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Detailed Site Plan DSP-09006

Request to Rezone Property from R-18 to the M-U-I Zone

Application	General Data	
Project Name: Belcrest Plaza Mixed Use Location: Southwest quadrant of the intersection of Belcrest Road and Toledo Terrace Applicant/Address: Contee Company, LLP 11900 Tech Road Silver Springs, MD 20904	Planning Board Hearing Date:	01/14/10
	Memorandum Date:	12/31/09
	Date Accepted:	08/11/09
	Planning Board Action Limit:	Waived
	Plan Acreage:	24.92
	Zone:	R-18 & TDOZ
	Dwelling Units:	2,675
	Retail:	62,100 sq. ft.
	Office:	216,000 sq. ft.
	Gross Floor Area:	3,377,900 sq. ft.
	Planning Area:	68
	Tier:	Developed
	Council District:	02
	Election District	17
	Municipality:	N/A
	200-Scale Base Map:	208NE03

Purpose of Application	Notice Dates	
This case was heard by the Planning Board on December 10, 2009 and continued to the agenda date of January 14, 2010. •Rezone 24.92 acres from the R-18 Zone (with TDOZ overlay) to the M-U-I Zone (with TDOZ overlay). •Mixed-use development consisting of 57 attached dwelling units, 2,618 multifamily units, 62,100 square feet of retail, and 216,000 square feet of office space (of which 40,000 square feet have been identified as a public amenity).	Informational Mailing:	06/13/09
	Acceptance Mailing:	08/11/09
	Sign Posting Deadline:	11/10/09

Staff Recommendation		Staff Reviewer: Lareuse/Silor	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

December 31, 2009

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor, Development Review Division

FROM: Susan Lareuse, Master Planner, Urban Design Section, Development Review Division

SUBJECT: Detailed Site Plan DSP-09006
Request for Rezoning from the R-18 to the M-U-I Zone
Belcrest Plaza Mixed Use

This case was heard by the Planning Board on December 10, 2009 and continued to the agenda date of January 14, 2010. The content of the original staff report, dated November 25, 2009, for this case has not changed.

The Urban Design Section staff has continued to work with the applicant and the stakeholders reviewing the project and, as directed by the Planning Board, has prepared conditions for consideration if the Planning Board were to recommend approval of the applicant's proposal. Attached to this memorandum are referrals that have been submitted since the December 10, 2009 Planning Board hearing for the Board's consideration in making a final recommendation for this case to the District Council.

ADDITIONAL FINDINGS

1. On December 14, 2009, the applicant and staff met in the offices of the Department of Public Works and Transportation (DPW&T). In attendance at that meeting were representatives from the various public utility companies, including representatives from Washington Suburban Sanitary Commission (WSSC) and Washington Gas. At this meeting, it was determined that Potomac Electric Power Company (PEPCO) would use the ten-foot-wide public utility easement (PUE) proposed on the plans and an additional contiguous five feet within the public right-of-way (ROW) to serve the development and to underground the existing overhead utilities along the property's frontage. Verizon, Washington Gas, and WSSC will all have their lines located within the right-of-way. It was also determined that the pavement width of Toledo Terrace would remain at 36 feet, per DPW&T, and that bikes would share the road, but would not have a designated

bike lane. Based on that meeting, the design of the streetscape section can be determined as described in the findings below.

2. On December 17, 2009, staff and the applicant met to discuss the streetscape and activation of the public and private roads. In regard to the streetscape, it was determined that an eight-foot-wide sidewalk area, a five-foot-wide street tree planting area with street lights, and the bus pull-off areas can be accommodated in the right-of-way of Toledo Terrace.

In regard to the activation of the street frontage, the applicant has introduced a unit type that will provide for additional activation along both the public and private streetscapes and, as of the writing of this report, they are preparing plans to be presented at the Planning Board hearing on January 14, 2010 to illustrate the proposal.

3. Transportation—The Transportation Planning Section provides the following analysis that incorporates the discussions and the Planning Board’s directions provided to staff during the Planning Board’s public hearing on December 10, 2009.

Conformance to the Zoning Ordinance for Rezoning to M-U-I Zone:

The project proposes a multifold increase in land use intensities and the projected AM and PM peak-hour trips associated with the proposed change to the underlying zone from the R-18 to the M-U-I Zone for each of the four parcels of land forming the subject site. The requirements of Section 27-546.16(b)(1) of the Zoning Ordinance indicates that properties within a TDOZ may be rezoned to the M-U-I Zone if it can be shown that:

“the proposed rezoning and development will meet TDDP goals and objectives and will be compatible with existing or approved future development on adjacent properties.”

As part of the TDDP stated goals, the Transportation Goal on page 14, states:

“Ensure that all new development or redevelopment in the transit district is coordinated in a fashion that: provides for adequate levels of transportation and transit operating and service efficiency.”

Page 44 of the TDDP, as part of the Introduction Section to the Transportation Chapter, clearly states:

“the traffic Level-of-Service E (LOS E) is the operational adequacy standard for transportation facilities.”

LOS E is also the recommended adequacy standard for Metropolitan and Regional Centers within the 2002 *Prince George’s County Approved General Plan*. The Prince George’s Plaza transit District is designated as a Regional Center by the 2002 General Plan.

