed per prior Zoning Ordinance: Section 27-1704(b)

Dwelling Units: 145

Gross Floor Area: None

Planning Area: 65

Council District: 02

Municipality: None

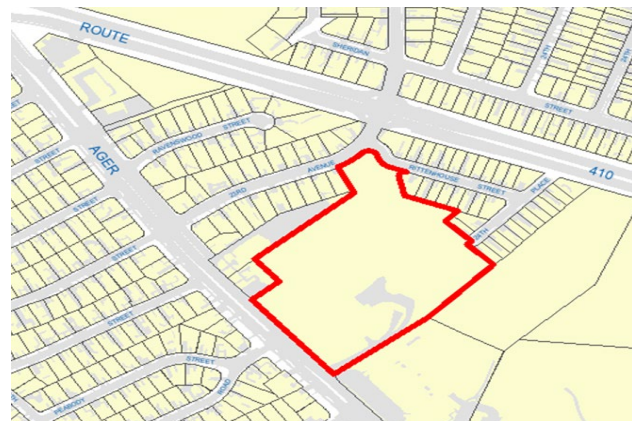
Applicant/Address:

Community Housing Initiative INC.
Attn: Patrick Byrne
1123 Ormond Court
McLean, VA 22101

Staff Reviewer: Meng Sun

Phone Number: 301-952-3994

Email: Meng.Sun@ppd.mncppc.org



Planning Board Date:	09/18/2025
Planning Board Action Limit:	09/18/2025
Staff Report Date:	09/05/2025
Date Accepted:	06/02/2025
Informational Mailing:	05/31/2024
Acceptance Mailing:	05/06/2025
Sign Posting Deadline:	08/19/2025

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at

http://www.mncppcapps.org/planning/Person_of_Record/.

Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-22017
Departure from Design Standards DDS-24003
Alternative Compliance AC-25009
Type 2 Tree Conservation Plan TCP2-023-2025
Variance to Section 27-442(c)
The Herman Apartments

The Urban Design Section has reviewed the subject application and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION CRITERIA

This property is located within the Residential, Single-Family-65 (RSF-65) and Residential, Single-Family-Attached (RSF-A) Zones. However, this application is being reviewed and evaluated in accordance with the Prince George's County Zoning Ordinance effective prior to April 1, 2022 (prior Zoning Ordinance). Pursuant to Section 24-1704(a) of the Prince George's County Subdivision Regulations, subdivision approvals of any type remain valid for the period of time specified in the Subdivision Regulations under which the subdivision was approved. The subject property received prior development approvals, including Preliminary Plan of Subdivision (PPS) 4-22012 (PGCPB Resolution No. 2024-005), which was reviewed and approved under the Subdivision Regulations effective prior to April 1, 2022 (prior Subdivision Regulations), and therefore, remains valid until January 18, 2026. Pursuant to Section 24-1704(b) of the Subdivision Regulations, until and unless PPS 4-22012 expires, the project may proceed to the next steps in the approval process (including any zoning steps that may be necessary) and continue to be reviewed and decided under the prior Subdivision Regulations and prior Zoning Ordinance. Therefore, this application may proceed to the next steps in the approval process, and continue to be reviewed and decided under the prior Zoning Ordinance. A next step in this instance is a detailed site plan (DSP). Accordingly, this DSP application and the companion departure from design standards, alternative compliance, and variance applications are being reviewed under the prior Zoning Ordinance. Under the prior Zoning Ordinance, the property is subject to the standards of the One-Family Detached Residential (R-55) and One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zones, which applied to this property prior to April 1, 2022. The portion of the property which is to be developed is entirely within the R-55 Zone. Therefore, staff considered the following in reviewing this detailed site plan:

- a. The prior Prince George's County Zoning Ordinance for the One-Family Detached Residential (R-55) Zone;

- b. Preliminary Plan of Subdivision 4-22012;
- c. The 2010 *Prince George's County Landscape Manual*;
- d. The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The Prince George's County Tree Canopy Coverage Ordinance;
- f. Referral comments; and
- g. Community feedback.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommend the following findings:

1. **Request:** This detailed site plan (DSP) is for development of 145 multifamily dwelling units, with associated infrastructure and amenities.
2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone	RSF-65/RSF-A	R-55/R-35*
Use(s)	Vacant	Multifamily Residential
Gross Acreage	9.51	9.51
Floodplain Acreage	5.36	5.36
Net Tract Acreage	4.15	4.15
Parcels	1	2
Dwelling Units	0	145
One-Bedroom	0	63
Two-Bedroom	0	77
Three-Bedroom	0	5

Note: *No development is occurring on the portion of the subject property within the One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zone.

Zoning Regulations (Per Section 27-442 of the prior Prince George's County Zoning Ordinance)*

	REQUIRED	PROVIDED
Density (max. dwelling units per net acre of net lot/tract area)	40	35
Building Height (max. in feet)	110	54
Net lot area (min. in sq. ft.)	16,000	180,774
Lot coverage for multifamily dwellings having 4 or more stories (max. % of Net Lot Area)	40%	62%**
Green area for multifamily dwellings having 4 or more stories (min. % of Net Tract Area)	60%	38%**
Lot width at front building line (min. in feet)	125	431
Lot width at front street line (min. in feet)	125	430
Front Yard Setback (min. in feet)	30	97.1***
Side Yard Setback (total of both/min. of each in feet)	30/10	97.5/36.1***
Rear Yard Setback (min. in feet)	30	140.6***

Notes: *Per Footnote 141 in Section 27-441(b) of the prior Zoning Ordinance, all regulations for the Multifamily Medium Density Residential (R-18) Zone set forth in Section 27-442 shall apply, except if the multifamily housing is constructed with low-income housing tax credits, the maximum density shall be 40 dwelling units per acre and the maximum height shall be 110 feet.

**Two variances are requested with this DSP, as discussed below in Finding 7.e. The variances seek a 22 percent increase in the maximum percentage of net lot coverage, from 40 to 62 percent, and a 22 percent decrease in minimum percentage of green area, from 60 to 38 percent. A green area exhibit was submitted to show the area that is counted, which contains some technical errors. A condition is included herein requiring the applicant to revise the green area exhibit to distinguish floodplain areas from green areas, and to change the legend from “pervious areas” to “green areas” on the plan.

***In addition to the two regulations from which a variance is requested, the front, side, and rear yard setbacks provided in the schedule on the plan do not reflect the actual distances provided. A condition is included herein requiring the applicant to update the schedule on the cover sheet, to reflect the actual yards provided to demonstrate conformance, and to remove the note with two asterisks which states “if the buildings are more than 36 feet high, 4 or more stories, and has an elevator”.

Parking and Loading Data (Per Section 27-568(a) of the prior Zoning Ordinance)

REQUIREMENTS (If wholly within a one-mile radius of a metro station)	REQUIRED	PROVIDED
Multifamily, dwelling 1.33 spaces per each dwelling +0.33 space per bedroom in excess of one per unit		

REQUIREMENTS (If wholly within a one-mile radius of a metro station)	REQUIRED	PROVIDED
63 one-bedroom units	84	-
77 two-bedroom units	128	-
5 three-bedroom units	10	-
Total Parking Spaces	222	223
On-site standard spaces (9.0 feet x 18 feet)*	-	134
On-site compact spaces (8.0 feet x 16.5 feet)**	Up to 74	74
Handicap-accessible (8.0 feet x 18.0 feet)* and **	At least 7	10
Electric vehicle spaces (9.0 feet x 18 feet)*	-	5

Notes: *Departure from Design Standards DDS-24003 is submitted with this DSP for approval, which is addressed below in Finding 7.d. DDS-24003 seeks a reduction of the required parking space size (9.5 feet by 19 feet) to 9 feet by 18 feet. However, the typical parking space detail still shows a size of 9.5 feet by 19 feet, and the parking departure application number is incorrect. A condition is included herein requiring the applicant to remove the typical parking space detail exhibit, which shows typical parking space size as 9.5 feet by 19 feet, and revise the parking space detail exhibit by showing the correct parking departure application number.

**Of which up to 74 parking spaces (one third of the requirement) may be compact, in accordance with Section 27-559(a) of the prior Zoning Ordinance. In addition, of which at least seven parking spaces shall be handicap-accessible and at least two handicap-accessible spaces shall be handicap-van accessible, in accordance with Section 27-566(b) of the prior Zoning Ordinance.

The submitted parking schedule shows the parking requirement is met. However, there is a technical error in the parking schedule. A condition is included herein requiring the applicant to revise the parking schedule by placing the electric vehicle spaces row above the total spaces provided row, ensuring a total of 223 parking spaces.

Loading Spaces (Per Section 27-582(a) of the prior Zoning Ordinance)

	REQUIRED	PROVIDED
Multifamily, Dwelling (between 100 and 300 dwelling units)	1	-
Total Loading Spaces (12 feet x 33 feet)	1	1

Bicycle Spaces

This DSP includes six inverted U-shaped bicycle racks for 12 bike parking spaces, located to the southwest and southeast corners of the proposed building, near the building entrance and proposed sidewalk. Staff notice the bike rack specifications don't match the dimensions and images shown in the bike rack details on the site plan. The two bike rack details are not consistent in terms of dimensions. A condition is included here requiring the applicant to remove the bike rack specifications that are not consistent with the proposed bike rack on-site, and to ensure the two bike rack details are consistent in dimensions or remove

one detail exhibit that is not applicable. The proposed parking excludes long-term interior bicycle parking. Staff recommend long-term interior bicycle parking and a condition has been included herein.

3. **Location:** The subject property is located on the north side of Ager Road, approximately 1,500 feet southeast of its intersection with MD 410 (East West Highway), in Planning Area 65 and Council District 2.
4. **Surrounding Uses:** The subject property is bound to the southeast by the wooded area of Heurich Park in the Reserved Open Space (ROS) Zone, formerly the Reserved Open Space (R-O-S) Zone, and the Rosa L. Parks Elementary School in the Residential, Single-Family-65 (RSF-65) Zone, formerly the One-Family Detached Residential (R-55) Zone; to the southwest by Ager Road and single-family detached dwellings beyond in the RSF-65 (formerly R-55) Zone; to the northwest by Ager Road Methodist Church and single-family detached dwellings beyond in the RSF-65 (formerly R-55) Zone; to the north and northeast by 23rd Avenue, Rittenhouse Street, 24th Place, and single-family detached dwellings in the Residential, Single-Family-Attached (RSF-A) Zone, formerly the One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zone.
5. **Previous Approvals:** Preliminary Plan of Subdivision (PPS) 4-04089 was approved by the Prince George's County Planning Board on October 7, 2004 (PGCPB Resolution No. 04-235), for development of one parcel to support a 19,283-square-foot church. The property subsequently received final plat approval (5-05120) in accordance with the PPS. However, the church was never constructed.

