The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
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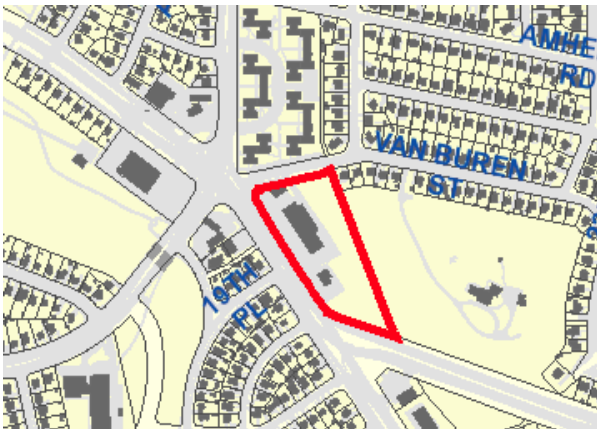
Detailed Site Plan DSP-22001
Departure from Design Standards DDS-23001
Alternative Compliance AC-23017
McDonald's Ager Road

REQUEST	STAFF RECOMMENDATION
This case was continued from the Planning Board hearing date of October 24, 2024 to November 21, 2024. Development of an eating and drinking establishment with drive-through service in an integrated shopping center	With the conditions recommended herein: • Approval of Detailed Site Plan DSP-22001 • Approval of Departure from Design Standards DDS-23001 • Disapproval of Alternative Compliance AC-23017 • Approval of Type 2 Tree Conservation Plan TCP2-004-2024

Location: In the northwest quadrant of the intersection of East-West Highway and Ager Road	
Gross Acreage:	4.17
Zone:	CGO
Zone Prior:	C-S-C
Reviewed per prior Zoning Ordinance:	Section 27-1903(b)
Gross Floor Area:	3,683 sq. ft.
Planning Area:	65
Council District:	02
Municipality:	Hyattsville
Applicant/Address: McDonald's USA, LLC 6903 Rockledge Drive, Suite 1100 Bethesda, MD 20817	
Staff Reviewer: Natalia Gomez-Rojas **Phone Number:** 301-780-8116 **Email:** natalia.gomezrojas@ppd.mncppc.org	



Planning Board Date:	11/21/2024
Planning Board Action Limit:	indefinite
Staff Report Date:	09/12/2024
Date Accepted:	01/24/2024
Informational Mailing:	01/21/2022
Acceptance Mailing:	01/16/2024
Sign Posting Deadline:	08/13/2024

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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MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-22001
Departure from Design Standards DDS-23001
Alternative Compliance AC-23017
Type 2 Tree Conservation Plan TCP2-004-2024
McDonald's Ager Road

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

EVALUATION CRITERIA

This property is within the Commercial, General and Office (CGO) Zone and was previously located within the Commercial Shopping Center (C-S-C) Zone. This application is reviewed pursuant to the prior Prince George's County Zoning Ordinance, in accordance with Section 27-1903(b) of the current Zoning Ordinance. Staff considered the following in reviewing this detailed site plan:

a. The prior Prince George's County Zoning Ordinance;

b. The 2010 *Prince George's County Landscape Manual;*

c. The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;

d. The Prince George's County Tree Canopy Coverage Ordinance;

e. Referral comments; and

f. Community Feedback.

FINDINGS

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

1. **Request:** The subject detailed site plan (DSP) requests approval for development of a 3,683-square-foot eating and drinking establishment with drive-through service on the southern portion of the subject property, Parcel 23.

The companion Departure from Design Standards, DDS-23001, requests departure from the requirements of Section 4.7 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The applicant also requests alternative compliance from the requirements of Section 4.7, Buffering Incompatible Uses, of the Landscape Manual.

2. Development Data Summary:

	Existing	Proposed
Zone(s)	CGO (Prior C-S-C)	C-S-C
Use(s)	Eating and drinking establishment	Eating and drinking establishment with a drive-through
Acreage	4.17	4.17
Gross Floor Area	1,995 sq. ft.	3,683 sq. ft.
Green Area (Percentage)	-	2.99 (71.7%)

OTHER DEVELOPMENT DATA

Parking	Required	Proposed
Existing parking in integrated shopping center	71	71
Eating or Drinking Establishment (including drive-through service or carryout): 1 space per 3 seats, plus 1 additional space per 50 sq. ft. of gross floor area*	47	54
Handicap-Accessible (included in the total number of required and provided parking spaces)	2	2
Total	**118**	**125**
Loading		
1 loading space per 2,000–10,000 sq. ft. of gross floor area	1	1
Total	**1**	**1**

Note: *Excluding any area used exclusively for storage or patron seating, and any exterior patron service area.