In order to justify the rezoning of subject property to the M-U-I Zone, the applicant was asked to demonstrate that the TDDP goals, including the Transportation Goal with regard to “adequate levels of transportation and transit operating and service efficiency” are fully met. To do this, staff requested that the applicant submit a detailed transportation analysis in order to demonstrate conformance with the requirements of Section 27-546.16(b)(1) of the Zoning Ordinance, and the approved TDDP. This study serves as an update to the prepared 1991 transportation study, which

evaluated the recommended zoning and land uses of the TDDP. In a scoping meeting with the applicant's traffic consultant held in October 2009, staff recommended that the updated traffic study clearly identify any additional trip reduction goals needed to maintain LOS E for the transportation system in the TDDP study area. This included recommending timely implementation of appropriate and effective elements for a Transportation Management Plan for the subject site, including enhancing the bus, pedestrian, and biking experience between the subject property and other uses in the transit district and the metro station. It was made clear to the applicant that if such an updated study was not provided in timely fashion staff would not be able to make the required finding of conformance to the goals of the TDDP including the transportation goal for the proposed rezoning to the M-U-I Zone.

The Review of the Submitted Traffic Study:

An updated traffic study, dated November 19, 2009, was submitted for review. This study evaluated the existing and future conditions (Year 2030; build-out) of all the intersections of the study area as determined in the scoping agreement with the applicant, as well as the impact of the requested rezoning of the site (TDDP Subareas 12, and part of 13A) from the R-18 to the M-U-I Zone.

The existing conditions analysis indicates that two (2) of the signalized intersections in the transit district are currently operating below the level-of-service standard (LOS E). These intersections are: (1) the intersection of (MD 410) East-West Highway with US 1, and (2) the intersection of MD 410 with (MD 500) Queens Chapel Road and Adelphi Road. Only one of the unsignalized intersections indicates a peak-hour delay for minor street approach exceeding the maximum acceptable level of 50 seconds. This is the intersection of MD 410 and Editor's Park Drive. An analysis conducted by the applicant indicates that the combination of the existing traffic conditions with the projected traffic associated with the proposed redevelopment using every possible vehicle trip reduction and assumption recommended by the ITE and TDDP results in very similar results.

The year 2030 TDDP build-out analysis, which includes the proposed development, evaluated all key intersections within the study area by assuming a road network that includes all transportation improvements recommended by the: (1) approved master plans, (2) adopted and approved CIP and CTP, and (3) all intersection and roadway improvements detailed by the TDDP. The results of this analysis indicate that, in order to achieve LOS E conditions, a total of eight (8) signalized intersections would require improvements beyond these lane use recommendations. These intersections are: (1) MD 410 with MD 212, (2) MD 410 with 23rd Avenue, (3) MD 410 with MD 500/ Adelphi Road, (4) US 1 with MD 410, (5) Adelphi Road with Belcrest Road/ Underwood Street, (6) MD 500 with Nicholson Street, (7) MD 500 with Hamilton Street, and (8) MD 500 with MD 501 (Chillum Street). Three of the unsignalized intersections also indicate peak-hour delay for minor street approaches exceeding the maximum acceptable level of 50 seconds. These intersections are: MD 410 and Editor's Park Drive, Belcrest Road and Toledo Terrace, and MD 500 and Nicholson Lane.

Summary of the Applicant's Submitted Traffic Study Findings and Conclusions:

The following is a summary of the applicant's submitted traffic study's findings and conclusions:

- a. The basis for the 2030 projections came from the regional model developed by M-NCPPC and accounts for a great deal of growth from other areas of the County and not just the TDDP area.

- b. The subject rezoning of this site would represent a small percentage of the traffic at all intersections within the study area. The increase in traffic associated with the proposed development ranges from the low of 1.6 percent to high of 11.3 percent of total projected traffic.
- c. Based on the results of this study the TDDP study area is experiencing levels of service that exceed the established Level-of-Service E standard established by the approved TDDP. It would appear from this analysis that the TDMD requirements established in the TDDP should be implemented for this area.

Review of the traffic consultant's presentation during the Planning Board hearing of December 10, 2009:

During the original Planning Board hearing for the above-referenced DSP held on Thursday, December 10, 2009, the traffic consultant for the applicant made the following paraphrased comments with regard to how the applicant meets the TDDP goals and objectives:

- a. The applicant claims the proposed rezoning and development meets the TDDP goals and objectives, and is compatible with existing or approved future development on adjacent properties.

Comment: Agreed

- b. The applicant states traffic Level-of-Service requirements should apply only to six intersections "Within the Transit District" and not to the 19 intersections in the "Study Area."

Comment: The staff strongly disagrees with this interpretation. Page 14 of the TDDP, as Part of the Prince George's Plaza Transit District Goals, states:

"Ensure that all new development or redevelopment in the transit district is coordinated in a fashion that provides for adequate levels of transportation and transit operating and service efficiency..."

The applicant has taken the term "transit district" out of context. The term "in the transit district" qualifies the location of "new development or redevelopment" activities and does not delineate the traffic study boundary.

- c. The applicant states that the TDDP differentiates the "Transit District" from the "Study Area."

Comment: Agreed

- d. As evidence of the above, the applicant points out that Page 44 of the TDDP states, "Traffic Level-of-Service E (LOS E) is the operational adequacy standard for transportation facilities within the Transit District."

