

November 22, 2022

A Determined Seed, LLC
13308 Big Cedar Lane
Bowie, MD 20720



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-19071
The Promise
Expedited Transit-Oriented Development Project

Dear Applicant:

This is to advise you that, on **November 17, 2022**, 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 27-3416 of the Prince George's County Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice **November 22, 2022** 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 27-3301(c) of the Zoning Ordinance), 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: 
Reviewer

Attachment: PGCPB Resolution No. **2022-118**

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



14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2022-118

File No. DSP-19071

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, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Neighborhood Activity Center (NAC) Zone; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, certain development applications, for a project with an existing approval under the prior Zoning Ordinance or Subdivision Regulations, may be reviewed and approved under the prior Zoning Ordinance; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on November 17, 2022, regarding Detailed Site Plan DSP-19071 for The Promise, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) application is for approval of a mixed-use development containing 481 multifamily residential units, 504 units for the elderly or physically handicapped, and 37,810 square feet of commercial space. The applicant is proposing to phase the indoor and courtyard recreational facilities.

The companion Departure from Design Standards, DDS-685, was also approved by the Planning Board (PGCPB Resolution No. 2022-119), to Section 27-558(a) of the prior Prince George's County Zoning Ordinance, for a reduction in the size of standard parking spaces to 9 feet by 18 feet for both structured and surface parking spaces; to allow loading spaces to be located 36 feet and 42 feet from residential uses; and to allow a reduction in the number of street trees from 162 required shade trees to 17 shade trees provided along a private road, in accordance with Section 4.10 of the 2010 Prince George's County Landscape Manual.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	NAC	NAC (Prior M-X-T/D-D-O)
Use(s)	Vacant	Multifamily and Commercial
Gross and Net Acreage	15.10	15.10
Gross Floor Area (sq. ft.)	0	1,278,170 sq. ft.
Of which commercial/retail	-	37,810 sq. ft
Parking Garage	-	284,613 sq. ft *
Floor Area Ratio (FAR)	0	1.495

Note: *The parking garage area was not tabulated on the DSP. A condition has been provided herein to include a column in the Development Use Summary for building area devoted to vehicular parking and parking access.

Parking and Loading Data

Parking Requirements*	PROVIDED
Surface parking spaces	78
On-street parallel parking spaces	31
Garage parking spaces	751
Total Parking Spaces	860

Note: *Pursuant to Part 11, Parking and Loading, Section 27-568 of the prior Zoning Ordinance, the number of parking spaces required for the residential units and commercial uses in the Mixed Use-Transportation Oriented (M-X-T) Zone is to be calculated by the applicant and submitted to the Prince George's County Planning Board for approval, at the time of DSP, as stated in Section 27-574 of the prior Zoning Ordinance. As discussed in Finding 8g, the Planning Board finds that the provided parking is sufficient for the proposed development.

Loading Spaces	Requirement	Required	Proposed
Multifamily dwelling	1 per 100 to 300 residential units	3	3
Apartment housing for the elderly or physically handicapped	1 per 100 to 300 residential units	4	4
Grocery	1 per 2,000 to 10,000 square feet	1	1
Retail	1 per 2,000 to 10,000 square feet	2	2
Total Loading Spaces		10	10

3. **Location:** The subject property is located on the south side of Southern Avenue, 2,100 feet north of its intersection with Wheeler Road, in Planning Area 76A and Council District 7, in Temple Hills. The site is also within the prior Development District Overlay (D-D-O) Zone designated by the 2014 *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (Southern Green Line Station Area Sector Plan and SMA), as adopted in Prince George's County Council Resolution CR-10-2014.
4. **Surrounding Uses:** The subject site is bounded on the north by a wooded buffer to the Southern Avenue Metro Station, in the Neighborhood Activity Center (NAC) Zone; on the east by an undeveloped, former surface mining site in the Residential, Multifamily-20 (RMF-20) Zone; to the south by a multifamily community in the RMF-20 Zone; and to the west by Southern Avenue, with an institutional use in the District of Columbia beyond.
5. **Previous Approvals:** The 15.10-acre property, known as Lot 1, Byrne Manor, is recorded in the Prince George's County Land Records in Plat Book WWW 50, page 57. The property is currently vacant and partially wooded but was formerly developed with a commercial use.

The Southern Green Line Station Area Sector Plan and SMA retained the underlying prior M-X-T Zone for the property, but also established a D-D-O Zone over the entire sector plan boundary. The sector plan focuses on subareas surrounding the four Metrorail stations within the plan area, with design concepts, standards, and guidelines to ensure transit- and pedestrian-oriented redevelopment in the urban form. However, the Southern Avenue station area does not contain any specific standards.

Preliminary Plan of Subdivision (PPS) 4-19052 was approved by the Planning Board on November 18, 2021 (PGCPB Resolution No. 2021-141), for nine parcels.

6. **Design Features:** The applicant proposes to develop this site with 985 residential units, including 481 multifamily units and 504 units for the elderly or physically handicapped. The site is also proposed to contain 18,946 square feet of grocery store, 9,411 square feet of retail space, and a 9,453-square-foot, 150-student daycare center. Both indoor and outdoor amenities will be provided, allowing residents and guests access to public and private social areas, outdoor benches and plazas, rooftop gathering, indoor fitness centers, playgrounds, and a Capital Bikeshare station.

Site Layout

This proposal is designed with a main avenue that will extend from the narrow street frontage along Southern Avenue to the southeast side of the property. This main avenue will bisect the irregularly shaped property into two sides and will be lined with a variety of mixed-use buildings, plazas, park-like open spaces, sidewalks, and landscaping for an active, pedestrian-centric streetscape. Most of the parking will be within structured garages, which will be fully concealed within the residential and retail façades. A limited area of surface parking (78 spaces) will be provided for a portion of the retail uses and limited on-street parallel parking (31 spaces) will be provided throughout the site.

Architecture

The residential buildings will be five stories on top of two garage levels, with façades containing a combination of brick, stone, cementitious siding, cementitious panels, metal, glass, and wood accent materials. The elevations show curated elements such as larger windows and more prominent massing on the front corners, to emphasize the entrance into the community. A mix of inset and projecting balconies with metal railings are shown throughout the buildings to provide private outdoor space for the residents.

The main entrances to the residential buildings will be centrally located along the long façade of each building facing the main promenade. Cable-hung steel canopies with a channel-letter sign offering the building address across the top of each canopy and a projecting building section with wall sconces on either side of the entryways emphasize the prominence of the main building entrances. A building name will be provided on a painted metal backer plate above the second story windows, over the entrance canopy. Each building will include rooftop amenities and a courtyard with planting beds and an area for multi-use recreation. The parking garage and loading entries will be understated, located away from the central focus of the building, yet visible with signage identifying the garage entrance. The garage and loading entrances are proposed in beige to match the brick siding material, and will have high speed, overhead, coiling doors.