Bicycle Spaces
This DSP includes two U-shaped bicycle racks, which are located at the east side of the building, near the building entrance.

3. Location: The subject property, known as Parcel 23, is located in the northeast quadrant of the intersection of East-West Highway (MD 410) and Van Buren Street, and on the south of Ager Road, as shown on Tax Map 41-D1 in Planning Area 65 and Council District 2.

4. **Surrounding Uses**: The property is currently improved with a retail shopping center. The site is bounded to the north by Van Buren Street, an arterial road, and properties to the north of Van Buren Street are zoned Residential, Multifamily-20 (RMF-20). The site is bounded to the south by East-West Highway (MD 410) and to the west by Ager Road (with properties to the west of Ager Road zoned CGO and Residential, Single-Family-65 (RSF-65). To the east of the site is the Pallottine Seminary zoned Residential, Rural (RR) and single dwelling property zoned RSF-65.

5. **Previous Approvals:** A Natural Resources Inventory, NRI-026-2022, was approved on April 28, 2022. A Stormwater Management (SWM) Concept Plan, 30395-2021-0, was approved on May 26, 2022, and will remain valid until May 26, 2025. There are no other approvals for this property.

6. **Design Features:** The subject site, comprised of 4.17 acres of land, is improved with a retail commercial center consisting of three buildings constructed in the late 1940s. This application proposes to raze the existing freestanding building located on the southern portion of Parcel 23 and build a 3,683-square-foot eating and drinking establishment with drive-through service. When constructed, the eating and drinking establishment will be served by the existing southern two-way driveway entrance along Ager Road. Two drive-through lanes are located to the southeast of the building, with two separate menu display boards, and then merge into one lane before the pick-up windows.

   The proposed plan also includes adding 54 parking spaces to the existing parking lot, bringing the total number of parking spaces to 125. Specifically, 24 of the newly generated parking spaces will be located on the north side, while 30 will be situated south of the freestanding building.

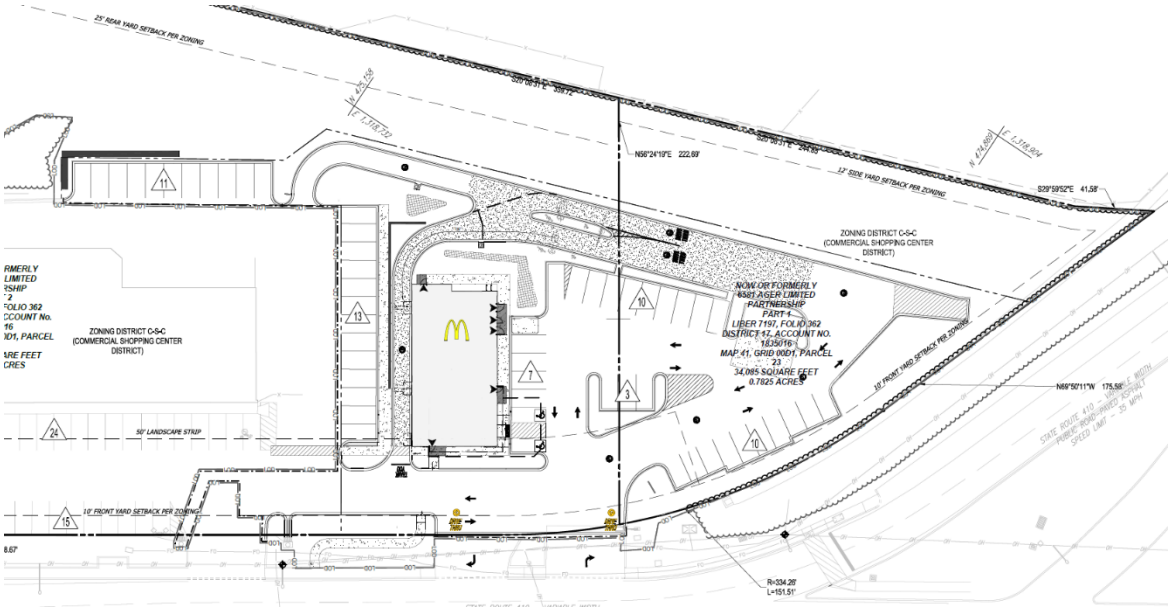

Figure 1: Parking Plan

Architecture

The proposed freestanding building, rectangular in shape, will serve a McDonald's eating and drinking establishment. The proposed building will be approximately 19 feet tall, with a

