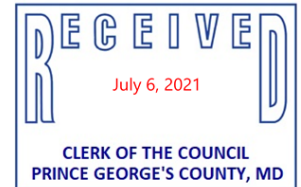


July 6, 2021

South Lake Partners, LLC
4750 Owings Mills Boulevard
Owings Mills, MD 21117



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-21002
South Lake (Multifamily Phase)

Dear Applicant:

This is to advise you that, on **July 1, 2021**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *N. Andrew Bishop*
Reviewer

Attachment: PGCPB Resolution No. **2021-78**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

RESOLUTION

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 June 24, 2021, regarding Detailed Site Plan DSP-21002 for South Lake - Multifamily Phase, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) proposes 325 multifamily dwelling units in five buildings, and an 8,363-square-foot clubhouse with pool and recreational amenities on Parcel 1 within the South Lake mixed-use planned community.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	E-I-A	E-I-A
Use(s)	Vacant	Multifamily
Gross Tract Area (acres)	15.87	15.87
Floodplain	-	0.00
Net acreage	-	15.87
Proposed Parcels	1	1
Multifamily Dwelling Units	-	325
1 Bedroom	-	170
2 Bedroom	-	135
3 Bedroom	-	20

OTHER DEVELOPMENT DATA

Parking Data

	Required*	Provided
Residential Parking Spaces		
Multifamily	--	587*
Parking Summary		
Standard Spaces (9 by 19 feet)**	--	509
Garage Parking Spaces	--	66
Handicapped-accessible Spaces	12	12 (8 van-accessible)
Loading	--	1
Bicycle Parking		100***

Notes: *The number of parking and loading spaces required in the Mixed Use-Transportation Oriented Zone is to be calculated by the applicant and submitted for Prince George’s County Planning Board approval at the time of DSP. As discussed in Finding 7, the Planning Board finds that the provided parking is sufficient for the proposed development.

**The Bowie Advisory Planning Board approved a departure from Section 27-558(a) of the Prince George’s County Zoning Ordinance for a reduction in the width of non-handicap/nonparallel standard-sized parking spaces from 9.5 feet to 9 feet on Parcel 1, as recorded in their resolution for BD-2-21.

***Proposed bicycle parking is provided by indoor secure bike racks (see architectural plans for storage room locations).

Floor Area Ratio in the M-X-T Zone

Base Density	0.40 FAR
Residential	1.00 FAR*
Total FAR	1.40 FAR
Total FAR	0.27 FAR**

Notes: *Additional density is allowed, in accordance with Section 27-545(b)(4) of the Zoning Ordinance, Optional method of development, for providing 20 or more dwelling units.

**This DSP proposes development of the multifamily residential use of the mixed-use planned community that was approved under Conceptual Site Plan CSP-02004. The proposed floor area ratio (FAR) noted is inclusive of the residential development

proposed by this DSP and development of those units approved in DSP-19023. It is noted that the FAR is not shown on this DSP and conditions related to the FAR are included herein.

3. **Location:** The overall South Lake property is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert Crain Highway). The property is in Planning Area 74A, Council District 4, and is within the municipal limits of the City of Bowie. The specific area of this DSP is in the central eastern portion of the overall South Lake development, adjacent to US 301.
4. **Surrounding Uses:** The entire South Lake site is bounded to the north and east by the rights-of-way for MD 214, Old Central Avenue, and US 301. Undeveloped land owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space (R-O-S) Zone, and a Consolidated Rail Group rail line right-of-way abuts the subject site to the west. South of the site are undeveloped parcels owned by Prince George's County and M-NCPPC in the Employment and Institutional Area (E-I-A) and R-O-S Zones. The area of this DSP is flanked by US 301 on the east, with various residential properties beyond; Fairmont Drive to the west, with townhouses (as approved with DSP-19023) beyond; Gwynn Brook Way to the south, with future commercial uses, subject of DSP-19021, beyond; and single-family attached units to the north, that were approved with DSP-19023. The larger South Lake mixed-use planned community is to the north, south, and west.
5. **Previous Approvals:** This subject site has a long approval history that can be dated back to the 1970s. In 1975, the Prince George's County District Council approved Zoning Map Amendment A-9248, to rezone the subject site from the Rural Residential Zone to the E-I-A Zone, known as part of Collington Center development. Subsequently, a Comprehensive Design Plan, CDP-7802 was approved by the Prince George's County Planning Board in 1978, but nothing further was pursued on the subject property.

In 2002, the Prince George's County Council adopted Council Bill CB-13-2002 that introduced the concept of a mixed-use planned community use and allowed it within the E-I-A Zone for properties meeting specific criteria, including conformance with the regulations of the Mixed Use-Transportation Oriented (M-X-T) Zone. Based on this legislation, Conceptual Site Plan CSP-02004 was approved by the Planning Board on June 12, 2003 (PGCPB Resolution No. 03-135). The District Council affirmed the Planning Board's decision and approved the CSP on January 27, 2004, with 42 conditions. The development concept was for a mixed-use planned community consisting of 463 lots, 86 parcels, 300,000 square feet of commercial and retail space, 700,000 square feet of employment space, 25,000 square feet of space for annexation to Prince George's County Community College, a 300-room hotel, and 1,294 dwelling units. The residential component consisted of 170 detached units, 272 attached units, 600 multifamily rental units, 112 condominium units, 120 high-rise units, and 20 live-work units. Preliminary Plan of Subdivision (PPS) 4-04035 was approved by the Planning Board (PGCPB Resolution No. 04-247(C)) in June 2003 and the resolution was subsequently corrected multiple times. This PPS was reconsidered by the Planning Board on October 7, 2016 to convert approximately 200 multifamily condominium units to fee simple townhouse lots, to make changes to the phasing

of off-site traffic improvements and other modifications. On February 16, 2017, the Planning Board heard testimony and approved the reconsideration with 47 conditions for 800 lots and 110 parcels for a total of 1,294 dwelling units (PGCPB Resolution No. 04-247(C/3) (A/2)).