The retail units and daycare center will be incorporated into the residential building design, with the facades articulated by an abundance of storefront fenestration and a natural, grey stone veneer. Sufficient space is provided on the sidewalks in front of the retail units for the placement of bistro tables or other seating opportunities.

Green Building and Sustainable Site Development Techniques

The project will be designed using the principles of Passive House to manage moisture, thermal transfer, air, and sunlight to create comfortable, healthy, and superefficient buildings. The building envelope will be designed with continuous insulation, thermal bridge-free design, airtight construction, high-performance windows and doors, and filtered fresh air with heat recovery. The residential units will be designed with energy-efficient heating, ventilating, and air conditioning (HVAC) units with programmable thermostats. Each building has been designed to maximize daylighting to as many units as possible. In addition, a heat island effect will be minimized with the use of a highly reflective cool roofing system to reflect sunlight heat including ultraviolet rays and solar heat. Cool roofs are white or light-colored roofs that have reflective properties.

Wherever possible, sustainable and recycled products will be used in the construction of the project. Prefabrication and modular construction are planned to be used. This will allow the structure to be built within a controlled environment. The materials needed are accurately measured in advance, resulting in less waste and more efficient structures.

Indoor air quality will be significantly improved through the use of low-emitting materials such as adhesives and sealants, paints and coatings, carpet systems, composite wood, and Agri fiber products, reducing the release of pollutants into the indoor environment.

High-efficiency lighting with controllability will be used throughout the project. Energy Star rated high-efficient residential appliances and fixtures, and water-efficient plumbing fixtures will be used to reduce the use of water and energy.

The roofs and infrastructure of the buildings will be designed to accommodate future photovoltaic panels to produce electricity directly from sunlight.

Signage

The applicant is proposing several signs for the multiple buildings and multiple retail uses.

Parcel 1

At the main entrance, the building located on Parcel 1 will have a blade sign with the community's name on the residential portion of the building, a building mounted sign displaying the community's name, the grocery tenant, and the other property tenants, and two additional grocery identification signs. The blade sign will be two-sided, 55 feet tall, vertically mounted, and extending approximately 4 feet from the face of the western building façade on Southern Avenue. This two-sided sign will be an internally illuminated, painted metal cabinet with push-through illuminated text.

The building mounted signage will be located on the front façade facing Southern Avenue, and at each of the customer entrances to the grocery store. A wall mounted, grocery store sign will face Southern Avenue, directly mounted to the brick façade, and be internally illuminated. The building mounted sign, displaying the community graphic and the tenant names, will be placed on the west side facing Southern Avenue, and wrapping the northwest corner to display the same information facing north. These signs will be affixed to a backlit translucent glass wall, capped with a painted metal panel. The signs will be internally illuminated on a painted metal sign box with push through illuminated text. The sign at the north customer entrance will be similar to the front façade sign, displaying the grocery store name, but at a smaller scale, and the sign at the east side customer entrance will be much smaller with eight-inch lettering on a painted metal backer plate.

Parcel 2

On the northwest corner of the building on Parcel 2, retail signage will be located over the customer entrances on each side of the northwest corner of the building, where it extends out from the residential towers above.

Parcels 3–5

The residential towers will all have address signage over the doorways, with 8-inch lettering on a painted metal backer plate and similar directional signs at the entrances to the garages.

Parcel 6

On the front façade of Parcel 6, facing Southern Avenue (although mostly obscured by off-site woodland), four retail signs are proposed above each retail entrance. These signs will have lettering directly mounted to the stone façade and internally illuminated. The lettering size and design is to be determined by the specific tenants. On the south side of Parcel 6, facing the private

road, the day care center sign will be located above the entrance and will be 14-inch, internally illuminated channel letters.

The signage schedule provided with this application shows a total of 1,989 square feet of total sign area among the six proposed parcels for the community. Sections 27-613(f)(1) and 27-614(e)(1) of the prior 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 finds that the proposed signage meets the requirements and approves the proposed signage.

Exterior Lighting Fixtures

A full site photometric plan illustrating minimum lights levels provided by the fixtures was submitted with this DSP. The primary light fixture for the site is a light emitting diode (LED) light on a 20-foot-high pole. This lighting fixture is located throughout the project and is intended to illuminate the parking, drive aisles, entrances, and sidewalks. All lighting fixtures are full cut-off type. Specialty night lighting is intended to highlight the most attractive portions of the façade of the proposed buildings.

Recreational Facilities

At the time of PPS 4-19052, it was determined that the mandatory parkland dedication of 15 percent of the net residential lot area could be required to be dedicated to the Maryland-National Capital Park and Planning Commission for public parks, which equates to 2.13 acres, but that this would be met through on-site private recreational facilities.

The recreational amenities for this site are proposed as a combination of indoor and outdoor facilities. The site will have a Capital Bikeshare station with docking for 11 e-bikes. In addition, there will be indoor and outdoor bike racks for each building, totaling 183 and 83 spaces, respectively. An approximately 7,000-square-foot playground with an open-access play sculpture, café chairs and tables, benches, decorative boulders, and a wooden arch with a wooden bridge are proposed in the center of the community. The plans show the multipurpose recreational courtyard for Building 4 will be 12,000 square feet and include a log play sculpture, with café tables and chairs, benches, and will be surrounded by a planting bed and planting wall. The other buildings will also have multiuse courtyards totaling 35,000 square feet, and rooftop facilities; however, since the applicant is requesting to phase the indoor and courtyard recreational facilities for each building, the specific amenities for residential buildings other than Building 4 have not been detailed on the plans provided. At this time, only the indoor and courtyard recreational facilities for Building 4 are being proposed for approval. A condition is included herein, requiring that the approval of an amended DSP application(s) will be necessary prior to approval of any permits for the other residential buildings on this DSP. The size and scope of facilities proposed in Building 4

will be used as a guide in reviewing and approving the facilities in the other buildings. As conditioned with the PPS, prior to submission of a final plat, a recreational facilities agreement (RFA) must be submitted for approval, which can reference the DSP, as amended, as showing the approved facilities. In addition, prior to issuance of individual building permits, bonding will be required for the recreational facilities deemed necessary to meet adequacy requirements on the DSP for that building. The applicant may choose, with subsequent DSP amendments, to provide additional facilities above the adequacy requirements, which would not be required to be subject to the RFA or bonding requirements.

The dog park will be an enclosed area located on the eastern side of the property, adjacent to Building 5B. The dog park will be approximately 2,500 square feet, set on pavers and artificial turf, and will include a watering station, benches, and canine agility furnishings.

The picnic pavilion will be located on the northeast corner of the development site, utilizing an existing approximately 1,000-square-foot building foundation. The picnic area will have a wood pergola and picnic tables with benches and accessed via a short trail extending from the sidewalk on the east side of Building 5. Although the DSP shows a plan view of the pavilion, elevations were not provided. A condition is included herein to provide elevations of the proposed picnic pavilion on the existing foundation platform.

