

C O R R E C T E D   R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on January 9, 2020, regarding Detailed Site Plan DSP-07073-12 for National Harbor Beltway Parcel, Parcel 7, the Planning Board finds:

1. **Request:** The applicant requests approval of a 2,467-space parking garage, and a 150-room hotel consisting of a total of 82,000-square-feet on Parcel 7 of the National Harbor, Beltway Parcel. In conjunction with this detailed site plan (DSP), the Prince George's County Planning Board approved a Departure from Design Standards, DDS-654 (PGCPB Resolution No. 2020-03), for a reduction of the standard parking space size to 9 feet by 18 feet and approved a reduction in the driveway width to 18 feet.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone</b>	M-X-T	M-X-T
<b>Parcel 7 Uses</b>	Recreational/ Outdoor Exhibition Areas	Hotel and Parking Garage
<b>Total Gross Acreage</b>	49.79	49.79
<b>Parcel 7 Acreage</b>	7.26	7.26
<b>Parcel 7 Gross Floor Area</b>	0	82,000 sq. ft.

<b>Floor Area Ratio (FAR)</b>	
Gross floor area of Beltway Parcel	2,431,917 sq. ft.
Gross floor area of Waterfront	4,277,153 sq. ft.
Total gross floor area for the entire National Harbor	6,709,070 sq. ft.
Area of the entire property associated with the CSP	537.17 acres
FAR proposed	0.29
FAR allowed per the CSP	0.31

## OTHER DEVELOPMENT DATA

Parcel 7	REQUIRED	APPROVED
Total Parking Spaces*	75	2,467**
Handicap-Accessible Spaces	3	32
Total Loading Spaces	1	1
Bicycle Parking Spaces	0	0

**Notes:** \*DDS-654 was approved to allow a reduction in the parking space size and driveway width on Parcel 7.

\*\*It should be noted that the previous uses approved within the Beltway Parcel of the National Harbor development were found to provide sufficient parking per M-X-T Zone requirements. The additional parking spaces in the proposed parking garage are being provided to ensure that peak parking demands are always met for the unique uses within all of National Harbor.

- Location:** The overall Beltway Parcel site is generally located approximately one mile east of the Woodrow Wilson Bridge, in the southwest quadrant of the intersection of I-95/495 (Capital Beltway) and MD 210 (Indian Head Highway), in Planning Area 80 and Council District 8. The tract is south of the Capital Beltway, and west of Oxon Hill Road, with frontage on Oxon Hill Road to the east, National Avenue to the north, and MGM National Avenue to the south. The Beltway Parcel is on an elevated plateau overlooking the waterfront entertainment/retail complex portion of National Harbor. The specific portion of the property subject to this amendment is currently identified as Parcel 7 and is south of MGM National Avenue and Monument Avenue, in the southwest corner of the Beltway Parcel.
- Surrounding Uses:** Parcel 7 is in the southwest corner of the Beltway Parcel, which has a long narrow configuration (approximately 3,400 feet long and 600 feet wide) stretching northeast to southwest along the Capital Beltway, which forms the northwest boundary of the parcel. To the north of Parcel 7 is MGM National Avenue and beyond the MGM Casino, other commercial uses, and the Addison Family Cemetery (Historic Site 80-050). On the south and east sides of the site is land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), Betty Blume Neighborhood Park, and the grounds of Oxon Hill Manor. To the west is Monument Avenue and the Potomac River Waterfront park.
- Previous Approvals:** The site is part of the larger development known as National Harbor, which has a long approval history and consists of two major land areas, the Waterfront Parcel and the Beltway Parcel. All Mixed Use-Transportation Oriented (M-X-T) zoned properties within the National Harbor development were rezoned through eight zoning map amendments approved in the 1980s and 1990s. The M-X-T Zone was originally approved with conditions for part of the National Harbor site in 1983, in response to six individual rezoning applications, A-5619, A-5620, A-5621, A-5635, A-5636, and A-9433, which were consolidated for a waterfront project proposal known as the Bay of America. The Rural Residential (R-R) Zone represents the original

zoning applied to the area when it first became subject to zoning authority in 1957. The 1984 *Approved Subregion VII Sectional Map Amendment* recognized the existing M-X-T and R-R Zones for this property. An addition to the M-X-T Zone at the northeast end of the property along Oxon Hill Road was approved with conditions by application A-9593 in 1986, in conjunction with a second development proposal for the waterfront center known as Port America. The Residential Medium Development (R-M) Zone on the southeastern side of the property near Oxon Hill Road was approved with conditions by application A-9825 in 1990, also in conjunction with Port America project.

Originally, the subject property was approved with Preliminary Plan of Subdivision (PPS) 4-88081, then known as Port America, and adopted by the Planning Board in June 1988. The PPS approved 12 parcels (Parcels A–L) and 3 outlots, for a total of 82.13 acres.

Subsequent to the approval of 4-88081, the site was approved for DSP-88045, also in June 1988. The Beltway Parcel was cleared of trees, graded, and stabilized in the late 1980s, in accordance with that approved DSP.

DSP-88087 was approved in October 1988. Subsequently, the land area of Parcel L, 17.51 acres, was dedicated by deed to the Maryland State Highway Administration (SHA) for the Capital Beltway. The remainder of the site, 64.62 acres, was recorded, in accordance with the approved PPS and DSP, into 11 parcels (Parcels A–K), 7 outlots (Outlots A–G), and 3 rights-of-way dedicated for public use (North Port America Grande Boulevard, South Grande Boulevard, and Port America Grande Boulevard) in Plat Book NLP 153, plat 56 through 59, in June 1990.

A Vacation Petition (V-06004), to vacate a total of 64.45 acres was approved by the Planning Board (PGCPB Resolution No. 06-287) in January 1990. This vacation petition included Subdivision Plat NLP 153, plat 56 through 59 in their entirety, except for Outlots E, F, and G (0.17 acre), which were conveyed to M-NCPPC (recorded in Liber 7684 folio 513).

In 1998, the Prince George's County District Council affirmed the Planning Board's decision on Conceptual Site Plan CSP-98012 for National Harbor for approximately 534 acres of land in the M-X-T, R-R, and R-M Zones, including the subject site.

In 2001, PPS 4-01048 for the entire 534 acres was approved by the Planning Board (PGCPB Resolution No. 01-163).

In April 2006, the *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (Henson Creek-South Potomac Master Plan and SMA) retained the subject site in the M-X-T Zone.

In 2008 and 2014, revisions to the CSP (01 and 02 respectively) were submitted and approved for the Waterfront Parcel only, which did not affect the Beltway Parcel.