A DSP for infrastructure, DSP-05042, was approved by the Planning Board (PGCPB Resolution No. 05-258) on December 8, 2005, for site grading, infrastructure development, and construction of a central lake. No construction occurred on the subject property. An amendment to DSP-05042 was submitted in August 2007, but subsequently withdrawn. A second amendment, DSP-05042-02, was submitted for Planning Director review on December 23, 2016 to revise the site design, but the application fell dormant. The review of DSP-05042-02 was revived in June 2019 and approved by the Planning Director on February 5, 2020, to provide for revisions to site grading and roadway layout for three segments of the main roadways leading into the subject site from the ramp of MD 214 and US 301.

The 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B retained the subject site in the E-I-A Zone.

In 2016, the County Council adopted Council Bill CB-73-2016 that provided numerous revisions to the mixed-use planned community regulations in the M-X-T Zone that are applicable to the subject site. Subsequently, the applicant filed a new PPS to resubdivide an 11-acre piece of land previously included as part of Outparcels A and B in PPS 4-04035. PPS 4-17027 was approved by the Planning Board (PGCPB Resolution No. 19-06) on January 10, 2019, for 66 lots and 3 parcels, subject to 23 conditions.

On April 16, 2020, the Planning Board approved DSP-19023, which included a mix of 1,035 single-family attached and detached dwelling units and amended the previously approved CSP-02004. The application has been amended one time and was approved by the Planning Director on April 14, 2021, for minor lot line adjustments.

The Planning Board approved DSP-19024 Umbrella Architecture for the single-family attached, two-family attached, and the single-family detached dwellings in DSP-19023 on April 16, 2020.

DSP-19021 has been filed and is currently under review for the commercial and retail development south of the multifamily property and will be heard by the Planning Board on the same day as the subject application.

The site also has an approved Stormwater Management (SWM) Concept Plan, 26947-2002-04, which was approved on May 8, 2020, and is valid until May 8, 2023.

- 6. Design Features:** The subject DSP proposes development of 325 multifamily dwelling units in five, four-story buildings and an 8,363-square-foot clubhouse with pool and recreational amenities on Parcel 1 within the South Lake mixed-use planned community.

The site layout includes five residential buildings and a clubhouse that are organized around a common central green space, that includes walkways, a pool, and recreational amenities, such as

a playground, fire pit, pavilion, seating area, and grill. The parking for the site is provided by 587 parking spaces that are located on both sides of a two-way drive aisle that encircles the buildings and site. The seven, one-story freestanding garage buildings, which are located around the perimeter of the site, contain 66 of these parking spaces. The site's primary access is from Fairmont Drive on the west side of the site, with secondary access points proposed from Summit Point Boulevard on the north and Gwynn Brook Way on the south. One loading space is proposed in front of the clubhouse, which includes a package room, and another on the north end of the site. Multiple dumpster enclosures are proposed on the north, east, and south sides of the site.

Architecture

The subject DSP provides architectural design details for the proposed multifamily buildings, parking garages, and clubhouse. The proposed four-story multifamily buildings are the same and are approximately 49 feet in height with an elevator. The buildings are outward facing and front on the parking compound with the rear of the buildings overlooking a central green area, pool space, and recreational amenities. The architecture is contemporary and features a varied gabled roof, and vertical elements to break up the façade. The buildings include a variety of materials including dark and light tones of brick, cementitious panels, architectural trim, and shingles. Balconies are proposed across the building face and will provide the residents with an outdoor area.

The proposed 8,363-square-foot clubhouse faces southwest with the rear of the building overlooking a pool and central open space. The one-story, approximately 20-foot-high, clubhouse is a contemporary-style building, with a gabled roof matching the multifamily buildings. The building includes a variety of building materials including dark and light tones of brick, cementitious panels, and architectural trim and shingles that matches the multifamily buildings. An elevated roof accents the main entrance with ample window fenestration proposed on all sides of the building.

Enclosed garage parking is proposed for 66 parking spaces that are located on the north, east, and south sides of the site. The single-story garages are approximately 15 feet in height and finished with brick and gray cementitious siding, matching the other buildings on the site. The garages feature a 16-panel door and propose building accents such as architectural trim, louvers, and shutters. Building-mounted lighting to illuminate the garage entries are shown, but a detail has not been provided. A condition to provide the detail and specification for the building-mounted lighting proposed with this application has been provided herein.

Lighting

A photometric plan has been submitted with this application and provides lighting in the parking compound and areas of the site outside of the proposed public street network. Public street lighting requirements for this site are subject to the City of Bowie requirements and will require future permitting through the City. For areas outside of the public street network, appropriate pedestrian-scale lighting is provided. It is noted that the lighting levels in the central open space fall below recommended levels. A condition has been included in this approval

requiring that the applicant provide additional lighting, such as bollards, along the trails and common space for safety and wayfinding.

Signage

Signage proposed is limited to four 5-foot-tall, freestanding monument signs. The primary signs are located at the entrance off Fairmont Drive and the corner of the property along US 301, and a directional sign is located at either secondary entrance to the site. The signs propose a brick base and a stone sign with illuminated channel letters and include a stone cap. While the specific design of the primary and secondary sign differs, a standardized palette of materials, colors, font, and imagery is consistent and matches the buildings, providing uniformity and sense of place. The Planning Board approved the signage, as proposed.

Recreational Facilities

This DSP is required to provide on-site private recreational facilities, in accordance with the previously approved PPS. This development of 325 dwelling units requires the provision of a recreational facility package worth approximately \$403,107. The development approved in DSP-19023 included a central 5,272-square-foot clubhouse and associated sport court, swimming pool, and patio area. These facilities can be used by all of the residents of the South Lake development, including the multifamily development proposed in this application. The dollar amount of the approved DSP-19023 facilities is approximately \$2,026,500, which exceeds the required amount for those residential units by over \$700,000. Therefore, the adequacy requirement for the proposed 325 multifamily units was fulfilled by the facilities approved in DSP-19023.