Plaza and patio areas will be located adjacent to the commercial and daycare uses and contain open areas with benches and/or tables. Stone benches are shown throughout the site along the internal sidewalks; however, the Planning Board finds that benches be placed nearer to the entrances to the buildings throughout the site.

Each residential building will include a fitness center ranging from 650 square feet to 900 square feet. However, this DSP application is only requesting approval of the outdoor recreational facilities, and the indoor and courtyard recreational facilities for Building 4.

In addition to the on-site recreational facilities, at the time of PPS, the applicant proffered to provide 265 linear feet of closure to sidewalk gaps along the north side of Wheeler Road, and upgrade 36 area streetlights with LED bulbs.

7. **2014 Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment and D-D-O Zone Standards:** The Southern Green Line Station Area Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and superimposes a development overlay zone on the area within a half-mile of the Southern Avenue Metro Station, with the intent that the D-D-O Zone design standards advance the County and sector plan's vision of Southern Avenue as a priority area for transit-oriented development.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the D-D-O Zone, the M-X-T Zone, and expedited transit-oriented development (ETOD) projects in the prior Zoning Ordinance.

- a. Section 27-548.25(b) of the prior Zoning Ordinance requires that the Planning Board shall find that the site plan meets applicable development district standards in order to approve a DSP.
- b. In accordance with Section 27-546(d) of the prior Zoning Ordinance, in addition to the findings required to approve a DSP, the Planning Board shall make the following findings for projects 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 follows:

(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 DSP proposes to develop a site within one-half mile of the Southern Avenue Metro Station, with a mix of residential and retail uses, including a grocery store. The property is in a regional transit center, as stated in the Prince George's County Growth Policy Map of the 2014 *Plan Prince George's 2035 Approved General Plan*. The vision for the regional transit center is to promote the County's planned growth and mixed-use development around the Southern Avenue Metro Station area.

(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 is located within the transit-oriented development half-mile walk circle, as shown on the sector plan. The sector plan recommends a mix of moderate and high-density development within walking distance of the transit station to increase transit ridership, with generally the most intense density and highest building heights in closest proximity to the transit station. The proposed development is one of the envisioned components by the plan.

- (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 proposed development plan takes full advantage of the development potential and mix of uses including residential, retail, and grocery uses in the M-X-T Zone, as envisioned by the Southern Green Line Station Area Sector Plan and SMA.

- (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 overall subject site is located within a half-mile of the Southern Avenue Metro Station. This location is so well served by public transportation and a complete pedestrian network that a person will not need an automobile to access the metro. The proposed site layout further facilitates walking, bicycle, and transit use, and includes a Capital Bikeshare station on the premises.

- (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;**

The proximity of the site to the Southern Avenue Metro Station, the mix of uses proposed on-site, and the surrounding area will contribute to enhancing a dynamic 24-hour environment.

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

This development consists of a mix of horizontal and vertical uses which will integrate the retail and residential uses to serve the future residents and patrons of this site.

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

The structures and façades proposed with this development will be varied and distinctive, providing residents and guests with visual interest and variety from the streetscape. The residential and retail uses will

contribute to a dynamic functional relationship and a distinctive visual identity for the area including the subject site.

- (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 project will incorporate water-efficient landscaping and innovative wastewater technologies. The project is also using several bioretention areas to control, clean and contain stormwater runoff on the site so that the runoff is not released into the existing sewer system. A heat island effect will be minimized with the use of structured parking garages to decrease the need for surface parking and increase the amount of pervious site area available for site amenities and landscaping.

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

The subject application is proposing residential housing for the elderly or physically handicapped, a daycare center, a mix of retail uses, and a grocery store. This pattern of development represents the goals of the M-X-T Zone, by bringing the mix of uses to a single site with spaces suitable for adapting to market changes.

- (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 (CB-84-1990; CB-47-1996; CB-78-2006).**

The proposed development includes architectural elevations that have been reviewed by the Urban Design Section and are acceptable.

- (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 site was retained in the M-X-T and D-D-O Zones by the Southern Green Line Station Area Sector Plan and SMA.

- (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 buildings on the site are oriented toward Southern Avenue with a variety of façade heights and architectural treatments, and a mix of ornamental trees, shrubs, and herbaceous plantings along the frontage. The side elevations will be proportionally divided into visually smaller forms and will be adjacent to four story, garden-style multifamily units to the south, and the Southern Avenue Metro Station to the north. The visual appeal and variety of on-site open spaces, plazas, and retail will integrate with and catalyze adjacent community improvements and rejuvenation.

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

The existing and proposed development along Southern Avenue in this area is primarily low- to medium-density commercial, and medium-density residential uses, consistent with the proposed development.

- (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 mix of uses will provide the residents and visitors to the site with a variety of retail, daycare, grocery, and outdoor spaces. These, coupled with the proximity to the Southern Avenue Metro Station, a bus stop near the entrance on Southern Avenue, and a Capital Bikeshare station will provide an independent environment, with reasonable access to area amenities.

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

The DSP is a single-phase development.

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

The network of sidewalks along each side of the internal roads provides easy access throughout the site from the residential units to the site amenities and retail uses. The sidewalks also connect with an existing sidewalk network on Southern Avenue for access to the bus stop, the Southern Avenue Metro Station, and other area communities and resources.

- (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 proposed buildings present a mix of materials and front elevations scaled back with lower building elevations along the streetscape, and the higher elevations set back for a more human scale experience at the ground level with the variety of seating, plazas, and green space throughout the site.

- (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.**

The subject application is a DSP, and no conceptual site plan (CSP) is required per the ETOD process. 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.**

PPS 4-19052 was approved by the Planning Board on November 18, 2021, when a finding of adequacy was made.

- (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 subject site contains a total of 15.10 acres. Therefore, this requirement does not apply.

- c. The DSP application is also in conformance with additional regulations of the M-X-T Zone as follows:

Section 27-547. Uses permitted.

- (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

Section 27-290.01(a)(1) of the prior Zoning Ordinance provides that ETOD projects located in a mixed-use zone, where a site plan approval is required, shall be exempt from applicable site plan requirements other than a DSP. Therefore, this site was not subject to the review of a CSP. The uses proposed with this application are for (1) retail businesses and (3) dwellings, satisfying the requirement of Section 27-547 of the prior Zoning Ordinance.

Section 27-544. Regulations.

- (a) **Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The plan has been reviewed in accordance with the above applicable provisions of the prior Zoning Ordinance.

Section 27-548. M-X-T Zone.

(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 D-D-O Zone standards of the sector plan do not amend this FAR requirement for the Southern Avenue subarea. The DSP proposes a 1.495 FAR, which is consistent with the optional method of development requirements in the M-X-T Zone. The optional incentives for this application include residential uses and outdoor plazas. The FAR has not been provided on the plan. A condition has been provided herein to clearly indicate the FAR on the DSP.

