



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

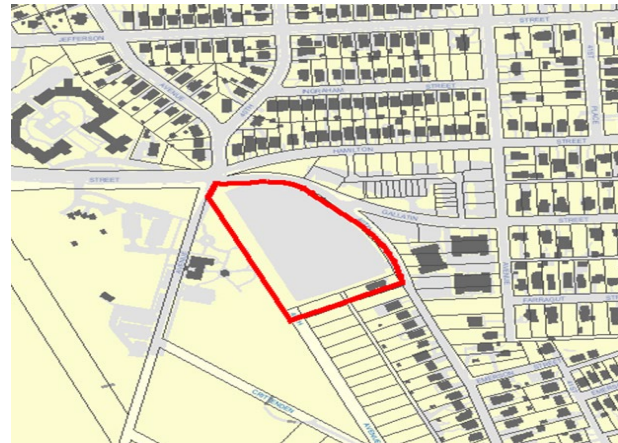
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Detailed Site Plan Suffrage Point

DSP-21001

| REQUEST | STAFF RECOMMENDATION |
|--|--|
| <p>This case was continued from the Planning Board hearing date of January 5, 2023 to January 12, 2023</p> <p>To develop 41 single-family attached dwelling units.</p> | <p>With the conditions recommended herein:</p> <ul style="list-style-type: none">•Approval of Detailed Site Plan DSP-21001 |

| | |
|---|--------------------|
| Location: On the west side of 40th Place, at its intersection with Gallatin Street. | |
| Gross Acreage: | 4.66 |
| Zone: | RSF-65 |
| Zone Prior: | R-55 and D-D-O |
| Reviewed per prior Zoning Ordinance: | Section 27-1704(b) |
| Dwelling Units: | 41 |
| Gross Floor Area: | N/A |
| Planning Area: | 68 |
| Council District: | 02 |
| Municipality: | Hyattsville |
| Applicant/Address: Werrlein WSSC, LLC 522 Defense Highway Annapolis, MD 21401 | |
| Staff Reviewer: Jill Kosack Phone Number: 301-952-4689 Email: Jill.Kosack@ppd.mncppc.org | |



| | |
|------------------------------|------------|
| Planning Board Date: | 01/12/2023 |
| Planning Board Action Limit: | 01/17/2023 |
| Staff Report Date: | 12/22/2022 |
| Date Accepted: | 10/24/2022 |
| Informational Mailing: | 11/18/2021 |
| Acceptance Mailing: | 10/19/2022 |
| Sign Posting Deadline: | 12/06/2022 |

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-21001
 Suffrage Point

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION

This property is within the Residential, Single-Family-65 (RSF-65) Zone. However, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, as permitted by Section 27-1704(b) of the Zoning Ordinance, which allows for projects with prior approvals to continue to be reviewed under the prior Zoning Ordinance for development of a property. This detailed site plan application was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Development District Overlay (D-D-O) Zone of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*;
- b. The requirements of the prior Prince George's County Zoning Ordinance for the One-Family Detached Residential (R-55) Zone, Development District Overlay (D-D-O) Zone, and site design guidelines;
- c. The requirements of Conceptual Site Plan CSP-18002;
- d. The requirements of Preliminary Plan of Subdivision 4-21052;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- h. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject detailed site plan (DSP) application proposes to develop 41 single-family attached dwelling units on the lower parcel of the project formerly known as Magruder Pointe.

2. **Development Data Summary:**

| | EXISTING | PROPOSED |
|--------------------|----------|------------------------|
| Zones | RSF-65 | RSF-65 (R-55/D-D-O) |
| Use | Vacant | Single-Family Attached |
| Gross Acreage | 4.66 | 4.66 |
| Floodplain Acreage | 2.95 | 1.29 |
| Net Acreage | 1.71 | 3.37 |
| Dwelling Units | 0 | 41 |
| Density | N/A | 12.17 units/net acre |

| Architectural Model | Base Finished Square Footage (BFSF) | Below Grade BFSF | Total BFSF | Garage |
|---------------------|-------------------------------------|------------------|------------|--------|
| Chelsea | 1,599 | 445 | 2,044 | 2-car |
| Isabella | 1,799 | 481 | 2,280 | 2-car |

| Parking Spaces | Min. Required* | Max. Allowed* by TDOZ | Provided |
|---------------------------------|----------------|-----------------------|-----------|
| 41 single-family attached units | 41 | 82 | 82 |
| Total | 41 | 82 | 82 |

Note: *In accordance with Development District Overlay (D-D-O) Zone standards for parking in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA, page 148).

3. **Location:** The larger 8.26-acre Suffrage Point property is located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, in Planning Area 68 and Council District 2. The lower parcel, where the development is proposed in this DSP, is located between 40th Place and Magruder Park. The subject site is also located within the Traditional Residential Neighborhood (TRN) Character Area of the Gateway Arts District Sector Plan and SMA.
4. **Surrounding Uses:** To the north and northeast of the property, between Hamilton Street and Gallatin Street, is the northern portion of the previously approved Suffrage Point subdivision, zoned RSF-65. This block features both townhouse and single-family detached

dwelling, with the townhouse dwellings oriented to the south and west, and the single-family detached dwellings oriented north and east.

Land further to the north, between 40th Avenue and Hamilton Street, features single-family detached dwellings zoned RSF-65. East of the property, between Gallatin Street and 40th Place, are multifamily buildings in the Residential, Multifamily-48 Zone. Southeast of the property are single-family detached dwellings in the RSF-65 Zone. Southwest of the property is unimproved Maryland-National Capital Park and Planning Commission (M-NCPPC) owned parkland known as Magruder Woods Park, zoned Reserved Open Space (ROS). West of the property is Driskell Park, in the Agriculture and Preservation Zone, and further west is the M-NCPPC-owned Hamilton Swimming Pool and Splash Park in the ROS Zone. Northwest of the property, between Hamilton Street and 40th Avenue, are multifamily buildings in the Residential, Multifamily-20 Zone, as well as single-family detached dwellings in the RSF-65 Zone. All of the surrounding properties are in the D-D-O Zone implemented by the Gateway Arts District Sector Plan and SMA.