Comment: Staff agrees with this statement, however, the applicant ignored other important transportation objectives. On Page 45 of the TDDP, as part of the Transportation and Parking Goals and Objectives, one of the objectives states:

“modify the highway system to improve the flow of traffic within and through the transit district and the surrounding area.”

This objective clearly indicates and expands the required boundary for evaluating the impact of any proposed development beyond the transit district to include the surrounding area.

Furthermore, Page 45 of the TDDP, Study Area, specifically states:

“For the purposes of assessing transportation needs, a study area was delineated to contain the land most directly affected by the Prince George’s Plaza Metro Station. The study area is shown on Figure 11.”

Figure 11 defines the study area beyond the limits of the transit district.

- e. The applicant claims that if the applicable standard required LOS E for all 19 intersections in the delineated Study Area instead of only the six intersections within the Transit District, then items #1, and #5 [from Table 1, Page 46, of the TDDP, both reported failing at LOS F with existing traffic as part of the 1991 study] would have been required to be improved, but are expressly excluded from Table 4, Page 55, of the TDDP, which lists the required improvements. To enforce this argument, the applicant points to Page 55 of the TDDP by claiming that this interpretation indicates “the transit district improvements shown in Table 4 are those that are needed to ensure that critical roadway links and intersections in the Transit District operate at least at traffic LOS E.”

Comment: Page 55 of the TDDP, Required Improvements, as part of the transportation improvements shown in Table 4, it is stated that:

“These transportation improvements are the basis of calculating the developer’s contribution to defray some of the costs of needed improvements.”

To this end, the intersections identified as items #1 and #5 of Table 1, Page 46 of the TDDP, were already failing in 1991. Therefore, the District Council found that there was no rational nexus to require developer contributions to mitigate those intersections. Therefore, the applicant’s conclusion in point #5 above, that two failing intersections would have been required to be improved and should have been included in Table 4, is in error.

- f. The applicant acknowledges that the proposed DSP development will require two traffic signal studies and their installation if warranted, in order for LOS E to be maintained within the Transit District’s six intersections.

Comment: The staff agrees that this is part of the needed infrastructure improvements.

- g. The applicant is also proffering, as part of the required trip reduction measures, a TMP (Transportation Management Plan) to reduce peak-hour SOVs (Single Occupant Vehicle) trips and to preserve the adequacy of transportation facilities within the Transit District.

Comment: Staff agrees and this should be included in any conditions of approval. However, the submitted TMP should be made to be binding and enforceable as required by Subtitle 20-A.

In summary, the staff believes that the consequence of adopting the applicant's reasoning that the TDDP Goals and Objectives only apply to the Transit District and not to the study area associated with the 1991 study area, will result in traffic congestion far exceeding the acceptable levels of service without identifying any mitigation measures. Further, a finding by the Planning Board or the District Council that redefines the critical transportation evaluation area from the original study area as shown in Figure 11, to only the Transit District, will set a precedent for the evaluation of future development which is inconsistent with the original assumptions of the approved TDDP.

Review of the prepared Transportation Management Plan presented during the Planning Board Hearing of December 10, 2009:

The following paraphrased comments represent findings, observations, and general strategies outlined in the applicant's Transportation Management Plan (TMP) submitted to the Planning Board on December 10, 2009:

- a. The applicant claims that residents at a Transit Adjacent Development (TAD) generate ½ of vehicle trips of high density developments without transit.
- b. The applicant claims that there will be "generous sidewalks" to and from transit stations and all land uses within the transit district and surrounding areas.
- c. The applicant claims that there "will likely be bus service within the confines of Belcrest Apartments mixed-use community."
- d. The applicant may: (a) provide share parking spaces, (b) accommodate for bicycles, car pools, and vanpools, (c) initiate a cash-out program, and (d) promote public transit use, telecommuting, live near your work, and flex hour programs.
- e. The applicant may eliminate the provision of free parking for the proposed development.
- f. The applicant may provide sufficient bicycle racks or lockers in all proposed parking garages.
- g. The applicant may limit the total number of parking for the proposed development to no more than 3,780 spaces, and may designate parking spaces for Zip Cars or other comparable shared use vehicles.
- h. The applicant may give the employers within the office buildings incentives to set up a guaranteed ride home for anyone willing to carpool, van pool and/or use transit.
- i. The TMP proposes the applicant may initiate and promote less reliance on the use of single occupant vehicles for access, and willingness not to drive alone for access by offering a parking cash-out program of \$55 to \$100 per employee, per month.
- j. The applicant may hire and designate a permanent on-site transportation coordinator as the administrator for all its TMP programs.

Comment: In response to the above paraphrased comments by the applicant, the staff evaluated the submitted TMP and finds several objectives and strategies have been demonstrated as being

effective in reducing single occupant vehicle trips to and from transit adjacent development, but the applicant fails to clearly commit to include:

- (1) specific trip reduction goals and targets,
- (2) an acceptable financial plan to implement the suggested strategies,
- (3) an effective monitoring and reporting system that is critical in evaluation, refinement, modification, and enforcement if the intended reductions in SOV are

Transportation Summary and Conclusions:

Based on the preceding, the Transportation Planning Section recommends the adoption of the following findings for the proposed rezoning request from the R-18 to the M-U-I Zone which demonstrate that the proposed rezoning and redevelopment of subject site as planned would meet and satisfactorily address the TDDP goal: **“Ensure that all new development or redevelopment in the transit district is coordinated in a fashion that: Provides for adequate levels of transportation and transit operating and service efficiency,”** if the rezoning is subject to several transportation-related conditions of approval.