DSP-07073 was approved by the Planning Board on July 9, 2009 for 6,600 square feet of commercial uses on the current proposed Parcel 7, as well as a large paved area for

recreational/outdoor exhibition, displays, entertainment, or performance uses on proposed Parcels 4 and 5 (shown as Parcel A at that time). DSP-07073-01 for a 1,078,237-square-foot entertainment establishment of a commercial nature with a video lottery facility on Parcel 4-A was approved by the Planning Board on May 8, 2014, and subsequently appealed to the District Council. The Council heard the case on July 14, 2014 and issued an order of approval for the application on July 21, 2014. DSP-07073-02 for a gas station/food and beverage store; commercial recreational/outdoor exhibition areas; a 500-room hotel; 891 multifamily/timeshare residential units; retail, restaurant, entertainment; and a heliport consisting of a total of 1,278,100 square feet was approved by the Planning Board on March 3, 2016; however, it has not been fully constructed at this time.

The site also has an approved Stormwater Management (SWM) Concept Plan, 48280-2007-00, pursuant to which the stormwater pond for the Beltway Parcel was constructed and is located in Betty Blume Park on M-NCPPC-owned land. In addition, SWM Concept Plan 46294-2015, dated November 19, 2015, applies to the subject site.

6. **Design Features:** The amendment to the DSP requests a 7-story, 2,467-space parking garage with a pedestrian bridge that will connect the garage with the MGM Casino, and an 8-story, 150-room hotel on Parcel 7. During the final design and construction, the total number of parking spaces may change, but not exceed 2,500. Any changes to the number of spaces and locations, per level, after DSP certification may require an amendment to the DSP. Prior approved amendments of the DSP remain the same and modifications are only proposed to Parcel 7. A subsequent amendment will be required to modify the MGM casino to accommodate the pedestrian bridge, as has been conditioned.

Parcel 7 is located at the far southwest corner of the Beltway Parcel and is bordered on the northern edge by the public right-of-way of MGM National Avenue, and to the west by Monument Avenue, with a stormwater pond to the southwest, and a vacant M-NCPPC-owned property to the south and east. Parcel 7 was previously approved and currently is being used as commercial recreation/outdoor exhibition, displays, entertainment or performance area use. The property is already cleared and graded and has an entrance off MGM National Avenue. Landscaping along the road frontages and one double-sided 1,200-square-foot, fabric movable event sign along the MGM National Avenue frontage was also previously approved. In addition, a piece of Parcel 7 extends to the southeast corner of the Beltway Parcel, fronting on Oxon Hill Road. A 180-square-foot stone and aluminum National Harbor monument sign is located on this piece at the intersection of Oxon Hill Road and MGM National Avenue and is not proposed to be revised.

#### **Architecture**

The applicant proposes a 7-story parking garage that will be constructed of precast concrete. The garage façade that will be visible from MGM National Avenue will be composed of a dark gray, light sandblasted, precast base and the upper levels will be covered with gray perforated metal panel. The metal panels will be up-lit by a multicolored LED lighting system that will allow the panel to be washed in a variety of colors and patterns at night. The top level of the garage will be an open parking deck, but will have stair and elevator enclosures finished in a light gray precast

concrete with a light sandblasted finish and gray, 29-foot-high light poles. The south side of the garage and part of the east side will be composed of horizontal elements that will be finished with tan, light sandblasted, precast concrete. Vertical elements will break up these horizontal elements and will be finished with a heavy sandblasted, tan precast that will add different texture to these façades.

The pedestrian bridge, which will connect the proposed parking garage to the MGM casino, will be built to allow safe pedestrian crossing of MGM National Avenue. The bridge will curve from the P7 level of the proposed parking garage to the P6 level of the MGM casino parking garage. The bridge will have glass walls and white curved metal panels above and below.

An 8-story, 150-room hotel is proposed to the south of the garage. The modern-styled hotel has three blue, vision glass towers on the front that break up the building façade. Glass wraps the corners and the rear elevation mirrors the massing on the front façade, but reduces the amount of glass and replaces it with a dark gray precast concrete. Most of the façade is composed of white precast and a consistent rhythm of windows with a medium gray between floors. The entrance and ground floor also are finished in the medium gray. A canopy helps define the entrance and pedestrian realm along the whole ground floor of the front façade.

### **Site Circulation**

The site access is provided from two right-in-only ingress points and two right-out-only egress points, as there is one-way, northbound traffic on MGM National Avenue adjacent to Parcel 7. The first 15-foot-wide entrance drive is in front of the proposed hotel and provides access to the hotel, the bottom level of the parking garage, and an egress to MGM National Avenue. A turnaround circle is provided in front of the hotel for drop-off and pick-up. In the northeast corner of Parcel 7 is an ingress and egress point that provides access to the third level of the parking garage. The parking garage entrance is configured with one entrance and one exit lane and two reversible entrance/exit lanes, that will allow for flexibility during peak times.

### **Pedestrian Access**

A sidewalk connection to the site is located near the southern vehicular access point. This sidewalk provides access to the hotel and the southwest corner of the parking garage from the existing Heritage Trail adjacent to MGM National Avenue. Once in the garage there is no defined pedestrian path to the elevators in the northeast corner of the parking structure, which provides access to the pedestrian bridge. The bridge connects the seventh level of the proposed parking garage to the sixth level of the MGM Casino. A sidewalk connection is also provided from the Heritage Trail to the northeast corner of the garage near the elevators and stairs that lead to the pedestrian bridge. A space for bicycle racks is noted near the entrance to the garage, but the number of bicycle parking spaces is not provided. A condition to revise the plans to note the number of bicycle parking spaces was approved.

### **Signage**

The applicant proposes four building-mounted signs on the parking garage and three on the proposed hotel. The western façade of the garage shows a 2,025-square-foot (45 feet by 45 feet) MGM National Harbor sign. The northern garage façade proposes a 3,200-square-foot (16 feet by

200 feet) National Harbor sign with a 600-square-foot (12 feet by 50 feet) future hotel sign under it.

The hotel has 105 square feet of pin-mounted lettering over the canopy, a 240-square-foot sign on the top of the front façade, and a 288-square-foot vertical sign on the top of the western façade. Details of the sign materials and how they will be illuminated have not been provided on the plans, and have been conditioned in this approval. Sections 27-613(f)(1) and 27-614(e)(1) of the Zoning Ordinance state that the design standards for all signs attached to a building and all on-site freestanding signs should be determined by the Planning Board for each individual development in the M-X-T Zone at the time of DSP review. Each DSP should be accompanied by plans, sketches, or photographs indicating the design, size, methods of sign attachment, and other information deemed necessary. In approving signage, the Planning Board is required to find that the proposed signs are appropriate in size, type, and design, given the proposed location and the use to be served, and the signage should be in keeping with the remainder of the mixed-use zone development. The Planning Board found that the proposed signage meets the requirements and approved it, as conditioned herein.