5. **Previous Approvals:** The subject property is located on Tax Map 50 in Grid B1, consists of one outparcel recorded in the Prince George's County Land Records in Plat Book ME 255 page 83 on December 11, 2020, and contains a total of 4.66 acres. The Gateway Arts District Sector Plan and SMA also placed a D-D-O Zone over the property and downzoned this 4.66-acre parcel to the prior Open Space (O-S) Zone.

On July 26, 2018, the Prince George's County Planning Board approved a Conceptual Site Plan, CSP-18002, to recommend rezoning the 4.66-acre southern portion of the property from the O-S Zone to the One-Family Detached Residential (R-55) Zone and amending the list of allowed uses to allow townhouses to be developed on the property, in addition to single-family detached houses. On January 15, 2019, the Prince George's County District Council remanded CSP-18002 back to the Planning Board to consider specific issues. On March 14, 2019, the Planning Board reheard the case, but took no position, and provided an amended resolution (PGCPB Resolution No. 18-74(A)). On May 13, 2019, the District Council reheard the CSP and on June 10, 2019, they issued an order to approve the rezoning from O-S to R-55, with three conditions, to facilitate R-55 development of the entire 8.26 acres for single-family attached and detached units.

CSP-18002 was remanded to the District Council by the Court of Special Appeals of Maryland and the Council issued a new order of approval dated October 17, 2022.

The site is subject to Preliminary Plan of Subdivision (PPS) 4-21052 for Suffrage Point, which was approved on June 16, 2022 (PGCPB Resolution No. 2022-75). This PPS superseded a prior approved PPS, 4-18001, for the 4.66 acres of the overall Suffrage Point development. PPS 4-21052 approved 41 lots and 7 parcels. Of the seven parcels, five are to be conveyed to a homeowners association, while two are to be conveyed to the City of Hyattsville.

The subject site also has an approved Stormwater Management (SWM) Concept Plan, 10823-2018-00, which is valid through March 22, 2025.

6. **Design Features:** The subject DSP proposes development of the lower 4.66-acre parcel, with 41 single-family attached dwelling units. The subject parcel is bounded by the public rights-of-way of Hamilton Street, Gallatin Street, and 40th Place to the east, with public parkland to the west.

The proposed 41 single-family attached dwellings are located in two rows, one fronting the public roads to the east and one fronting the parkland to the west, with an intervening parcel for compensatory floodplain storage. A 22-foot-wide alley, which provides access to all the garages, runs between the rows and has two access points, one off Gallatin Street, and the other off 40th Place. All of these townhouse units will have first-floor two-car interior garages.

All of the end townhouse units are highly visible units that need special treatment of the side elevations. A condition has been included in the Recommendation section, requiring the applicant to identify highly visible side elevations.

Architecture

Two architectural models are proposed in this DSP, which are the same as approved with DSP-18005, for the upper parcel of the Suffrage Point development.

The two townhouse models have a base finished square footage of 1,599 and 1,799 and an interior, rear-loaded, two-car garage. Total finished gross floor area with all options can be up to 2,044 or 2,280 square feet. The townhouse models are designed with pitched or flat roofs and single or double porches with railings. For those units that are highly visible from public streets and the alley, additional design or material treatments such as adding a brick water table to both the front and side elevations, should be provided. A condition requiring this addition has been included in the Recommendation section of this technical staff report.

Security in compact townhouse developments, such as this project, has been a concern among County residents. Maximizing natural surveillance, which is one of the key components of crime prevention through environmental design, in townhouse model design can greatly improve the security of individual units and help to create a safer neighborhood. The townhouse model design should provide security options, including but not limited to, a highly visible front entrance, doorbell camera, front entrance door with side lights, wider door frame, and more windows on all elevations to the extent practical. The builder should either include the security options in the model selection at the time of purchase, or provide possible rough-ins to facilitate homeowner's future installation.

Sustainable site and green building techniques

Per the applicant, the attached houses proposed in this DSP are anticipated to incorporate numerous green building features. In terms of the building envelope, all houses will meet or exceed current energy codes, including such things as R-49 insulation in the roof and R-20 insulation in the walls. All windows installed will be double glazed. All appliances within the houses will be Energy Star rated. The plumbing fixtures will all be selected with water conservation in mind. Every house will have an electric car charging station.

All houses will have deep eaves (most of them with porches), which will help to reduce the energy required to keep the house cool in the summer. All roofing materials will be lighter in color to absorb less heat in the summer. The houses will have numerous, tall windows that will enhance daylighting, which will reduce the energy required for lighting. All the

houses will be ready to be equipped with solar panels. All the houses will be within a 20-minute walk of the West Hyattsville Metro Station, within a 2-minute walk of a bus stop, and will come with a membership to the Capital Bikeshare system. There will be a bikeshare station installed within a two-minute walk from all of the houses.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prior Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-55 and D-D-O Zones and site design guidelines of the prior Prince George’s County Zoning Ordinance, as follows:

a. Since the site is within the D-D-O Zone superimposed by the Gateway Arts District Sector Plan and SMA, the D-D-O Zone standards replace all those contained in the Zoning Ordinance (page 142), including the site design guidelines for site plans. The proposed single-family detached use is permitted in the TRN character area, and the proposed single-family attached use is permitted, as approved in CSP-18002.

b. Footnote 2 on page 144 of the Gateway Arts District Sector Plan and SMA states:

“R-55 zoned properties in the TRN character area within the incorporated City of Hyattsville are exempt from the development standards and will abide by the requirements of the R-55 Zone.”