PPS 4-22012 was approved by the Planning Board on January 18, 2024 (PGCPB Resolution No. 2024-005), to subdivide the property into two parcels. This PPS supersedes 4-04089. Parcel 1 is to be developed with a 145-unit multifamily building. Parcel 2 is to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC), to add onto the stream valley parkland located on abutting Heurich Park. Certificate of Adequacy ADQ-2022-028 was approved by the Prince George's County Planning Director on January 8, 2024, subject to two conditions. This ADQ is valid for 12 years from the date of its approval, and subject to the additional expiration provisions of Section 24-4503(c)(1)(C) of the Prince George's County Subdivision Regulations.

6. **Design Features:** The DSP proposes development of 145 multifamily dwelling units within one 5-story building, with one vehicular access driveway from Ager Road. The proposed multifamily building with associated infrastructure and amenities will be developed on the proposed Parcel 1. Proposed Parcel 2 will be dedicated to M-NCPPC, to add onto the stream valley parkland, located on abutting Heurich Park. Due to the existing environmental features on the northern portion of proposed Parcel 1, the proposed multifamily building on Parcel 1 will be located south of the 100-year floodplain and its buffer area, facing a parking area that will occupy the western and southern portions Parcel 1.

The multifamily building is designed in an approximately L-shaped configuration, with two wings and a central, south-facing main entrance that leads to the parking area. The periphery of Parcel 1 adjacent to other parcels will be enclosed with a fence. According to the architectural floor plan, there are stairway entrances at both the west and east sides of the building, an entrance providing access to the patio area at the rear/north side, and three entrances to utility rooms. The front and back area of the building will be improved with

landscaping and internal sidewalks, providing pedestrian access to the parking area and amenities located at the rear of the building. Striped crosswalks are proposed at the vehicular entry/exit point and between proposed internal sidewalks and the sidewalks outside of the parking area for pedestrian connectivity. The dimension of the proposed sidewalk is not labeled on the DSP. A condition is included herein requiring the applicant to add dimensions to the proposed sidewalk surrounding the proposed building.

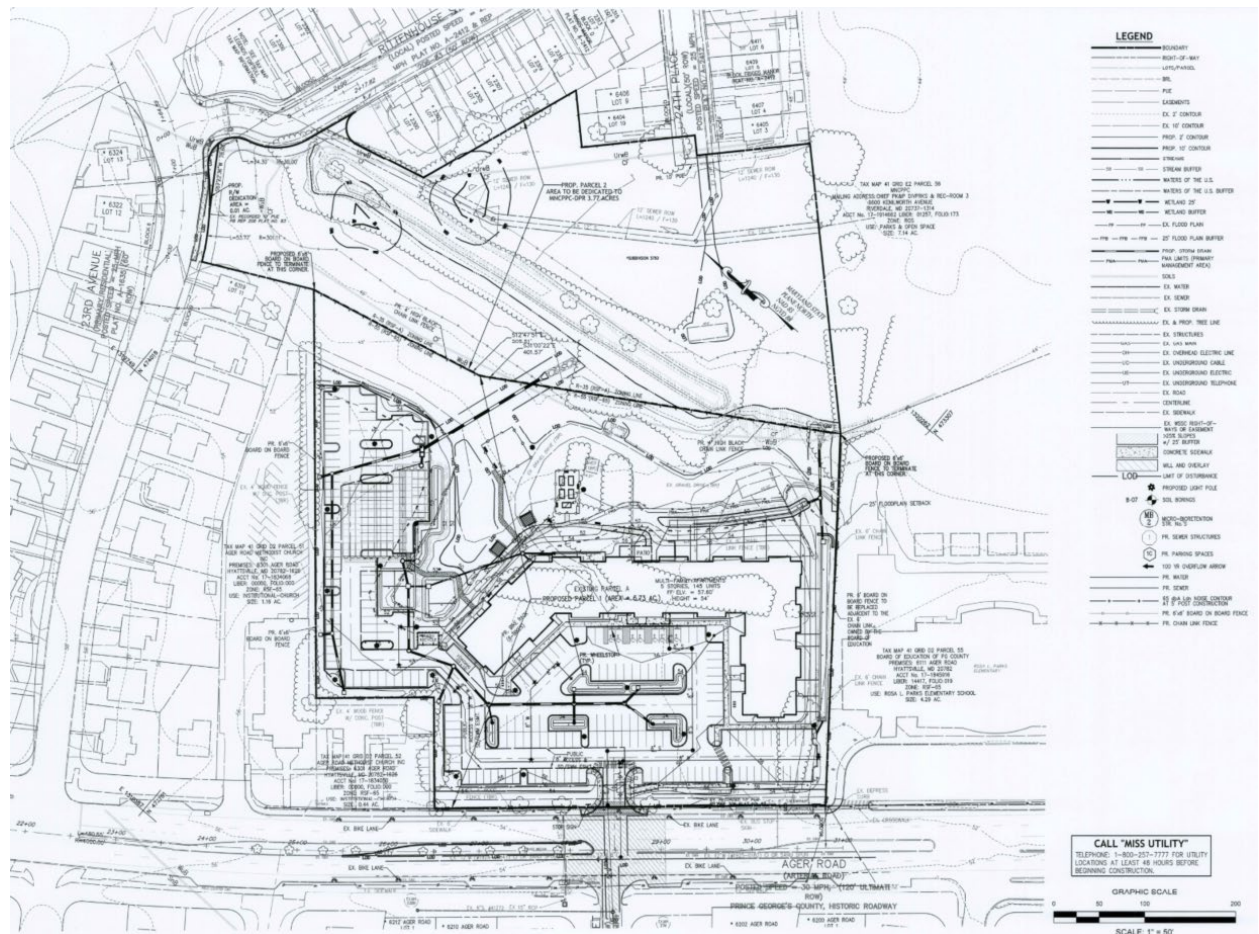


Figure 1: Site Plan

Architecture

Section 27-274(a)(10) of the prior Zoning Ordinance requires an analysis of architecture in terms of building forms, materials, and styles. The architectural design of the proposed building exemplifies a contemporary mid-rise multifamily residential style. The building's facade is arranged with multiple vertically articulated bays. The facade is composed of five-stories, with a tripartite base-middle-top expression. Lighter appearing material, including vinyl clapboard siding, is used on top of the heavier appearing materials, including faux stone veneer. The facade design features wall offsets, in the form of projection and recess in the facade plane, along with facade color alteration. The building facades will feature siding and veneer in four distinct colors/materials, thoughtfully arranged to create visually appealing patterns and prevent monotony in the exterior appearance. The gabled roof feature above the central section and mansard roof above each projected bay add a traditional element to the contemporary design, while the flat roof of the building provides a modern and functional aspect. The main entrance canopy enhances both the aesthetic

appeal and functionality of the entrance area to provide protection from sun and rain. The building is finished with a mix of materials including faux stone veneer, vinyl clapboard siding, fiber cement paneling, aluminum fascia, and glass. These building materials are proposed across all façades of the building, to ensure a unified and harmonious use of materials and style. Staff find the floor plans and the front elevation F6 A-2.1 are not matching. A condition is included herein requiring the front elevation and floor plan be revised to match.



Figure 2: Front and Side Elevations

Signage

Section 27-436(c)(1) of the prior Zoning Ordinance requires an analysis of signs based on Part 12 of the prior Zoning Ordinance. This DSP features one gateway sign with two sides, positioned on the southeast side of the entrance access, north of the proposed sidewalk. The base will be made of a masonry brick with a pre-cast concrete cap. The cast bronze plaque is mounted with silicone adhesives to the front of the sign base. The gateway sign is 6 feet in height and 3.5 feet in width. The plaque, which is the lettering area, is measured 24 inches in length and 16.5 inches in height. The area of the plaque is calculated as approximately 2.75 square feet. The proposed sign is in conformance with Section 27-624 of the prior Zoning Ordinance, in terms of area, height, location, materials, and landscaping as shown on Sheet 17 of the DSP. The materials shown on the sign detail appear to be masonry brick, however, the sign material is not labeled. A condition is included herein requiring the applicant to label the sign materials on the sign detail exhibit.

Lighting

Section 27-274(a)(3) of the prior Zoning Ordinance requires an analysis of lighting. A photometric plan was submitted with this application, including lighting specifications and a luminaire schedule. The DSP proposes to install 21 pole-mounted lights to illuminate the parking lot and around the multifamily building. The light fixtures are proposed to be durable and compatible with the scale, architecture, and use of the site. This photometric plan demonstrates the proposed lighting levels and features for the subject property, which have been designed to encourage pedestrian safety via durable, full-cut-off appliances. Staff find that the submitted photometric plan shows adequate lighting for users on-site and is sufficient for illuminating parking lot, drive aisles, building entryways, and walking paths. However, the photometric plan shows the proposed lighting fixtures will cause lighting to spill over onto adjacent properties. A condition is included herein requiring the applicant to adjust the location of lighting fixtures that are close to the eastern and western property lines, respectively, to avoid light spilling over to the adjacent properties.

Loading and trash facilities

Section 27-274(a)(2) of the prior Zoning Ordinance requires an analysis of loading, and Section 27-274(a)(6) of the prior Zoning Ordinance requires an analysis of trash facilities. One loading space will be located next to the west side of the multifamily building, and one trash/recycle facility will be located next to the loading space, at the northwest corner of the multifamily building. The dumpster and loading space are positioned away from Ager Road, to minimize visibility from public roadways. These facilities are located in areas conveniently accessible to the building and are directly accessible from the proposed 22-foot-wide drive aisle which connects to Ager Road. However, the loading space is not clearly marked on the plan. A condition is included herein requiring the applicant to add strips to clearly mark the proposed loading area.

Per Section 4.4(c)(2) of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), loading spaces, loading docks, and maintenance areas shall be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The proposed fence, trees, and landscaping along the property periphery and the proposed trees and landscaping along Ager Road will screen the loading space from the public street.