**Sustainable Design**—The DSP submittal did not include any discussion of green building techniques proposed for the parking garage or the hotel on Parcel 7. Given the size, the type of development, and the location within proximity of an environmentally sensitive area, the Planning Board found that green building techniques, such as, but not limited to, white roofing, green roofs, graywater irrigation, indoor water conservation, energy efficient building systems, and a recycling program, should be proposed for this part of the development. A summary of those techniques should be provided prior to certification of the DSP.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone, site design guidelines, and the requirements of the Zoning Ordinance.

a. The proposed hotel use is permitted in the M-X-T Zone and the proposed garage is parking for the other uses on the Beltway Parcel. The application is in conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings, in addition to the findings required for the Planning Board to approve a DSP, as follows:

(1) **The proposed development is in conformance with the purposes and other provisions of this Division:**

The purposes of the M-X-T Zone, as stated in Section 27-542(a) of the Zoning Ordinance, include the following:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The site is within the Beltway Parcel of a large development known as National Harbor. The uses are generally in conformance with the purposes and provisions of the M-X-T Zone. National Harbor, as a whole, promotes the orderly development of land in the vicinity of the Woodrow Wilson Bridge at an important interchange of the Capital Beltway and maximizes private development potential. The proposed mix of uses on the subject property will help to conserve the value of land so as to allow for a market that will create desirable living and employment opportunities for County residents.

- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The subject site was rezoned to the M-X-T Zone through several zoning map amendment applications. The Henson Creek-South Potomac Master Plan and SMA retained the subject site in the M-X-T Zone. The previously approved CSP for the larger development, including the Beltway Parcel, specifically defines a mix of retail, commercial office, hotel, and a visitor's center. The current development proposal, which adds hotel rooms and supports the existing landmark building and supporting service uses, fulfills the vision of a high-intensity development that was intended when the property was placed in the M-X-T Zone.

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

The subject site, along with the rest of the Waterfront Parcel of National Harbor, was rezoned to M-X-T due to its close proximity to a major interstate freeway, the State of Virginia, and the District of Columbia. Immediate access to Virginia is available via the Wilson Bridge and immediate access to the District of Columbia is available via I-295. The completed portion of the Waterfront Parcel of the National Harbor development, along with the MGM Casino, is an important tourist

destination in the region. The proposed hotel and parking garage will enhance the value of the land and support the adjacent casino. The proposed parking garage and hotel is placed to take advantage of public infrastructure and enhance the surrounding development.

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

The subject site, as a part of the National Harbor development, will make full use of the existing major transportation systems. The proposed pedestrian bridge will make a key connection across MGM National Avenue that will tie into the Heritage Trail. Substantial highway improvements have been put in place with the completion of the reconstruction of the Woodrow Wilson Bridge that allow the site to have direct and efficient connections to interstate highway systems. Pedestrian and bicycle trails have been planned and constructed in several locations. The site is accessible to Metrobus along Oxon Hill Road.

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

This DSP is for a portion of the M-X-T-zoned Beltway Parcel of the larger National Harbor development, which has a mix of uses that will encourage a 24-hour environment in the ultimate development of the project. The parking garage is intended to make it easier for visitors to access the MGM entertainment, dining, and recreational opportunities. The development of this proposal with parking garage and hotel will be open to serve all of the 24-hour uses existing at National Harbor.

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

The CSP for National Harbor proposes a mix of retail, office, hotel, entertainment, restaurant uses with various services, and a visitor's center in a harmonious, carefully-crafted, land development plan. The proposed parking garage and hotel will integrate harmoniously into the existing development of National Harbor and the surrounding uses.

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



The larger National Harbor development is designed so that various uses will interact in a dynamic and synergistic way. The proposed hotels, dining, entertainment, and retail all work together to create a critical mass of activity. The functional relationships between the various uses are carefully considered, with vehicular and pedestrian circulation completely separated, and service areas carefully concealed and separated from public use areas. The proposed parking garage and hotel use will function to support the other dynamic uses in the development.

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

The intensive use of the land for over a million square feet of mixed-use development in National Harbor, at the gateway to the State of Maryland and Prince George's County, provides for optimum land use planning. In addition, it will be able to take advantage of the public infrastructure and SWM facilities that have already been implemented for the other intense development in the area.

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

This project will contribute to the economic vitality of the overall National Harbor development by providing supporting uses to the large destinations in the vicinity, specifically the MGM Casino and the Tanger outlet shopping center. The parking garage and hotel will support the MGM Casino and the greater overall development.

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

The previously approved CSP governing the subject DSP demonstrates the intention to make the overall National Harbor project a showcase of interesting and exciting architecture. The proposed parking garage furthers this with an architectural façade that will be unique, command attention, and serve as a gateway to the MGM Casino. The hotel and the parking garage fit in with the surrounding architecture. The hotel uses blue glass and white and gray precast panels in a modern style. As proven in the completed portion of the Waterfront Parcel, the flexibility inherent in this project allows the freedom of architectural design to

achieve excellence in the development. The proposed buildings continue this quality of architectural design excellence.

The Planning Board concludes that the proposed application is in conformance with the purposes of the M-X-T Zone.

- (2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;**

The subject property was not placed in the M-X-T Zone through a sectional map amendment. It was rezoned through a zoning map amendment and, therefore, this requirement is not applicable.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The development, which is the subject of this application, has an outward orientation. The entire Beltway Parcel is related much more to the Capital Beltway than to the existing development to the east. The proposal is a parking garage and hotel that will blend and connect with the larger MGM development and further catalyze adjacent community improvement.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The proposed commercial/residential development is in keeping with the concept that was set forth in the CSP and complements the existing waterfront development. In regard to the physical development, the Beltway Parcel is physically separated from the waterfront development and is surrounded by the Capital Beltway and parkland. Therefore, its unique design and location make the project not incompatible with the surrounding area, and the proposed uses are compatible with the waterfront and MGM portions of the development and the nearby Tanger outlet shopping center.

- (5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The development included in this DSP is capable of sustaining itself as a commercial development, in conjunction with the adjacent MGM Casino. The parking garage provides a supporting service for other site users in a location convenient to the larger development.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

There is no staging plan provided with this DSP.

