

September 14, 2021



Stanley Martin Companies, LLC
9475 Lottsford Road, Suite 280
Upper Marlboro, MD 20774

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-18003-01
Landy Property

Dear Applicant:

This is to advise you that, on **September 9, 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: Henry Zhang 9/10/2021
Reviewer

Attachment: PGCPB Resolution No. **2021-104**

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 July 29, 2021, regarding Detailed Site Plan DSP-18003-01 for Landy Property, the Planning Board finds:

1. **Request:** This infrastructure detailed site plan (DSP) proposes to grade and develop infrastructure for 200 single-family attached (townhouse) lots, including the location and design of the roadways, on-street parking, landscaping, utility location, fencing, and sidewalks.
2. **Overall Development Data Summary:**

	(PHASE I)	PHASE II)
Zones	R-20/T-D-O	R-20/T-D-O
Use	Single-family Attached (Townhouses)	Single-family Attached (Townhouses)
Acreage:	24.60	24.60
Gross tract area		
Total Townhouse lots	131	331 (131+200)

PARKING DATA FOR PHASE II

Parking Spaces	Max. Allowed	Provided
Residential (200 @ 2.0 spaces/Unit) *	400	335
Of which one per garage of rear-loaded unit	-	195
One per garage of front-loaded unit	-	5
On-street parallel	-	126
On-street non-parallel		9

NOTE: *In accordance with the TDDP (page 258), the maximum parking for single-family residential uses (in the Neighborhood Edge) should not exceed 2.0 spaces per dwelling unit.

3. **Location:** The larger Landy property is located in the northwest quadrant of the intersection of Belcrest Road and Toledo Terrace, east of Northwest Drive, and south of Dean Drive, within Planning Area 68 and Council District 2. Specifically, the second phase of the Landy Property included in this DSP is located on the east side of Dean Drive and on the south side of Northwest Drive.

4. **Surrounding Uses:** Properties to the east, south, and southwest of the site are zoned Mixed-Use Infill in the Transit District Overlay (T-D-O) Zone, and are developed with surface parking beyond Belcrest Road, with multifamily dwellings beyond Toledo Terrace, and vacant property beyond Northwest Drive. The neighboring property to the north is in the One-Family Detached Residential and Development District Overlay Zones of the Gateway Arts District and is the campus of Northwestern High School. The property to the west, beyond Dean Drive, is zoned One-Family Triple-Attached Residential (R-20) in the T-D-O Zone, and is developed with multifamily dwellings.
5. **Previous Approvals:** The 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (TDDP) retained the subject property in the R-20 Zone and superimposed a T-D-O Zone on top of the subject property. The site has an approved final plat of subdivision for Plaza Towers, Parcel A, recorded in Plat Book 44–63, not subject to any conditions. The Plaza Towers Land Condominium Plat was recorded on April 18, 2006, in the Prince George's County Land Records, at Liber 211 folio 80. The Plaza Towers Land Condominium Plat created four land units. The undeveloped portion of the Land Property is comprised of Land Units 1, 2, and parts of 3. Land Unit 4 contains the existing Plaza Towers East multifamily building, which was constructed in the 1960s and is to remain to the south of the property.

The property has an approved DSP-99048 for the Land Property for construction of 1,283 multifamily dwelling units, that was approved by the Prince George's County Planning Board on July 26, 2001, with 14 conditions, in accordance with PGCPB Resolution No. 01-164. On September 24, 2001, the Prince George's County District Council elected to review DSP-99048, and on November 5, 2001, the District Council ordered DSP-99048 remanded to the Planning Board. On December 20, 2001, the Planning Board conducted an evidentiary hearing regarding DSP-99048, in accordance with the Order of Remand issued by the District Council and reapproved the application with 33 conditions.

A DSP amendment (DSP-99048-01) for Land Property, for construction of 406 multifamily dwelling units, was approved by the District Council on October 26, 2010. A corrected order affirming the Planning Board's decision was issued on February 28, 2011. An additional amendment, DSP-99048-02, was approved on August 22, 2013 by the Planning Director for minor amendments to architecture, landscaping, parking, and engineering. The site was cleared and rough graded under these approvals, but the proposed development was never constructed.

In 2018, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-17007 (PGCPB Resolution No. 18-25) for a larger property including the subject 24.60-acre site for 331 lots and 38 parcels, with 24 conditions.

On October 18, 2018, the Planning Board approved the infrastructure DSP-18003 for the first phase of the development of 131 townhouses, including the location and design of the roadways, one recreational area, on-street parking, landscaping, utility location, fencing and sidewalks,

as well as rough grading for the rest of the subject property. On March 11, 2019, the District Council affirmed the Planning Board's approval of this DSP, with two conditions.

On April 30, 2020, the Planning Board approved an umbrella architecture DSP for three single-family attached (townhouse) models by Stanley Martin Homes, including Jenkins, Hugo, and Louisa, for Landy Property.