- a. Specific trip reduction goals are needed to maintain an adequate transportation system in the TDDP study area and for the subject site.
- b. The Transportation Management Plan for the subject site should include specific recommendations to enhance the bus, pedestrian and biking experience to and from the site, other subareas within the transit district, and the metro station.
- c. The existing development should be entirely demolished and replaced in order to recognize the vested rights assumed by the TDDP.
- d. Parcels A and B, Americana Plaza, are limited to no more than 283 new multifamily residential units, and 1,600 square feet of ancillary commercial retail/ office space;
- e. Parcel C, Americana Plaza is limited to no more than 356 new multifamily residential units, 57 townhouse units, and 1,300 square feet of ancillary commercial retail/ office space;
- f. Parcel B, Georgian Plaza is limited to no more than 739 new multifamily residential units;
- g. The applicant, his heirs, successors or assignees must demolish all of the existing 105 garden apartments located on Parcels A and B of Americana Plaza; the existing 167 garden apartments located on Parcel C of Americana Plaza, and the existing 294 garden apartments located on Parcel B of Georgian Plaza; and
- h. The applicant, his heirs, successors or assignees, must demonstrate that (a) have full final assurance through either private money or full funding in the Maryland Department of Transportation Consolidated Transportation Program or the Prince George’s County Capital Improvement Program, (b) have been permitted for construction through the operating agency’s permitting process, and (c) have an agreed-upon timetable for timely

construction and provision of the following required needed improvements per DPW&T, and/or SHA standards:

- (1) The installation of traffic signals with associated geometric improvements to all approaches, including pedestrian count-down and bike indication for the intersections of Belcrest Road with Toledo Terrace, and East-West Highway with Editors Park Drive, when deemed warranted by DPW&T and/or SHA. These required improvements may be modified, amended, and/or replaced with any other acceptable set of alternative improvements that are deemed more appropriate by DPW&T and/or SHA,
 - (2) The construction of ADA ramps and wide sidewalks as required by TDDP on both sides of Toledo Terrace from the intersection with Belcrest Road to its intersection with East-West Highway (MD 410),
 - (3) The provision of appropriate signs and pavement markings to clearly provide warning to bicyclists and motorists that bicycles are expected and are welcomed on Toledo Terrace and that this roadway is considered as a shared facility for vehicles and bicycles, and
 - (4) The construction of intersection improvements identified by the Prince George's Plaza Metro Area Study, dated August 15, 2008, and was included as part of appendix C of the applicant's Traffic Study, dated November 20, 2009, for the intersection of Belcrest Road and East-West Highway. These recommended improvements are deemed critical in making the walking and biking experience more comfortable and safer, while continuing to accommodate motor vehicles at this key major intersection in the close vicinity of the Prince George's Plaza Metro Station.
- i. Additional development on Parcel B, Georgian Plaza may be allowed provided the applicant enters into a binding agreement with DPW&T for site-specific Transportation Management Plan or the Prince George's Plaza Transit Demand Management District has been authorized by the District Council.
4. Environmental—In a letter dated December 4, 2009, the applicant for Detailed Site Plan DSP-09006, Belcrest Plaza requested an amendment to Mandatory Development Requirement S33, as defined in the Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay Zone:

S33 Afforestation of at least 10 percent of the gross tract shall be required on all properties within the Prince Georges Plaza Transit District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia Watershed in Prince George's County, with priority given to riparian zones and nontidal wetlands, particularly within the Northwest Branch sub-watershed.

The applicant is requesting amendment of the requirement to allow the use of on-site landscaping to be credited toward fulfillment of this requirement. The plans submitted show the 10 percent requirement of 2.50 acres or 108,900 square feet being met through the provision of 2.56 acres or 111,400 square feet of tree canopy coverage.

The Environmental Planning Section supports the proposed amendment and recommends that the Planning Board find that the provision of 111,400 square feet of tree canopy coverage, a total of 2.56 acres, meets the ten percent afforestation requirement of S33.

5. Public Facilities—In the review of the proposed location of the infrastructure to serve the development, staff received an e-mail from WSSC in regard to the available sewer. According to a letter dated August 25, 2009, Shari Djourshari, Principal Hydraulic Engineer, WSSC to Jonathon Genn, Percontee, Inc., the overall project is limited to a maximum of 769 multifamily dwelling units until the new Anacostia storage facility is constructed. Also, portions of existing sewer mains will need to be replaced to ensure that adequate flow will be maintained.
6. Department of Parks and Recreation (DPR)—DPR staff has provided the Planning Board with conditions for the placement of the park in two alternative locations. The first set of conditions contained within the backup is for the development of an urban park located within Parcel B, Georgian Plaza, in the location of Building 2. The second set of conditions is for the location of the park outside of the development on Parcel D, Americana Plaza.

The Urban Design Section staff continues to recommend that the public park be located within Parcel B, Georgian Plaza, where Building 2 is currently shown to be located. Further justification will be provided at the Planning Board hearing on January 14, 2010.