Per Section 4.4(c)(4) of the Landscape Manual, all dumpsters, trash pads, and trash collection or storage areas, including recycling facilities, are required to be screened from all outdoor recreation areas, retail parking areas, and entrance drives. The submitted plans show the location of the proposed trash/recycle facility, with the details and dimensions of the dumpster enclosure that will wholly screen the dumpster from view. The enclosure is made of materials that will be compatible with the building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject property is split-zoned, but the proposed apartment building is only located within the prior R-55 Zone on proposed Parcel 1. Therefore, the subject DSP has been reviewed for compliance with the requirements of the R-55 Zone and the site design guidelines of the prior Zoning Ordinance, as follows:

- a. Per Section 27-441(b), Uses Permitted, the use of a multifamily dwelling is permitted in the R-55 Zone, subject to Footnote 141, which reads as follows:

Notwithstanding any other provisions of this Subtitle, multifamily dwellings are a permitted use in the R-55 Zone provided:

- (a) The use is located on property that has a minimum of nine (9) acres and a maximum of twelve (12) acres;**

The subject property has a gross tract area of 9.51 acres.

- (b) The Property adjoins property owned by the Board of Education of Prince George's County;**

The Rosa L. Parks Elementary School, which adjoins the subject property to the southeast, is owned by the Board of Education of Prince George's County.

- (c) The use is located on property within one mile radius of a Metro station platform; and**

The property is approximately 0.8 miles from the Hyattsville Crossing Metro Station platform, and approximately 0.7 miles from the West Hyattsville Metro Station platform.

- (d) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, density, accessory buildings, minimum area for development, and other requirements of the R-55 Zone shall not apply. All regulations for the R-18 Zone set forth in Section 27-442 shall apply, except if the multifamily housing is constructed with Low-Income Housing Tax Credits, the maximum density shall be forty (40) dwelling units per acre and the maximum height shall be one hundred ten (110) feet. All other regulations shall be those approved by the Planning Board or District Council pursuant to Part 3, Division 9 of this Subtitle.**

This submitted DSP demonstrates conformance to all regulations for the R-18 Zone set forth in Section 27-442, as discussed in Finding 2. However, two variances are requested with this DSP, including a 22 percent increase in the maximum percentage of net lot coverage from 40 percent to 62 percent, and a 22 percent decrease in minimum percentage of green area from 60 percent to 38 percent.

The applicant has submitted a letter and attached exhibits as evidence that the Herman Apartments will be financed using low-income housing tax credits, administered through the Maryland Community Development Administration. The letter and its exhibits show that the applicant is in the process of seeking low-income housing tax credits approval for the project, but the project has not been approved for low-income housing tax credits yet. A condition is included herein requiring the applicant to submit

evidence that the development has been approved for low-income housing tax credits, prior to approval of building permits.

- b. Other applicable regulations:

Section 27-420. Fences and walls

- (a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.)**

No fence over 6 feet high is proposed. The submitted DSP shows 6-foot-high board-on-board fences are proposed along the western and eastern property lines of proposed Parcel 1, and a 4-foot-high chain-link fence is proposed along the northern property line. In addition, 6-foot-high solid board fences are proposed in the required landscape bufferyard along Ager Road. All proposed fences are in conformance with this regulation. A condition is included herein requiring the applicant to provide details for the proposed 6-foot-high solid board fence along Ager Road.

Furthermore, the site plan indicates that six retaining walls are proposed along the perimeter of the parking lot situated to the west of the multifamily building. Sheet 18 of the DSP shows the plan and profile of the proposed retaining walls. The height of all proposed retaining walls is less than 6 feet. The proposed retaining walls are in conformance with this regulation. Staff noticed some technical errors with the plan. A condition is included herein requiring the applicant to revise the name of Wall Detail 7 and 8 on Sheet 19 to be "Wall 6 plan & profile".

- (b) Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.**

The proposed fences are four and six feet high, and they shall require permits.

- (c) Except for land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution in connection with providing public utility service in the County by a regulated public utility, barbed wire shall be prohibited in the U-L-I Zone where visible from any street with a right-of-way width of at least eighty (80) feet, or land in a residential zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, any approved Conceptual or Detailed Site Plan, or M-U-TC Zone Development Plan).**

No stranded barbed wire and/or razor wire are proposed for this development.

- (d) **Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot. (See Figure 42.1).**

The DSP includes board-on-board, chain-link, and solid board fences. However, the submitted fence details don't indicate which side shall face the interior subject lot. A condition is included herein requiring the applicant to add notes on fence details, indicating that all structural support shall face the interior of the subject lot.

- (e) **Electric security fences more than six (6) feet high, but no more than ten (10) feet high, may be located in any required yard and shall not be required to meet the setback requirements for main buildings set forth in (a) above, if the electric security fence is located on the interior side of a non-electrical fence that is at least six (6) feet high. Any fence erected on a corner lot shall satisfy the provisions of Section 27-466. A voltage and shock hazard sign shall be attached to the electric security fence at intervals along the fence not exceeding thirty (30) feet. Any electric security fence exceeding twelve (12) volts shall require a variance from the Chief Electrical inspector or designee pursuant to Subtitle 9. Notwithstanding the above, an electrical security fence more than six (6) feet high, but not more than ten (10) feet high shall meet the setback requirement along any lot line shared with a property that is residentially or commercially zoned unless a variance is approved by the Board of Appeals.**

This regulation is not applicable because the subject DSP does not include electric security fences.

Section 27-421.01. - Frontage.

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code. Additional provisions are contained in Sections 27-431(d) and (e) and 27-433(e) and (f).

Proposed Parcel 1 has frontage on and direct vehicular access to Ager Road, a public street.

- c. The DSP is in conformance with the applicable site design guidelines, as required in Section 27-283 of the prior Zoning Ordinance, and contained in Section 27-274 of the prior Zoning Ordinance, as follows:

Section 27-274(a)

- (2) **Parking, loading, and circulation.**

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:**
- (i) Parking lots should generally be provided to the rear or sides of structures;**
 - (ii) Parking spaces should be located as near as possible to the uses they serve;**
 - (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;**
 - (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and**
 - (v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.**

Access to the subject site will be provided by one full movement driveway along Ager Road. The site layout strategically places parking at the front and side of the multifamily building, to promote safe and efficient circulation for residents and vehicles. A single vehicular access point is located at the front of the building. Placing a portion of the parking lot at the front of the building enhances pedestrian accessibility for residents and visitors, especially those requiring handicap spaces. Green space and planting islands are located within the parking lot to avoid uninterrupted expanses of pavement. The buildable area within the parcel is limited due to the shape of the floodplain, as well as the narrow frontage along Ager Road. In order to minimize the lot coverage and to efficiently layout parking aisles, the proposed parking lot location is optimized to achieve maximum unit count, and project financial feasibility and efficient vehicular access, particularly for service and emergency vehicles. Conversely, positioning parking at the rear would intensify stormwater management (SWM) needs, and negatively affect outdoor amenities, which are currently shielded from traffic by the building, to provide a safe and pleasant environment for residents. Staff find that this configuration generally complies with design guidelines and mitigates both excessive costs and unnecessary impacts on the existing floodplain; the proposed surface parking lot has been located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the

visual impact of cars; and the parking spaces are located to provide convenient access to major destination points on the site.

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

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

The subject DSP does not include loading docks, but includes one loading space, which is screened by the proposed landscaping along the Ager Road frontage and western property line. The loading space is located internal to the site, adjacent to the multifamily building, and is separated from the parking area and away from traffic circulation. The loading circulation exhibit demonstrates that the movements will be accommodated throughout the site. Staff find that the location of the loading space is visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. Staff find the loading space is appropriate and requirements for the loading area are met.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;**
- (ii) Entrance drives should provide adequate space for queuing;**
- (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;**
- (iv) Parking areas should be designed to discourage their use as through-access drives;**
- (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;**

- (vi) **Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;**
- (vii) **Parcel pick-up areas should be coordinated with other on-site traffic flows;**
- (viii) **Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
- (ix) **Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**
- (x) **Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) **Barrier-free pathways to accommodate the handicapped should be provided.**

Access to the subject site will be provided by one full movement driveway along Ager Road, and internal circulation is proposed via drive aisles, allowing two-way traffic. The site plan includes a 5-foot-wide sidewalk, ADA curb ramp, and crosswalks providing connections throughout the site, including within the parking lots. Stop signs and striped sidewalks are used to facilitate safe pedestrian and vehicular circulation. Sidewalks are proposed along the front and rear of the building, connecting to the outdoor amenities at the rear of the building, and the parking lot on the side of the building, as well as the sidewalks along Ager Road. Pedestrian and vehicular circulation routes are generally separated, and striped crosswalks are marked where they intersect. Staff find vehicular and pedestrian circulation on-site to be safe, efficient, and convenient for both pedestrians and drivers.

(3) Lighting.

- (A) **For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site design's character. To fulfill this goal, the following guidelines should be observed:**
 - (i) **If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;**

- (ii) **Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;**
- (iii) **The pattern of light pooling should be directed on-site;**
- (iv) **Light fixtures fulfilling similar functions should provide a consistent quality of light;**
- (v) **Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and**
- (vi) **If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.**

Lighting for this DSP has been discussed in Finding 6, demonstrating conformance to the regulations, in which adequate illumination is provided for users and for the site in the evening. The light fixtures are proposed to be durable and compatible with the scale, architecture, and use of the site. As conditioned, the pattern of light pooling is directed on-site, as the applicant proposes full cut-off light fixtures. Staff find that the submitted photometric plan shows adequate lighting for users on-site and is sufficient for illuminating parking lot, drive aisles, building entries, and walking paths throughout the site.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The proposed landscaping along the street frontage and the perimeter of the subject property creates a scenic view for both drivers passing by and pedestrians using the sidewalk along the public streets. In addition, existing on-site woodlands and varied landscaping proposed within the existing floodplain will enhance the scenic views from the adjacent public areas, including Heurich Park. Accordingly, staff find that the proposed site design techniques preserve, create, and emphasize scenic views from public areas.

(5) Green Area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:**

- (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;**
- (ii) Green area should link major site destinations such as buildings and parking areas;**
- (iii) Green area should be well-defined and appropriately scaled to meet its intended use;**
- (iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;**
- (v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;**
- (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and**
- (vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.**

Green area is dispersed throughout the development and mainly consists of areas for landscaping, recreational facilities, and preservation of the various on-site environmental features. The landscaping areas are located along the property boundaries, and throughout the parking lot, creating scenic buffering from adjacent properties. The connective green areas will be easily accessible for maintenance and designed to enhance the visual character of the site.