The details, specifications, and locations for the additional recreational facilities proposed with this application are provided on the plans, and include a separate a clubhouse, pool complex, picnic area, a fire pit, and an open lawn area for active use. The timing for construction of these facilities proposed in this application was not established and is included as conditions in this approval.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Zoning Ordinance for a mixed-use planned community in E-I-A Zone.
 - a. The proposed residential development is part of a mixed-use planned community, as defined by Section 27-107 of the Zoning Ordinance, and is a permitted use in the E-I-A Zone.
 - b. The South Lake development is a mixed-use planned community in the E-I-A Zone. Section 27-500 of the Zoning Ordinance provides direction for this development, as follows:

- (c) **A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10.**

The overall South Lake development plan includes a mix of residential, employment, commercial retail, commercial office, hotels, and recreational uses. In addition, Section 27-501(c), Regulations for a Mixed-Use Planned Community, of the Zoning Ordinance, provides further direction, as follows:

- (1) **A Mixed-Use Planned Community shall meet all purposes and requirements applicable to the M-X-T Zone, as provided in Part 10, and shall be approved under the processes in Part 10.**
- (2) **Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.**

This DSP was filed in accordance with the M-X-T Zone requirements. If there were not these specific requirements for a mixed-use planned community, a specific design plan would have had to have been filed for any development in the E-I-A Zone.

- c. Section 27-544(e), Regulations in the M-X-T Zone, of the Zoning Ordinance, includes the following additional standards for a mixed-use planned community that are relevant to the review of this multifamily DSP:

- (1) **A Mixed Use Planned Community shall conform to the purposes, regulations, and required findings and review process set forth in Division 2 of this Part, for the M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.**
- (2) **It shall include retail, residential and office/employment uses. The use mixture shall consist of the follow, based on the total gross floor area (GFA) for residential, retail, and office combined:**

Total Gross Floor Area	Minimum	Maximum
Residential (at least 2 different types)	50%	90%
Retail	10%	20%
Office/Employment	0%	40%

The subject DSP proposes multifamily dwelling units within the context of the overall South Lake development and accounts for a total gross floor area of 86.01 acres and a floor area ratio (FAR) of 0.27. The total gross floor area includes approximately 78 percent residential (61.75 acres), 14 percent retail (10.95 acres), and 8 percent office (6.07 acres).

- (3) **It may include hotel uses. Hotel use is not included in the residential, retail or office/employment categories for purposes of calculating gross floor area for percentages of use. There is no percentage restriction applied to the hotel uses.**

A hotel is not proposed in the subject DSP application.

- (4) **It may provide at least one institutional or civic use, may have an integrated network of streets, sidewalks, and open space, public or private, and should give priority to public space and appropriate placement of institutional and civic uses.**

An integrated network of streets, sidewalks, and open spaces are provided throughout the overall site, as approved with DSP-19023. The development of Parcel 1 is integrated into this street network, which is designed around a two-tier central lake area and surrounding public spaces for active and passive recreation. The streets proposed in the South Lake development will eventually be dedicated to and operated by the City of Bowie.

- (5) **Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.**

The proposed development conforms with requirements of the M-X-T Zone for a mixed-use planned community.

- (6) **The community should be focused on a central public space that is surrounded by a combination of commercial, civic, cultural or recreational facilities.**

The central public space for the overall South Lake mixed-use development was approved in DSP-19023.

- (7) **The community should contain additional, linked open space in the form of squares, greens and parks that are accessible, visible, safe and comfortable.**

DSP-19023 proposed linked open spaces and streets, which are connected to this property via multiple sidewalks. The additional recreational facilities proposed with this application are central to the development and are surrounded by the multifamily buildings creating visibility, accessibility, and comfort.

(9) Residential uses should meet the following design standards:

(B) Multifamily.

- (i) Building materials should be high quality, enduring and distinctive.**
- (ii) Use of siding should be limited.**
- (iii) Amenities such as are typically provided for luxury rental and condo projects should be provided.**

Materials used in the building design include brick, cementitious panels, shutters, and architectural trim, which are all high-quality and enduring with limited siding. The multifamily buildings include variations in exterior architectural materials, colors, articulations, and fenestrations with masonry used on the first floor and some vertical elements to create hierarchy and visual dominance. The large clubhouse including a fitness room, club room, yoga room, package room, bathrooms, and adjacent pool and playground complex are amenities typically provided for luxury rental projects.

- d. Section 27-546(d), Site Plans, of the Zoning Ordinance contains the following required findings for the Planning Board to grant approval of a DSP in the M-X-T Zone:

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

The proposed development is in conformance with the purposes of the M-X-T Zone, as stated in Section 27-542(a) of the Zoning Ordinance, as was found with the previous DSP-19023 and incorporated herein. The additional residential uses proposed in this DSP continue to promote the orderly development of this site in the vicinity of a major interchange, reduce automobile use by locating the proposed multifamily next to the future commercial portion, provide a flexible response to the market, and create a greater efficiency of the infrastructure for the entire site.

(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;

This property is in the E-I-A Zone, so this requirement is not applicable. The proposed mixed-use planned community, including the residential portion proposed by this DSP, is being reviewed under M-X-T Zone requirements, in accordance with CB-73-2016.

- (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 multifamily residential development proposed is the next building phase of the larger South Lake mixed-use planned community and will be a catalyst for future development within the community and improvement within this area of the County.

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

The overall South Lake development is compatible with the existing residential development located north and west of the site and the proposed Prince George's County Liberty Sports Complex to the south. Future development proposed within South Lake will be reviewed under separate DSP applications to ensure compatible design is provided for the entire mixed-use planned community.

- (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;**

Buildings and other amenities have been carefully designed and placed to create a cohesive, quality residential development. Attention has been paid to the provision of public amenities, including recreational opportunities. The site design provides for a neighborhood aesthetic, a well-connected circulation system, and a central community recreational area, including a clubhouse and pool.

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

This DSP is the next phase of development in this mixed-use planned community and has been designed as a self-sufficient entity intended to be integrated into the larger South Lake development. CSP-02004, as amended, provides the overall development scheme for this mixed-use planned community.

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

This project is designed to be pedestrian friendly, with 5-foot-wide sidewalks, walking trails, and landscaping proposed throughout the project. In addition, a segment of the Collington Branch Trail will be built as a 10-foot-wide asphalt trail on the east side of the main north-south roadway in South Lake, immediately adjacent to this property. The trail will connect to Prince George's Boulevard and the proposed Liberty Sports Complex to the south, and Old Central Avenue to the north, where future off-site connections are envisioned by the Prince George's County Department of Parks and Recreation (DPR).