(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 development consists of multiple buildings on multiple lots. The DSP satisfies this requirement.

(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 a layout for the development of this project consisting of multiple buildings with dimensions provided.

(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. Finding 11 below provides a detailed discussion of the landscaping proposed.

(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.

As discussed previously, this site was not subject to approval of a CSP; however, the applicant has applied the floor area ratio in accordance with this provision. The floor area ratios appear to exclude areas devoted to parking. However, the Development Use Summary on the DSP is not clear. A condition is provided herein to include a column for building area devoted to vehicular parking and parking access.

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

All buildings will be located outside of the 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 site has very limited frontage on the public right-of-way, Southern Avenue. One lot/building has frontage on Southern Avenue, with the remaining having frontage on private rights-of-way within the site.

- d. In accordance with Section 27-107.01(a)(242.2)(B) of the prior Zoning Ordinance, this DSP is an eligible ETOD project, as follows:

(242.2) Transit Oriented Development Project, Expedited: A development proposal, designated for expedited review in accordance with Section 27-290.01 of this Subtitle, where

- (B) for a constructed Washington Metropolitan Area Transit Authority (“WMATA”) Metrorail station for which there is no approved TDOZ, the subject property has greater than fifty percent (50%) of its net lot area located within a one-half mile radius of the constructed WMATA Metrorail station as measured from the center of the transit station platform**

The subject site is located completely within a one-half mile radius of the Southern Avenue Metro Station platform. Section 27-290.01 of the prior Zoning Ordinance sets out the requirements for reviewing ETOD projects, including submittal requirements, use restrictions, review procedures, the roles of the Prince George’s County District Council and Planning Board, and the time limit for both Planning Board and District Council actions, as stated below:

(b) As a condition of site plan approval, an Expedited Transit-Oriented Development Site Plan shall:

(1) use the best urban design practices and standards, including:

- (A) Encouraging a mix of moderate and high-density development within walking distance of a transit station to increase transit ridership, with generally the most intense density and highest building heights in closest proximity to the transit station and gradual transition to the adjacent areas;**

This site is located within one-half mile of the Southern Avenue Metro station. The proposed development is considered a high-density development surrounded by various other uses.

- (B) Reducing auto dependency and roadway congestion by:**

- (i) locating multiple destinations and trip purposes within walking distance of one another;**
- (ii) creating a high quality, active streetscape to encourage walking and transit use;**
- (iii) minimizing on-site and surface parking; and**
- (iv) providing facilities to encourage alternative transportation options to single-occupancy vehicles, like walking, bicycling, or public transportation use;**

This site is located within one-half mile of the Southern Avenue Metrorail station and has a public bus stop along its frontage. The proposal is minimizing parking to the extent practical, is providing a Capital Bikeshare station on-site, and is designed for a pedestrian focused lifestyle.

(C) Minimizing building setbacks from the street;

The site has very limited frontage on Southern Avenue. However, given this constraint, the applicant is developing the site with minimal setbacks to Southern Avenue and to the main roads within the community for an active, urban experience.

(D) Utilizing pedestrian scale blocks and street grids;

The site is limited in area, but the proposal provides a main avenue through the center of the site, with variation and visual interest for a pedestrian scale experience.

(E) Creating pedestrian-friendly public spaces; and

Plazas, patios, and recreation areas have been provided throughout the site, accessed by sidewalks on both sides of the internal roads.

(F) Considering the design standards of Section 27A-209.

Although Subtitle 27A was technically repealed by Prince George's County Council Bill CB-77-2021, the former subtitle is a pertinent reference regarding design standards in an ETOD development. Section 27-209 of the prior Zoning Ordinance contains general design principles of urban centers, as stated below:

- (a) Building Façades should be aligned and close to the Street. Buildings form the space of the Street.**
- (b) The Street is a coherent space, with consistent building forms on both sides. Buildings facing across the Street-Space contribute to a clear public space and Street-Space identity.**
- (c) Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit, and auto facilities are essential elements of the Urban Centers and Corridor Nodes.**

- (d) Consideration of the natural environment is paramount in the Urban Centers and Corridor Nodes. All new development should be designed in accordance with best practices of environmentally-sensitive site design and sustainability. Development within the Urban Centers and Corridor Nodes shall demonstrate consideration of the natural environment through several means, including the environmental infrastructure Functional Overlay, Regulating Plan, and Permit Site Plan application.**
- (e) Regulated Environmental Features shall be preserved, protected, and restored to a natural state to the fullest extent possible.**
- (f) Buildings oversee the Street-Space with active fronts. This overview of the Street-Space contributes to safe and vital public spaces.**
- (g) In an urban environment, property lines are generally physically defined by buildings, walls, or fences. Land should be clearly public or private—in public view and under surveillance or private and protected from view.**
- (h) Buildings are designed for neighborhoods, towns, and cities. Rather than being simply pushed closer together, buildings should be designed for the urban situation within towns and cities. Views are directed to the Street-Space and interior gardens or courtyards to highlight these key amenities for the community and reinforce visual surveillance and sense of communal ownership of these spaces.**
- (i) Vehicle storage and parking (excluding on-Street parking), garbage and recycling storage, and mechanical equipment are kept away from the Street-Space.**

The DSP is consistent with the applicable design principles of Section 27A-209 of the prior Zoning Ordinance regarding the following: building façades, complete streets, multimodal transportation options, active street fronts, pedestrian-friendly public plaza, well-defined street walls, and attractive streetscapes.

- (2) **provide a mix of uses, unless a mix of uses exists or is approved for development in the adjacent areas,**

The DSP proposes multifamily residential and commercial/retail uses, including a grocery store.

- (3) **not include the following uses, as defined in Section 27A-106 or, if not defined in Section 27A-106, as otherwise defined in this Subtitle (or otherwise, the normal dictionary meaning):**

- (A) **Adult entertainment;**
- (B) **Check cashing business;**
- (C) **Liquor store;**
- (D) **Pawnshop or Pawn Dealer;**
- (E) **Cemetery;**
- (F) **Vehicle and vehicular equipment sales and services (also includes gas station, car wash, towing services, RV mobile home sales, and boat sales);**
- (G) **Wholesale trade, warehouse and distribution, or storage (including self-service storage, mini-storage, and any storage or salvage yards);**
- (H) **Industrial;**
- (I) **Amusement park;**
- (J) **Strip commercial development (in this Section, “Strip commercial development” means commercial development characterized by a low density, linear development pattern usually one lot in depth, organized around a common surface parking lot**

between the building entrance and the street and lacking a defined pedestrian system);

- (K) Sale, rental, or repair of industrial or heavy equipment;**
- (L) Any automobile drive-through or drive-up service;**
- (M) Secondhand business (in this Section, a “Secondhand business” is an establishment whose regular business includes the sale or rental of tangible personal property (excluding motor vehicles) previously used, rented, owned or leased);**
- (N) Nail salon and similar uses designated as North American Industry Classification System (NAICS) No. 812113, except as an ancillary use;**
- (O) Beauty supply and accessories store (in this Section, a “Beauty supply and accessories store” is a cosmetology, beauty, or barbering supply establishment engaged in the sale of related goods and materials wholesale and/or retail.), except as an ancillary use; or**
- (P) Banquet halls, unless accessory to a restaurant, tavern, hotel, or convention center.**

None of the above prohibited uses are included in this DSP.