The subject property totals 9.51 acres, of which 5.36 acres is in the 100-year floodplain. There is an existing stream on-site that is part of the Northwest Branch Stream Valley. The 3.77 acres proposed for stream valley parkland dedication encompasses most of the on-site stream, existing trees along the stream bank, floodplain, and reforestation area. The parkland dedication, along with the on-site woodland conservation and reforestation area, will serve the focal point of the project. The land for dedication is contiguous to Heurich Park to the east, which is currently developed with several outdoor recreational amenities, including a football/soccer field, a playground, a dog park, and a basketball court.

For future residents, recreational amenities for the proposed multifamily development will consist of a dog park and garden area complete with garden beds and benches. The proposed green area is

well-defined with these amenities and appropriately scaled to meet its intended use. The green area is accented by landscaping, pergolas, and benches. Staff find that the green area incorporates significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site.

(B) The application shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

Section 27-285(b)(5) of the prior Zoning Ordinance states that the Planning Board may approve a DSP if it finds that the regulated environmental features (REF) have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Subdivision Regulations. The on-site REF include streams, wetlands, stream buffers, and wetland buffers.

Section 24-130(b)(5) 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."

PMA Impacts Associated with 4-22012

Five impacts were approved with the PPS for a total impact of 25,534 square feet. Impacts 2, 3, and 4 are not proposed to be modified with this DSP; however, this DSP is reliant on that prior approval. Modified and additional impacts are discussed below.

PMA Impacts Associated with DSP-22017

Two modified impacts and two new impacts to the primary management area (PMA), identified as Impacts 1, 5, 6, and 7, are proposed with this application and detailed below. A statement of justification (SOJ) dated July 25, 2025 was submitted with the revised material.

Impact 1 – 0.11 acre (4,986 square feet)

Impact 1 was originally approved with the PPS, for 0.12 acre (5,057 square feet), for the installation of a 36-foot storm drainpipe and outfall. The DSP proposes to modify this impact due to refined site design engineering resulting in a decrease of 71 square feet of

permanent impact, totaling 0.11 acre (4,986 square feet). This impact is supported as proposed due to the decrease in impact.

Impact 5 – 0.55 acre (24,042 square feet)

Impact 5 was originally approved with the PPS for 0.29 acre (12,480 square feet), for the removal of two existing outbuildings and the remaining portion of an existing gravel driveway. The DSP proposes to modify this impact to expand the disturbance to floodplain by 0.26 acre, totaling 0.55 acre (24,042 square feet) to accommodate additional areas of open space and passive recreation. Over half of the property (5.36 acres) is within the floodplain. In addition, 3.77 acres of PMA on the site will be dedicated to the Prince George's County Department of Parks and Recreation (DPR), which limits space for on-site amenities for residents. The expanded floodplain area, while impacted, will be incorporated into open space and on-site recreational areas for development. These areas of passive recreation will be stabilized and planted with grass, along with landscaping materials, as shown on the landscape plans. This impact originally included areas of impact for SWM facilities and recreational facilities with the floodplain; however, staff requested that those impacts be separated to differentiate them from Impact 5, which does not include built facilities. The applicant submitted a revised impact request and exhibit accordingly, which are discussed in Impacts 6 and 7 below. Modified Impact 5 is supported as proposed.

Impact 6 – 0.10 acre (4,166 square feet)

The DSP proposes this impact for recreational facilities to be located in the floodplain, totaling 0.10 acre (4,166 square feet). This includes a dog park, raised garden planting beds, two sitting areas, and pathways connecting these features. As mentioned with the discussion of Impact 5, the area of private recreation for the proposed development is limited. Over half of the property (5.36 acres) is within the floodplain. In addition, 3.77 acres of PMA on-site will be dedicated to DPR, which limits space for on-site amenities for residents. Due to limited site area outside of the floodplain, providing recreational amenities while also accommodating other County Code requirements is unavoidable. The provision of on-site amenities for residents is reasonable for this development and this impact ensures orderly and efficient use of the property. The proposed impact for recreational facilities constitutes a relatively minor impact that has minimized to the extent practicable, as the features are mainly pervious features to support recreational open space on the property. Impact 6, for the location of these recreational features within the floodplain, is supported as proposed.

Impact 7 – 0.05 acre (2,308 square feet)

The DSP proposes this impact for stormwater features to be located in the floodplain, totaling 0.05 acre (2,308 square feet). The

proposed features include two micro-bioretenment areas and a swale. This impact was initially proposed with the PPS, but was removed so that it could be evaluated at the time of DSP, when further site design was complete to evaluate the needs and requirements further. With a large portion of the property in the floodplain, and an irregular configuration that limits the viability of the site for development, the applicant has limited opportunity to provide the SWM facility outside of the PMA, and still develop the site to the proposed density required to meet the criteria for affordable housing, while also meeting the parking requirements. The applicant has worked to locate most of the stormwater features outside of areas of PMA, but in compliance with SWM requirements and the necessity for proper drainage to the stormwater feature to ensure functionality. Therefore, portions of these features are proposed in the PMA. Section 32-205(b)(4) of the Prince George's County Floodplain Ordinance allows for SWM facilities to be located in the floodplain. Impact 7 is a necessary impact for orderly development of the property, and is supported as proposed.

Conclusion

Two modified PMA impacts (Impact 1 and Impact 5) and two new impacts (Impact 6 and Impact 7) are proposed with this application. Impacts 1 and 5 were approved with the PPS and are being modified due to design refinement. Impacts 6 and 7 are new requests with this DSP. These impacts are supported as proposed.

In conformance with Section 24-130 of the prior Subdivision Regulations, based on the level of design information currently available, the limits of disturbance shown on the Type 2 tree conservation plan (TCP2), and the impact exhibits provided, the REF on the subject property have been preserved and/or restored to the fullest extent possible. Staff find that modified PMA Impacts 1 and 5, and new Impacts 6 and 7 are necessary for construction and are reasonable for the orderly and efficient redevelopment of the subject property.

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;

- (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;**
- (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;**
- (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;**
- (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;**
- (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and**
- (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.**

The proposed site and streetscape amenities will contribute to an attractive and coordinated development and enhance the use and enjoyment of the site. Site amenities include light fixtures in the parking lot, benches, trash receptacles, bicycle racks, ADA parking spaces, and electric vehicle charging stations. The design of these amenities has been coordinated to be compatible with the overall building design, and to enhance the visual unity of the site. The majority of the amenities are located immediately adjacent to the sidewalk, providing circulation around the building. The amenities are designed to be functional and will be constructed of durable, low-maintenance materials.

The parking lot light fixtures feature a borosilicate glass refractor coupled with a spun aluminum housing, which is finished with corrosion resistant super durable powder coat paint for maximum durability. Benches are made of durable powder-coated metal, with aluminum frames and recycled plastic planks. Bicycle racks have stainless-steel finishes, offering both durability and visual appeal. Electric vehicle charging stations are constructed with rugged aluminum enclosures, providing both durability and modern and compact appeal. The fencing around the trash and recycling facility is made up of a synthetic sight-tight gate and steel bollards, providing both structural integrity and limited visibility.

The bicycle racks will be located outside of the parking lot, positioned between the proposed sidewalk and the multifamily building, to protect them from vehicular intrusion. Light fixtures for

the parking lot and electric vehicle charging stations will be located behind curbs or wheel stops wherever feasible. ADA parking spaces are provided to accommodate disabled visitors and are designed to be appropriately scaled for user comfort.

(7) Grading.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:

- (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;**
- (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;**
- (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;**
- (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and**
- (v) Drainage devices should be located and designed so as to minimize the view from public areas.**

All grading and landscaping proposed in this DSP will help to soften the overall appearance of improvements once constructed. To the fullest extent possible, all grading has been designed to minimize disruption to the existing topography. In addition, an approved SWM Concept Plan and Letter (Case No. 27161-2022-00) was submitted with this DSP. The approved plan shows the use of 12 micro-bioretention areas and an underground facility beneath the proposed parking lot to meet stormwater quality and quantity discharge requirements.

(8) Service Areas.

(A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:

- (i) Service areas should be located away from primary roads, when possible;**
- (ii) Service areas should be located conveniently to all buildings served;**
- (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and**
- (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.**

Two service areas are proposed on-site. Staff find that these service areas will be accessible, but unobtrusive. One service area is to accommodate a trash/recycle facility, and the other area is to serve as a loading space. Both areas are positioned away from Ager Road, to minimize visibility from public roadways. The trash/recycle facility and loading space are located in areas conveniently accessible to the building. As shown on the site details sheet, a 6-foot-high sight-tight fence and gate will be provided around the trash/recycle facility to screen it. The fence is made of materials that will be compatible with the building. The proposed trees and landscaping will screen the loading space from Ager Road and surrounding properties.

(9) Public Spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:**
 - (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
 - (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**
 - (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;**
 - (iv) Public spaces should be readily accessible to potential users; and**

- (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.**

The 3.77 acres proposed for stream valley parkland dedication encompasses most of the on-site stream, existing trees along the stream bank, floodplain, and reforestation area. The parkland dedication, along with the on-site woodland conservation and reforestation area, will serve the public spaces of the project. The land for dedication is contiguous to Heurich Park to the east, which is currently developed with several outdoor recreational amenities, including a football/soccer field, a playground, a dog park, and a basketball court. These amenities will accommodate various activities for public use.

(10) Architecture.

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

A detailed discussion regarding architecture has been addressed in Finding 6. Staff find the architectural design guidelines to be met.

(11) Townhouses and three-family dwellings.

This requirement is not applicable to the subject DSP because it does not include townhouses or three-story dwellings.

- d. **Departure from Design Standards DDS-24003:** The applicant has submitted a departure from design standards (DDS) to allow a reduction of the standard, nonparallel parking space size from 9.5 feet by 19 feet to 9 feet by 18 feet, pursuant to Section 27-239.01 of the prior Zoning Ordinance.