RECOMMENDATION

Based upon testimony and evidence in the record at the public hearing held on December 10, 2009, the Planning Board directed staff to provide a list of conditions that could be considered for adoption. The Urban Design staff provides the following for the convenience of the Planning Board, should the Board decide to recommend approval of the applicant's proposal:

The Planning Board:

- A. RECOMMENDS that the District Council APPROVE the request to rezone the following property from the R-18 Zone to the M-U-I Zone:
 - Parcel A, Americana Plaza
 - Parcel B, Americana Plaza
 - Parcel C, Americana Plaza
 - Parcel B, Georgian Plaza; and
- B. RECOMMENDS that the District Council APPROVE the proposed change to the use list to add permitted uses in the M-U-I Zone for Subarea 12 and 13A for the subject parcels; and
- C. RECOMMENDS that the District Council APPROVE the proposed change to the minimum building height for Building 5 within Parcel B, Georgian Plaza (Subarea 12) and the townhouse units within Parcel C, Americana Plaza (Subarea 13A), and APPROVE the proposed change to the maximum building height for Building 1 within Parcel B, Georgian Plaza (Subarea 12); and furthermore
- D. RECOMMENDS that the District Council APPROVE Detailed Site Plan DSP-09006, with the following amendments to the standards of the Prince George's Plaza Transit District Development Plan:

- Overall Development: P1, P5, P6, S3, S8, S24, S25, S33, and G53
- Parcel B, Georgian Plaza: P102
- Parcel C, Americana Plaza: P105
- Parcels A and B, Americana Plaza: P105 and S18

E. RECOMMENDS that the District Council APPROVE Detailed Site Plan DSP-09006, subject to the following conditions:

1. Prior to certification of the overall detailed site plan, the applicant shall:
 - a. Submit to the Department of Parks and Recreation (DPR) a concept plan for the required 2.8-acre park to be developed on Parcel B, Georgian Plaza. The Planning Board or its designee (Department of Parks and Recreation and the Development Review Division) shall approve the concept plan for the urban park.
 - b. Submit a score card for each individual building within the project to indicate that each building will be certified in accordance with the U. S. Green Building Council's Green Building Rating System for New Construction and Major Renovations in accordance with LEED-NC v.2.2. The plans shall be revised in accordance with the standards to achieve LEED-NC v.2.2 certification.
 - c. Revise the plans to demonstrate how the tree credits in the tree canopy worksheet are accounted for in the plant schedules and that a minimum of 500 cubic feet of soil volume shall be provided per tree counted toward fulfillment of this requirement.
 - d. Provide a sidewalk/streetscape detail for the subject site's frontage along the Prince George's Plaza loop road matching the sidewalk materials proposed along Toledo Terrace.
 - e. Provide a total of 60 bicycle racks in the vicinity of the retail/office areas based on approximately one rack per 1,000 square feet of space. The total number and location of the bicycle racks shall be indicated on the detailed site plan.
 - f. Reduce the turning radius along the subject site's frontage of the Belcrest Road and Toledo Terrace intersection as part of streetscape improvements proposed along both roads. Any changes in the intersection shall be consistent with the SHA Bicycle and Pedestrian Design Guidelines and are subject to DPW&T approval.
 - g. Revise the plans to include details and specifications of security measures for residential parking, including the separation of residential parking from retail and office parking.
 - h. Revise all applicable plans to demonstrate that convenient and easily accessible parking will be available to serve all proposed retail uses.
 - i. Revise the plans to demonstrate that the proposed transformers and/or generators will not intrude into the streetscape, will not be visible from the street, or will be

screened with a masonry wall designed to be compatible with the exterior of adjacent buildings.

- j. Revise the plans to provide details and specifications of enhanced paving for each of the plaza areas. Such details shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
 - k. Revise the plans to show all proposed stormwater management facilities consistently on all plans including the approved stormwater management concept plan, site plan, landscape plan, and hardscape plan.
 - l. Revise the plans to include additional dimensioned details of the light fixtures proposed along Toledo Terrace, Toledo Place, and Northwest Drive to be reviewed and approved by the Urban Design Section as designee of the Planning Board. The details shall indicate that the poles and fixtures will be black and that the fixtures will incorporate full cut-off optics.
 - m. Revise the plans to insure that all buildings and structures are shown outside of the public utilities easement.
 - n. Revise the plans to clearly distinguish between building footprints and cantilevered portions of the buildings.
 - o. Revise the plans to provide a continuous eight-foot-wide sidewalk along the property's frontage on Toledo Terrace, separated from the curb by a five-foot-wide street tree and street light bank. The streetscape detail for Toledo Terrace shall be revised accordingly, prior to certification of the detailed site plan.
 - p. Revise all plans (site, landscape, hardscape) to show the locations of all proposed signs.
2. Prior to the issuance of any permits for the overall site:
- a. The applicant shall file a final plat of subdivision for each individual parcel to provide a public utility easement (PUE) on the final plat of subdivision consistent with the approved detailed site plan.
 - b. The applicant shall provide a copy of the proposed sediment and erosion control plan and the detailed site plans indicating that the plans include notes and a detail regarding the stenciling of stormdrain inlets with "Do Not Dump—Chesapeake Bay Drainage."
3. The applicant and the applicant's heirs, successors, and/or assignees shall be responsible for the construction and maintenance of all streetscape improvements along the entire length of the property frontage along all public roads from the façade of the building to the face of curb.
4. Construction of the streetscape improvements shall be completed with each phase of the development, and phasing shall be delineated on the site plan.