However, in this case, the applicant obtained a CSP approval, CSP-18002, that rezoned the 4.67-acre lower parcel from the O-S Zone to the R-55 Zone and allowed for the single-family attached (townhouse) use on the subject property. In so doing, the District Council order conditioned that a DSP be required and that it be subject to the D-D-O Zone standards applicable to the TRN character area. This conformance is discussed in Finding 8 below.

The October 19, 2022 Council order approved CSP-18002 with the maximum density for single-family attached development at 12.3 dwelling units per net acre of net lot or tract area. The subject DSP proposes a density of 12.2 dwelling units per net acre based on the proposed floodplain area.

c. The Gateway Arts District Sector Plan and SMA states, in the D-D-O Zone standards under Site Design, Parking and Loading (page 148), the following:

Standard 5. - Parking for residential and live/work use shall consist of a minimum of 1 and a maximum of 2 on-site spaces per lot. If the dwelling lot fronts on a street with on-street residential parking, each 20 feet of linear frontage may be substituted for 1 space.

The DSP proposes a total of 41 residential dwelling units. The minimum required parking spaces are 41, and maximum allowed parking spaces are 82. The applicant provides 82 on-site parking spaces, in conformance with this standard.

8. **2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District and the standards of the Development District Overlay (D-D-O) Zone:** The Gateway Arts District Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Gateway Arts District area. The land use concept of the sector plan divides the Gateway Arts District into seven interrelated areas for the purpose of examining issues and opportunities and formulating recommendations. Detailed recommendations are also provided for the seven distinct areas within the sector plan.

The subject site is located within the TRN, which calls for a development character that reinforces the existing single-family detached residential neighborhoods as calm, low-traffic, and child-safe. In order to achieve this land use vision, the Gateway Arts District Sector Plan and SMA prescribes D-D-O Zone standards under three categories of Site Design, Building Design, and Public Open Space that governs the development of the subject site.

Section 27-548.25(b) of the prior Zoning Ordinance requires that the Planning Board find that the site plan meets applicable development district standards. The applicant has submitted a statement of justification (SOJ) that provides a detailed explanation of how the proposed development conforms to each development district standard and, if not, why and what amendments are required.

The DSP meets most of the applicable standards, with the exception of five development district standards for which the applicant has requested amendments. In order to allow the plan to deviate from the development district standards, in accordance with Section 27-548.25(c) of the prior Zoning Ordinance, the Planning Board must find that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan. The amendments that the applicant has requested are discussed below under the categories of standards.

SITE DESIGN

Building and Streetscape Siting

12. **On properties zoned R-55, the minimum lot area for new dwellings shall be 5,000 square feet. Where the depth of the lot is less than 100 feet, the minimum net lot area shall be 4,800 square feet (page 146).**

The applicant is proposing a minimum size for these single-family attached (townhouse) lots of 1,752 square feet. DSP-18005 approved a minimum townhouse lot size of 1,400 square feet. In addition, the County has previously approved similar or smaller townhouse lot sizes in the close vicinity of this site, some as small as 1,000 square feet. Given the infill nature of this development, the proposed lot size will allow sufficient usable space and urban living within the established traditional neighborhood.

Therefore, the alternate lot size standard for single-family attached units will benefit the development and development district and will not substantially impair implementation of the sector plan. The architecture is

commensurate in details and design to the neighborhood to further enhance compatibility. Staff recommends **approval** of this amendment.

16. **The front yard shall not have more than 20 percent impervious surface and shall not include a paved area for parking between the dwelling and the street sidewalk (page 146).**

All of the proposed single-family attached lots meet this front yard impervious surface requirement, except for Lots 13–16 and 25–40, partially due to the front porches on every unit. The maximum area of impervious surface is 22.73 percent with no parking area between the dwelling and the street sidewalk. The City of Hyattsville indicated they are supportive of this amendment as the proposed front porches provide a sense of place, eyes on the street, and are consistent with housing characteristics of existing homes within the Historic District. For these reasons, staff supports this amendment because this slight increase will benefit the development and development district, and will not substantially impair implementation of the sector plan. Staff recommends **approval** of this amendment.

Siting and Access

6. **Driveways or private drive-aisles shall have a maximum width of 12 feet (page 149).**

In order to minimize parking spill-over into the existing neighborhood, as is common with infill projects, this DSP proposes two-car garages for every unit, and an alley system with 18-foot-wide driveways to access the garages. Given the fact that all wider driveways will be located interior to the site, this alternate standard will benefit the development and the development district by reducing parking spill-over into the existing neighborhood and will not substantially impair implementation of the sector plan. Staff recommends **approval** of this amendment.

Building Height

4. **The maximum height of townhouse buildings shall be 45 feet (page 151).**
6. **The allowable height in R-55, R-35, and R-20 Zones shall be 3 stories or 35 feet. If an additional side yard of 1/2 foot is added per 1 foot of height in excess of 35 feet, the height may be increased to the maximum of 40 feet. Height shall be measured from the highest elevation on the front street side of the building to the highest main roof ridgeline or parapet (page 152).**

Most of the proposed townhouses, which are in the R-55 Zone, do not exceed the 35-foot height limit from slab to roof, and none exceed the 45-foot height limit. However, per these standards, not all of the proposed townhouses meet these requirements when height is measured from the front street side of the building to the highest main roof ridgeline or parapet. Due to the site

layout, topography, and stormwater issues, 18 units do not front a street directly and so most are higher than 35 feet relative to the closest street. Given the fact that these lots are located interior to the site, this alternate standard will benefit the development and will not substantially impair implementation of the sector plan. Staff recommends **approval** of these amendments.

9. **Conceptual Site Plan CSP-18002:** The District Council approved remanded CSP-18002 on October 17, 2022, with three conditions. The conditions that are relevant to the review of this DSP are discussed as follows:

2. **At the time of Detailed Site Plan, as required in PGCC § 27-548.26, Applicant shall:**

- a. **Provide evidence that impact to the floodplain has been approved by the authority having jurisdiction.**

In a letter dated September 27, 2018 (Hajazi to Freiland), the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) approved a floodplain waiver for this subject site. The DSP satisfies this condition.