In addition, the applicant submitted an SOJ to address the required findings for a DDS indicated in Section 27-239.01(b)(7)(A) of the prior Zoning Ordinance. Staff's analysis of the departure request is as follows:

- (A) In order for the Planning Board to grant the departure, it shall make the following findings:**

(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;

The purposes set forth in the prior Zoning Ordinance include protecting the health, safety, and welfare of the residents and workers in Prince George's County, and encouraging the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features. This DSP proposes a nonparallel standard parking space dimension to be 9 feet by 18 feet, to promote the development of a compact multifamily development by making efficient use of the available land area, while still allowing for proper on-site circulation. The reduced parking space size allows for a more compact parking design, while providing increased attractive landscaping, an efficient parking layout, safe on-site circulation, parkland dedication, and SWM techniques that currently do not exist on the property. Furthermore, pursuant to Section 27-6306 of the current Zoning Ordinance, the minimum dimensional standard for nonparallel parking space is 9 feet by 18 feet. This standard set forth in the current Zoning Ordinance is consistent with the applicant's proposal. As such, the purposes of this Subtitle will be equally well or better served by fulfilling the purposes of this Subtitle.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The total gross acreage of the site is 9.51 acres and over half of the site is encumbered by 100-year floodplain, which is 5.36 acres or approximately 56 percent. The available land for development is approximately 4.15 acres, leaving a more compact development area available for the proposed multifamily building and its parking. The required number of parking spaces is 222, and the DSP provides 223 parking spaces along with one loading space. Reducing the dimensions of the nonparallel parking spaces allows for the required number of parking spaces to be provided without either intruding into the floodplain or requiring a departure from the number of parking spaces required. Accordingly, the reduction of the parking space size to 9 feet by 18 feet is the minimum necessary.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;

To adequately provide sufficient parking spaces for 145 multifamily units, as well as to meet the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements, in the 2010 *Prince George's County Landscape Manual* (Landscape Manual), a departure from the standard parking space size is necessary to accommodate the number of parking spaces required. As discussed above, the need for the departure arises from the fact that the property's

environmental features limit the area available to provide parking for the proposed multifamily building. Ultimately, the approval of the requested departure is not only to the benefit of the future residents of the multifamily development, but also to the benefit of the surrounding neighborhood. Specifically, sufficient on-site parking for the 145 multifamily units will be provided, which will reduce the possibility of off-site parking within the adjacent residential neighborhoods. Staff find that the departure is necessary to alleviate circumstances specific to the site, particularly its environmental features.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The departure to the standard nonparallel parking space size will not impair the visual, functional, or environmental quality or integrity of the site or surrounding neighborhood. The reduced standard parking space size would allow the parking required by the prior Zoning Ordinance to be entirely located on-site, and no off-site parking shall be needed within the adjacent residential neighborhood. Furthermore, the departure ensures that the DSP will accommodate the parking lot landscape requirements in the Landscape Manual. Staff find that the departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. The departure will allow for a more efficient and fully functional parking and circulation design that will serve the needs of the community.

Based on the analysis above, staff support DDS-24003, for a departure to allow standard, nonparallel parking space sizes of 9 feet in width by 18 feet in length.

- e. **Variances from Section 27-442(c) of the prior Zoning Ordinance:** The applicant has submitted two variances to allow a 22 percent increase in the maximum percentage of net lot coverage from 40 percent to 62 percent, and to allow a 22 percent decrease in minimum percentage of green area from 60 percent to 38 percent.

In addition, the applicant submitted an SOJ to address the required findings for variances indicated in Section 27-230(a) of the prior Zoning Ordinance.

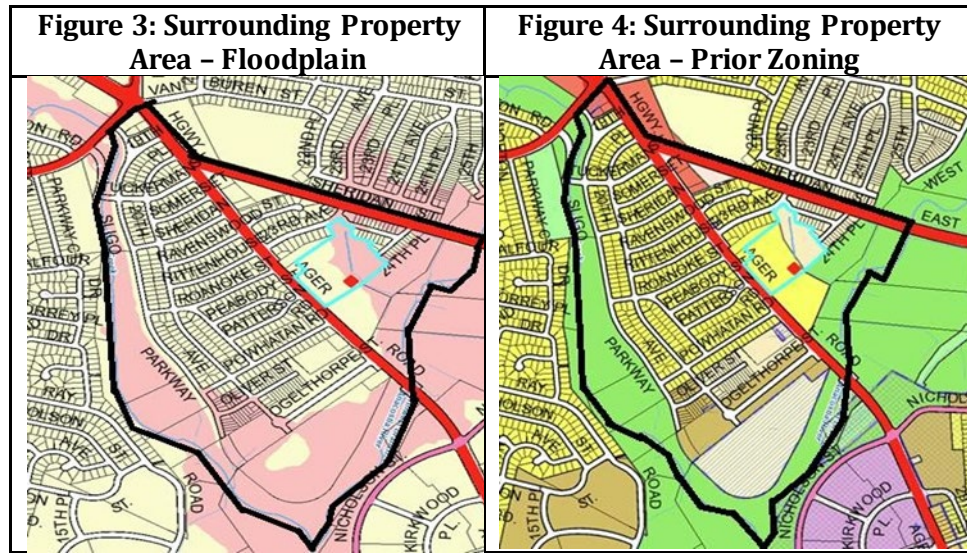
(a) A variance may only be granted when the District Council, Zoning Hearing Examiner, Board of Appeals, or the Planning Board as applicable, finds that:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary**

conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);

The applicant claims a variance is necessary because the subject property is physically unique compared to surrounding properties, due to it being heavily encumbered by environmental features like floodplain, streams, and wetlands, the extraordinary shape with limited road access due to the existence of the floodplain, and nature of split zoning of the property. The applicant defines surrounding properties as the area bounded by MD 410 (East West Highway) to the north, Sligo Creek to the south, Northwest Branch Anacostia River to the east, and Riggs Road to the west. Staff agree with the definition since the determination considered the nearby geographic boundaries, and identifying the neighboring natural features like rivers or hills, or man-made elements like major roads, highways, and railroad tracks. The selected area is developed with a mix of residential, commercial, institutional, and open spaces. This area also includes similarly zoned and situated parcels.

The applicant first claims that the property is encumbered by unique environmental features, specifically over half the site (55.8 percent or 5.36 acres) is covered by floodplain, streams, and wetlands. As a result, the existing environmental features reduce the net lot area (buildable area) of the site to only 4.15 acres. The applicant provides two exhibits to demonstrate that out of the approximately 600 tax accounts in surrounding properties, 32 properties are fully within the floodplain, and 39 are partially within floodplain; however, of the surrounding R-55 Zone, only 3 contain partial floodplain. Staff note that there are at least two other R-55-zoned properties wholly or partially in the floodplain along Powhatan Road. In addition, there are several other properties in residential zones, including the R-18 Zone under which this property is being evaluated, that are wholly or partially within the floodplain. Thus, the amount of floodplain on the property alone does not make it physically unique.



The applicant further provides a graphic showing the area of floodplain on the subject property (outlined in red), compared to the floodplain area on neighboring properties (shown in green, blue, and yellow).

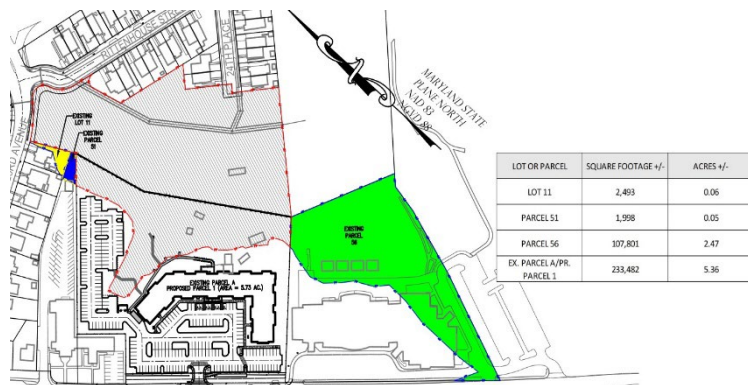


Figure 5: Floodplain acreage comparison with surrounding properties

In addition, the applicant argues that the subject property is unique because development of surrounding properties did not have the same regulatory limitations based on floodplain and stream buffers, due to these flood-impacted properties already being developed before floodplain regulation was adopted. Floodplain areas are generally unbuildable under the Federal Emergency Management Agency (FEMA), state, and local regulations, which often prohibit construction or impervious surfaces in these areas. Based on historical aerial images, the surrounding properties were fully developed circa 1960s. Of the surrounding properties that are impacted by floodplain, the subject property is the only property that is not zoned as Reserved Open Space (R-O-S) and remains undeveloped since the adoption of the floodplain regulations in 1989, and the enactment of

CB-15-2011, which established Subtitle 32: Water Resources Protection and Grading Code. The timing of development of the subject property and surrounding properties relative to the enactment of floodplain regulations is not an appropriate consideration for determining whether a property is physically unique for the purposes of granting a variance. Accordingly, this cannot serve as a basis for finding uniqueness.

Thirdly, the applicant claims that the subject property is unique based upon the extraordinary shape of the property compared to the surrounding properties. The site is adjacent to roadways on four sides, but due to REF, access to the development can only be provided from Ager Road. None of the surrounding properties have the same condition of having road frontage on four sides. The applicant does not address how this unique feature contributes to the lot coverage requirements. Staff find this unique feature is not applicable to the variance request to the lot coverage and green area percentage.

Fourth, the applicant claims the split zoning of the property is another unique attribute – notwithstanding the environmental features, the applicant has no ability to utilize the non R-55-zoned portions of the property for development given Prince George's County Council Bill CB-69-2020 that limits this use to the R-55 Zone. The criteria 1 is that a property must be physically unique. Split zoning is a regulatory rather than a physical feature. Therefore, it cannot support uniqueness.

While the applicant's submittal does not establish that the property is physically unique, staff nevertheless find that it is. Reviewing the map of the surrounding area provided by the applicant, the property is the only site with the following combination of physical features:

- Extensive Floodplain: The property is among 11.8 percent of properties within the surrounding area impacted by floodplain. The property is covered (55.8 percent or 5.36 acres) by floodplain, streams, and wetlands, which severely limits the amount of land that can be utilized toward the calculation of net lot coverage and green area;
- Irregularly Shaped Floodplain: The floodplain also features a serpentine shape, which encroaches substantially into the western portion of the property;
- Irregular Western Line: The western boundary of the parcel has been chamfered by the shape of the adjacent property, resulting in a significantly reduced front parcel width at the front street line.

- **Additional Regulated Environmental Features:** In addition to the existence of floodplain, the parcel also contains an existing stream, stream buffers, and existing structures within the floodplain. It is required by the prior Zoning Ordinance that the REF be preserved and/or restored in a natural state to the fullest extent possible. The applicant proposes to meet the requirements by removing the existing structures and fully restoring those natural features.

Together, these features result in a significantly reduced and irregular buildable area that is almost separated into two parts, which are connected by a narrow strip. This condition is not present on the other properties in the surrounding area. Therefore, the property is physically unique.