5. The plans shall include notes stating that all existing overhead utilities along the property's road frontage shall be located underground. Proposed utilities for the project shall also be placed underground.
6. Shared-lane markings for bicycles shall be provided along both sides of the entire length of Toledo Terrace, and the plans shall be revised to show these markings, unless modified by DPW&T. All pavement markings shall be consistent with the Federal Highway Administration's 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD), Section 9C.07.
7. In conjunction with the shared-lane markings, the applicant shall provide a minimum of eight "Bicycles May Use Full Lane" signs (R4-11, MUTCD) along Toledo Terrace, consistent with the Federal Highway Administration's 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD), Section 9B.06, unless modified by DPW&T.
8. Prior to the issuance of any permits, the applicant shall submit three original, executed recreational facilities agreements (RFA) for the private facilities to be constructed within each parcel to the Development Review Division for review and approval. Upon approval, the RFAs shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

The Department of Parks and Recreation has provided **two** alternative sets of conditions for the Planning Board's consideration. The first set of conditions is based on the staff's recommendations for the location of an urban park within Parcel B, Georgian Plaza, whereas, the second set of conditions is based on the applicant's proposed park location on part of Parcel D, Americana Plaza.

If the Planning Board agrees with the staff recommendation to locate a park within Parcel B, Georgian Plaza, the following conditions are recommended for adoption:

9. Prior to the issuance of any building permits on Parcel B, Georgian Plaza, the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Submit three original, executed recreational facilities agreements (RFA) for the private facilities to be constructed within Parcel B, Georgian Plaza, to the Development Review Division for review and approval. Upon approval, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland, prior to the issuance of any permits.
 - b. Dedicate approximately 2.8 acres of land suitable and adequate for active recreational purposes on Parcel B, Georgian Plaza, as shown on Staff Exhibit B. The exact acreage of the land dedication shall be agreed upon based on preliminary engineering findings associated with an approved concept plan for development of the park. Land to be conveyed shall be subject to the following:
 - (1) An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) shall be submitted to the Department of Parks and Recreation (DPR). The applicant shall file and obtain a plat for conveyed property in accordance with Sections 24-107 and 24-108 of the Subdivision Regulations.

- (2) The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to the conditions of final plat approval.
 - (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - (4) All existing structures and paving shall be removed. Existing utilities shall be terminated and capped for future use. The applicant shall file and obtain a demolition and rough grading permit. The site shall be rough graded as shown on the approved park concept plans. The applicant shall notify DPR in writing prior to the commencement of any demolition activities.
 - (5) Any stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to the issuance of grading permits.
 - (6) All waste matter and debris from demolition of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that the condition of the land is acceptable for conveyance, prior to dedication.
 - (7) The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
 - (8) The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, DPR shall review the location, the rights and privileges associated with those easements, and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.
 - (9) No stormwater management facilities, tree conservation, or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and maintenance and easement agreements shall be required prior to the issuance of grading permits.
- c. Submit final plans for construction of the proposed urban park to DPR and the Development Review Division for review and approval.

- d. Submit a cost estimate for the proposed urban park construction to DPR for review and approval. The applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee (based on the approved cost estimate) for the turnkey construction of the proposed park facilities on Parcel B, Georgian Plaza.
10. Phasing—The construction of the proposed urban park shall be completed prior to the issuance of any building permits for Buildings 4 and 5, and prior to the issuance of 50 percent of the residential use and occupancy permits for Buildings 1 and 3 on Parcel B, Georgian Plaza.

Alternatively, if the Planning Board agrees with the applicant's proffer to locate a public park within Parcel D, Americana Plaza, the following conditions are recommended for adoption:

11. Prior to the issuance of any building permits for the overall site, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate approximately 3.5 acres of land suitable and adequate for active recreational purposes on Parcel D, Americana Plaza, at the location shown on the applicant's exhibit. The exact acreage of the land dedication shall be agreed upon based on preliminary engineering findings associated with an approved concept plan for development of the park. Land to be conveyed shall be subject to the following conditions:
- a. An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) shall be submitted to the Department of Parks and Recreation (DPR). The applicant shall file and obtain a plat for conveyed property in accordance with Sections 24-107 and 24-108 of the Subdivision Regulations.
 - b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to the conditions of the final plat or site plan approval for Parcel D, Americana Plaza.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - d. All existing structures and paving shall be removed. Existing utilities shall be terminated and capped for future use. The applicant shall file and obtain a demolition and rough grading permit. The site shall be rough graded as shown on the approved park concept plans. The applicant shall notify DPR in writing prior to the commencement of any demolition activities.
 - e. Any stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to the issuance of grading permits.