- b. **Provide sidewalks on both sides of all internal streets, excluding alleys, as appropriate.**

The adjacent public rights-of-way have sidewalks on them. One alley has been proposed through the site with no sidewalks, as permitted by this condition. Additional pedestrian paths have been provided from east to west through the site in between every stick of townhouses. The DSP meets the requirements of this condition.

3. **Prior to issuance of any building permit, Applicant shall, pursuant to PGCC § 27-548.26, obtain approval of a Detailed Site Plan (DSP) for the entire 8.26 acres. The DSP shall be subject to all Development District Overlay (D-D-O) Zone standards applicable to the Traditional Residential Neighborhood Character Area. Additional bulk requirements shall be established with the approval of the DSP to implement the applicable goals and recommendations of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, to achieve context-sensitive, high-quality, single-family residential development.**

The applicant filed DSP-18005 for the entire 8.26 acres, with development of the upper parcel and only infrastructure on this lower parcel. The subject DSP was filed for 41 dwelling units on the lower parcel, in accordance with this condition. The DSP has been reviewed for conformance with the applicable D-D-O Zone conditions, as discussed in the above Finding 8. The DSP meets all applicable D-D-O Zone standards, except for standards that the applicant has requested to be amended, in accordance with Section 27-548.25(c). The additional bulk requirements achieve a context-sensitive, high-quality, single-family development. The DSP satisfies this condition.

10. Preliminary Plan of Subdivision 4-21052: The Planning Board approved 4-21052, with 15 conditions (PGCPB Resolution No. 2022-75). The conditions that are relevant to the review of this DSP warrant the following discussion:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised, as follows:

a. Relocate Alley 3 to extend from the dead end of Alley 2 to 40th Place and design the public alleys to meet Urban Street Design Standard STD 100.31, with a minimum 15-foot turning radius. If redesign of the alley is infeasible, as stated herein, the plans shall show the alleys as contained within private alley parcels, which shall conform to the Prince George's County design standards for emergency vehicles.

PPS 4-21052 has been certified, and it was determined at the time of certification that the PPS conformed to the above-described street design standards. The relocation of Alley 3 consolidates it and Alley 2 into a single alley, and is shown on the DSP as Alley 2, in conformance with this condition. The alley will be dedicated to public use.

b. Provide minimum 10-foot-wide open spaces on homeowners association parcels between Lots 6 and 7, 11 and 12, 17 and 18, 29 and 30, and 36 and 37. The precise locations of the open spaces may be altered if the positions of any lots are shifted, or any lots removed at the time of detailed site plan (DSP). At the time of DSP, the space between Lots 29 and 30 may be reduced to no less than 8 feet, if the applicant demonstrates that providing a space 10 feet wide is infeasible.

The DSP shows 10-foot-wide open spaces in the locations specified. The DSP does not show any lots to have shifted position or been removed. The space between Lots 29 and 30 remains at 10 feet, in conformance with this condition.

2. A substantial revision to the proposed uses on-site, which affects Subtitle 24 adequacy findings, including any nonresidential development, shall require the approval of a new preliminary plan of subdivision, prior to approval of any building permits.

The proposed DSP does not include a substantial revision to the uses previously approved and does not affect Subtitle 24 adequacy findings for the site.

3. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 10823-2018-00 and any subsequent revisions.

A copy of the approved SWM concept plan and approval letter (10823-2018-00) was submitted with the DSP application. According to the approval letter, the SWM concept plan expires on March 22, 2025. There are some minor differences between the site layout shown on the concept plan and that shown on the DSP, specifically

the position of the southern alley exit onto 40th Place. DPIE may require an amendment to the SWM concept plan prior to permitting.

4. Prior to approval, the final plat of subdivision shall include:

a. The granting of public utility easements along the public rights-of-way, excluding alleys.

The DSP shows public utility easements (PUEs) consistent with those shown on PPS 4-21052. The PUEs are located along the site's full frontage on Gallatin Street and 40th Place, except for two locations where the PUEs were approved to be modified via a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations. Per the variation approved with 4-21052, a PUE has been omitted in the northwest corner of the property, and a PUE has been moved away from the frontage line in the southeast corner.

b. Any right-of-way dedication of the alley to public use, in accordance with the approved preliminary plan of subdivision.

The DSP shows right-of-way dedication of the alley to public use, in accordance with the PPS.

c. The delineation of a parcel or public use easement granted to the City of Hyattsville, if the detailed site plan reflects such a grant. If a public use easement is granted, it shall be approved by the City of Hyattsville and contain the rights thereof, be recorded in the Prince George's County Land Records, and the Liber/folio shown on the final plat, prior to recordation. If a public use easement is granted, it may be written so as to absolve the applicant and its successors in title of the liabilities associated with public use of the land.

The DSP shows two parcels, Parcels C and D, to be conveyed to the City of Hyattsville. These parcels cover existing park facilities associated with the abutting Driskell Park. The DSP does not show any public use easements. However, at the City of Hyattsville City Council meeting on December 5, 2022, the City Council recommended that should the DSP be approved, the applicant shall dedicate a public use easement over Parcel B2, an open space parcel located adjacent to Driskell Park. Therefore, a condition is included herein requiring such.

5. Prior to approval of a detailed site plan for architecture, the applicant shall provide a plan for interpretive signage to be erected and public outreach measures for the Washington Suburban Sanitary Commission Headquarters (68-10-082) and the 1913 suffragist rally. The location and wording of the signage and the public outreach measures shall be subject to review and comment by the Historic Preservation Section. The plan shall include the timing for installation of the signage and implementation of public outreach measures.

Staff notes that updated material received on November 28, 2022, includes an exhibit for an installation called “The Suffrage Walk” in the architectural plan set. According to this exhibit, the installation will include a meandering path, conversational benches, plinths engraved with significant documents, and a “Remembrance Oak.” The installation is to be located in the northwest corner of the property. However, the DSP plan set does not show any details of this installation. Neither the exhibit nor the applicant’s SOJ include the timing for installation of the signage and implementation of public outreach measures. Therefore, this condition must be further addressed prior to certification of the DSP, as conditioned herein.