(2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;

The applicant argues that the required lot coverage and green area percentages will result in peculiar and unusual practical difficulties as the site is encumbered by floodplain, streams, wetlands, and other REF that significantly reduce the buildable area of the property. Specifically, strict adherence to zoning regulations for lot coverage and green area on the subject property would create significant practical difficulties, as over half (55.8 percent or 5.36 acres) of the land is encumbered by environmental features that cannot be developed or counted toward required green space, even though their preservation fulfills the intent of those rules.

Furthermore, the applicant claims to reduce the footprint of the proposed building to comply with the regulations fully, however, it is not feasible due to both site constraints and financial limitations linked to affordable housing development and funding restrictions. Specifically, because the proposed development is being constructed with low-income housing tax credits, alternatives that would reduce the lot coverage—such as structured parking or building a taller building—is not economically viable. Structured parking is not a viable option because the increased cost of building a structured parking facility cannot be supported by the restricted revenue of an affordable housing property. Increasing the height of the building to decrease the lot coverage would also be cost prohibitive, as it would require a prohibitively expensive construction method, which would exceed available financing and rendering the project infeasible.

Based on the above analysis, staff find the required finding is met, because Footnote 141 to Section 27-441(b) requires the applicant to both meet the Multifamily Medium Density Residential (R-18) Zone standards and provide affordable housing units through low-income housing tax credits in order to construct the multifamily project at a density of up to 40 dwelling units per acre. The applicant has provided sufficient information for staff to conclude that constructing a taller building and/or structured parking, or simply building fewer units, would result in an inability to provide low-income housing tax credits units. Accordingly, the applicant cannot provide low-income housing tax credits units and comply with the R-18 Zone standards. Therefore, Footnote 141 has a disproportionate impact on the subject property, which creates practical challenges for the property owner.

In addition, staff observe that the distinctive physical configuration of the buildable area, as outlined in Criterion 1, significantly restricts development layout options, resulting in inevitably increased lot coverage. The northwestern portion of the buildable area is limited in size and suitable only for parking. Given the reduced width of the parcel along the street line, the proposed building cannot be repositioned along the street frontage, as it would require a reduction in units, which would compromise the ability to provide low-income housing tax credits units. Consequently, the parking lot must be configured to fit in the remainder of the irregular buildable area, which results in greater lot coverage due to the increased drive aisles and site circulation. Specifically, rather than utilizing the most efficient arrangement, such as a central drive aisle with double-loaded parking stalls, the applicant must provide many single-loaded parking stalls, acute angled drive aisles, and more drive aisles and circulation to provide the required minimum parking spaces and meet emergency vehicular circulation requirements. Based on the foregoing, the property's unique physical features outlined in Finding 1 create a practical difficulty in meeting the lot coverage and green area requirements of the R-18 Zone.

(3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;

The applicant claims the variance is the minimum necessary due to the other Zoning Ordinance regulations that must also be met to ensure a safe and quality residential development, including providing the minimum number of parking spaces, on-site walkways, and recreational amenities. Staff agree with the applicant's justification. The applicant has filed a DDS request to allow a reduction of the standard, nonparallel parking space size from 9.5 feet by 19 feet to 9 feet by 18 feet, pursuant to Section 27-239.01. As discussed above, the environmental features and other site constraints significantly reduce the buildable area on the site, due to no fault of the applicant. Due to the limited buildable

area and the irregular shape of the buildable area, the requested variance is the minimum reasonable to allow sufficient space for parking areas, on-site walkways, and recreational amenities. In addition, the applicant has utilized all available regulations to reduce the parking lot area. Specifically, the applicant has taken advantage of the reduced parking ratio available to multifamily dwellings within a one-mile radius of a metro station. The plan also features the maximum number of compact spaces in order to reduce the parking footprint. If the applicant were required to remove parking spaces to meet the net lot area and green area requirements, 139 of the 223 parking spaces would need to be removed. Finally, as discussed above, in order to deliver an affordable low-income housing tax credits project, the applicant is not able to increase the building's height, or provide structured parking to reduce lot coverage. Based on the above analysis, staff find that two variances to allow a 22 percent increase in the maximum percentage of net lot coverage and a 22 percent decrease in minimum percentage of green area are the minimum necessary.

- (4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any area master plan, sector plan, or transit district development plan affecting the subject property; and**

The applicant claims that the subject property is located in the 1989 *Langley Park-College Park-Greenbelt Approved Master Plan and 1990 Adopted Sectional Map Amendment* (master plan), which recommends medium suburban and low urban land uses on the subject property. The master plan recommends the following (objectives and guidelines) to help advance the intent and purpose of the plan.

Environmental Envelope Objectives and Guidelines

- **To guide development of the Planning Areas in a manner that will minimize any adverse impact on the natural environment, with particular emphasis on the stream valleys of the Little Paint Branch, Paint Branch, Beaverdam Creek, Indian Creek, Northeast Branch, Sligo Creek, Northwest Branch, Bald Hill Branch, their tributaries, Greenbelt Lake and proposed Lake Metro.** (page 33)
- **To encourage the preservation of scenic assets and the incorporation of aesthetic features into development, in order to enhance community appearance.** (page 33)
- **Developers shall be encouraged to capitalize on natural assets through the retention and protection of trees, streams, and other ecological features.** (page 50).

The applicant claims the proposed multifamily development ensures environmental sustainability, which includes minimizing adverse impacts on the natural environment, and retaining and protecting trees or other ecological features that are currently on the property to the maximum extent possible. Furthermore, the proposed multifamily development aligns with goals and objects of CB-69-2020, for the purpose of permitting multifamily dwellings in the prior R-55 Zone, under certain specified circumstances.

Staff agree with the applicant's justifications. The variance can be granted without substantially impairment to the intent, purpose and integrity of the master plan affecting the subject property. Despite the increased lot coverage and decreased green area, the project has been designed in alignment with the Environmental Envelope Objectives and Guidelines. Specifically, the applicant has limited development to the subject property's Ager Road frontage with only minor intrusions into the floodplain and REF. Accordingly, allowing increased lot coverage and decreased green area will not substantially impair the master plan. This criterion is met.

(5) Such variance will not substantially impair the use and enjoyment of adjacent properties.

The subject property is bound to the southeast by the wooded area of Heurich Park in the Reserved Open Space (ROS) Zone, formerly the Reserved Open Space (R-O-S) Zone, and the Rosa L. Parks Elementary School in the Residential, Single-Family-65 (RSF-65) Zone, formerly the One-Family Detached Residential (R-55) Zone; to the southwest by Ager Road and single-family detached dwellings beyond in the RSF-65 (formerly R-55) Zone, to the northwest by Ager Road Methodist Church and single-family detached dwellings beyond in the RSF-65 (formerly R-55) Zone; to the northern and northeastern by 23rd Avenue, Rittenhouse Street, 24th Place, and single-family detached dwellings in Residential, Single-Family-Attached (RSF-A) Zone, formerly the One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zone.

The applicant argues that northern and northeastern portion of the property are encumbered with environmental features that will be preserved, and no access to the development will be provided from these streets. Since the multifamily development is limited to the southern, R-55 zoned portion of the property, the adjacent properties will be naturally buffered from the proposed development and its increased lot coverage. In addition, landscaping will be provided to buffer the proposed development from the neighboring properties to the east and west. Based on the foregoing, staff find that the requested variances will not substantially impair the use and enjoyment of adjacent properties. The adjacent properties will be adequately buffered such that the increased lot

coverage and decreased green area will not be visible. This criterion is met.

(6) Notwithstanding any other provision of this Section, a variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

The applicant claims that the practical difficulties are not self-inflicted as the environmental features on the subject property were naturally formed and naturally exist. The basis for the requested variances results from the substantial environmental features that account for approximately 56 percent of the site, will not be disturbed or be developed, yet cannot be counted toward meeting the lot coverage or green area requirements, none of which were caused by the owner/applicant.

Staff find that the property's irregular shape, extent of the floodplain, and REF on the subject property cause practical difficulty in meeting the lot coverage and green area requirements, as discussed in Finding 2. The floodplain and REF are naturally occurring. Accordingly, the practical difficulty is not self-inflicted by the owner. Staff find this criterion is met.

8. Preliminary Plan of Subdivision PPS 4-22012: PPS 4-22012 was approved by the Prince George's County Planning Board on January 18, 2024 (PGCPB Resolution No. 2024-005), subject to 15 conditions. The conditions relevant to this DSP are listed below, in **bold** text. Staff's analysis of the PPS conditions follows each one, in plain text:

3. Development of this site shall be in conformance with Stormwater Management Concept Plan 27161-2022-00 and any subsequent revisions.

The proposed development remains in conformance with the SWM concept plan.

5. The applicant and the applicant's heirs, successors, and/or assignees shall construct the following facilities, and shall show these facilities on the detailed site plan, prior to its acceptance:

a. A standard sidewalk along the property's frontage on 23rd Avenue, unless modified by the operating agency with written correspondence.

The site plan includes a 5-foot-wide sidewalk along 23rd Avenue.

12. Prior to acceptance of a detailed site plan, the applicant shall determine whether the building is impacted by the unmitigated 65 dBA/Ldn noise contour, as shown on the preliminary plan of subdivision. If the building is impacted by the 65 dBA/Ldn noise contour, the applicant shall submit a revised noise study which shows the location of the unmitigated 65 dBA/Leq noise contour for the hours of 7:00 a.m. to 10:00 p.m. If the building is impacted by the 65 dBA/Leq noise contour, the noise study shall recommend

noise mitigation to ensure noise levels within the dwelling units are mitigated to below 45 dBA.

The submitted site plan shows the location of the unmitigated 65 dBA/Ldn noise contour, which does not impact the proposed building.

- 13. If the building is determined to require interior noise mitigation as described by Condition 12 above, prior to approval of a building permit, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permit, stating that the building shell or structure has been designed to reduce interior noise levels in the dwellings to 45 dBA or less.**

This condition is not applicable because the proposed building is not impacted by the 65 dBA/Ldn noise contour.