- (4) comply with the use restrictions of Section 27A-802(c), and**

Section 27A-802(c) provides restrictions on public utility uses or structures within the Urban Center District that also require the overall design of those uses and structures to be harmonious with development in general. This site has very limited frontage, approximately 250 feet, along Southern Avenue. All the public utilities serving this site are already installed within Southern Avenue and this project only needs to connect to the existing utilities.

- (5) be compatible with any site design practices or standards delineated in any Master Plan, Sector Plan or Overlay Zone applicable to the area of development. To the extent there is a conflict between the site design practices or standards of**

subsection (b)(1), above, and those of a Master Plan, Sector Plan or Overlay Zone applicable to the area that is proposed for development under this Section, the site design practices, and standards of the Master Plan, Sector Plan or Overlay Zone shall apply.

This application is generally compatible with the governing Southern Green Line Station Area Sector Plan and SMA; however, there are no standards that apply to this subarea within the sector plan.

- (6) Nothing in this Section shall be interpreted to preclude projects that include the uses described in subsection (b)(3), above, from proceeding without the use of expedited review prescribed in this Section.**

This requirement is not applicable to this DSP because none of the uses listed in (b)(3) are specified in this DSP.

- e. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the prior Zoning Ordinance, as cross-referenced in Section 27-283 of the prior Zoning Ordinance. The site design guidelines address general site and building design including parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture. The specific applicable elements, as set forth in Section 27-274, are addressed below.

The surface and garage parking are located and designed to provide safe and efficient vehicular and pedestrian circulation for the site.

The vehicular and pedestrian circulation routes are designed in accordance with the guidelines to ensure safe, efficient, and convenient traffic flow and access. Parking and loading spaces will be clearly marked and signed and are separated, to the extent possible, from conflicting vehicular circulation. Barrier-free access is provided to the various building entrances.

A photometric plan is included with the DSP and shows that the lighting provided will illuminate important on-site elements such as the parking areas, entrances, and pedestrian pathways.

This development will create an inviting and well scaled main entrance along Southern Avenue and will provide tree canopy coverage (TCC) in accordance with the current regulations.

The green area will be provided on-site in accordance with the Landscape Manual.

The site and streetscape amenities are designed in accordance with these guidelines with on-site lighting fixtures, seating, and plazas coordinated to be attractive.

The site is designed to meet the grading requirements and the proposed SWM is designed to meet or exceed current Prince George's County regulations.

Service and loading areas are located inside the parking garages. These service areas are accessible, but not obtrusive. They will be adequately screened from the public view.

Public spaces and plazas are designed throughout the community. The architectural and landscape site plans show the spaces, and their organization, design, and features. The spaces are well defined by the building massing and facade design. The plazas comprise shade trees, landscaping, furnishings, lighting, and paving scaled to accommodate groups or individuals. Pedestrian pathways are clearly indicated.

The architecture proposed for this site is contemporary and serves the purposes of the intended building typologies. The finish materials are durable and of good quality.

- f. Section 27-574 provides that 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) of the prior Zoning Ordinance.

The applicant submitted a parking analysis detailing the proposal for 860 on-site parking spaces for all the proposed uses. The methodology in Section 27-574 requires that parking be computed for each use, in accordance with Section 27-568. Using the parking schedule, the analysis determined that under a conventional review, the uses on this site would require 1,214 parking spaces. The parking analysis then considered the peak parking demand for each use, the provisions of mass transit with public bus service at the frontage on Southern Avenue and Metrorail within a half mile of the site, and the mix of residential, retail, grocery, and daycare services provided on the site, and concluded that an overall parking requirement of 827 parking spaces would be sufficient.

In consideration of the information provided in the applicant's parking study, the Planning Board agrees that the site plan provides adequate parking for the proposed uses, in accordance with Section 27-574.

9. **Preliminary Plan of Subdivision (PPS) 4-19052:** On November 18, 2021, the Planning Board approved PPS 4-19052 (PGCPB Resolution No. 2021-141) for this property, with 18 conditions. The following conditions are relevant to this DSP application:

2. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.**

This DSP is proposing development consistent with the approved PPS.

- 3. Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 36900-2020-00, and any subsequent revisions.**

The approved SWM concept plan and letter were submitted with the subject DSP. The concept plan shows only one outfall structure to the northeast of the facility that outlets into an ephemeral stream channel that drains into the on-site stream system. No SWM fee for on-site attenuation/quality control measures is required.

- 6. Total development within the subject property shall be limited to uses which generate no more than 492 AM peak-hour trips and 523 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require approval of a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The uses and total gross floor area proposed in this application are within the development anticipated per PPS 4-19052. The applicant has submitted a trip generation memo as part of the DSP submission. The trip generation memo indicates that the approved trip cap established in the PPS considers the development of 1,032 dwelling units, an 18,500-square-foot grocery store, 10,275 square feet of retail use, and a 10,894-square-foot day care center. The number of dwelling units and overall density for the retail use approved with the PPS are slightly higher than the overall amount proposed with the subject DSP, but the square footage of the grocery store approved with the PPS is slightly lower than the amount proposed with the DSP. The trip generation study considers the construction of a proposed mixed-use development, as previously described above, that consists of a combination of residential units, a grocery store, general retail uses, and day care uses resulting in the generation of 384 AM peak period trips and 482 PM peak period trips. While the subject DSP differs slightly from the approved PPS, the trips associated with this proposal are within the peak-hour trip cap approved in PPS 4-19052. However, staff has identified inconsistencies in the latest DSP submission which misallocates the number of overall proposed dwelling units. Specifically, the density provided in the general notes section is not consistent with the rest of the plan sheets, and staff has confirmed with the applicant that the calculation was provided in error. As a condition of approval, the Planning Board requires that the general note sheet is updated to reflect 481 multifamily residential units and 504 senior living housing units, which results in a total of 985 residential units.

- 11. Prior to acceptance of a detailed site plan, the package shall contain an arborist's evaluation, prepared in accordance with Part B, Section 5.2.3C of the Environmental Technical Manual, for all specimen trees whose critical root zones cannot be wholly preserved. Every effort shall be made to preserve the specimen trees not approved for removal with the preliminary plan of subdivision.**

This condition was met with the DSP submission and the arborist evaluation provided the professional determination about the status of the specimen trees with proposed impacted root zone.