7. **At the time of detailed site plan, the applicant shall determine whether there is to be any public use of the subject property. If there is to be any public use, the plans shall show either a parcel(s) to be conveyed to the City of Hyattsville, or a public use easement on homeowners association Parcel B2 to the benefit of the City of Hyattsville, in order to ensure the general public continues to have access to the park facilities on the parcel. If an easement is granted on Parcel B2, the parcel shall primarily serve to provide compensatory storage for the subject property, and the applicant shall determine which areas of the parcel may be used by the public. If no easement is granted or property conveyed for the existing park facilities, the park facilities on the subject site shall be shown to be removed or relocated.**

The DSP shows two parcels, Parcels C and D, to be conveyed to the City of Hyattsville for public use. Conveyance of these parcels will ensure that the existing park facilities therein will not need to be removed or relocated. The DSP does not show any public use easements. However, at the City of Hyattsville City Council meeting on December 5, 2022, the City Council recommended that should the DSP be approved, the applicant shall dedicate a public use easement over Parcel B2, an open space parcel located adjacent to Driskell Park. Therefore, a condition is included herein requiring such.

8. **Total development within the proposed preliminary plan of subdivision (PPS) shall be limited to uses which generate no more than 29 AM peak-hour trips and 33 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new PPS.**

Staff finds the subject DSP is consistent with the land use and development program that was considered as part of the approved PPS, and therefore, is within the peak-hour trip cap approved in PPS 4-21052.

9. **The applicant and the applicant’s heirs, successors, and/or assignees shall provide and include details of the following, prior to acceptance of the detailed site plan:**
 - a. **Shared roadway pavement markings along the property frontage of Gallatin Street and 40th Place, unless modified by the City of Hyattsville, with written correspondence.**

- b. Minimum five-foot-wide sidewalks along the frontages of Gallatin Street and 40th Place, unless modified by the City of Hyattsville, with written correspondence. Eight-foot-wide sidewalks shall be provided along Gallatin Street where feasible.**
- c. Minimum five-foot-wide sidewalk connections between Lots 6 and 7, 17 and 18, 29 and 30, 36 and 37, and adjacent to Lots 1 and 41 to create direct and continuous access from Gallatin Street and 40th Place to the townhomes located in the rear of the subdivision and to Parcel B2. The precise locations of the sidewalks may be altered if the positions of any lots are shifted, or any lots removed.**
- d. Crosswalks across all vehicular and pedestrian crossing points, including alleys, in order to provide continuous pedestrian connections.**
- e. A sidewalk connection from 40th Place through the interior of the site to at least the western boundary of Parcel B2, in order to connect with any public uses proposed on or abutting the subject property. Connection of the sidewalk with such public uses shall be subject to approval by the City of Hyattsville.**

The latest site plan submission satisfies all conditions pertaining to shared roadway and sidewalk connections. In addition, crosswalks are also provided crossing both vehicular access points along Gallatin Street and 40th Place. Regarding Condition 9e, the DSP does not show any sidewalks connecting through the interior of the development to the western boundary of the abutting Driskell Park. At the City of Hyattsville City Council meeting on December 5, 2022, the City Council recommended that should the DSP be approved, such a connection be made. Therefore, a condition is included herein requiring such.

- 13. Prior to approval of a detailed site plan, the applicant shall demonstrate that adequate access for emergency personnel will be provided to every dwelling unit, either via the sidewalks required by Condition 9c above, or via the alleys. If emergency access is to be provided via the alleys, the building architecture submitted with the DSP shall include such access, which may be in the form of rear personnel doors.**

Per the Prince George's County Fire Department's comments, the alley has been revised to 22 feet wide pavement to qualify as a fire access road. They also indicated that a personnel door within 150 feet of a fire access road must be provided for each unit. The applicant responded that each unit has the option for a rear personnel door adjacent to the garage door, but it will be required for Lots 26, 27, 32, 33, and 34. A condition is included herein to ensure this is noted on the plan.

- 14. Prior to approval of the final plat, the 41 units proposed with this preliminary plan of subdivision shall not exceed the revised maximum net density to be approved by the Prince George's County District Council on the remand of Conceptual Site Plan CSP-18002, as required by the Court of Special Appeals order.**

As discussed in Finding 7 above, the proposed 41 units conform to the maximum net density approved by the District Council on the remand of CSP-18002.

15. **Prior to acceptance of a detailed site plan, specifications for the light fixtures in the alleys shall be provided to the City of Hyattsville (if the alleys are to be publicly dedicated) and be included on the detailed site plan.**

The DSP plan set shows a detail for the light fixtures in the alley on Sheet 6. At the City of Hyattsville City Council meeting on December 5, 2022, the City Council recommended that lighting should be similar in design to that used in the upper block of the Suffrage Point development and should conform to the Potomac Electric Power Company (PEPCO) standards so that it may be accepted into the public utility system where appropriate. Prior to acceptance of the DSP, the applicant stated via e-mail (Rivera to Fothergill, dated October 13, 2022) that the lighting specifications used in the alley would be consistent with the upper block. A condition is included herein, requiring this to be confirmed by the City prior to certification of the DSP.

11. **2010 Prince George’s County Landscape Manual:** The D-D-O Zone includes development district standards that override all of the requirements of the Zoning Ordinance. On page 142 of the Gateway Arts District Sector Plan and SMA, it states:

“The development district standards replace all those contained in the Zoning Ordinance and Landscape Manual except (1) where noted for parking provision, (2) properties zoned R-80 except with respect to accessory buildings containing an artist studio, (3) where noted for home occupation signage, and (4) where noted for signage size. If an aspect of the physical development of a project is not included in the development district standards, the character area goals and the intent statement of those standards most closely relating to that aspect shall apply.”