- 14. At the time of final plat, in accordance with Section 24-134(a)(4) of the Prince George's County Subdivision Regulations, approximately 3.65 +/- acres of parkland, as shown on the preliminary plan of subdivision (Parcel A), shall be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to the following conditions:**

- h. In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by, or to be conveyed to, M-NCPPC. However, the Prince George's County Department of Parks and Recreation (DPR) recognizes that there may be need for conservation or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR. DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond and/or maintenance and easement agreement may be required prior to the issuance of any grading permits.**

Woodland reforestation and outfalls are proposed on-site in areas to be dedicated to The Maryland-National Capital Park and Planning Commission. The applicant has provided written consent via an email with the Prince George's County Department of Parks and Recreation (DPR), the Environmental Stewardship Division of DPR, that demonstrates conformance with this condition. DPR staff have indicated that a signed memorandum will be provided to Environmental Planning Section staff at the time of final approval of the Type 2 tree conservation plan (TCP2).

- 9. Certificate of Adequacy ADQ-2022-028:** The property is the subject of Certificate of Adequacy ADQ-2022-028, which was approved by the Prince George's County Planning Director on January 8, 2024. This ADQ is valid for 12 years from the date of its approval and subject to the additional expiration provisions of Section 24-4503(c)(1)(C) of the Subdivision Regulations. ADQ-2022-028 was approved with two conditions, one of which is relevant to review of this DSP and is listed below, in **bold** text. Staff's analysis of the project's conformance to the condition follows in plain text:

1. **Total development within the subject property shall be limited to uses which generate no more than 75 AM peak-hour trips and 87 PM peak-hour vehicle trips.**

The subject application is consistent with the prior approval and does not exceed the established trip cap.

10. **2010 Prince George's County Landscape Manual:** The DSP is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping, of the Landscape Manual. The submitted landscape plan demonstrates conformance to the following standards:

- Section 4.3, Parking Lot Requirements
- Section 4.4, Screening Requirements
- Section 4.7, Buffering Incompatible Uses
- Section 4.9, Sustainable Landscaping

Staff find there are a few technical errors, and conditions are included herein to address those technical errors in the provided schedules, and to demonstrate conformance.

In Schedule 4.1-4, Residential Requirements for Multifamily, of the Landscape Manual, the green space provided is not consistent with the green space identified in the green space exhibit. A condition is included herein requiring the applicant to revise Schedule 4.1-4 to show the green space provided to be consistent with the number in the green space exhibit and revise the landscape plan accordingly to demonstrate conformance.

Alternative compliance is requested from Section 4.6, Buffering Development from Streets, of the Landscape Manual.

The applicant requests alternative compliance from Section 4.6 , as follows:

REQUIRED: Section 4.6(c)(1)(A)(iii) Buffering Residential Development from Streets, Major Collector or Arterial Road:

	Ager Road
Linear feet of property line adjacent to the street	392 feet
Minimum width of buffer	50 feet
Shade Trees (6 per 100 linear feet)	24
Evergreen Trees (16 per 100 linear feet)	64
Shrubs (30 per 100 linear feet)	120

PROVIDED: Section 4.6(c)(1)(A)(iii) Buffering Residential Development from Streets, Major Collector or Arterial Road:

	Ager Road
Linear feet of property line adjacent to the street	392
Minimum width of buffer	26 feet
Shade Trees (4 per 100 linear feet)	24
Evergreen Trees (12 per 100 linear feet)	65
Shrubs (20 per 100 linear feet)	129

Justification of Recommendation

The applicant requests alternative compliance from the requirements of Section 4.6, which requires a minimum buffer width of 50 feet when any yard of a multifamily development in any zone is oriented toward a street classified as an arterial, such as Ager Road. The proposed development, which includes parking and drive aisles within this required buffer, reduces the provided width to 26 feet. The applicant has provided planting units along this buffer, beyond the requirement, to ensure there is an attractive view of development from the street, and the yard is buffered. In addition, the applicant has proposed a 6-foot-tall, board-on-board fence parallel to Ager Road.

Since the required buffer is in the front yard of this development, the Alternative Compliance Committee evaluated the alternative presented for quality in streetscape design as an additional consideration. The applicant provided several options for meeting the requirements of alternative compliance, including multiple variations of fencing or walls along this buffer (See Alternative Compliance Exhibit 2, included in the backup). The Committee reviewed these options and determined that Option Type No. 4, which includes a 2- to 4-foot-high curved masonry wall and berm would be equally effective as normal compliance while providing an attractive and safe streetscape along Ager Road. The recommended condition below includes revising the submitted plans to include Option Type No. 4 along this buffer, instead of the currently proposed 6-foot-tall, board-on-board fence.

Given that the provided plant units exceed the requirement, in addition to a proposed masonry wall and berm, the Alternative Compliance Committee finds the applicant's proposal, as amended with the recommended condition below, equally as effective as normal compliance with Section 4.6(c)(1), Requirements for Buffering Residential Development from Streets, of the Landscape Manual.

Recommendation

The Alternative Compliance Committee recommends APPROVAL of Alternative Compliance AC-25009, from the 2010 *Prince George's County Landscape Manual*, for Section 4.6, Buffering Development from Streets, subject to the following condition:

1. Prior to certification, the landscape plans shall be revised as follows:
 - a. Revise the landscape design along the Ager Road frontage to provide Option Type No. 4, which includes a combination of berms and sections of curved 2- to 4-foot-high masonry wall, as shown in the sheet titled Exhibit

No. 2 Alternative Compliance Options, subject to review by the Urban Design Section, as a designee of the Prince George's County Planning Board.

- b. Remove the alternative compliance notation from the landscape schedules that do not require alternative compliance.

11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance

(WCO): This property is subject to the grandfathering provisions of Subtitle 25, Division 2, the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, because the property had a tree conservation plan that was accepted for review before June 30, 2024. Therefore, the property must conform to the environmental regulations of the 2010 WCO and the 2018 *Environmental Technical Manual*. The property is also subject to the environmental regulations in prior Subtitles 24 and 27 because there is a previously approved PPS.

The 2010 WCO requires a woodland conservation threshold of 20 percent of the 4.15-acre net tract area, or 0.83 acre. The total woodland conservation requirement of 0.69 acre, based on the amount of clearing proposed, is designed to be satisfied with 0.74 acre of on-site afforestation/reforestation. Minor technical revisions to the TCP2 are required and included herein in the Recommendation section of this technical staff report.

Specimen Trees

Section 25-122(b)(1)(G) of the WCO requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual." The removal of seven Specimen Trees (ST-1 through ST-6 and ST-14) was approved by the Planning Board with PPS 4-22012, and the companion Type 1 Tree Conservation Plan TCP1-015-2023, through PGCPB Resolution No. 2024-005. This DSP is reliant on that prior approval. No additional specimen trees are requested for removal with this DSP.

- 12. Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 2,500 square feet of gross floor area, or disturbance, and requires a grading permit. CB-046-2025, amends the Tree Canopy Coverage Ordinance and, will become effective on September 8, 2025, prior to the Planning Board hearing date for this DSP. Per CB-046-2025, "landscape plans demonstrating conformance to this [...] [the Tree Canopy Coverage Ordinance] approved as part of a permit or an entitlement case subject to the transitional provisions of the Zoning Ordinance (Section 27-1700), or Subdivision Regulations (Section 24-2700), shall be subject to the regulations in place at the time of approval of any grandfathered permit or grandfathered development application". As detailed above, the subject application is being reviewed under the prior Zoning Ordinance, based on the transitional provisions of the Subdivision Regulations (Section 24-1704). The subject property received prior development approvals, including PPS 4-22012 (PGCPB Resolution No. 2024-005), which was approved on February 8, 2024. Therefore, this application was reviewed for conformance with the tree canopy coverage (TCC) requirement subject to the regulations in place at the time of approval of PPS 4-22012.

PPS 4-22012 was approved on February 8, 2024. At that time, the minimum TCC for the RSF-65 and RSF-A Zones was 15 percent of the gross tract area, which is 9.51 acres. Based on staff's calculations, the minimum TCC is 1.43 acres, or 62,138 square feet. The TCC schedule shows the total TCC provided is 112,525 square feet, demonstrating the TCC requirement is met. A condition is included herein requiring the applicant to update the TCC schedule to reflect that the TCC requirement is 15 percent of the gross tract area, and to demonstrate conformance to ensure the figures of total on-site woodland conservation provided and total area existing trees (non-woodland conservation acres) in TCC are consistent with those shown in the TCP2, to ensure the type and number of trees in TCC are consistent with those shown in the plant list.

13. Referral comments: This application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:

- a. **Historic Preservation and Archeological Review**—In a memorandum dated August 12, 2025 (Stabler, Smith, and Chisholm to Sun), the Historic Preservation Section noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is moderate, as the subject site is near the Northwest Branch of the Anacostia River. A Phase I archeology survey was completed and a report was submitted to Historic Preservation Section staff in December 2022. The report further documented the Washington, Westminster and Getter Railroad prism (18PR432), and reported the discovery of a lithic flake scatter (18PR1237). No further archaeological investigation was recommended, and Historic Preservation Section staff agreed that no further work needs to be completed. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.
- b. **Community Planning**—In a memorandum dated August 8, 2025 (McCrory to Huang), the Community Planning Division noted that pursuant to Subtitle 27, Part 3, Division 9, Subdivision 3 of the prior Zoning Ordinance, master plan conformance is not required for this application.
- c. **Transportation Planning**—In a memorandum dated August 14, 2025 (Wilson to Sun), the Transportation Planning Section provided the following comments regarding this DSP:

Master Plan Recommendations

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan contain recommendations that affect the subject site:

Right of Way (ROW)

- **Ager Road (A-42): 100-foot ROW**

The MPOT recommends the above right-of-way. The site plan identifies a 120-foot ultimate right-of-way.

Pedestrian and Bike Facilities

The MPOT recommends the following facilities:

- **Ager Road (A-42): Existing bicycle lane**

The site plan includes the existing bicycle lane along Ager Road and meets the intent of the recommendation.

Recommendations, Policies, and Goals

MPOT Complete Streets Policies (page 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.

The site plan includes the existing sidewalk along Ager Road and Rittenhouse Street. The prior approval, PPS-4-22012, required a 5-foot-wide sidewalk along 23rd Avenue that is included on the site plan. The site plan includes the existing bicycle lane along Ager Road. These facilities meet the intent of the policy.

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

The prior approval, PPS-4-22012, required a 5-foot-wide sidewalk along 23rd Avenue which is included on the site plan. Both Ager Road and Rittenhouse Road are currently improved with sidewalk. These facilities meet the intent of the policy.

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.

The site plan includes the existing bicycle lane along Ager Road and meets the intent of the policy.