- (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**

Appropriate attention has been paid to scale, design, amenities, materials, and landscaping proposed in areas for pedestrian activities and gathering places. The clubhouse and central recreational space serve as the main gathering place for this residential development. The proposed clubhouse building incorporates multiple materials and colors that provide visual interest.

- (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, 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.**

This application is a DSP, and this finding does not apply.

- (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.

Two PPS covering the entire South Lake site, 4-04035 and 4-17027 were most recently approved in 2018 and 2019, respectively. Adequacy findings were made through these PPS, and the DSP is consistent with these approvals.

- (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.**

This DSP proposes the multifamily residential building phase of South Lake, a mixed-use planned community containing approximately 381 acres in total. Approval has been requested, in accordance with the provisions of this section and Section 27-548 of the Zoning Ordinance.

- e. The DSP is also in conformance with the applicable additional regulations of the M-X-T Zone in Section 27-548, 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 DSP indicates that the base FAR for this phase of the South Lake mixed-use planned community will be approximately 0.27, based on the total area of the CSP.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The proposed use is located in more than one building, but only on one parcel, as allowed.

- (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 shows the layout for the multifamily residential dwelling units and provides the required information.

- (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 landscaping, screening, and buffering issues have been reviewed, along with this DSP, in accordance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Finding 11 below provides an evaluation of the landscaping proposal.

- (e) **In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR base density for the residential portion of the South Lake mixed-use planned community is 0.27 and was determined utilizing the specified methodology.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

Improvements proposed do not interfere with the air space above or ground below public rights-of-way.

- (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 proposed parcel has frontage on, and direct vehicular access to, three public streets.

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be...**

This standard does not apply to this proposed multifamily development.

- (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.**

As stated, this requirement is not applicable within a mixed-use planned community.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.**

The proposed South Lake mixed-use planned community site is in the E-I-A Zone, with proposed development subject to the requirements of the M-X-T Zone, in accordance with CB-73-2016.

- f. 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 are outlined in Section 27-574(b). The parking for the large residential areas of DSP-19023 was determined to be sufficient; the submitted parking analysis covers the commercial uses in DSP-19021 and DSP-21002. 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. The parking schedule shows that the uses would require 2,770 parking spaces.

- (2) Using the time-of-day analysis for both weekday and weekend conditions, the applicant indicates that the maximum requirement is the weekday maximum of 2,172 parking spaces. This is the base requirement per Section 27-574.
- (3) The plan provides 2,605 spaces to serve both DSP-19021 and DSP-21002. Within the limits of the subject DSP, 587 spaces are provided.

Based on information offered, it is determined that the parking analysis submitted by the applicant and its conclusions are acceptable. The City of Bowie, in their resolution for BD-1-21, also approved of the proposed 587 parking spaces for the 325 dwelling units.

- g. Section 27-583, Number of spaces required in M-X-T Zone, of the Zoning Ordinance contains requirements for determining the total number of loading spaces. The DSP proposes two loading spaces, which meets the standard requirement in the Zoning Ordinance for the proposed 325 multifamily residential units.
- h. The subject application is proposing a reduction in the size of the parking spaces on Parcel 1 and requires a departure. The City of Bowie has authority for this departure, and on April 27, 2021 the Bowie Advisory Planning Board recommended approval of BD-2-21 for the parking space size reduction.

- 8. Conceptual Site Plan CSP-02004, as amended:** As further detailed in Finding 5, CSP-02004 was approved by the District Council in January 2004 for a mixed-use planned community consisting of 463 lots, 86 parcels, 300,000 square feet of commercial and retail space, 700,000 square feet of employment space, 25,000 square feet of space for annexation to Prince George's County Community College, a 300 room hotel, and 1,294 dwelling units. Dwellings consisted of 170 detached units, 272 attached units, 600 multifamily rental units, 112 condominium units, 120 high-rise units, and 20 live-work units.

The applicant amended CSP-02004, with the approval of DSP-19023, as allowed by Section 27-282(g) of the Zoning Ordinance and contained in PGCPB Resolution No. 03-135(C)(A). Revisions to the CSP included changes to the site's roadway and infrastructure layout, lot and parcel arrangement, roadway sections, master-planned trail alignment, and phasing program. Conformance with the applicable conditions of the amended CSP-02004 are as follows:

2. **At the time of the first Detailed Site Plan (other than infrastructure), details of outdoor amenities such as brick pavers, tree grates, decorative lighting, signs, banners and high-quality street furniture shall be approved by the Prince George's County Planning Board. A similar theme shall be established for the entire development.**

The subject DSP provides design details for attractive outdoor amenities included in the proposed residential development including site furnishings, recreational amenities, and site identity signage. A consistent design palette for these features is provided for this portion of the mixed-use planned community. Future development subject to DSP review will be expected to provide similar design details around a similar theme.

- 8. Merge of ramp from eastbound MD 214 onto US 301: Prior to the issuance of any building permits within Phase II, as defined in Condition 10, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency for the extension of the northbound merge lane to a length of no less than 400 feet subject to available right-of-way or in the alternative the elimination of said ramp by utilization of other acceptable improvement.**

Compliance with this condition is triggered with the onset of development within Phase II, as defined in Condition 11 of the CSP. As shown in the trip generation table, the residential development alone places the overall South Lake development within Phase II.

- 11. Total development within the subject property shall be limited to uses which generate †[approximately] no more than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table below, the subject application is within the trip cap shown in this condition. The table also shows that the trip generation for the residential development alone places the overall South Lake development within Phase II.