The subject site is located in the TRN character area. The following D-D-O Zone standards related to landscaping are applicable to this DSP.

SITE DESIGN

Landscaping

1. **Existing trees should be preserved where feasible (page 151).**

Because the property was previously a parking lot, there are few existing trees on this lower parcel that have been preserved, where feasible.

2. **Shade trees with a minimum of 2.5- to 3-inch caliper shall be provided at the rate of one shade tree per every 5,000 square feet of the gross site area (exclusive of street dedications). Existing trees and street trees to be planted within the abutting right-of way may be counted toward meeting this standard.**

This standard requires 37 shade trees, and 108 are proposed on the site.

PUBLIC OPEN SPACE

Parks and Plazas

- 1. At least one tree with a minimum 2.5- to 3-inch caliper should be planted per every 1,000 square feet of proposed open space.**

This standard requires 25 shade trees which have been provided on the site.

- 3. A minimum of 1 shrub should be provided for every 100 square feet of area, and there should be a minimum of 3 varieties for spaces greater than 300 square feet.**

This standard requires 250 shrubs, in 5 different varieties, which have been provided on the site.

In addition, landscaping based on the 2010 *Prince George's County Landscape Manual*, requirements of Section 4.1, Residential Requirements, have been provided on the site as required for townhouses. Moreover, the requirements of Section 4.9, Sustainable Landscaping Requirements, have been exceeded as the landscape plan shows that 100 percent of the provided shade trees, evergreen trees, ornamental trees, and shrubs are native species.

- 12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has less than 10,000 square feet of woodland on-site and no previously approved tree conservation plans. A standard letter of exemption from the WCO was issued for this site (S-193-2020), which expires on December 15, 2022. At the time of the writing of this referral, that woodland conservation exemption letter was valid. Prior to certification of the DSP, a valid exemption letter is required.

The site has an approved natural resources inventory plan (NRI-047-2018) that covers a larger area than the DSP application. This DSP is comprised of the same land area as PPS 4-21052. This area was almost entirely covered by an existing parking lot, which has recently been removed. Small areas of open grown trees and existing landscaping are located along the southern and western property boundaries. This site slopes to the south toward an off-site stream system. No woodlands or specimen/champion/historic trees exist on-site within the application area. Regulated environmental features, such as stream buffer, wetland, and wetland buffer exist on-site. Primary management area existing on-site is comprised of these regulated environmental features and the 100-year floodplain.

- 13. Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. The subject site is in the R-55 Zone, which requires 15 percent of the site be covered in tree canopy. The lower parcel, where the development is located, measures 4.66 acres, and 0.70 acre (30,448 square feet) of TCC is required. A TCC schedule has been provided with this DSP that shows 30,600 square feet of canopy being provided in proposed landscape trees in conformance with this requirement.

- 14. Referral Comments:** The subject application was referred to the concerned agencies and divisions. Their referral memorandums are incorporated herein by reference, and the major comments are summarized, as follows:

- a. **Community Planning**—In a memorandum dated December 2, 2022 (Green to Kosack), the Community Planning Division provided the following summarized comments:

The Gateway Arts District Sector Plan and SMA retained the portion of the subject property between Hamilton and Gallatin Streets in the R-55 Zone, but reclassified the former parking lot portion of the property between 40th Avenue and 40th Place from the R-55 Zone to the O-S Zone, noting “Rezoning to O-S creates the opportunity to expand parkland and reinforce the vision of the traditional residential neighborhood character area” (page 123). The SMA further superimposed the D-D-O Zone, placing the entire property in the TRN character area. Note that R-55-zoned properties in the TRN character area within the incorporated City of Hyattsville are exempt from the development district standards and abide by the requirements of the R-55 Zone (page 144). The TRN goals and recommendations are still applicable, however, regardless of the zone.

The Community Planning Division staff listed six amendments that the applicant requested. Detailed discussion of these amendments has been provided in Finding 8 of this technical staff report. However, one amendment to a standard relative to sidewalk width is not necessary as it does not apply to the lead walks on the individual lots. The lead walks on the DSP conform to the applicable Standard 23 on page 147.

In conclusion, the Community Planning Division staff finds that, pursuant to Section 27-548.25(c), this applicant requests development standards which differ from the development district standards of the Gateway Arts District Sector Plan and SMA that will benefit the development and will not substantially impair implementation of the sector plan. One condition related to architectural design is recommended and included herein.

- b. **Transportation Planning**—In a memorandum dated November 29, 2022 (Smith to Kosack), the Transportation Planning Section offered a discussion of prior approvals incorporated into findings above and the following summarized comments:

The subject site has frontage along Gallatin Street and 40th Place. Per the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), neither roadway is identified as master-planned facilities nor within a transportation corridor or center. The latest site plan submission includes shared road pavement markings and continuous sidewalk along the property frontage and convenient sidewalk connections throughout the site, including crosswalks to the adjacent parcels. The proposed infrastructure meets the intent of the MPOT and area master plans.

Staff finds that the application meets the findings required by the prior Subtitle 27 for a site plan for transportation purposes and conforms to the MPOT and the Gateway Arts District Sector Plan and SMA.

- c. **Historic Preservation**—In a memorandum dated December 13, 2022 (Stabler to Kosack), the Historic Preservation Section provided a brief summary of the history of the property, but indicated that there are no Prince George’s County historic sites or resources on or adjacent to the subject property. Staff finds that if interpretive signage is provided as recommended to address the history of the suffragist rally and the Washington Suburban Sanitary Commission (WSSC) building, the project will support the goals and objectives of the Historic Preservation section of the sector plan. The applicant should provide interpretive signage in one of the open space areas that details the history of the WSSC building that was located on an adjoining parcel and the Suffragist rally. A condition is included herein relative to this issue.