single door on the west and south elevations. The applicant is proposing the new McDonald's architectural prototype, which consists of a one-story building that incorporates vertical and horizontal panels of fiber cement siding in dual brown/earth tones, and a canopy that projects from the face of the building along the southeast and west façades, offering a covered walkway at the entrance, which is practical for weather protection and adds a distinctive visual feature. The façade showcases a combination of materials, with metal paneling on the upper portion and wood paneling around the entrance, creating a contrast that is aesthetically pleasing and modern. Lastly, the artificial lighting accentuates the building's features, indicating that the design considers visibility and prominence during evening hours.

Figure 2: Proposed Building Elevations

Lighting

This DSP proposes building-mounted and pole-mounted lighting to illuminate the building, parking, pedestrian walkways, and loading areas. A photometric plan was submitted with this application and reflects adequate lighting throughout the site, with minimal spillover onto adjacent neighboring properties.

Signage

The DSP proposes two building-mounted signs with the word McDonald's on the north and south façades, and the trademark McDonald's golden arches on the south, east, and west façades of the building. The area of the proposed signs is below the maximum permitted area established in Section 27-613 of the prior Zoning Ordinance.

Figure 3: Proposed Building-Mounted Signage

The drive-through portion of the building also includes four wall-mounted signs and three freestanding directional signs. These are externally illuminated and comply with the design standards in Section 27-613 of the Zoning Ordinance.

Figure 4: Proposed Signage in the Drive-Through Portion

Loading and Trashing Facilities

The subject DSP includes one loading space, which is located along the southeastern corner of the property boundary. The trash dumpster enclosure is located on the south side of the building, between the parking lot and the loading zone. The trash enclosure, which will be approximately 8 feet in height, is proposed to be constructed with brick veneer, steel, trex panels, and a metal-paneled gate to match the proposed building.

COMPLIANCE WITH EVALUATION CRITERIA

7. Prince George's County Zoning Ordinance: The DSP application has been reviewed for compliance with the requirements of the prior Zoning Ordinance in the C-S-C Zone and the site design guidelines:

a. The subject application is in conformance with the requirements of Section 27-461(b) of the Zoning Ordinance, which governs uses in the C-S-C Zone. The proposed eating and drinking establishment with drive-through service is a permitted use in the C-S-C Zone, subject to the provisions of Footnote 24. Per Footnote 24, a DSP must be approved in accordance with Part 3, Division 9, of the Zoning Ordinance.

b. The DSP meets the additional regulations governing setbacks for development in commercial zones in Section 27-462 of the Zoning Ordinance.

c. **Departure from Design Standards DDS-23001:** The applicant's alternative compliance application, AC-23017, was recommended for disapproval by the Planning Director (see paragraph 7 below). Therefore, the applicant requests a DDS from Section 4.7, Buffering Incompatible Uses, along the eastern property line abutting a historic site.

Section 4.7, Buffering Incompatible Uses, of the Landscape Manual requires a planted buffer to create a transition between incompatible uses. In this case, a buffer is required between the shopping center and the adjacent property, a historic site currently improved with a seminary. The applicant, however, has submitted substantial evidence of criminal conduct on the subject property, due to the continued existence of persons trespassing on the property. The applicant submitted an affidavit from the current owner of the property that, since 2009, they have expended more than $1 million on security measures addressing the impact of the trespassing individuals, including installation of security cameras, retaining off-duty police officers, and removing tarps, firepits, trash, furniture, and similar items installed by the trespassing individuals. The trespassing individuals have also cut down existing trees and landscaping for fire and shelter. The affidavit also reports that the trespassing individuals have generated police calls when entering the retail establishments and otherwise accosting employees and customers of the center. The applicant also submitted an affidavit from an active duty Prince George's County police officer who provides off-duty security at the site and reports that, for approximately 10 years, he and other officers have been asked to provide security to the cleaning crews attempting to remove the encampments and to address the interactions between the trespassers and users of the commercial businesses. The officer also reported on a homicide this year, between a patron and a trespasser, in the parking lot of the center. The applicant argues that providing the required landscaping may encourage further illegal use of the property, due to its secluded nature and limited visibility from the street. Consequently, the applicant is requesting a departure from Section 4.7 to provide an alternative design along the eastern border of the property.