Trip Generation Summary: DSP-21002: South Lake Multifamily								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Trip Cap from PPS 4-17027			--	--	48	--	--	56
Trip Cap from PPS 4-04035			--	--	1,313	--	--	1,925
Combined Trip Cap			--	--	1,361	--	--	1,981
Previous Approved DSP-19023								
Two-Family/Two Over Two	128	Units	18	71	89	66	36	102
Townhouses	562	Units	79	314	393	293	157	450
Single Family Detached	345	Units	52	206	258	202	109	311
Current Application DSP-21002								
Multifamily	325	Units	34	135	169	127	68	195
Total Residential (Approved and Current)			183	726	909	688	370	1,058
Less Internal Trips			-18	-21	-39	-31	-21	-52
Net Residential (Approved and Current)			165	705	870	657	349	1,006
Pending DSP-19021								
Office	196,342	Sq. Ft.	107	36	143	40	107	147
Less Internal Trips			-3	-6	-9	-12	-17	-29
Hotel	394	Rooms	113	78	191	137	132	269
Less Internal Trips			-19	-22	-41	-58	-58	-116
Retail	443,608	Sq. Ft.	232	142	374	785	851	1,636
Less Internal Trips			-49	-40	-89	-164	-169	-333
Less Pass-By Trips (50% of net external trips)			-91	-51	-142	-310	-341	-651
Total Net Commercial Trips: Pending			290	137	427	418	505	927
Total Commercial and Residential Trips: Current Application Plus Pending			455	842	1,297	1,075	854	1,929
Trips Utilized from PPS 4-17027			--	--	48	--	--	56
Trips Utilized from PPS 4-04035			--	--	1,249	--	--	1,873

25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.

A Phase I and revised Phase II noise analysis, dated September 11, 2019, was submitted and reviewed. A section of the subject application falls within the limits of the 65 dBA Ldn noise contour. Appropriate mitigation measures were identified in the analysis and

are provided for the subject DSP with residential architecture. A condition has been required to certify that the interior noise levels have been reduced to 45 dBA Ldn or less through the proposed building materials for all units within the 65 dBA Ldn or higher noise contour at the time of permit.

- †~~[38]~~ **37.** **The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a Detailed Site Plan (other than infrastructure) by the Planning Board.**

As detailed in Finding 6, the proposed residential development includes an appropriate variety and quantity of recreational facilities sited within walkable access of all dwelling units.

- †~~[47]~~ **46.** **The Detailed Site Plan shall require a landscaped and/or brick wall buffer along the property line adjacent to US 301 and MD 214.**

The DSP shows a landscaped buffer for the portion of Parcel 1 that abuts US 301, as modified by AC-21011.

- 9. Preliminary Plan of Subdivision 4-04035:** PPS 4-04035 was approved by the Planning Board (PGCPB Resolution No. 04-247(C)) in June 2003 and was subject to multiple corrections and reconsiderations. The governing version of this PPS was reconsidered by the Planning Board on January 25, 2018 (PGCPB Resolution No. 04-247(C/3)(A/2)). The conditions that are pertinent to the review of this DSP are discussed, as follows:

- 3. Development of this subdivision shall be in compliance with an approved Type I tree conservation plan †~~(TCPI/48/02-01)~~ (TCPI/48/02-02). The following notes shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan †~~(TCPI/48/02-01)~~ (TCPI/48/02-02) or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

- 9. The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George’s County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.**

The overall Type II tree conservation plan (TCPII) plan shows 0.92 acre of off-site clearing along the frontage of US 301 and the access ramp from MD 214, which are mitigated at a ratio of 1:1 by on-site preservation.

- ††[30] 28. **Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips ††[or is within 1,400 linear feet of the proposed MD 214/Hall Road intersection]. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

The area of DSP-19021 includes a portion of PPS 4-04035. As shown in the trip generation table above, the subject application is within the trip cap shown in this condition. The community clubhouse is considered accessory to the residential uses and is therefore assumed to generate no off-site trips. As evidenced above, the uses proposed are within the PPS trip cap.

- ††[30] [32] 29. **Prior to *~~signature approval of the preliminary plan~~ detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.**

Street types I and E are in the vicinity of this proposed DSP and were approved, pursuant to DSP-05042-02, which contained the road infrastructure for South Lake. The subject property gains access from the abutting public street network, but no new public roads are proposed within the subject parcel for multifamily development. In addition, it is noted that the subject site has been annexed into the City of Bowie, and approval of the various street cross sections within the plan has been provided.

- ††[32] [34] 31. **Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.**

The proposed DSP does not have frontage on MD 214, however it does have frontage on US 301. No direct access to US 301 is proposed, and the final plat for the subject parcel will denote the denial of access, as required.

††[47] 43.

Prior to approval of a detailed site plan ††for residential development (not infrastructure), the following shall be demonstrated on the plans:

- a. Private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, in at least three locations with each location being within a 100-foot radius of the proposed townhouses.**
- b. To provide adequate pedestrian circulation and access, homeowners association open space windows, which are a minimum of eight feet-wide, shall be provided between the end unit lot lines of single-family attached (townhouse) building sticks where appropriate, as determined at the time of detailed site plan.**
- c. Homeowners association (HOA) open space shall be provided between groups of lots, which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements shall be provided every (15) fifteen contiguous single-family detached units, or as determined at the time of detailed site plan.**

This condition does not apply, as this DSP pertains to multifamily development and not single-family dwellings. However, it should be recognized that the PPS was approved with the requirement to satisfy mandatory dedication of parkland through the conveyance of land to M-NCPPC and with private on-site recreational facilities. The applicant has indicated that this multifamily development will not share the same homeowners association as the single-family dwellings approved in DSP-19023. The proposed multifamily development will have its own private on-site recreational facilities. This includes a clubhouse, pool complex, picnic/courtyard area with grill stations, a fire pit, and open lawn area. The applicant has proposed private on-site recreation facilities, as well as the 31.5 acres of land dedication to M-NCPPC, pursuant to PPS 4-04035, which meet the requirements of Section 24-135(b) of the Zoning Ordinance. In the applicant's response dated May 14, 2021, the applicant indicates that the existing recreation facilities agreement (RFA) will be amended by the applicant to make it clear that residents of the multifamily community will be able to share in the overall recreational amenities within the entire site.

However, the RFA does not set forth who gets to use recreational

facilities, it is only an agreement with M-NCPPC to build the facilities. The applicant must submit an RFA for this multifamily complex, prior to approval of the final plat, separate from the RFA, pursuant to DSP-19023. Appropriate triggers for construction of the recreational facilities with this DSP have been included in this approval.

††46. **At the time of detailed site plan, appropriate transitions from in-road bicycle facilities to the master plan hiker/biker trail shall be shown.**

This condition was addressed with DSP-05042-02 for infrastructure and is not applicable the subject application. The site plan for the DSP has been revised to show additional connections to the hiker/biker trail from the subject site, and is acceptable.