- f. All waste matter and debris from demolition of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that the condition of the land is acceptable for conveyance, prior to dedication.
 - g. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
 - h. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, DPR shall review the location, the rights and privileges associated with those easements, and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.
 - i. No stormwater management facilities, tree conservation, or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and maintenance and easement agreements shall be required prior to the issuance of grading permits.
12. Prior to signature approval of the detailed site plan for Belcrest Plaza, the applicant shall submit a concept plan for the proposed park to DPR for approval. Suggested program elements for proposed park on Parcel D, Americana Plaza, may include:
 - Multicourt Area (110 feet x 112 feet) — Tennis, Volleyball
 - Ball-Wall Multi-use (40 feet x 60 feet)
 - Junior Futsal (90 feet x 120 feet)
 - Adult Futsal (100 feet x 150 feet) — Artificial Surfacing
 - Multi-Age Playground (3,000 sq. ft. min.)
 - Multi-purpose Court (96 feet x 112 feet)
 - 20 Space Parking Compound (approximate size)
 - Or other alternative outdoor recreational facilities as approved by DPR
13. Prior to the approval of final plats or any permits for the overall properties, whichever occurs first, the applicant shall submit to DPR performance bonds, letters of credit, or other suitable financial guarantees, for:
 - a. the turnkey construction of the proposed park facilities on Parcel D, Americana Plaza; and
 - b. the estimated costs to raze the existing structures within the dedication limits and to rough grade the land to a condition suitable for parkland development.
14. Prior to the issuance of any building permits for the overall project, the applicant shall submit construction drawings for the proposed park on Parcel D, Americana Plaza, for review and approval by DPR.

15. Prior to the issuance of any use and occupancy permits for Parcel C, Americana Plaza, and prior to the issuance of any building permits on Parcel B, Georgian Plaza, the proposed park on Parcel D, Americana Plaza shall be completed.

The Transportation Planning Section has provided **two** alternative sets of conditions for the Planning Board's consideration. The first set of conditions is based on the staff's findings, whereas, the second set of conditions is based on the applicant's redefinition of the transportation study area.

In the event the Planning Board is in agreement with staff findings relating to the study area defined in the TDDP to include intersections outside of the Transit District, the property may be deemed appropriate for the M-U-I Zone if the following conditions are adopted:

16. Parcels A and B, Americana Plaza shall be:
 - a. Limited to no more than a total of 283 new multifamily residential units, and 1,600 square feet of ancillary commercial retail/ office space; and
 - b. The applicant, his heirs, successors or assigns shall demolish all of the existing 105 garden apartments.
17. Parcel C, Americana Plaza shall be:
 - a. Limited to no more than a total of 356 new multifamily residential units, 57 townhouse residential units, and 1,300 square feet of ancillary commercial retail/ office space; and
 - b. The applicant, his heirs, successors or assigns shall demolish all of the existing 167 garden apartments.
18. Parcel B, Georgian Plaza shall be:
 - a. Limited to no more than a total of 739 new multifamily residential units; and
 - b. The applicant, his heirs, successors or assigns, shall demolish the existing 294 garden apartments
19. Prior to the issuance of any building permits on Parcels A and B, and Parcel C, Americana Plaza, and Parcel B of Georgian Plaza, the applicant, his heirs, successors or assigns, shall demonstrate that the following needed improvements (a) have full final assurance through either private money or full funding in the Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program, (b) have been permitted for construction through the operating agency's permitting process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. The provision of two traffic signals with associated geometric improvements to all approaches, including pedestrian count-down and bike indication for the intersections of Belcrest Road with Toledo Terrace, and East-West Highway with Editors Park Drive, when deemed warranted by DPW&T and/or SHA. These required improvements may be modified, amended, and/or replaced with any

other acceptable set of alternative improvements that are deemed more appropriate by DPW&T and/or SHA,

- b. The proposed streetscape along the frontage of Toledo Terrace shall be extended along the southeast side of Toledo Terrace from its intersection with Toledo Place to MD 410, within the existing 70-foot-wide right-of-way.
 - c. The construction of the recommended improvements identified by the Prince George's Plaza Metro Area Study, dated August 15, 2008, included as part of Appendix C of the Applicant's Traffic Study, dated November 20, 2009, for the intersection of Belcrest Road and East-West Highway, which are needed to make the walking and biking experience more comfortable and safe, while continuing to accommodate motor vehicles. The required improvements are as stated below:
 - (1) new raised crosswalks;
 - (2) new curb extensions;
 - (3) expanded median islands; and
 - (4) redesigned corners to reduce the turning radii.
20. The maximum redevelopment of Parcel B, Georgian Plaza, may be increased from 739 multifamily units to no more than 1,979 multifamily units, 216,000 square feet of office space, and 58,700 square feet of commercial retail space, or any other equivalent mix of uses as shown on the DSP, provided:
- a. The applicant, his heirs, successors and/or assignees, shall submit a Transportation Management Plan (TMP) for the entire development proposed on DSP-09006 which has been prepared, submitted, accepted, and approved by the Prince George's County Department of Public Works and Transportation (DPW&T), the City of Hyattsville, and the Transportation Planning Section of the Prince George's County Planning Department, and the applicant has entered into a binding agreement with the DPW&T for full funding, implementation, monitoring, reporting, and compliance with the stated objectives, strategies, and actions contained within the TMP; **or**
 - b. The Prince George's County District Council has authorized The Prince George's Plaza Transportation Demand Management District (PG-TDMD) in accordance with the TDDP and Section 20A of the County Code, and both the Prince George's Plaza Transportation Demand Management Technical Advisory Committee (PG-TDMTAC), and the Prince George's Plaza Management Association (PG-TMA) have been established.