Section 27-239.01(b)(7) of the prior Zoning Ordinance contains the following required findings for the Planning Board to grant the departure:

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

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

The Landscape Manual recommends crime prevention through environmental design (CPTED) principles as part of the design considerations for landscaping. Accordingly, CPTED, for example, recommends avoiding the use of screening elements that create blind spots or hiding areas that can be used for illegal activities.

Based on the evidence submitted by the applicant, including the affidavits of the owner's representative and the police officer, CPTED principles should take priority at this site, due to the existence of

significant criminal activity and the potential that landscaping would increase such activity. The applicant suggests that replacing the few existing trees and vegetation with a mix of gravel, crushed stone, grass, and small shrubs in the rear of the building, adding new lighting, and upgrading the parking compound will clear potential hiding places and blind spots as a way to "*protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County*" (see Section 27-102(a)(1)) and "*provide adequate light, air and privacy*" (see Section 27-102(a)(5) of the prior Zoning Ordinance).

Similarly, providing an alternative landscape will "*protect the County from fire, flood, panic and other dangers*" (see Section 27-102(a)(7)), as the remaining trees are currently being cut and used for firepits by the people encamping on the property. For the reasons herein mentioned, staff agrees that the proposed design will improve the site's conditions, deter future encampments and other activities that could result in safety concerns and, therefore, effectively fulfill the objectives of this subtitle as equally well as installing the required landscaping.

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

The trespassing regularly occurring on the rear of the property and the interactions between the trespassers and users of the shopping center creates a threat to public safety. Despite significant efforts taken, including fencing the wooded area, installing surveillance and security systems along the property's perimeter, and employing security personnel, such measures have not effectively resolved the issue.

Therefore, removing the trees and vegetation in the rear of the building, adding new lighting, and upgrading the parking compound are considered as the minimum departure necessary, given the particular conditions of the property. Staff agrees that the applicant has attempted to accommodate the Section 4.6 buffer in every practical way possible, and the departure is the minimum necessary, given the specific circumstances of the property.

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

As described above, the long-standing situation at the site that has been unresolved for at least 15 years, despite the best efforts of the owners, is a unique circumstance that can be alleviated through the granting of this departure. Accordingly, staff agrees with the applicant that clearing the eastern yard of the property and providing a mix of gravel, crushed stone, grass, and small shrubs as a

landscape design will better address the safety concern toward creating a crime-free environment around the shopping center.

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

The area where the departure is proposed is not visible from Ager Road and, therefore, will not impact the visual, functional, or environmental integrity of the site or the neighborhood. On the contrary, the requested departure will facilitate natural surveillance of the property, improving the visual quality of the shopping center and the adjacent property.

In addition, the proposed design will not impact the adjacent property on the eastern boundary, the Pallottine Seminary, which has an approximate 6-foot-high chain-link fence along its border, from where the land begins to slope upwards to the Seminary buildings.

Correspondingly, staff agrees that it will not compromise the site's environmental integrity, as a significant number of trees have already been cleared by individuals not associated with the shopping center or the property owners. Staff has also concluded that the integrity of the Seminary will not be affected, considering the elevation difference between the subject property and the Seminary, as well as the significant distance between the subject property and any improvements associated with the Seminary.

(B) For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements in paragraph (7)(A), above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equally effective design characteristics.

With respect to the specific departure requested, the applicant expressed in the statement of justification that there is no feasible proposal for alternative compliance that would exhibit equally effective design characteristics, given the above-mentioned safety concerns resulting from the lack of visibility from the adjacent streets. Furthermore, providing any alternative buffering with vertical elements like walls, fences, or vegetation would only encourage the trespassers to use the rear of the property. As a result, AC-23017, is recommended for disapproval.

Based on the analysis above, staff recommend that the Planning Board approve the Departure from Design Standards (DDS-23001) from Section 4.7 of the Landscape Manual, along the eastern property line of the site.