10. **Detailed Site Plan DSP-05042 and its amendments:** DSP-05042 was an infrastructure DSP that was approved by the Planning Board on December 8, 2005, with five conditions. None of the conditions are related to the review of this DSP. DSP-05042 was amended by the Planning Director once, as approved on February 5, 2020, with no conditions.
11. **Detailed Site Plan DSP-19023:** DSP-19023 was approved by the Planning Board on April 16, 2020 (PGCPB No. 2020-38) for construction of 1,035 single-family dwelling units, consisting of 128 two-family attached units, 562 single-family attached (townhouse) units, and 345 single family detached units on 866 lots, as part of a mixed-use planned community. The approval included four conditions, none of which are applicable to the review of this DSP.
12. **2010 Prince George's County Landscape Manual:** In accordance with Section 27-548, landscaping, screening, and buffering within the M-X-T Zone should be provided pursuant to the provisions of the Landscape Manual. This DSP is subject to the requirements of Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.

The DSP provides the necessary plantings and schedules in conformance with the Landscape Manual, with the exception of Section 4.6. The applicant requested Alternative Compliance, AC-21011, as follows:

The proposed multifamily development is oriented toward a segment of Robert Crain Highway that is classified as an arterial road. A minimum 50-foot-wide landscaped buffer is required between any yard of this multifamily development and Robert Crain Highway. The buffer is required to be planted with 6 shade trees, 16 evergreen trees, and 30 shrubs per 100 linear feet of property line that is adjacent to an arterial road. The applicant is requesting to reduce this on-site planting buffer from 50 feet to 41 feet, while alternatively planting more trees, installing parking garages along the boundary, and providing plantings within the Robert Crain Highway right-of-way that will be preserved in perpetuity, as confirmed by the Maryland State Highway Administration (SHA). Specifically, the applicant has provided the following information:

REQUIRED: Section 4.6 (c)(1)(B)(i), Requirements for Buffering Residential Development from Streets – Multifamily adjacent to an arterial roadway (US 301)

Linear feet of street frontage	903 feet
Width of buffer	50 feet
Shade Trees (6 per 100 linear feet)	55
Evergreen Trees (16 per 100 linear feet)	145
Shrubs (30 per 100 linear feet)	271

PROVIDED: Section 4.6 (c)(1)(B)(i), Requirements for Buffering Residential Development from Streets – Multifamily adjacent to an arterial roadway (US 301)

Linear feet of street frontage	903 feet
Width of buffer	41 feet*
Shade Trees (6 per 100 linear feet)	61 (33 on-site, 28 off-site)
Evergreen Trees (16 per 100 linear feet)	107 (80 on-site, 27 off-site)
Shrubs (30 per 100 linear feet)	286

Justification

The applicant does not have enough space to provide the required 50-foot-wide buffer. There is a 25-foot-wide Washington Suburban Sanitary Commission utility easement along the frontage of Robert Crain Highway. The applicant has provided a 41-foot-wide buffer to be planted with 6 more shade trees, 23 additional ornamental trees, and 15 more shrubs than what are normally required by Section 4.6. These plants will be located both on-site and off-site within the right-of-way of Robert Crain Highway that is immediately adjacent to the buffer. The said off-site plantings have been approved and bonded by SHA. Meanwhile, there are three one-story parking garages located immediately adjacent to the 41-foot-wide buffer that will provide additional screening for approximately one third of this frontage. The buffer with extra plantings, plus three parking garages and the off-site SHA plantings will create an effective buffer between the proposed multifamily development and the arterial roadway that meet the intents of Section 4.6.

The Planning Board finds that the applicant’s proposal is equally effective as normal compliance with Section 4.6 because the total planting materials (both on-site and off-site) will be more than normally required, and physical barriers, such as the parking garages, will provide additional buffering between the multifamily development and Robert Crain Highway.

The Planning Board APPROVED of Alternative Compliance AC-21011 for South Lake (Multifamily Phase) from the requirements of Section 4.6 (c)(1)(B)(i), Buffering Residential Development from Streets, of the 2010 *Prince George’s County Landscape Manual*, for the site’s frontage along US 301 (Robert Crain Highway).

13. **Prince George’s County Woodland Conservation and Tree Preservation Ordinance:**
 The project is grandfathered with respect to the environmental regulations of Subtitles 24 and 27

of the Prince George's County Code, that came into effect on September 1, 2010 because the site has a previously approved PPS and DSP. The project is subject to the Woodland Conservation and Tree Preservation Ordinance effective February 1, 1993 because it has previously approved TCPs.

The 381.52-acre site contains 303.18 acres of existing woodland on the net tract, under the definition for net tract area in House Bill HB-2007-588. The site has a woodland conservation threshold of 57.23-acres, or 15 percent of the net tract, as tabulated. The TCPII submitted with the application (Revision -06) shows a total woodland conservation requirement of 106.34 acres, and further shows this requirement will be met by providing 104.23-acres of on-site woodland preservation, and 2.11 acres of off-site woodland conservation.

The woodland conservation worksheet is consistent with the woodland conservation sheet summary table which indicates that 104.23 acres of woodland preservation has been identified on the plans, and that there is a shortage of 2.11 acres of woodland conservation provided. But the TCPII plan is not consistent with the primary management area (PMA) impacts proposed with DSP-19023-01 on Sheets 50, 51, and 52. The TCPII plan requires revisions to eliminate PMA impacts that were originally proposed, but withdrawn for DSP-19021, to correctly calculate the woodland conservation requirement for the overall plan, and to demonstrate how the full woodland conservation requirement will be fulfilled, prior to plan approval.

The revised -06 TCPII plan shall be in conformance with all technical requirements found in Subtitle 25 and the Environmental Technical Manual, subject to conditions and technical revisions that have been included herein.