A Phase I archeology survey was not recommended on the subject property. The area beneath the parking lot was shown in previous applications to have been disturbed by construction of a sewer line, a gas line, and a drainage channel running through various portions of the subject site. The installation of these utilities has likely disturbed any intact archeological resources that may have been present. Therefore, a Phase I archeology survey was not recommended.

- d. **Subdivision Section**—In a memorandum dated December 6, 2022 (Campbell to Kosack), the Subdivision Section provided an analysis of the DSP’s conformance with PPS 4-21052, which is incorporated into the findings above. They also indicated that prior to approval of any permits on the subject property, the property must be platted consistent with the lotting pattern approved with this DSP.
- e. **Environmental Planning**—In a memorandum dated December 5, 2022, (Juba to Kosack), the Environmental Planning Section provided an analysis of the DSP, and the relevant comments are included in the findings herein or are summarized, as follows:

Stormwater Management/Unsafe Soils

Marlboro clay has not been identified on or within the immediate vicinity of this property; however, unsafe soils containing Christiana complexes have been mapped across the eastern half of the site. These soils have been previously disturbed and should not pose an issue to the proposed development because no critical slopes that would cause significant damage or cost are anticipated. No conditions of approval relating to unsafe soils were provided by DPIE relating to the approval of SWM Concept Letter 10823-2018-00. Correspondence from DPIE demonstrating conformance with Section 24-131 of the prior Subdivision Regulations for unsafe soils is not required at this time and no further action is needed as it relates to this application. The County may require a soils report in conformance with Prince George’s County Council Bill CB-94-2004 during future phases of development and/or at the time of permit.

An approved SWM concept letter and plan (10823-2018-00) was submitted with this application, which expires on March 22, 2025. Within the area of this DSP application, the approved SWM concept plan shows the use of four proposed micro-bioretention stormwater devices, a SWM outfall, and other cut and fill grading operations to establish proposed lots, roads, and associated infrastructure on-site. A

floodplain fill waiver from DPIE, dated September 27, 2018 (36721-2018), has been granted for these improvements.

The Environmental Planning Section recommends approval of DSP-21001, with conditions that have been included herein.

- f. **Permit Review**—In a memorandum dated November 10, 2022 (Meneely to Kosack), the Permit Review Section indicated they had no comments on the DSP.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—In an e-mail dated December 9, 2022 (Thompson to Kosack), DPR indicated that they reviewed and evaluated the DSP for conformance with the requirements of PPS 4-21052, as they pertain to public parks and recreation. Condition 6 of PGCPB Resolution No. 2022-75 requires payment of a fee-in-lieu for Service Area 2. DPR has no additional comments.
- h. **City of Hyattsville**—In a letter dated December 7, 2022 (Interim Mayor Croslin to Chairman Shapiro), the Hyattsville City Council indicated that they voted in opposition to the applicant's DSP and requests the Planning Board deny the application. As expressed in previous correspondence and oral testimony, the City of Hyattsville has, and continues to be, in firm opposition to this development. In 2018, the Hyattsville City Council voted in opposition to the parent case for this development, CSP-18002, which enabled the rezoning of the lower parcel from the O-S Zone to R-55 Zone. If the Planning Board proceeds to approve this application, the City Council requests six revisions, which the applicant has agreed to, as follows:
 - (1) The site plan be revised to provide a pedestrian connection to the abutting property, Driskell Park, from the site at Parcel D be made to ensure pedestrian connectivity is achieved between the two sites, as conditioned in 9e of the PPS, and that DSPs include crosswalks, or other mechanisms to enhance pedestrian visibility, where pedestrian infrastructure crosses vehicular infrastructure throughout the site.

A condition is included herein, requiring the pedestrian connection to the Driskell Park property per the City's exhibit. The Transportation Planning Section has reviewed the DSP and finds sufficient crosswalks have been provided throughout the site.

- (2) The applicant be required to coordinate with Historic Preservation Section of Park and Planning regarding the timing for installation of signage and implementation of public outreach measures for the Suffrage Walk.

A condition is included herein, requiring further coordination prior to certification of the DSP. The applicant submitted an exhibit, but staff does not find it sufficient and will continue to work with the applicant relative to the signage design.

- (3) The applicant dedicate Parcels C and D to the City of Hyattsville for the purposes of maintaining access to existing park structures and to allow additional space for intersection improvements at Gallatin Street and the entrance to Driskell Park, and that Parcel B2 be dedicated as a Public Use

Easement, in which the applicant shall maintain ownership of Parcel B2, but access of the parcel shall be granted to the general public. Parcel B2 shall primarily serve to provide compensatory storage for the subject parcel, but shall be used by the public, and permitted at the City's discretion, under a separate Memorandum of Understanding (MOU).

The DSP shows Parcels C and D are to be dedicated to the City of Hyattsville and a condition is included herein, requiring the requested public use easement over Parcel B2. The applicant requested that the MOU include an indemnity clause, which will be handled separately with the City.

- (4) The applicant revise the site plan to include additional lighting throughout the site including low voltage and low to the ground lighting along all pathways between houses and appropriate lighting be affixed to the front and back façade of all residential dwelling units to provide additional visibility at entrances and exits to dwellings and along pathways. Exterior lighting should be similar in design to that used in the Suffrage Point upper site conform to PEPCO standards so that it may be accepted into the public utility system where appropriate.

Conditions have been included herein requiring the lighting to be revised as stated and reviewed by the City prior to certification of the DSP.

- (5) The City is supportive of the applicant's request for a variance to the D-D-O Zone standard to support deeper front porches, as the percentage is within five percent of requirements and is consistent with variances supported by the City for previous applications. Front porches as proposed in this application provide a sense of place, eyes on the street, and is consistent with housing characteristics of existing homes within the Historic District.

As discussed in Finding 8 above, staff recommends approval of the requested amendment to the D-D-O Zone standard.

- (6) The applicant revise the site plan to provide additional plantings within the compensatory storage parcel. Landscape plantings shall be limited to native species and specifically those which survive sustained periods of inundation such as rush, panicum, swamp milkweed, and Joe Pye or shrubs like Itea, silky dogwood, and winterberry holly.