8. 2010 Prince George's County Landscape Manual: The development proposed by this DSP is subject to Section 4.2, Landscape Strips along Streets; Section 4.3, Parking Lot

Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required schedules have been provided, demonstrating conformance to the requirements.

As part of DSP-22001, the applicant filed a request for Alternative Compliance, AC-23017, from Section 4.7, Buffering Incompatible Uses, of the Landscape Manual, along the eastern property line adjacent to a historic site. A Type D bufferyard, which includes a 50-foot-wide building setback, and a 40-foot-wide landscape yard to be planted with 160 plant units per 100 linear feet of property line, is required along this boundary. The landscape plan shows that the site will feature adequate open area between the development and the eastern property line, to accommodate the required building setback and landscape yard width. The landscape yard is currently wooded. However, the applicant proposes to clear the existing trees, and is not proposing replacement landscaping in the quantity required by the Landscape Manual. Only approximately 28 evergreen trees, a total of 140 plant units, are proposed compared to 1,034 plant units required. The applicant's stated purpose for doing this is to ensure the vegetation on-site does not act as shelter for encampments on the property.

The Alternative Compliance Committee cannot make findings on whether the applicant's goal of preventing future encampments on the property should be met. However, the Committee does find that this goal is not in alignment with the objectives of Section 4. 7 of the Landscape Manual, which prioritizes providing visual and physical separation between the two incompatible uses of the restaurant and the historic site. The proposed landscaping would provide little to no separation.

There are no site constraints preventing the applicant from providing the required landscaping; the primary reason given for not providing it is to avoid providing shelter for potential encampments. There are existing trees on the historic site that provide some barrier between the historic building and the subject property, but pursuant to Section 4.7(c)(3) of the Landscape Manual, these cannot be credited toward meeting the buffer requirements, as they are not part of any landscape plan approved in accordance with the Landscape Manual.

Based on the above factors, the Committee does not find the applicant's proposal to be equally effective in fulfilling the intent and purposes of Section 4. 7 of the Landscape Manual, to provide a visual and physical separation between the two incompatible uses. Therefore, the Committee concludes that the proposed alternative design solution fails to meet the approval criteria.

It is noted that the proposed landscape buffer does contain a landscape design intended to give the buffer some aesthetic quality while meeting the applicant's goals. The design shown on the plans includes steep slopes covered with a mix of river rock and rip-rap, with scattered boulders, evergreen trees, and perennials arranged in a naturalistic manner throughout. There are some improvements to the landscape design which the applicant could consider to further the buffer's aesthetic qualities and ensure the practicality of the design. These include providing a more naturalistic edge between the rock mix and the adjacent grass, rather than the straight border currently proposed, and providing a means of anchoring the rocks on the steep slope. Currently, the landscape plan does not include any details for the rip-rap or river rocks showing how this anchoring might be

accomplished. The applicant should also consider retaining some of the existing trees within the landscape buffer, in line with recommendations made by the Historic Preservation Commission (HPC), at their meeting held on March 19, 2024. The existing trees could be retained immediately adjacent to the property line, which would allow the applicant's proposed steep slopes and rockscaping within the remaining west side of the buffer.

The Planning Director recommends disapproval of Alternative Compliance AC-23017, from the 2010 *Prince George's County Landscape Manual* for Section 4.7, Buffering Incompatible Uses, along the site's eastern property line.

9. 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance: This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in area, contains more than 10,000 square feet of existing woodland, and is subject to Type 2 Tree Conservation Plan TCP2-004-2024.

TCP2-004-2024 was submitted with the current application and proposes to meet the woodland conservation requirements via off-site woodland conservation credits in an approved woodland conservation bank. After evaluating the woodland conservation priorities, no other on-site woodland conservation methods are considered feasible.

NRI-026-2022 was reviewed and approved by the Environmental Planning Section on April 28, 2022. Per the approved NRI-026-2022, approximately 40 percent of the existing tree line consists of scattered trees, with maintained understory, and is not a forest. The existing forest stand is 1.05 acres in size and does not contain primary management area (PMA), regulated streams, 100-year floodplain, interior species habitat, or existing specimen, champion, and historic trees. The existing forest exhibits invasive plants including Lonicera japonica, Ligustrum vulgare, Microstegium vimineum, Hedera helix, and Rosa multiflora, and when combined with understory trees, the forest creates visibility issues, trash build-up, and concerns regarding potential safety issues.