14. **Prince George's County Tree Canopy Coverage Ordinance:** A 10 percent tree canopy coverage (TCC) requirement applies to this E-I-A-zoned site, in accordance with the Tree Canopy Coverage Ordinance. The total development included in the South Lake development is 381.52 and requires 38.15 acres of TCC. A schedule showing conformance has been included with the application and indicates that 114.27 acres of TCC will be provided through woodland conservation and existing trees to remain on-site. Therefore, the TCC requirements have been met for this DSP.
15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized and incorporated herein by reference, as follows:
 - a. **Historic Preservation and Archeological Review**—The Planning Boards adopts a memorandum dated May 27, 2021 (Stabler to Bishop), which noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property was high. However, a Phase I archeology survey was not completed because the property is being developed under the approval of PPS 4-04035 and 4-17027. PPS 4-04035, which includes an area of the property that was not previously surveyed for archeological resources, was approved, prior to implementation

of the archeology review process. The subject property was also graded in 2020 and any archeological sites or historic burials that may have been present would have been destroyed. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.

- b. **Community Planning**—The Planning Boards adopts a memorandum dated May 27, 2020 (McCray to Bishop), which noted that pursuant to Part 3, Division 9, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this application.
- c. **Subdivision**—The Planning Boards adopts a memorandum dated May 27, 2021 (Heath to Bishop), which provided an analysis of the subject DSP's conformance with the prior approvals, as included in Finding 9 above, and noted that the DSP is in substantial conformance with the approved PPS, and the DSP still maintains frontage and access to public streets. The 325 proposed multifamily units are within the maximum 390 multifamily units approved with the PPS, and the private on-site recreational facilities are adequate, pursuant to Section 24-135(b). Technical revisions to the RFA and recreational facilities are required and have been conditioned herein.
- d. **Environmental**—The Planning Boards adopts a memorandum dated May 26, 2021 (Finch to Bishop), which approves DSP-21002 and TCPII-126-05-06, subject to environmental conditions that have been included in this approval.

A Natural Resources Inventory Equivalency Letter, NRI-128-2019 was approved on October 12, 2019 because the site has a previously approved and implemented TCPII.

Preservation of Regulated Environmental Features/Primary Management Area

A statement of justification (SOJ) for impacts to regulated environmental features was originally submitted and reviewed as part of PPS 4-04035. Specific impacts to PMA were approved at that time. No new PMA impacts were proposed with the amended DSP-21002 and the revised TCP2 submitted on May 14, 2021, but the TCPII plan has not removed PMA impacts proposed in an SOJ for revised and new impacts to the PMA with DSP-19021, dated May 27, 2020, which was withdrawn by the applicant.

The Planning Board supports the elimination of new impacts and the reduction of approved PMA impacts within DSP-21002 because the impacts provide enhanced protection of regulated environmental features in priority conservation areas and were consistent with retention of environmental features on the site to the fullest extent possible. Revision of the overall TCPII with the -06 revision to reflect the reduction of PMA impacts to DSP-21002 is required.

Stormwater Management

The current application has a SWM Concept Plan Approval Letter (26947-2002-04) and plans, approved on May 8, 2020 by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), subject to conditions, with an

expiration date of May 8, 2023. It is also entirely consistent with 26947-2002-03, submitted with DSP-19021, approved on the same date and with the same expiration date, with the only difference being the -04 for revision to reflect a layout change. Both approvals are to address the overall SWM requirements of the site. The project is grandfathered because the SWM plans and sediment control plans were approved prior to May 4, 2010. The applicant proposes to mitigate on-site stream impacts through payment of \$243,500 into the Little Paint Branch Watershed Stream Restoration Project, as outlined in the Nontidal Wetland Permit, and monies shall be deposited in the Paint Branch Stream Enhancement Project. The extension of the SWM both include the following added conditions:

- “8). Slope stability analysis is required at time of permit review.
- “9). Required water quantity will consist of extended detention, Cpv, and 100-year attenuation.”

The South Lake project was annexed into the City of Bowie in December 2019. Review comments dated May 20, 2021, provided by DPIE on DSP-19021 requested the following:

”Provide the City of Bowie municipality Stormwater Management Concept case number with approval letter and approved Concept Plans. The Detailed Site Plan filed under Case No. DSP-19021 is to be consistent with the Stormwater Management Concept Plans approved by the City of Bowie.”

Consistent with DSP-19023-01, the Planning Board requires that prior to certification of DSP-21002, the TCPII shall be revised to show the proposed SWM features consistent with the City of Bowie SWM concept approval letter and approved concept plans.

- e. **Transportation**—The Planning Boards adopts a memorandum dated May 25, 2021 (Masog to Bishop). The Transportation Planning Section stated that they reviewed the subject DSP for conformance with the applicable conditions of prior approvals that have been included in the findings of this approval. This application is consistent with the revision to CSP-02004, the PPS, and the DSP currently under review for the commercial portion of the development and is acceptable, as shown.
- f. **Bicycle and Pedestrian Transportation**—The Planning Boards adopts a memorandum dated June 3, 2021 (Smith to Bishop), which reviewed the subject application for conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B*, and Subtitle 27 to provide the appropriate pedestrian and bicycle transportation recommendations. In addition, a review of the applicable conditions of prior approvals was provided and is included in the findings of this approval, as appropriate. The additional comments provided in the referral are as follows:

The Planning Board finds that the pedestrian system is convenient and comprehensively designed by providing connections throughout the subject site and by allowing multiple connections to the shared use path that runs adjacent to the site. The provided improvements support separated pedestrian routes and the pedestrian system has been designed to encourage pedestrian activity.

Further, it was determined that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Sections 27-274 and 27-546 of the Zoning Ordinance, and meets the findings for pedestrian and bicycle transportation purposes, as conditioned herein.

- g. **Permit Review**—The Planning Boards adopts a memorandum dated May 20, 2021 (Glascoc to Bishop), which provided a total of two comments that have been addressed by the applicant in revisions to the DSP.
- h. **Prince George’s County Health Department**—At the time of this approval, the Health Department has not provided comments on the subject application.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement**—At the time of writing of this approval, DPIE has not provided comments on the subject application.
- j. **Prince George’s County Police Department**—At the time of this approval, the Police Department has not provided comments on the subject application.
- k. **Prince George’s County Fire/EMS Department**—The Planning Boards adopts an email dated May 10, 2021 (Reilly to Bishop), in which the Fire/EMS Department provided comments expressing concerns that have been remedied in the revised DSP plans.
- l. **Prince George’s County Department of Parks and Recreation**—At the time of this approval, DPR has not provided comments on the subject application.
- m. **Washington Suburban Sanitary Commission**—At the time of this approval, WSSC has not provided comments on the subject application.
- n. **City of Bowie**—The Planning Boards adopts a memorandum dated May 6, 2021 (Bowie City Council to Hewlett), which noted that the Bowie City Council conducted a virtual public hearing on May 3, 2021 and voted to recommend APPROVAL of DSP-21002, subject to conditions that have either been addressed through plan revision or are included in this approval.