- (7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

Careful attention has been given to the design of the pedestrian system in the entire National Harbor project. Pedestrian and vehicular traffic are kept separate, in accordance with the approved CSP and PPS. The pedestrian system would provide immediate and direct access to the area's sidewalks and road crossings. Convenient access to the Woodrow Wilson Bridge trail would be provided on MGM National Avenue. Sidewalks are located on the building frontages at the proposed ingress/egress points. Lighting and landscaping are provided along the proposed sidewalks. The new pedestrian connection is proposed via the pedestrian bridge, over MGM National Avenue. The Heritage Trail along MGM National Avenue connects to Oxon Hill Road and the Waterfront Parcel.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The DSP provides up-lighting on the garage and a large canopy on the hotel front that provides a landmark feature to guide pedestrians, as well as define the pedestrian realm. The proposed pedestrian bridge will provide a safe crossing of MGM National Avenue, which will provide access to and from the proposed uses, the Heritage Trail, and the MGM Casino.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an**

**approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

The subject application is a DSP; therefore, this requirement is not applicable.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

Through the review of projects that may have a phased or multi-year buildout such as this one, this finding has been determined to focus on demonstrating the period of time required for the implementation of any needed transportation facilities, as opposed to requiring new studies. In this case, all required off-site transportation facilities have been constructed, and the proposed uses with this DSP are encompassed within the approved trip cap.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The entire National Harbor project was approved under the regular provisions of the M-X-T Zone, not under the mixed-use planned community provisions.

- b. The DSP is also consistent with additional regulations, as stated in Section 27-548 of the Zoning Ordinance, for the M-X-T Zone that are applicable to the review of this DSP, as follows:

**(a) Maximum floor area ratio (FAR):**

- (1) Without the use of the optional method of development— 0.40 FAR;  
and**
- (2) With the use of the optional method of development—8.00 FAR**

The development is allowed an FAR (floor area ratio) of 0.31 (set by CSP-98012) and the proposed FAR, as demonstrated on the plans, is 0.29 for the overall development.

- (c) **Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

The DSP, as proposed, constitutes the regulations for the site, which have been carefully analyzed throughout this report.

- (d) **Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The proposed development in this DSP is subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The property is bordered by M-NCPPC parkland on three sides and buffering is not required. Other requirements are discussed in Finding 12 below.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The DSP complies with this requirement.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

This height restriction is not applicable, as the subject property is designated as a General Plan Metropolitan Center.

- c. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The applicant has submitted a parking analysis. The following are the major points highlighted in the parking analysis:

- (1) The methodology in Section 27-574 requires that parking be computed for each use, in accordance with Section 27-568 of the Zoning Ordinance. Using the parking schedule, it is shown that the uses within the entire Beltway Parcel would require 2,180 parking spaces.
- (2) Using separate hourly fluctuations by use for parking demand for weekdays and weekends, it is determined that the uses combined have a requirement of 2,070 parking spaces. This is the base requirement per Section 27-574.
- (3) The applicant makes the case that additional parking is needed because the site has a set of unique uses, including a performance venue, that serves to attract visitors to Prince George's County. In handling visitors, the applicant believes that efficient and accessible parking is needed to ensure that peak parking demands are always met. The applicant concedes that the entirety of the proposed 2,467-space garage is not needed to satisfy required parking for the site.
- (4) With the additional spaces provided by the garage, the applicant is providing 4,614 parking spaces on the site, which exceeds the requirement.

Therefore, it is determined that the number of spaces provided exceeds the requirement.

8. **Zoning Map Amendment A-5635:** The following are conditions attached to the property when it was placed in the M-X-T Zone by the District Council in the rezoning of the property, pursuant to Zoning Map Amendment A-5635:

2. **Each separate stage of development shown on the comprehensive concept plan shall meet the purposes of the M-X-T Zone, as those purposes are set forth in Section 27-350.5 and 27-350.7(c) of the County Code.**

The CSP was found to meet the purposes of the M-X-T Zone, as will the subject DSP, as previously discussed in Finding 7(a) above.

8. **In order that ultimate development of the subject property and the properties in the companion M-X-T cases will be of the exceptionally high quality referred to in Council Resolution 57-1981, at page 6, the comprehensive concept plan and final plan of development submitted to the Planning Board shall:**

- a. **Illustrate how views from the existing residential areas, including views of the water, will be affected; and**

Residential areas are situated a minimum of 550 linear feet from the Beltway tract. M-NCPPC parkland is located between the proposed development and the existing single-family detached development to the south. This project will not impact the views from the existing residential areas to the water.

- d. Demonstrate clearly how important natural features, such as ridgelines, drainage areas, steep slopes, vegetation, and the waterline, will be affected;**

The site has previously issued permits and has been cleared, in accordance with the approved Type II tree conservation plan (TCPII), which shows all woodland to be cleared. There are no other natural features on Parcel 7 that will be affected by the proposed development.

- e. Show a cohesive architectural theme for all development on the subject property and the properties in the companion M-X-T cases, a theme incorporating building design and materials, signs, street furniture, and landscaping, so that the Planning Board may make a finding that the architectural design of the entire development is unified and of high quality;**

The subject DSP is consistent with the existing development at the National Harbor waterfront. The current application shows a large-scale contemporary parking garage and hotel building. As with the adjacent development, the architectural design of the buildings includes modern design elements and urban site planning considerations, such as structured parking, sidewalks, and inviting public entries, that have been incorporated into the project.

- g. Demonstrate a distinctive architectural theme, to take advantage of views of the subject property from the Capital Beltway, the Potomac River, and the Virginia shoreline;**

The SOJ shows the applicant's awareness of the importance of views into the site from the Capital Beltway, the Potomac River, and the Virginia shoreline. The application has demonstrated a distinctive design theme consistent with the highly-individualized buildings that assemble to define the views of the overall National Harbor development.

- 13. The comprehensive concept plan shall include a noise study demonstrating the cumulative noise from aircraft operations at National Airport and traffic on the Capital Beltway. This noise study shall include a map over the concept plan illustrating noise contours over 65 decibels, proposed noise attenuation measures, and the anticipated effects of noise from the proposed development on adjoining residential areas.**

This condition was met through the submission of a noise study produced for the overall National Harbor site (dated April 1998), which dealt with the entire development. In previous reviews, the noise study addressed all concerns with the Waterfront and Beltway Parcel areas of National Harbor. The 65-decibel noise line was shown on the approved CSP and PPS.

It should also be noted and emphasized that the reason for the condition above is to protect the proposed residential properties from airport noise and traffic on the Capital Beltway. Further, the condition relates to “adjoining” residential properties, which is defined in Section 27-107.01 of the Zoning Ordinance as “touching and sharing a common point or line.” There are not any existing adjoining residential properties. In any case, if outdoor noises are produced by the subject development and determined to be a nuisance, regulations exist in Subtitle 19, Division 2, of the County Code relating to noise control.

9. **Conceptual Site Plan CSP-98012:** CSP-98012 was first approved by the Planning Board on April 23, 1998 with 35 conditions. On June 10, 1998, the District Council affirmed the Planning Board’s approval with four additional conditions. CSP-98012-01 was a Planning Director-level revision to adjust the zone boundaries, as allowed by the original approval. CSP-98012-02, as approved by the Planning Board on November 5, 2015 (PGCPB Resolution No. 15-117), proposed to add three parcels of land area to the Waterfront Parcel without revising the overall development concept plan. It was subject to two conditions, neither of which is applicable to the review of this DSP.