Due to conditions peculiar to the property affecting the health, safety, and welfare of the patrons and adjacent property owners, neither landscape buffers nor forest conservation are proposed. The area behind the proposed development abutting the Seminary property is proposed to be graded at a 3:1 slope and planted with shrubs, as well as a mix of rip-rap, river rock, and boulders, with plantings sporadically placed throughout the rock-scape to deter any habitation in the area. The previously proposed retaining wall has been eliminated for better visibility.

The applicant is proposing native plant materials to enhance on-site landscaping, while maintaining visibility throughout the rear of the property. Technical revisions are required to the Type 2 tree conservation plan and have been included as conditions in the Recommendation section of this report.

The applicant submitted an approved SWM Concept Plan (30395-2021) showing the use of two micro-bioretention areas and two underground storage systems. This SWM plan was approved on May 26, 2022, and expires on May 26, 2025.

10. Prince George's County Tree Canopy Coverage Ordinance: Subtitle 25, Division 3, of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for equal or greater than 2,500 square feet of gross floor area (GFA) or disturbance. Properties zoned CGO are required to provide a minimum of 15 percent of the net tract area in TCC. The site area is 4.17 acres and has a net tract area of 3.38 acres, resulting in a TCC requirement of 22,132 square feet within the net tract area. The schedule shows that the requirement was based on GFA. A condition has been added herein, requiring the applicant to submit a revised TCC schedule and plans to demonstrate conformance with the requirements.

11. Referral Comments: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

a. **Historic Preservation**—At the time of acceptance, the Historic Preservation Section reviewed the proposed DSP and landscape plan. The latter did not provide any visual buffer of the development from the adjacent historic site. This information was presented to the HPC on March 19, 2024. On April 3, 224, the HPC provided a memorandum incorporated herein.

Subsequently, the applicant submitted revised plans, including steep slopes covered with a mix of river rock, evergreen trees, and perennials arranged naturally throughout the site. Following the revised submission, the Historic Preservation Section provided a memorandum dated September 3, 2024 (Chisholm to Gomez), incorporated herein by reference, which acknowledged that the proposed landscape plan for the DSP at McDonald's Ager Road aimed to address a long-standing trespassing issue on the developing property. Staff further acknowledged that, based on 3-D modeling of the development, existing vegetation on the adjacent Green Hill Historic Site property should provide sufficient buffering of the proposed new construction from the historic site. Finally, the Historic Preservation Section confirmed that the comments adopted by the HPC remained unchanged, despite the applicant's revisions to the proposed landscape buffer.

b. **Community Planning**—In a memorandum dated July 3, 2024 (Perry to Gomez), incorporated herein by reference, the Community Planning Section noted that, pursuant to Part 3, Division 9, Subdivision 3, of the prior Zoning Ordinance, master plan conformance is not required for this application, and offered recommendations regarding ensuring adequate maintenance and placement of benches, trash receptacles, and planters, providing clear pedestrian walkways and crosswalks from MD 410.

c. **Subdivision**—In a memorandum dated August 13, 2024 (Vatandoost to Gomez), incorporated herein by reference, the Subdivision Section determined that the subject DSP is exempt from the requirement of filing a preliminary plan of subdivision and final plat, pursuant to Section 24-107(c)(7)(C) of the prior Subdivision Regulations. And provided comments that have been included herein as conditions of approval.

d. **Transportation Planning**—In a memorandum dated August 13, 2024 (Patrick to Gomez), incorporated herein by reference, the Transportation Planning Section (TPS) determined that the proposed eating and drinking establishment will not

generate an increase in peak-hour trips that would require any additional analysis. In addition, staff found that the proposal will not create any additional transportation-related concerns and staff are unaware of any existing operational concerns with the subject site. Based on the findings cited in the memorandum, TPS recommended two conditions of approval included herein.

e. **Environmental Planning**—In a memorandum dated July 3, 2024 (Meoli to Gomez), incorporated herein by reference, the Environmental Planning Section (EPS) noted that the proposed TCP2 is acceptable, with technical corrections, as described in Finding 10 and as listed in the Recommendation section of this technical staff report. EPS also agreed that on-site woodland conservation is not optimal, due to limited woodland connections and lack of suitable native stock or specimen trees. Therefore, the applicant's request to meet the woodland conservation requirements through the use of off-site woodland conservation credits is supported.