- 13. The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicyclist adequacy improvements approved with Preliminary Plan of Subdivision 4-19052, consistent with Section 24-124.01(f) of the Prince George’s County Subdivision Regulations as part of any Detailed Site Plan submission.**

The applicant has provided a bicycle and pedestrian facilities plan on sheets 1D–1E of the DSP, which includes locations, limits, specifications, and details of bicycle and pedestrian facilities.

- 14. Prior to acceptance of any detailed site plan, the applicant and the applicant’s heirs, successors, and/or assignees shall provide plans that illustrate the location, limits, specifications, and details displaying the following facilities, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence:**
- a. Standard sidewalks along both sides of all new roads.**
 - b. Crosswalks at all locations where sidewalks intersect with roads.**
 - c. Bicycle parking throughout the development.**

The applicant’s submission accurately displays crosswalks at all locations where sidewalk facilities intersect with roadways. In addition, bicycle parking has been provided throughout the proposed development at locations that the Planning Board finds suitable. However, the applicant indicates that the facility labeled as “Fire Access Road A” is designed to provide general circulation throughout the development, and therefore, should be labeled as a private road and brought up to the standards of a private road, which requires sidewalks on both sides of the road. As a condition of approval, the Planning Board requires that the applicant update the DSP to bring the facility labeled as “Fire Access Road A” to private road standards and include sidewalks along both sides of the facility, consistent with Condition 14, prior to certification of the DSP.

- 15. In accordance with Section 24-135(b) of the Prince George’s County Subdivision Regulations, the applicant and the applicant’s heirs, successors, and/or assignees shall provide adequate on-site indoor and outdoor recreational facilities.**

On-site recreational facilities proposed by the applicant include a fitness center for each multifamily building, courtyards for each multifamily building, two play sculptures, a dog park, plazas, and a picnic pavilion. The Planning Board finds that these facilities are adequate.

- 16. At the time of detailed site plan review, the on-site indoor and outdoor recreational facilities shall be reviewed by the Urban Design Section of the Prince George’s County Planning Department, Development Review Division for adequacy and proper siting, in accordance with the Park and Recreation Facilities Guidelines and the 2014 Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment.**

The applicant has proposed on-site recreational facilities with this DSP, which include fitness centers and courtyards for each multifamily building, two play sculptures, a dog park, plazas, a picnic pavilion, and benches throughout the community. The applicant has provided a recreational facilities calculation table on the cover sheet of the DSP with associated costs and construction triggers for these facilities; however, not all of the recreational facilities are included in the table. The dog park, plazas, open-access play sculpture, and picnic pavilion are missing from the table and the table only lists one fitness center, at 600 square feet, while the applicant has proposed 6 (one for each multifamily building) fitness centers ranging from 650 square feet to 900 square feet. The applicant has listed the trigger for construction as prior to record plat. However, these triggers on the chart should be revised to include the triggers relative to actual building construction or number of dwelling units.

- 10. 2010 Prince George’s County Landscape Manual:** Per Section 27-544(a) of the prior Zoning Ordinance, landscaping, screening, and buffering for property zoned M-X-T are subject to the provisions of the Landscape Manual. Specifically, this application is subject to the requirements of Section 4.1, Residential Requirements; Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets. The required plantings and schedules are provided, in conformance with the Landscape Manual and are acceptable, except for Section 4.2.

Alternative compliance is approved from the requirements of the Landscape Manual, specifically from Section 4.2, Requirements for Landscape Strips Along Streets, for the site’s Southern Avenue frontages; and from Section 4.10, Street Trees Along Private Streets, for the private streets in the development.

Section 4.2-1, Requirements for Landscape Strips Along Streets

REQUIRED: Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, along Southern Avenue

Length of Landscape Strip	150 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	5
Shrubs	43

PROVIDED: Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, along Southern Avenue

Length of Landscape Strip	150 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	0
Ornamental/Evergreen Trees	5
Shrubs	58

The applicant requested alternative compliance from Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, which requires a landscape strip be provided for the entire 150 feet of the property’s frontage along Southern Avenue.

The applicant is proposing to use Option 1 to satisfy the requirements of Section 4.2 of the Landscape Manual, which requires a 10-foot landscape strip, planted with 1 shade tree and 10 shrubs per 35 feet of linear frontage. The applicant is proposing a varied width landscape strip that is a minimum of 12.6 feet, and a maximum of 21.5 feet wide. The landscape yard includes a slope that rises approximately six feet to the building and includes additional planting. None of the required shade trees are included in the landscape strip in this area and have been replaced by ornamental flowering trees. The planting strip includes 58 shrubs along the roadway which exceeds the 43 shrubs that are required.

The Planning Board finds that the applicant’s proposed solution meets the requirements of the width of the landscape strip, but is deficient in the required number of shade trees, and does not find the applicant’s proposal equally effective as normal compliance with Section 4.2, Requirements for Landscape Strips Along Streets.

While the Planning Board understands the special constraints created by the building’s placement and the location of the public utility easement along Southern Avenue, the Planning Board requires that a minimum of six columnar evergreens be substituted for the shrubs adjacent to the building and retaining wall. Evergreen trees provide a greater number of planting units than shrubs and the replacement of shrubs with columnar evergreens will increase the total number of planting units. If replaced, the total planting units will be closer to the number of plant units normally required and the columnar habitat of these evergreen trees will provide a vertical accent. A condition is included herein, requiring the applicant to substitute the shrubs with columnar evergreens for approximately 20 of the shrubs adjacent to the building along the Southern Avenue frontage.

REQUIRED: Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, on Private Road A to screen the parking lot

Length of Landscape Strip	155 feet
Width of Landscape Strip	10 feet
Shade Trees (1 per 35 linear feet)	5
Shrubs	44

PROVIDED: 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, on Private Road A to screen the parking lot

Length of Landscape Strip	155 feet
Width of Landscape Strip	7 feet
Shade Trees (1 per 35 linear feet)	5
Shrubs	52

The applicant requested alternative compliance from Section 4.2(c)(3)(A)(i), Requirements for Landscape Strips Along Streets, which requires a landscape strip be provided for the entire 155 linear feet of frontage of the parking lot on Parcel 6.

The applicant is proposing to use Option 1 to satisfy the requirements of Section 4.2 of the Landscape Manual, which requires a 10-foot-landscape strip, planted with 1 shade tree and 10 shrubs per 35-feet of linear frontage. The applicant is proposing a 7-foot-wide landscape strip for the entire frontage and is meeting the required number of shade trees by proposing five shade trees. The landscape strip is required to provide 44 shrubs and the applicant is providing 52 shrubs. Due to spatial limitations between the proposed right-of-way and curb-line of the proposed parking lot, the proposed buffer area has been reduced by 3 feet. The applicant is providing 8 more plant units than would be required for a total of 102 planting units.