Of the 39 conditions applicable to the original CSP-98012 approval, as contained in the District Council’s order, the following conditions are applicable to the review of this DSP:

1. **Total development within the Beltway Parcel of the subject property shall be limited to the following:**
  - a. **725,000 square feet of retail space**
  - b. **200,000 square feet of general office space**
  - c. **1,000 hotel rooms**
  - d. **A visitor’s center**

**Alternatively, different permitted uses generating no more than the number of peak hour trips (1,226 AM peak hour trips and 2,565 PM peak hour trips) generated by the above development may be allowed.**

The subject development, as well as the previously approved DSP-07073-02 development, is different from the programmed elements above. This condition establishes a trip cap for the entire Beltway Parcel of 1,226 AM and 2,565 PM peak-hour trips. The trip cap was further refined through PPS approval, Condition 11, which is discussed in Finding 10 below.

5. **Prior to the issuance of any building permits within the Beltway Parcel exceeding the following levels of development 616,000 square feet of retail space, 170,000 square feet of general office space, 850 hotel rooms and a visitors center (or a different combination of uses generating no more than 1,054 AM peak hour trips and 2,202 PM peak hour trips, the ramps on the west side of the Beltway Parcel connecting the site to the interstate highway system shall (a)have full**



**financial assurances, (b)have been permitted for construction through the SHA and/or the FHWA IAPA permit process, and (c)have an agreed-upon timetable for construction with the SHA, with opening coinciding with the opening of the development. These ramps generally include:**

- a. Ramps providing direct connections from northbound I-95 to the Waterfront Parcel and the west side of the Beltway Parcel.**
- b. A ramp providing a direct connection from the Waterfront Parcel to southbound I-95.**
- c. Ramps providing direct connections from southbound I-295 to the Waterfront Parcel and the west side of the Beltway Parcel.**
- d. A ramp providing a direct connection from the Waterfront Parcel to northbound I-295.**
- e. Ramps providing direct connections from southbound I-95 to the Waterfront Parcel and the west side of the Beltway Parcel.**
- f. Ramps providing direct connections from the Waterfront Parcel and the west side of the Beltway Parcel to northbound I-95.**
- g. Ramps connecting the Waterfront Parcel and the Beltway Parcel.**

This is a phasing condition for off-site transportation improvements associated with the Beltway Parcel. All improvements associated with this condition are in place and open to traffic.

- 14. The applicant shall construct an internal network of trails connecting all zones to the Speed Parking Garage and to each other. This internal network shall have a connection to Oxon Hill Road parallel and adjacent to the Beltway Parcel.**

The subject DSP meets this requirement by adding to the existing network with a pedestrian bridge connection over MGM National Avenue from the parking garage to the MGM Casino.

- 16. At the time of building permit, the applicant shall indicate location of bicycle racks in appropriate locations throughout the subject property.**

The submitted coversheet notes that no bicycle racks are provided on Parcel 7. However, a bicycle rack is shown on the plans near the northeast corner of the parking structure. In addition, the Planning Board found that additional racks shall be provided in a location convenient to the hotel on Parcel 7. Therefore, a condition has been included in this approval.

- 32. All new landscape plantings in landscape buffers adjacent to existing residential development shall provide a minimum of 200 plant units per 100 linear feet of buffer, except that where 4- to 6-foot-high berms are utilized, the plant units may be reduced to 160 plant units per 100 linear feet of buffer. This does not imply that a solid screen is required in all landscape buffers. Some areas of the buffers may remain open to create or preserve desirable views.**

The subject application is more than 550 feet from adjacent existing residential development.

- 33. The top deck of all parking structures shall be provided with planting areas covering a minimum of 5 percent of the total surface area of the deck. At least one (1) shade tree shall be provided for each 300 square feet (or fraction) of planting area provided. Shrubs and other plant materials may be used but shall not be a substitute for the shade trees. Provision shall be made for irrigation and proper drainage for these planting areas to insure survival of the plant materials. Planting of shade trees may be confined to edges of the top deck (and 5 percent green area may be reduced to 2.5 percent) if it can be demonstrated through use of sections and perspective views that the top of the garage deck will not be visible from any point of the subject property or abutting properties.**

The submitted plans do not show any plantings on the top level of the garage. Therefore, a condition has been included in this approval requiring that, prior to certification, the labeling be made clear and where there is an exposed top deck of a parking structure, that it be treated in accordance with this condition.

- 10. Preliminary Plan of Subdivision 4-01048:** The PPS, which covers the larger National Harbor site, including the subject residue of Parcel 94, was approved on November 20, 2003. The subject property, known as proposed Parcel 7, corresponds with Lot 27 of PPS 4-01048. On July 26, 2001, the Planning Board approved the corrected amended resolution for PPS 4-01048 (PGCPB Resolution No. 01-163(C)(A)), which is valid until December 31, 2020. The PPS 4-01048 approval contains 32 conditions, and the following conditions relate to the review of this application:

- 10. The applicant, and the applicant's heirs, successors, and/or assigns shall provide the following:**
- a. An internal network of pedestrian connections connecting all portions of the development to parking and to each other. This internal network shall have connections to Oxon Hill Road parallel and adjacent to the Beltway Parcel.**
  - c. Bicycle racks in appropriate location throughout the subject property. These shall be shown on the building permits.**

- e. **A trail along the boundary between the applicant's Beltway Parcel and M-NCPPC property surrounding the Oxon Hill Manor, to maintain a sufficient buffer around the Oxon Hill Manor, with sufficiency of the buffer to be determined by the Department of Parks and Recreation. A rest area shall be provided along the section of the trail adjacent to the Beltway Parcel. Special attention shall be paid to proper stabilization of the escarpment running parallel and northwest of the trail. The escarpment shall be reforested if conditions permit.**

Regarding subconditions a. and e., the Heritage Trail has already been constructed to the east-northeast of the subject property. It is noted that to improve the internal pedestrian network, the plans now show a path which connects the Heritage Trail and the northernmost entrance to the garage, just below the skybridge connecting to MGM Casino.

Regarding subcondition c. above, a condition is included herein requiring a bicycle rack accommodating a minimum of ten parking spaces be added at a location convenient to the entrance of the hotel.