f. **Permits**—In a memorandum dated February 26, 2024 (Jacobs to Gomez), incorporated herein by reference, four comments were provided, which have been addressed by the applicant in revisions to the DSP or have been included as conditions herein.

g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated February 26, 2024 (De Guzman to Mitchum), incorporated herein by reference, DPIE noted that the site plan was consistent with the Site Development Concept Plan, 30395-2021, approved on May 26, 2022.

h. **Department of Parks and Recreation (DPR)**—In an email sent on August 13, 2024 (Thompson to Gomez), DPR has no comments on the subject application.

i. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, SHA did not offer comments on this application.

12. **Community Feedback:** On March 21, 2024, staff received an inquiry from Michael Wilpers on behalf of the Friends of Sligo Creek regarding DSP-22001. Mr. Wilpers expressed the group's concerns about the loss of tree cover from woodland within the property boundaries. He also manifested his intention to testify at the Planning Board hearing initially scheduled to review the subject application on March 28, 2024. Staff clarified that DSP-22001 was not included in the agenda for the mentioned Planning Board hearing, as the application was still under review, and invited Mr. Wilpers to register as party of record. This would enable him to receive updates regarding notice of scheduled hearings, actions, and decisions rendered at certain stages of the application process.

13. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

14. Per Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is, as follows:

> **(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.**

The site has an existing Natural Resources Inventory (NRI-026-2022) that was approved on April 28, 2022. NRI-026-2022 shows the current site conditions and past tree line that existed until 2005, but has since been cleared. One 1.05-acre forest stand was identified. According to the NRI Forest Analysis and Priorities Table, this forest stand is designated with a medium priority for preservation and restoration. However, aerial imagery has shown subsequent thinning and clearing of vegetation on the site within the forest stand starting after 2005. This site is not mapped within any regulated or evaluation areas within the *Countywide Green Infrastructure Plan* of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan.* The DSP does not contain PMA because it is not associated with any regulated environmental features (REF), such as streams, wetlands, 100-year floodplain, or associated buffers.

In a memorandum dated July 2, 2024, the Environmental Planning Section found that the site does not contain specimen trees or REF, agreed that on-site woodland conservation on the site is not optimal and; therefore, supported the use of off-site woodland conservation credits.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

A. DISAPPROVE Alternative Compliance AC-23017 for Section 4.7, Buffering Incompatible Uses, along the eastern property line of the site, adjacent to the historic site.

B. APPROVE Departure from Design Standards DDS-23001 to not provide the plantings required by Section 4.7 of the 2010 *Prince George's County Landscape Manual*, along the eastern property line.

C. APPROVE Detailed Site Plan DSP-22001, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:

    a. Include in the sign schedule the section of the Prince George's County Zoning Ordinance used to calculate the total signage area.

    b. Show the location of the signs on the plan.

    c. Add crosswalks along MD 410 (East-West Highway).

d. Add the net tract area to the general notes on the DSP coversheet.

e. Revise General Note 7 on Sheet DSP-1 and Standard Notes 4 and 5 on Sheets DSP-4 and DSP-4A to include the total square footage of all existing buildings (including the two buildings with 17,750 square feet located on the northwest of the proposed building).

f. Add the Type 2 tree conservation plan number (TCP2-004-2024) on the plan approvals sheet.

g. Revise the landscape plan, landscape schedules, and Tree Canopy Coverage schedule to conform with the 15 percent tree canopy coverage requirement, based on net tract area.

2. Prior to certification, the Type 2 Tree Conservation Plan (TCP2-004-2024) shall be revised, or additional information shall be provided, as follows:

a. Correct "Section III – Meeting the Requirements" of the woodland conservation worksheet to show the use of off-site woodland conservation credits, consistent with the woodland conservation statement of justification.

b. Add and complete the property owner's awareness certificate.

c. Revise the approval block and the woodland conservation worksheet to provide the TCP2 number: TCP2-004-2024.

d. Correct the application number in the approval block to "DSP-22001."

3. Prior to issuance of a building permit, the applicant shall:

a. Provide a 5-foot wide bicycle lane along the site's frontage of MD 410 (East-West Highway), unless modified with written correspondence from the operating agency.

b. Confirm with written correspondence from the operating agency that the number, location, and size of the existing driveways do not pose an operational concern.