Due to the increase in the number of shrubs and total number of plant units, the Planning Board has determined that the parking lot will be adequately screened and finds that the applicant's proposal is equally effective as normal compliance with Section 4.2, Requirements for Landscape Strips Along Streets.

The application is subject to Section 4.10, Street Trees Along Private Streets, of the Landscape Manual which requires a 5-foot-wide landscape strip between the street curb or edge of paving and the sidewalk, and a minimum number of shade trees per linear feet of roadway. Private Street A has a total of 5,684 linear feet in length. Using this ratio, the applicant would be required to plant 162 street trees. The applicant is proposing to plant 17 shade trees on this roadway rather than the required number of shade trees. Private Street A includes both the central primary roadway for the development and a road located at the rear of the buildings that is proposed as an emergency access road. The primary road includes planting areas and landscaping, however the emergency access roads do not.

Section 4.10, Street Trees Along Private Streets

REQUIRED: Section 4.10(c)(1), Street Trees Along Private Streets, along Private Street A

Length of Landscape Strip	5,684 linear feet*
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	162 (Total)

PROVIDED: Section 4.10(c)(1), Street Trees Along Private Streets, along Private Street A

Length of Landscape Strip	5,684 linear feet*
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	17 (Total)

Note: *A portion of this Private Road A includes the emergency access road and the applicant does not propose any landscape treatment on this roadway.

The applicant requested alternative compliance from Section 4.10, Street Trees Along Private Streets, of the Landscape Manual, along Private Road A on the subject property. On the central primary road of the development, landscape treatment is provided along the roadway by including ornamental trees, shrubs, and perennials throughout the development, with specific attention to the green space areas along the private streets. However, this roadway continues behind the buildings on site and no landscaping is provided in these areas, because this portion of Private Road A is intended to provide emergency access only. Therefore, the applicant's proposal does not meet the required number of shade trees for the private streets on site. The applicant states that strict conformance to the requirements of the Landscape Manual cannot be met due to limited space within the private right-of-way for the placement of necessary site utilities, SWM devices, and the number of required street trees.

While the Planning Board understands that the limitations of the site hinder the ability to meet the requirements of Section 4.10, the Board finds that the applicant's proposal is not equally effective as normal compliance in fulfilling the intent and purposes of Section 4.10, which has the intent and purpose to define the private streets, establish human scale, and promote pedestrian activity by fostering a safe, pedestrian-friendly streetscape along private streets. Therefore, it is determined that the proposed alternative design solution fails to meet the approval criteria.

The Planning Board APPROVES Alternative Compliance AC-22002 from the Landscape Manual for Section 4.2, Requirements for Landscape Strips Along Streets, on Private Road A screening the parking lot on Parcel 6, and for the site's Southern Avenue frontage, and DISAPPROVES of Alternative Compliance AC-22002 from the Landscape Manual for Section 4.10, Street Trees on Private Streets, subject to a condition provided herein. The applicant filed DDS-685, which was approved by the Planning Board on November 17, 2022 (PGCPB Resolution No. 2022-119), for a reduction in the Section 4.10 requirements.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 tree conservation plan (TCP2-036-2022) was submitted with the DSP application.

Based on the revised TCP2, the overall 15.10-acre site contains a total of 10.31 acres of net tract woodlands and does not contain floodplain. The plan shows a proposal to clear 7.04 acres of net tract woodland and no off-site woodlands. The resulting woodland conservation requirement is

4.02 acres, which is proposed to be met with 3.14 acres of on-site preservation, 0.12 acre of landscape credit, and 0.76 acre of off-site woodland credits.

Technical revisions are required to the TCP2, which are conditioned herein.

12. **Prince George's County Tree Canopy Coverage Ordinance:** A 10 percent tree canopy coverage (TCC) requirement applies to sites zoned M-X-T, in accordance with the Tree Canopy Coverage Ordinance. The subject site is 15.10 acres in size and the required TCC amounts to approximately 1.51 acres, or approximately 65,732 square feet. The subject application provides a schedule showing that 4.33 acres, or 188,828 square feet has been provided through the proposed on-site tree plantings, in conformance with the TCC.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated October 5, 2022 (Lester to Zhang). In the memorandum, incorporated herein by reference, the Community Planning Division indicated that, pursuant to Section 27-548.25(b), this DSP application meets the pertinent D-D-O Zone standards of the Southern Green Line Station Area Sector Plan and SMA and is keeping with the purposes of the M-X-T Zone.

The Community Planning Division further noted that this site is located within the Southern Avenue Metro Neighborhood Center, and the vision for neighborhood centers is lower density mixed-use development that is primarily residential with neighborhood-serving retail and office uses. The Southern Green Line Station Area Sector Plan and SMA recommends mixed land uses on the subject property.
 - b. **Subdivision Review**—The Planning Board has reviewed and adopts the memorandum dated October 10, 2022 (Heath to Burke). In the memorandum, incorporated herein by reference, the Subdivision Section evaluated the conditions of the PPS. In addition, staff noted that with the 65 dBA Ldn Unmitigated Noise Contour overlapping Parcel 1, a noise study was provided showing four residential units at the northwest elevation of the building at levels 3-6 effected by noise levels above 65 decibels. Noise Mitigation has been proposed to reduce the interior noise levels to 45 decibels or less with 34 Sound Transmission Class windows and doors. Units needing mitigation should be listed in the general notes, prior to certification of the DSP. In addition, both the modeled unmitigated and mitigated noise lines should be depicted on the DSP. Conditions have been provided herein.
 - c. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated October 12, 2022 (Schneider to Burke). In the memorandum, incorporated herein by reference, the Environmental Planning Section provided findings as follows:

Specimen Trees

A Subtitle 25 variance was submitted with PPS 4-20018 to remove six specimen trees (ST-1, ST-2, ST-8, ST-9, ST-16, and ST-23). The PPS approval condition requested that the applicant provide an arborist evaluation of all on- and off-site specimen trees whose critical root zones cannot wholly be preserved with the DSP submission. This evaluation looked at the two off-site trees (ST-7 and ST-10) and determined that these trees can be saved with pre- and post-construction methods.

Stormwater Management

A SWM concept approval letter (36900-2020-00) and associated plan were issued by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on July 23, 2021, and were submitted with this application. The applicant proposes to construct 26 micro-bioretenement facilities, one green roof, and six subsurface filters. The concept plan shows only one outfall structure to the northeast of the facility that outlets into an ephemeral stream channel that drains into the on-site stream system. No SWM fee for on-site attenuation/quality control measures is required.

- d. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated October 24, 2022 (Ryan to Burke). In the memorandum, incorporated herein by reference, the Transportation Planning Section provided a review of the application using the standards of Subtitle 27 of the prior Zoning Ordinance, and a response to preliminary plan conditions.