**11. Total development within the Beltway Parcel of the subject property shall be limited to the following:**

- a. **200,000 square feet of retail space.**
- b. **443,000 square feet of general office space.**
- c. **850 hotel rooms.**
- d. **A visitors' center.**

**Alternatively, other permitted uses which generate no more than the number of peak hour trips (1,226 AM peak hour trips and 2,565 PM peak hour trips) generated by the development shown on the currently approved Conceptual Site Plan SP-98012 may be allowed. Upon the modification of said conceptual plan (or approval of a succeeding application), the above level of development may be modified to allow the above uses, except that a maximum of 1,220,000 square feet of general office space may be allowed (or other uses generating no more than 2,702 AM and 2,565 PM peak hour vehicle trips).**

PPS 4-01048 was amended (PGCPB No. 01-163 (C)(A)) in November 2003. Conditions 13 through 16 and Conditions 18 through 19 are transportation-related conditions that have been met through prior permit approvals. Condition 11 set a trip cap for development within National Harbor. It stated that additional development over the trip cap could not occur without amending the CSP. The District Council later enacted Council Bill CB-20-2005, which allowed additional development on the Beltway Parcel.

Subsequently in February 2010, it was determined that a note stating such would be added to future plats and any previously recorded plats, as noted below:

**Total development of the National Harbor Subdivision, pursuant to approval of Conceptual Site Plan 98012, Preliminary Plan of Subdivision 4-01048 and enactment of Council Bill 20-2005 shall include 2,600,000 square feet of retail, dining, and entertainment development; 200,000 square feet of conference center, 3,600 hotel rooms; 443,000 square feet of general office space, visitors' center (collectively, 7.34 million square feet); and 2,500 Waterfront Parcel residential dwelling units or such other alternative uses that generate no more than 5,775 AM and 5,699 PM peak-hour vehicle trips. The development is premised on the satisfaction of the transportation conditions expressed in Conditions 13, 14, 15, 16 and 19 of the corrected amended resolution of Preliminary Plan of Subdivision 4-01048.**

It is determined that the proposed development quantities meet the plat notes for the National Harbor project. The table below summarizes trip generation in each peak-hour that was used in reviewing conformance with the trip cap for the site:

Trip Generation Summary: DSP-07073/12: National Harbor Beltway Parcel								
Land Use	Use Quantity	Parcel	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
National Harbor Beltway Parcel								
Retail/Gas Station	6,600 square feet less 60 percent pass-by	Parcel 1	54	54	108	67	67	134
Heliport Facility (ancillary)	500 square feet	Parcel 2	0	0	0	0	0	0
DSP-07073/01 Casino & Hotel	1,078,237 square feet	Parcel 4	315	137	452	830	574	1404
Residential (high-rise)	702 units	Parcel 5	42	169	211	183	98	281
Hotel and Timeshare	689 rooms	Parcel 5	215	150	365	211	202	413
Retail, Dining, and Entertainment space	130,000 square feet less 40 percent pass-by	Parcel 5	68	42	110	206	223	429
Hotel (current application)	150 rooms	Parcel 7	51	33	84	47	42	89
Total Beltway Parcel: Approvals and Pending to Date			745	585	1,330	1,544	1,206	2,750
Waterfront Parcel: Trips for All Uses			697	484	1,181	807	833	1,640
National Harbor: Approvals and Pending to Date			1,442	1,069	2,511	2,351	2,039	4,390
National Harbor Trip Cap					5,775			5,699

The proposed parking garage is an accessory to other uses within the National Harbor site and is not considered to be a stand-alone use. While the parking garage clearly is larger than is needed to support the proposed hotel use adjacent to it, the applicant has explained through the SOJ that additional parking at that location is needed because the overall National Harbor site is a set of unique uses, including a performance venue, that serves to attract visitors to the County. In handling visitors, the applicant believes that efficient and accessible parking is needed to ensure that peak parking demands are always met, and the Planning Board agrees with that contention.

**30. Interior noise levels for the living areas of hotel and/or on-site residential uses shall not exceed 45 dBA.**

A noise study was produced for the overall National Harbor site, (dated April 1998) which dealt with the entire 533.47-acre development. In previous reviews, the noise study addressed all concerns with the waterfront and beltway parcel areas of National Harbor.

The 65-decibel noise line was shown on the approved CSP and PPS and should be shown on the DSP, as conditioned herein. Also, prior to building permit for the hotel use, an acoustical engineer shall certify that the materials proposed will mitigate interior noise levels to 45 dBA Ldn or less, as required by this condition.

- 32. As construction of the proposed facilities commences, a method of public notification indicating where to direct noise inquiries shall be established. Such information may be part of general information available to the public. A copy of the proposed public information plan shall be submitted to the Development Review Division with the first building permit application.**

With DSP-07073-02, the last revision of this DSP to be reviewed by the Planning Board, the Board found that Subtitle 19 (Pollution), Division 2 (Noise Control), is the part of the County Code that regulates noise disturbances. Complaints relating to noise should be directed to the Prince George's County Public Safety Non-Emergency dispatch line.

**11. Detailed Site Plan DSP-07073 and its amendments:**

- a. **Detailed Site Plan DSP-07073:** The Planning Board approved the original DSP application on July 9, 2009 (PGCPB Resolution No. 09-114)), subject to five conditions, none of which are relevant to the subject amendment for Parcel 7.
- b. **Detailed Site Plan DSP-07073-01:** The District Council affirmed and adopted the Planning Board's approval (PGCPB Resolution No. 14-36) of this DSP amendment application on July 21, 2014, subject to 15 conditions, of which the following is relevant to the subject application:

**1. Prior to certificate approval of this detailed site plan, the applicant shall:**

- s. **Provide an accessible pedestrian signal crossing(s) across Harborview Avenue (now MGM National Avenue) connecting the site to the Heritage Trail at the agency-approved road crossing location(s) if approved by SHA.**

The submitted DSP proposes a skybridge that will connect the P6 level of the MGM Casino to the P7 level of the proposed parking garage. An elevator and stairs will provide access to a sidewalk that will connect to the Heritage Trail on the ground level. The skybridge is seen as a safer alternative to the pedestrian signal crossing. However, this crossing will serve not only the casino, but also the currently proposed hotel, and will create a safe pedestrian crossing to the master plan trail.

- c. **Detailed Site Plan DSP-07073-02:** The Planning Board approved this DSP amendment on March 3, 2016 (PGCPB Resolution No. 16-35), subject to six conditions, none of which are relevant to the subject amendment for Parcel 7.