The master plan provides guidance for multi-modal circulation through the planning area (page 123):

Goal

- **To create and maintain a transportation network in the Planning Areas that is safe, efficient, and provides for all modes of travel in an integrated manner.**

Objective

- **To develop nonvehicular facilities where possible, including pedestrian/ hiker trails, bicycle ways, and equestrian paths.**

The site plan includes sidewalk along the frontage of Ager Road, 23rd Avenue, and Rittenhouse Road, and the existing bicycle lane along Ager Road. Marked crosswalks and ADA curb ramps are also provided crossing the access point and through the site for a direct connection to the building entrance. These facilities meet the intent of the policy.

- d. **Environmental Planning**—In a memorandum dated August 15, 2025 (Meoli to Sun), the Environmental Planning Section offered the following:

Natural Resources Inventory/Existing Conditions Plan

Section 27-282(e)(5) of the prior Zoning Ordinance requires an approved natural resource inventory (NRI) plan with DSP applications. NRI-193-2021 was approved on March 25, 2022, and provided with this application. The site contains 100-year floodplain, wetlands, streams, and their associated buffers comprising the primary management area (PMA) generally in the middle of the site. One forest stand covering 0.99 acre within the 100-year floodplain is present on-site. No woodlands are mapped outside of the 100-year floodplain. There are 12 specimen trees on-site. This site is not within a Tier II catchment area. The southeast edge of the site is mapped within a sensitive species review area per PGAtlas. At the time of signature approval of the PPS and TCP1, the applicant produced a letter from the Maryland Department of Natural Resources verifying there are no rare, threatened, or endangered species on-site.

Stormwater Management

Section 27-282(e)(11) of the prior Zoning Ordinance requires a SWM concept approval prior to acceptance of a DSP. An approved SWM Concept Plan (No. 27161-2022) was submitted with the application, showing the use of micro-bioretenion facilities. This SWM plan was approved on January 30, 2023, and expires on January 30, 2026. Certain proposed outfalls and SWM devices impact the PMA and are addressed herein. The DSP and TCP2 depict recreation facilities within the floodplain which are not shown on the SWM concept plan. These minor changes will be reflected on the final SWM plan based on guidance from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), as indicated in the applicant's comment response letter dated August 8, 2025.

Soils

In accordance with Section 24-131 of the prior Subdivision Regulations, this application was reviewed for unsafe land restrictions.

According to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, soils present include Codorus and Hatboro soils and Urban land-Woodstown complexes. Marlboro and Christiana clays are not found to occur on this property.

Erosion and Sediment Control

Section 27-252 of the prior Zoning Ordinance requires an approved Grading, Erosion, and Sediment Control Plan. Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion and Sedimentation Control, of the Prince George's County Code. The County requires the approval of an Erosion and Sediment Control Plan. The TCP2 must reflect the ultimate limits of disturbance, not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure, including erosion and sediment control measures.

- e. **Permit Review Section**—In a memorandum dated June 25, 2025 (Chaney to Huang), the Permit Review section had no comments on this application.
- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated August 15, 2025 (Thompson to Sun), DPR provided an evaluation on the recommendations of area master plans, the Land Preservation, Parks and Recreational Program for Prince George's County, Plan 2035, and the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* as they pertain to public parks and recreation. DPR provided a list of comments addressing the applicable conditions from the approved PPS 4-22012. Those comments will be addressed at the time of final plat and prior to conveyance. DPR also offers conditions of approval for the subject application, which are included herein.
- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 2, 2025 (Branch to Huang), DPIE provided a list of comments which will be addressed at the time of permitting.
- h. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
- j. **Prince George's County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on the subject application.
- k. **Washington Suburban Sanitary Commission (WSSC)**—In a letter dated July 26, 2025 (Atencio to Huang), WSSC provided a hydraulic planning analysis and conditions of approval which will be addressed during the system extension permit stage.
- l. **Public Utilities**—The subject DSP application was referred to Verizon, Comcast, AT&T, Potomac Electric Power Company, and Washington Gas for review and comments on August 8, 2025. In an email dated August 13, 2025 (Shea to Sun), AT&T noted that AT&T LNS has no existing utilities at the subject property location.

14. **Community feedback:** At the time of the writing of this technical staff report, staff did not receive any inquiries from the community regarding the subject application.
15. Based on the foregoing analysis, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with the proposed conditions below, will represent a reasonable alternative for satisfying the site design guidelines of prior Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
16. Section 27-285(b)(2) of the prior Zoning Ordinance does not apply to this DSP because the subject property is not subject to a conceptual site plan.
17. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.
18. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, the Planning Board may approve a DSP if it finds that the REF have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Subdivision Regulations.

In conformance with Section 24-130 of the prior Subdivision Regulations, based on the level of design information currently available, the limits of disturbance shown on the TCP2, and the impact exhibits provided, the REF on the subject property have been preserved and/or restored to the fullest extent possible. Staff find that modified PMA Impacts 1 and 5 and new Impacts 6 and 7 are necessary for construction and are reasonable for the orderly and efficient redevelopment of the subject property.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Prince George's County Planning Board adopt the findings of this report and recommend the following:

- A. APPROVAL of Departure from Design Standards DDS-24003, for The Herman Apartments, to allow standard, nonparallel parking space sizes of 9 feet in width by 18 feet in length.
- B. APPROVAL of Detailed Site Plan DSP-22017, Alternative Compliance AC-25009, Type 2 Tree Conservation Plan TCP2-023-2025, and a Variance to Section 27-442(c) of the prior Prince George's County Zoning Ordinance, for The Herman Apartments, subject to the following conditions:
 1. Prior to certification, the applicant and the applicant's heirs, successors, and/or assignees shall revise the detailed site plan, as follows:
 - a. Revise the green space exhibit to distinguish floodplain areas from green areas, and change the legend from "pervious areas" to "green areas" on the plan, pursuant to Section 27-442(c) of the prior Prince George's County Zoning Ordinance.

- b. Update the regulation schedule on the cover sheet to reflect the actual yards provided to demonstrate conformance, and remove the note with two asterisks, pursuant to Section 27-442(e) of the prior Prince George's County Zoning Ordinance.
- c. Revise the parking schedule by placing the electric vehicle spaces row above the total spaces provided row, ensuring a total of 223 parking spaces, pursuant to Section 27-568 of the prior Prince George's County Zoning Ordinance.
- d. Remove the typical parking space detail exhibit which shows typical parking space size as 9.5 feet by 19 feet and revise the parking space detail exhibit by showing the correct parking departure application number, pursuant to Section 27-588 of the prior Prince George's County Zoning Ordinance.
- e. Revise the bike rack exhibits as follows:
 - (1) Remove the bike rack specifications that are not consistent with the proposed bike rack on-site.
 - (2) Ensure the two bike rack details on Sheet 17 are consistent in dimensions, or remove one detail exhibit that is not applicable.
- f. Add dimensions to the proposed sidewalk surrounding the proposed building.
- g. Revise the front elevation and floor plan of the building to match.
- h. Label the sign materials on the sign detail exhibit.
- i. Adjust the location of lighting fixtures that are close to the eastern and western property lines, respectively, to avoid light spilling over to the adjacent properties, pursuant to Section 27-274(a)(3) of the prior Prince George's County Zoning Ordinance.
- j. Add stripes to clearly mark the proposed loading space, pursuant to Section 27-274(a)(2) of the prior Prince George's County Zoning Ordinance.
- k. Update the fence and wall details as follows, pursuant to Section 27-420 of the prior Prince George's County Zoning Ordinance:
 - (1) Provide details for the proposed 6-foot-high solid board fence along Ager Road.
 - (2) Revise the name of Wall Detail 7 and 8 on Sheet 19 to be "Wall 6 plan & profile".
 - (3) Add notes on fence details indicating that all structural support shall face the interior of the subject lot.

- l. Revise the landscape plan and schedules as follows, in accordance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual):
 - (1) Revise Schedule 4.7-1, Buffering Incompatible Uses Requirements—east, central, and west, to show the minimum required building setback to be 30 feet, and delineate the provided building setback and provided landscape yard width on landscape plan, pursuant to Section 4.7 of the Landscape Manual.
 - (2) Remove the alternative compliance notation from the landscape schedules that do not require alternative compliance.
 - (3) Revise Schedule 4.1-4, Residential Requirements for Multifamily Dwellings, to show the green space provided to be consistent with the number shown in the green space exhibit, and revise the landscape plan accordingly to demonstrate conformance.
 - (4) Revise the landscape design along the Ager Road frontage to provide Option Type No. 4, which includes a combination of berms and sections of curved 2- to 4-foot-high masonry wall, as shown in the sheet titled Exhibit No. 2 Alternative Compliance Options, subject to review by the Urban Design Section, as a designee of the Prince George's County Planning Board.
- m. Update the tree canopy coverage (TCC) schedule to ensure the TCC requirement is 15 percent of the gross tract area, and demonstrate conformance. Ensure the figures of total on-site woodland conservation provided and total area existing trees (non-woodland conservation acres) in TCC are consistent with those shown in the Type 2 tree conservation plan. Ensure the type and number of trees in TCC are consistent with those shown in the plant list, pursuant to Subtitle 25, Division 3 of the Prince George's County Code.
- n. Show the location and details of long-term bicycle parking within the multifamily building, in accordance with the bicycle facilities of the 2009 *Approved Countywide Master Plan of Transportation*.
- o. Revise the Type 2 tree conservation plan (TCP2) as follows, in accordance with Section 25-121(a)(1) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), and the 2018 *Environmental Technical Manual*:
 - (1) Utilize the WCO template worksheet on the Countywide Planning Division, Environmental Planning Section webpage so that the net tract area per zone and the reforestation bond amount are calculated correctly.
 - (2) Add the application number, TCP2-023-2025, to the approval block and woodland conservation worksheet.

2. Prior to certification of the Type 2 tree conservation plan (TCP2), the applicant and the applicant's heirs, successors, and/or assignees shall provide specific documentation, as follows:
 - a. Documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation, in accordance with Section 25-120(c)(1)(E) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the 2018 *Environmental Technical Manual*. The following note shall be added to the standard TCP2 notes on the plan, as follows:

"Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber ____ Folio ____.
Revisions to this TCP2 may require a revision to the recorded easement."
3. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall provide specific documentation, as follows:
 - a. Submit evidence that the development has been approved for low-income housing tax credits, pursuant to Footnote 141 of Section 27-441(b) of the prior Prince George's County Zoning Ordinance.
 - b. Submit to the Prince George's County Department of Parks and Recreation evidence from the Prince George's County Health Department that trash found on-site and in the stream has been removed and properly stored or discarded.