Relative to this issue, the applicant agreed to provide substitute native landscape plantings within the parcels being conveyed to the City, to include relocating plantings within the boundaries of Driskell Park at locations determined by the City. Therefore, a condition relative to this has been included herein.

- i. **Prince George's County Police Department**—As of the writing of this technical staff report, the Police Department did not offer comments on the subject application.

- j. **Prince George's County Fire Department**—In an e-mail dated October 25, 2022 (Reilly to Kosack), the Fire Department provided comments relative to the necessary alley width and proximity to a personnel door on each unit. The DSP was revised to provide the required alley width, and a condition is included herein, relative to the lots that require a rear personnel door to ensure emergency access.
 - k. **Prince George's County Health Department**—In a memorandum dated November 3, 2022 (Adepoju to Kosack), the Health Department provided comments that have been transmitted to the applicant. The subject site is located within the established area of the County and is close to numerous service and retail facilities, including grocery stores and restaurants. The site plan also demonstrates pedestrian connections to the neighboring communities, especially the Magruder Park located southwest of the site. Notes regarding dust and noise impacts during demolition/construction have been added to the plan.
 - l. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**— In a memorandum dated December 15, 2022 (Giles to Kosack), DPIE provided comments that the DSP is consistent with Site Development Concept Plan 10823-2018-0, traffic-related comments are deferred to the City of Hyattsville, and the applicant is required to secure necessary permits before impacts to the floodplain can be constructed.
- 15. Based on the foregoing, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, this DSP will, if approved with conditions, represent a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
 - 16. As required by Section 27-285(b)(2) of the prior Zoning Ordinance, this DSP is in general conformance with the approved CSP-18002.
 - 17. Section 27-285(b)(4) of the prior Zoning Ordinance provides the following required finding for approval of a DSP:
 - (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Impacts to regulated environmental features on this DSP are consistent with those previously approved by the Planning Board with PPS 4-21052. Therefore, staff finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

RECOMMENDATION

Based on the forgoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE amendments to the Development District Overlay (D-D-O) Zone standards, as follows:
1. **Site Design, Building and Streetscape Siting, Standard 12** (page 146): To allow the townhouse lots to be a minimum of 1,752 square feet.
 2. **Site Design, Building and Streetscape Siting, Standard 16** (page 146): To allow the townhouse lots to exceed the maximum allowed 20 percent front yard impervious surface area, as shown on the site plan.
 3. **Site Design, Siting and Access, Standard 6** (page 149): To allow driveways or private drive aisles to be a maximum of 18 feet wide, instead of the required 12 feet.
 4. **Building Design, Building Height, Standard 4** (page 151): To allow building heights as shown on the site plan and architectural elevations.
 5. **Building Design, Building Height, Standard 6** (page 152): To allow building heights as shown on the site plan and architectural elevations.
- B. APPROVE Detailed Site Plan DSP-21001, for Suffrage Point, subject to the following condition:
1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Revise General Note 23 to remove reference to Section 27-544(c)(2) of the prior Prince George's County Zoning Ordinance.
 - b. Include a minimum of five different front architectural elevations that offer a variety of architectural details, building materials, and colors, in a balanced fenestration consistent with the Victorian and craftsmen-style homes that are common in the existing residences of the Traditional Residential Neighborhood Character Area of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. This is to be reviewed by the Urban Design Section, as designee of the Prince George's County Planning Board, in coordination with the Community Planning Section.
 - c. Submit a valid woodland conservation exemption letter.
 - d. Revise the DSP, to distinguish on the legend and each plan sheet, the proposed versus existing 100-year floodplain and primary management area.

- e. Provide the following architecture-related and general plan notes:

“All highly-visible single-family attached (townhouse) end units shall have, at a minimum, the water table or first floor finished with brick, or other masonry, with a minimum of three architectural features in a balanced and harmonious composition.”

“A rear personnel door, adjacent to the garage door, is required for Lots 26, 27, 32, 33, and 34.”
- f. Revise the site plan to provide a sidewalk connection to the abutting property, Driskell Park, at Parcel D from the site, as shown on the City of Hyattsville exhibit, to ensure pedestrian connectivity is achieved between the two sites.
- g. Provide a plan for interpretive signage to be erected and public outreach measures to be undertaken to commemorate the site of the Washington Suburban Sanitary Commission Headquarters (68-10-082) and the site of the 1913 Suffragist rally. The location and wording of the signage and the public outreach measures shall be subject to approval by Historic Preservation Section staff. The plan shall include the design, content, and timing for the installation of the signage, and the implementation of public outreach measures shall occur prior to issuance of the final building permit for the development.
- h. Revise the DSP to show a public use easement over Parcel B2, the open space parcel located adjacent to Driskell Park.
- i. Confirm that lighting is similar in design to that used in the upper block of the Suffrage Point development and conforms to the Potomac Electric Power Company standards, so that it may be accepted into the public utility system where appropriate. This is to be reviewed by the Urban Design Section, as designee of the Prince George’s County Planning Board, in coordination with the City of Hyattsville.
- j. Revise the site plan to include additional lighting throughout the site, including low voltage and low to the ground lighting along all pathways between houses, and appropriate lighting be affixed to the front and back façade of all residential dwelling units, to provide additional visibility at entrances and exits to dwellings and along pathways. This is to be reviewed by the Urban Design Section, as designee of the Prince George’s County Planning Board, in coordination with the City of Hyattsville.
- k. Revise the site plan to provide substitute landscape plantings within the parcels being conveyed to the City of Hyattsville to include relocating plantings within the boundaries of Driskell Park, at locations determined by the City. Landscape plantings shall be limited to native species and specifically those which survive sustained periods of inundation such as rush, panicum, swamp milkweed, and Joe Pye, or shrubs like Itea, silky dogwood, and winterberry holly.