- d. **Detailed Site Plan DSP-07073-03 through DSP-07073-11:** These Planning Director-level approvals involved minor revisions to the development, which do not affect the subject application.
12. **2010 Prince George's County Landscape Manual:** The DSP is subject to the requirements of the Landscape Manual, of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The landscape and lighting plan provided with the subject DSP contains the required schedules showing the requirements being met. However, no detail for a trash enclosure has been provided for the proposed hotel and no mechanical equipment is shown, and screening of the proposed loading space was not specified and should be added prior to certification. Therefore, a condition has been included in this approval to revise the plans to show the required screening.
13. **Prince George's County Tree Canopy Coverage Ordinance:** The project is not subject to the requirements of Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, because the passage of CB-19-2013 amended Section 25-127, Applicability, which now exempts the project, as stated below:
- (b) **Exemptions**
    - (1) **The following are exempt from this Division:**
      - (J) **Properties in a commercial, industrial or mixed-use zone subject to a Detailed Site Plan or Specific Design Plan approved before September 1, 2010 or maintained an active grading permit since September 1, 2010.**
- The subject property is a mixed-use zone (M-X-T) and DSP-07073 was approved prior to September 1, 2010.
14. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Woodland Conservation Ordinance because a Type II tree conservation plan was previously approved. This site has an approved TCPI-010-98 and a TCPII-023-03 which were approved with CSP-98012, and DSP-07073, DSP-07073-01, DSP-07073-02, respectively. The proposed application is located in an area that was previously cleared as part of this development, and all woodland mitigation has been met.
15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions and the referral comments are summarized, as follows:
- a. **Community Planning**—The Planning Board reviewed a memorandum dated December 05, 2019 (Li to Hurlbutt), incorporated herein by reference, which found that

pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.

- b. **Transportation Planning**—The Planning Board reviewed a memorandum dated December 11, 2019 (Masog to Hurlbutt), incorporated herein by reference, which provided a complete review of the subject DSP's conformance with all transportation-related conditions attached to the approval of the CSP and PPS and a summary of the traffic study and trip capacity, and has been incorporated into the findings above.
- c. **Subdivision Review**—The Planning Board reviewed a memorandum dated December 6, 2019 (Diaz-Campbell to Hurlbutt), incorporated herein by reference, which provided an analysis of the applicable PPS 4-01048 conditions of approval, as well as the following summarized discussion:

The bearings and distances should be legible on all property boundaries, and they should reflect the extents of the included property as they will ultimately be shown on its final plat. This is of particular concern on the far-left side of Sheet 3, where the property line is cut off, and on Sheets 5 and 7, where a portion of the property extends along MGM National Avenue to Oxon Hill Road. Permits will be placed on hold if this information is not legible and cannot be verified.

The general notes should include information on the legal reference of each property being included in this DSP. The public utility easement (PUE) along MGM National Avenue has a gap between the east and west sides of the northern driveway entrance, which needs to be filled by an extension of the PUE across the driveway entrance. Coordination will be needed between the applicant and SHA to allow construction of the skybridge on SHA property (overhanging MGM National Avenue).

- d. **Trails**—The Planning Board reviewed a memorandum dated December 11, 2019 (Ryan to Hurlbutt), incorporated herein by reference, which provided an analysis of the DSP's conformance with previous conditions of approval, as well as the following summarized comments:

The subject property has existing sidewalks along the frontage of MGM National Avenue. The site does not feature any dedicated bicycle lanes. A bicycle lane is located along Oxon Hill Road to the east of the subject property. A network of internal sidewalks has been provided throughout National Harbor and additional sidewalks will be required as development occurs.

The Woodrow Wilson Bridge is located immediately to the west of the project site and accommodates the Potomac Heritage Trail, which serves the subject property and provides a direct pedestrian and bicycle connection between the subject site, Oxon Hill Manor, National Harbor, and the City of Alexandria.



Standard sidewalks are already in place along Oxon Hill Road. Internal sidewalks associated with the subject property connect to the sidewalks of both sites at the intersection of MGM National Avenue and Oxon Hill Road. The portion of Oxon Hill Road within the immediate vicinity of the subject property is a designated bicycle lane per the 2009 *Approved Countywide Master Plan of Transportation*.

The site is served by Capital Bikeshare. Three stations have been installed and implemented in the vicinity of the project site. The subject property is in between the locations of the existing stations and may be an appropriate location for a future bikeshare station. The Planning Board conditioned that the plans be modified to indicate space for a future bikeshare station.

- e. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board reviewed a memorandum dated December 17, 2019 (Zyla to Hurlbutt), in which DPR noted that the subject property is adjacent to M-NCPPC park property to the south and east, which includes Betty Blume Park and the Oxon Hill Manor Historic Site (80-001). DPR expressed concerns about the proposed uses impact on operations and maintenance of its neighboring facilities, as follows:

Oxon Hill Manor is located approximately 810 linear feet to the east from the subject property. This historic structure sits approximately 104 linear feet above the ground elevation at the subject property's eastern property line. Mature deciduous forest exists between Oxon Hill Manor and the subject property. While the grades on the subject property continue lower in elevation towards the west, approximately 40 vertical linear feet, the heights of the proposed hotel and parking garage structures have potential viewshed impacts from the Oxon Hill Manor. Upon request from M-NCPPC staff, the applicant provided additional sections and photographic viewshed studies to illustrate the proposed visual impacts of the proposed structures from the historic site. Based on those initial analyses, the proposed structures' top floors will most likely only be partially visual from Oxon Hill Manor during the winter months, when the deciduous trees have lost their leaves. Architectural treatments on the top floors of the hotel and parking garage should be utilized to minimize their visual impact from the historic site.

The lighting on the top level of the parking garage is also a concern for DPR, as it has the most visual impact during the nighttime upon the viewshed from Oxon Hill Manor. Light pole heights should be reduced, and full cut-off fixtures should be employed to minimize the light spillover affecting the historic site.

The adjacent M-NCPPC Betty Blume park property to the southwest includes an existing SWM pond, which is maintained by the Prince George's County Department of Public Works and Transportation (DPW&T). In addition, this park contains a gazebo and paved trail around the pond, which connects to the Heritage Trail along the MGM National Avenue right-of-way. The placement of the proposed hotel and associated grading on Parcel 7 will impact the alignment of the existing trail and vehicular maintenance access connecting these two trails. DPR requires a replacement trail alignment, integrated into

the proposed layout and grading of the hotel, which will connect the Heritage Trail with the existing trail around the pond. This has been provided on the revised DSP. In addition, DPR also requires a replacement vehicular maintenance access easement alignment, integrated into the proposed layout and grading of the hotel, which will connect the MGM National Avenue right-of-way with the existing trail around the pond. These requests are private agreements that are not part of this DSP, however, the plan should show all existing easements on the property and the disposition, as conditioned herein.

- f. **Environmental Planning**—The Planning Board reviewed a memorandum dated December 5, 2019 (Schneider to Hurlbutt), incorporated herein by reference, which provided a review of previous conditions of approval, woodland conservation, and the following summarized comments:

A copy of the approved SWM Concept Letter and Plan (46294-2015-00) were included in the application. The concept letter states that stormwater will be directed to an existing regional pond (Betty Blume pond), which is owned and maintained by the Prince George's County Government. No fee for on-site attenuation/quality control measures is required. No additional information is required with respect to SWM.