In addition, it is noted that the Bowie Advisory Planning Board recommended approval of BD-1-21 and BD-2-21 for a reduction in the number of on-site parking spaces from 738 to 587, and for a reduction in the width of non-handicap/ nonparallel standard-sized parking spaces from 9.5 feet to 9.0 feet on Parcel 1.

16. As required by Section 27-285(b)(1) of the Zoning Ordinance, if it is approved with the proposed conditions, the DSP 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.
17. In accordance with Section 27-285(b)(2), this DSP is in general conformance with CSP-02004, as amended.
18. Section 27-285(b)(4) provides the following required finding for approval of a DSP:

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

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan, if revised as conditioned herein.

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 II Tree Conservation Plan TCPII-126-05-03 and APPROVED Alternative Compliance AC-21011, and further APPROVED Detailed Site Plan DSP-21002 for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:
 - a. Provide the details and specifications for the proposed building-mounted lighting.
 - b. Provide additional site lighting to illuminate the trails and common space on the site, such as bollards or pole-mounted lights.
 - c. Provide a slope stability analysis demonstrating the location of the mitigated 1.5 safety factor line, based on the revised grading plan.
 - d. Include the safety factor line and the required building setback line on the DSP and Type II tree conservation plan and legend, as applicable, and include a note to identify whether the plan sheet includes or does not include a 1.5 mitigated safety factor line, as determined by the Prince George's County Department of Permitting, Inspections and

Enforcement. A note shall be added if there is no 1.5 mitigated safety factor line on the plan sheet.

- e. Remove the reference to the departure from parking and loading spaces from the plans, and refence the departure application number from the City of Bowie, as applicable.
 - f. Provide two poles with mirrors in two locations opposite the garage buildings in the northwestern area of the site, to provide an oppportunity for motorists to see vehicles backing out of the garage bays, and vice versa.
 - g. Relocate the loading space at the clubhouse to either side of the circulation island in front of that building.
 - h. Provide accent lighting on both sides of the entrance to each multifamily building. The design and style of the light fixtures shall match that proposed on the clubhouse.
 - i. The brick color used on base of the pool equipment building and the base of supporting the pavilion structure shall be the same light brick used on the base of the clubhouse. The plans shall be revised accordingly.
 - j. Provide the total floor area ratio by approval showing conformance to Conceptual Site Plan CSP-02004, as amended.
 - k. Provide a detailed exhibit of the long-term bicycle parking consistent with the 2012 *AASHTO Guide for the Development of Bicycle Facilities* located within each multifamily building.
 - l. A note shall be provided on the plans stating that full cutoff LED lighting will be used throughout the site.
2. Revise the Type II tree conservation plan (TCPII), as follows:
- a. Use the standard symbols and labeling provided in the Environmental Technical Manual in the legend and on the plan set.
 - b. Provide a complete legend of all graphic elements represented on the plan set and place the complete legend on all plans included in the plan set.
 - c. Tree protection signs should be identified as temporary or permanent. Add a detail of a temporary tree protection sign suitable for use during construction to the plan set, and show how the signage is attached to the temporary tree protection fence. Temporary tree protection signs shall be spaced 50 feet apart.

- d. Provide a detail for the installation of permanent tree protection signs after the removal of temporary devices. Add a post-type of permanent tree protection detail to the plan and provide notes for implementation. Permanent tree protection signage should be spaced 50 feet apart.
 - e. Add a graphic for the 1.5 safety factor line to the legend.
 - f. Add the prior approval dates and signatures in typeface to the approval block.
 - g. Add the standard non-native invasive species management notes to the detail sheet.
 - h. Add all current and applicable standard Type 2 tree conservation notes to the plan, as found in the Environmental Technical Manual.
 - i. Label all stormwater management (SWM) features on the site by type and identifier on the final technical SWM plan.
 - j. Where retaining walls are proposed, woodland conservation shall be set back a minimum of 10 feet from the top and bottom of the walls to allow for a work and maintenance zone.
 - k. Provide all metes and bounds on property lines that are external to the development.
 - l. Revise the TCPII to be consistent with the limits of disturbance approved with Detailed Site Plan DSP-19023-01 to protect the regulated environmental features of the site.
 - m. Revise the TCPII as necessary to address all other conditions of approval.
 - n. Adjust and reconcile all worksheet and tables to reflect any revisions to the TCPII.
 - o. Have the revised plan signed and dated by the qualified professional that prepared the plan.
3. Prior to submission of a final record plat, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to recordation.
 4. Prior to approval of any building permit, the applicant, and the applicant's heirs, successors, and/or assignees shall:

- a. Provide a noise certification prepared by a professional engineer, with competency in acoustical analysis, stating that the interior noise levels have been reduced to 45 dBA Ldn or less through the proposed building materials, for the portions of the residential buildings within the unmitigated 65 dBA Ldn or higher noise impact area.
 - b. Submit to the Development Review Division (DRD) of the Prince George's County Planning Department a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities, in an amount to be determined by DRD.
5. Prior to issuance of the final certificate of occupancy of the third multifamily building, the applicant shall demonstrate that all on-site interior and exterior recreational facilities on Parcel 1 have been fully constructed and are operational.

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, June 24, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of July 2021.

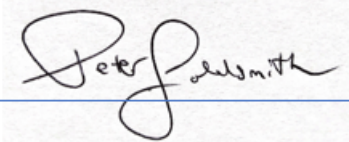
Elizabeth M. Hewlett
Chairman

Jessica Jones

By Jessica Jones
Planning Board Administrator

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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, reading "Peter Paul Smith", is written over a light blue horizontal line. The signature is cursive and includes a large initial "P".

M-NCPPC Legal Department
Date: June 29, 2021