The applicant submitted an operational analysis dated October 24, 2022, which provides details of the site access points along Southern Avenue, the site layout configuration, and the proportional distribution of trips to each building based on the assigned density and land use. The analysis reported the extent of queuing at each on-site garage access and intersection, which showed nominal queues at these locations that did not exceed the available storage between each facility.

Fire Access Road A is the southern point of access along Southern Avenue. Upon initial receipt of the subject application, staff requested that the applicant clarify the functionality of Fire Access Road A and recommended that if the facility is intended for emergency vehicles only, that the applicant would need to provide signage restricting Fire Access Road A to emergency vehicles only. The applicant's response to comments (Agesen to Burke, October 6, 2022) provided that "Fire Access Road A is not intended to be restricted to emergency vehicles only and is open to private vehicles and delivery trucks." A condition is provided herein, to relabel "Fire Access Road A" to "Alley."

The operational analysis indicated that the site layout used in the study was sufficient to support the nominal queuing at each intersection and garage. As a condition of approval provided herein, the Planning Board requires that the applicant update the DSP to include a plan sheet that displays the distances between each on-site intersection and on-site garage, consistent with the operational analysis.

The truck turning plan provided with this application adequately demonstrates that heavy vehicles and emergency vehicles safely and effectively maneuver through the site.

The DSP includes a rideshare pickup and drop-off location at each residential building, except for Parcel 1. The Planning Board requires that the applicant provide a rideshare pickup and drop-off location at Parcel 1 at a location convenient to the entrance but that will not impede traffic operations along Private Road A and Alley. In addition, the Planning Board requires that the applicant include on-site signage directing drivers to the rideshare pickup and drop-off locations at all residential buildings.

- e. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the email dated October 11, 2022 (Thompson to Burke). In the email, incorporated herein by reference, DPR indicated that pursuant to Conditions 15–16 of PPS 4-19052, the applicant shall provide adequate on-site indoor and outdoor recreational facilities.
- f. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated September 20, 2022 (Stabler to Zhang). In the memorandum, incorporated herein by reference, the Historic Preservation Section stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not recommended.
- g. **Permits**—At the time of the writing of this approval, the Permits Section did not offer official comments on the subject application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this approval, DPIE did not offer official comments on the subject application.
- i. **Prince George's County Health Department**—The Planning Board has reviewed and adopts the memorandum dated September 20, 2022 (Adepoju to Zhang). In the memorandum, incorporated herein by reference, the Health Department offered seven comments on this application.
- j. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board has reviewed and adopts the memorandum dated September 16, 2022 (Madagu to Zhang). In the memorandum, incorporated herein by reference, WSSC provided a marked-up plan and comments on the water and sewer details of this application.

k. **Prince George's County Police Department**—At the time of the writing of this approval, the Police Department did not offer official comments on the subject application.

14. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with the conditions recommended below, will represent 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.

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

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(15).

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 submitted for review. The two primary management area (PMA) impacts for a stormwater pipe installation and a stormwater outfall remain unchanged, as approved under PPS 4-19052. No new PMA impacts are proposed with this DSP.

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 036-2022, partially APPROVED Alternative Compliance AC-22002, and further APPROVED Detailed Site Plan DSP-19071 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 be submitted:
 - a. Provide a column in the Development Use Summary for building area devoted to vehicular parking and parking access
 - b. Provide elevations of the proposed picnic pavilion on the existing foundation platform.
 - c. Provide the details on the wooden arch and bridge, as proposed on the central, open access recreation area.
 - d. Locate benches closer to the residential entrances throughout the site.
 - e. Clearly indicate the floor area ratio on the DSP.

- f. The symbol for signs is provided on the plan; however, the symbol is not defined in the legend. Provide a symbol for the signs and identify the bus stop located to the south of the proposed private road.
- g. Identify the existing sanitary sewer line on Southern Avenue.
- h. Provide a general note addressing how noise attenuation for the interior of dwellings is proposed to be provided.
- i. Depict and label the modeled unmitigated and mitigated noise lines.
- j. The Type 2 tree conservation plan (TCP2) shall be revised as follows:
 - (1) Remove Note 2 under the specimen tree table.
 - (2) Have the revised plan signed and dated by the qualified professional preparing the plan.
 - (3) Documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law and submitted to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ Folio ____.
Revisions to this TCP2 may require a revision to the recorded easement.”
- k. Relabel “Fire Access Road A” to “Alley” and provide traffic calming measures, in accordance with Prince George’s County Department of Public Works and Transportation design standards or any other nationally recognized standards for traffic control devices. The exact design and details shall be evaluated and accepted by the Transportation Planning Section.
- l. Provide a DSP sheet which displays the distances between each on-site intersection, as well as the distance between each on-site garage.
- m. Revise the DSP to include a rideshare pickup and drop-off location at Parcel 1, at a location convenient to the entrance, but that will not impede traffic operations along the on-site private roadways.
- n. Revise the DSP to include on-site signage directing drivers to rideshare pickup and drop-off locations at all residential buildings.

- o. Revise the DSP to modify the limits of the proposed public use easement, to extend behind the proposed bike share station.
 - p. Substitute a minimum of six columnar evergreens for [evergreen shrubs adjacent to the building and retaining wall] approximately 20 of the shrubs adjacent to the building along Southern Avenue.
 - q. Correct General Note 13 to reflect 481 multifamily residential units and 504 senior living housing units, for a total of 985 residential units.
 - r. Correct all references on the DSP to “housing for the elderly or physically handicapped” to be consistent with the provision in the Prince George’s County Code.
2. Prior to approval of building permits that include residential units, other than the building on Parcel 4, the detailed site plan shall be amended by the Planning Director, as designee of the Planning Board, to show all internal and courtyard recreational facilities, to meet adequacy for the relevant building. Such recreational facilities shall be found to be equal to or superior, in terms of size and quality, as those approved for the building on Parcel 4, but proportional to the number of dwelling units in the relevant building.
 3. Prior to certificate of occupancy for each residential building, the indoor and courtyard recreational facilities shall be fully constructed and open for use.
 4. Prior to certificate of occupancy for the building on Parcel 5, the indoor and courtyard recreational facilities, the dog park, the picnic pavilion, and the outdoor central access recreation area shall be fully constructed and open for use.
 5. Prior to approval of the final plat of subdivision, the applicant and the applicant’s heirs, successors, and/or assignees shall record a Public Use Easement Agreement for public use of the bike share facility on the subject property, as provided on the certified detailed site plan. The easement agreement shall be approved by the Maryland-National Capital Park and Planning Commission, recorded in Prince George’s County land records, and the Liber/folio shown on the final plat, prior to recordation.


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 Doerner, with Commissioners Washington, Doerner, and Shapiro voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, November 17, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of November 2022.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:TB:jah

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: November 16, 2022