- g. **Historic Preservation Commission (HPC)**— HPC reviewed the proposed application at its December 17, 2019 meeting, and provided a memorandum dated December 19, 2019, incorporated herein by reference, of their recommendations, findings, and conclusions, summarized as follows:

The proposed development is near to the Oxon Hill Manor Historic Site (80-001) and is adjacent to M-NCPPC parkland associated with the historic site. Therefore, this application was referred to the Historic Preservation Commission for review of impacts to the viewshed of the historic site.

Sightline studies and a balloon test submitted by the applicant and 3-D models produced by M-NCPPC staff illustrate that the proposed parking garage and hotel should only be partially visible from the Oxon Hill Manor Historic Site (80-001). Although this partial visibility may be a function of screening provided by M-NCPPC parkland that is adjacent to the project site, it would appear likely that the lighting associated with the top level of the proposed garage would be more visible at certain times of the year. The distance of the proposed new construction from the historic site, as well as the steep change in grade and the existing tree cover, should provide some measure of buffering for the proposed development from the historic site at least on a seasonal basis.

To help screen the sides of the garage facing M-NCPPC parkland, the HPC recommended that these building elevations be treated as a living wall, planted to further conceal these utilitarian elevations. However, the Planning Board found to alternatively require the applicant to provide funds to DPR to be used to plant additional screening and buffering on the Oxon Hill Manor property.

To ensure that light pollution and/or spillover from the top deck of the garage is minimized, the applicant should be required to provide extended shields to be applied to the fixtures at this level, to reduce the height of the light poles, or both.

The Planning Board found to include herein one condition of approval recommended by HPC regarding lighting.

- h. **Prince George's County Fire/EMS Department**—The Planning Board reviewed a letter dated December 9, 2019 (Reilly to Hurlbutt), incorporated herein by reference, in which the Fire/EMS Department offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through Fire/EMS Department separate permitting process.
- i. **Permits**—The Planning Board reviewed a memorandum dated October 29, 2019 (Bartlett to Hurlbutt), incorporated herein by reference, which offered numerous comments on the subject application, to that have either been addressed through revisions to the plans or are conditioned herein.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board reviewed a memorandum dated November 14, 2019 (Giles to Hurlbutt), incorporated herein by reference, in which DPIE offered numerous comments on the subject application that have been provided to the applicant. It was noted that the DSP is consistent with the intent of the approved SWM Concept Plan 46294-2015, dated November 20, 2018. Other comments will be addressed through DPIE's separate permitting process.
- k. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
- l. **Prince George's County Health Department**—The Health Department did not offer comments on the subject application.
- m. **Maryland State Highway Administration (SHA)**—The Planning Board reviewed a letter dated December 23, 2019 (Futrell to Hurlbutt), incorporated herein by reference, in which SHA offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through SHA's separate permitting process.
- n. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject application.
- o. **Verizon**—Verizon did not offer comments on the subject application.

- q. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
  - r. **Town of Forest Heights**—The Town of Forest Heights did not offer comments on the subject application.
16. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised in accordance with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
17. Section 27-285(b)(4) requires a DSP to demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. Because Parcel 7 does not contain any regulated environmental features, this required finding does not apply to this DSP amendment.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-023-01-04, and further APPROVED Detailed Site Plan DSP-07073-12 for the above described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
- a. In the general notes, specify the existing parcels that are included in this DSP and provide the legal recording reference (liber/folio or plat book/page) for each.
  - b. Revise the plan to show all existing easements, with recording references, and their disposition.
  - c. Extend the public utility easement along MGM National Avenue, so it bridges the gap between the east and west sides of the northern driveway entrance.
  - d. Show the complete property boundaries, and label all bearings and distances as they will be shown on the final plat.
  - e. Provide a summary of green building techniques for both the parking garage and hotel buildings.
  - f. Provide screening of the proposed loading space and mechanical equipment, in accordance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
  - g. If the top deck of the parking structure is exposed, it shall be shown to be treated, in accordance with Conceptual Site Plan CSP-98012, Condition 33 approval.

- h. Show the 65-decibel noise contour, as shown on the approved conceptual site plan and the preliminary plan of subdivision.
  - i. Provide the number of spaces on Sheet 3 of 9 of the DSP and the number of spaces in each parking block on Sheets A201–205, and either show spot parking space dimensions or a statement on each sheet (A201–205), near the Parking Count Summary, stating the size of all standard and handicap-accessible spaces for clarity.
  - j. Revise the plans to show the sign tables and sign details to include type, material, and illumination of signs and all other requirements.
  - k. Provide a bicycle rack(s) accommodating a minimum of ten bicycle parking spaces at a location convenient to the entrance of the hotel. Mark and label the amount and location of bicycle parking. A detail shall be added to the plan indicating the bicycle parking type as the inverted-u rack.
  - l. Label the existing trail and gazebo in Betty Blume Park.
  - m. Mark and label space for a future bikeshare station and transit or shuttle service at a location convenient to the proposed hotel.
  - n. Revise the Type II/ TCPII, as follows:
    - (1) Add the unmitigated 65 decibel noise line to the plan view and the legend.
    - (2) Show the on-site and adjacent stormwater management maintenance roads, and the area around Betty Blume Pond.
    - (3) Have the revised plan signed and dated by the qualified professional who prepared it.
  - o. Provide a photometric lighting plan of all proposed light fixtures, including those on the top deck of the garage. Demonstrate minimal light impacts on the Oxon Hill Manor Historic Site. Provide extended shields, reduce the height of the light poles, or both to address light spillover from the top deck of the garage. This plan shall be viewed and approved by the Prince George’s County Department of Parks and Recreation and the Historic Preservation Section, as designees of the Planning Board.
2. Prior to issuance of the building permit for the hotel, certification by a professional engineer with competency in acoustical analysis, using the certification template, shall be submitted to The Maryland-National Capital Park and Planning Commission Prince George’s County Planning Department as part of the building permit package. The certification shall state that interior noise

levels have been reduced by proposed building materials to 45 dBA Ldn or less for the portions of the hotel within the unmitigated 65 dBA Ldn or higher noise impact area.

3. Prior to issuance of a building permit for the pedestrian bridge, an amendment to the Detailed Site Plan must be approved by the Prince George's County Planning Board, or its designee, to show the changes to the MGM Casino building.
4. Prior to issuance of a building permit for the garage, the applicant will provide funding in the amount of \$40,000 to M-NCPPC Parks and Recreation Department to be used for additional screening and buffering of the garage from the Oxon Hill Manor property.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 9, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of January 2020.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:nz