In the event the Planning Board is in agreement with the applicant's argument that the transportation goals and associated study area only apply to the six intersections within the established and delineated "transit district," and not to the nineteen intersections included in Figure 11 of the TDDP "Study Area," then the property may be deemed appropriate for the M-U-I Zone if the previous conditions are adopted and Conditions 21 and 22 below are substituted for Conditions 18 and 20 above:

21. Parcel B, Georgian Plaza shall be:
- a. limited to no more than 1,979 multifamily units, 216,000 square feet of office space, and 58,700 square feet of commercial retail space, and

- b. The applicant, his heirs, successors or assigns shall demolish the existing 294 garden apartments
- 22. Prior to the issuance of any building permits on Parcels A and B, and Parcel C, Americana Plaza, and Parcel B, Georgian Plaza;
 - a. The applicant and/or his heirs, successors and/or assignees shall submit a Transportation Management Plan (TMP) for the entire development proposed on DSP-09006, the TMP shall be approved by the Prince George's County Department of Public Works and Transportation (DPW&T), the City of Hyattsville, and the Transportation Planning Section of the Prince George's County Planning Department, and the applicant shall have entered into a binding agreement with the DPW&T for full funding, implementation, monitoring, reporting, and compliance with stated objectives, strategies, and actions contained within the TMP; **or**
 - b. The Prince George's County District Council has authorized The Prince George's Plaza Transportation Demand Management District (PG-TDMD) in accordance with the TDDP and Section 20A of the County Code, and both the Prince George's Plaza Transportation Demand Management Technical Advisory Committee (PG-TDMTAC), and the Prince George's Plaza Management Association (PG-TMA) have been established.

PARCELS A & B, AMERICANA PLAZA

- 23. Prior to certification of the detailed site plan:
 - a. The architectural elevations shall be revised to indicate that brick, compatible with the rest of the building, will be used on all sides of the garage portion of the building.
 - b. The detailed site plan shall be revised to demonstrate the same configuration, as shown on the landscape plan, of the freestanding walls (proposed to screen the parking lot) and retaining wall (proposed to tie into the southeastern corner of Building 6).
 - c. The retaining wall adjacent to the building and the freestanding walls shall be finished with the same masonry materials and details shall be provided on the plans. All details shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
 - d. The detailed site plan shall be revised to indicate that the exterior of the raised concrete planter will be finished with masonry to match the freestanding/retaining walls proposed to screen the surface parking lot.
 - e. The architectural elevations for Building 6 shall be revised to demonstrate that entrance to the parking garage will be restricted through the provision of decorative gates, and that the openings in the garage façade will be secured as well.

- f. The detailed site plan shall be revised to show the southern building entrance and the stairway adjacent to the surface parking lot of Building 6, consistent with the architectural elevations.
- g. The fencing proposed along the western property line shall be upgraded to estate-style fencing to be reviewed and approved by the Urban Design Section as designee of the Planning Board.
- h. The architectural elevations shall be revised to indicate that a high-quality, low-maintenance shingle siding material, such as composite or cementitious, will replace the proposed wood shingle siding.
- i. The architectural elevations shall be revised to indicate the building-mounted signage area for the office/retail uses.

PARCEL C, AMERICANA PLAZA

24. Prior to certification of the detailed site plan:

- a. The architectural elevations shall be revised to indicate that brick will be the primary finish material on any exposed portion of the garage.
- b. The plans shall be revised to identify the material shown as #13 on the architectural elevations for Building 7.
- c. The detailed site plan shall be revised to show the location of all proposed signs. Lighting and landscaping shall be provided at the base of each monument sign.
- d. The Type A sign proposed between the townhouse units and Northwest Drive shall be moved closer to the intersection of the northern access drive and Northwest Drive.
- e. The plans shall be revised to provide estate-style fencing as the safety railing for the section of retaining wall along the west side of the access drive separating Building 7 and the townhouse section.
- f. All fencing shall be estate style, details of which shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
- g. The townhouse elevations shall be revised to specify the exterior finish material of the optional fourth floor loft. The loft façades shall be treated with the same brick material as proposed on the primary façade of that unit.
- h. The open space component associated with the townhouse portion of Parcel C, Americana Plaza, shall be revised to create a flatter, useable open space, which may require the incorporation of retaining walls into the design. Retaining walls shall be designed as seating and a concrete path shall be provided around the central open space.

- i. The architectural elevations shall be revised to indicate that a high-quality, low-maintenance shingle siding material, such as composite or cementitious, will replace the proposed wood shingle siding.
- j. The detailed site plan shall be revised to show all improvements proposed with the open space associated with the townhouse portion of the development as shown on the hardscape plans.
- k. The architectural elevations shall be revised to indicate the building-mounted signage location and the area for the office/retail uses.

PARCEL B, GEORGIAN PLAZA

25. Prior to certification of the detailed site plan:

- a. The architectural floor plans shall be revised to demonstrate that each building shall provide a party and/or community room with a kitchen, a minimum size of three square feet per dwelling unit, and a fitness facility, a minimum size of four square feet per dwelling unit, in accordance with G53.
- b. The plans shall be revised to relocate the two loading spaces proposed along Toledo Terrace so that they are accessed via the private road on the west side of Building 1.
- c. All plans, elevations, and floor plans shall be revised to provide residential, retail, or office uses along all public and private streets on all levels of Buildings 1 through 5.
- d. The plans shall be revised to reduce the proposed number of units due to the removal of Building 2.
- e. Clarify how the proposed changing room in Building 1 (office) will be accessed and what facilities it will include. Shower facilities should be included, per the recommendation in the Pedestrian/Bicycle/Multiuse Trail Network Section of the TDDP (TDDP, page 81).
- f. Revise the detailed site plan to address building-mounted signage.