The site also has an approved Stormwater Management (SWM) Plan 31834-2017-00, which was approved on March 9, 2021, and is valid through March 9, 2024.

6. **Design Features:** The subject DSP application proposes grading and installation of the infrastructure for the second phase of the Landy Property. This DSP contains 200 townhouse lots, including the location and design of part of the spine roadway, Carnaby Street, connecting Belcrest Road and Dean Drive, the grading and design of all public alleys serving the 200 townhouses, and the grading and installation of additional recreational facilities throughout the site. This DSP also contains the location and design of on-street parking, landscaping, utilities (such as storm drainage, SWM systems, micro-bioretenion pond) perimeter fencing, sidewalks, shared-use trails, and the landscaping of public areas. The proposed townhouse lots are located in the western portion of the site, with frontages on Dean Drive and Northwest Drive. According to the applicant, the streets and alleys will be dedicated to the City of Hyattsville for future ownership, and maintenance and will be constructed in accordance with the adopted Urban Street Standards of the County.

At the time of the original infrastructure DSP-18003 approval, an on-site private recreational facility package was included that is mainly located on the northernmost corner of the site, north of Carnaby Street. The provided recreational facilities represent 95.8 percent of the value of the recreational facility obligation, and will be conveyed to the City of Hyattsville as a public park. With this DSP, the remaining recreational facilities, of 4.2 percent of the package, in a dollar amount of \$15,357.00, will be provided throughout the site, including multiple sets of benches, dog waste stations, and several picnic areas with equipment. (A portion of the remaining recreational facilities will be located in the Phase I of the development). The applicant should finish the installation of recreational facilities that will be provided in Phase I before starting the construction of Phase II. A condition has been included in this resolution.

The subject application does not include architecture or signage. The subject development has a previously approved architecture umbrella DSP-19020 for three townhouse models with numerous elevation options. The second phase of the development will use the approved townhouse models. However, this DSP identifies highly visible lots (as shown on the Highly Visible End Units Exhibit) that need additional architectural treatments on its highly visible end units to match the umbrella approval. Additional highly visible end units, including Lots 236, 237, 244, 263, 277, and 278 that are visible from both Dean Drive and Northwest Drive, as well as those that are visible from the existing multifamily buildings on Parcel 1, including Lots 314, 319, 325, and 331 should be added on the exhibit.

Lighting locations are shown along the proposed public roads and alleys, and a photometric plan was also provided. The TDDP requires a photometric plan, showing the exterior lighting of all buildings, parking areas, driveways, and pedestrian ways, including the heights, number, size, types of fixtures, and method of illumination. This DSP meets this lighting requirement.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment:** The TDDP envisions two distinct, but interconnected neighborhoods that capitalize on the area's transit network, recreational amenities, attractive retail uses, enhanced environmental settings, and historic resources. The subject site is located within the Neighborhood Edge character area, which is a residential area that transitions the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods. The approved larger development, including the subject portion, is consistent with the land use recommendations of the TDDP.

T-D-O Zone standards of the TDDP are divided into five general categories covering streets and frontage, bulk and height, site elements, architectural elements, and parking and loading, as well as two character area specific standards for the Downtown Core and Neighborhood Edge areas. The applicant provides an analysis of the subject infrastructure DSP's conformance with the applicable T-D-O Zone standards. No architecture is included in this DSP, and the scope is limited to public roads and other public facilities. The proposed infrastructure site plan meets all applicable standards, as documented in the applicant's Exhibit A, except for those T-D-O Zone standards that the applicant has requested amendments, in accordance with Section 27-548.08(c)(3) of the Zoning Ordinance, as follows:

- (3) **The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**

In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the Transit District and will not substantially impair implementation of the Transit District Development Plan, and the Board shall then find that the site plan meets all mandatory requirements which apply.

The applicant has provided a statement of justification to discuss the reasons for amending the specific T-D-O Zone standards that have been discussed, as follows:

Amendment 1

Streets and Frontage | Blocks

Standards

- **The street network shall define blocks of up to 500 linear feet on each side. Each side of a block shall not be more than 500 linear feet from right-of-way to right-of-way.**

The longest block proposed by the subject DSP will be 513 feet, which is about 2 percent more than the maximum allowed 500-foot limit because of an area of private green space in front of a run of townhouses. If the road which abuts the green space was located in the typical relationship to the lot fronts, the block would be only 448 feet long. This amendment is very minor in nature, due to the unique shape of this section, in order to achieve the approved grid street pattern for a more urban development. The Planning Board agrees that the amendment will benefit the proposed development and the transit district, and will not substantially impair implementation of the TDDP.

Amendment 2

Streets and Frontage | Build-To Lines and Zones

Standards

- **The minimum BTL shall be established at the rear of the frontage zones (except for promenades).**
- **The total frontage depth requirement in Tables 42-43 and Figures 9-23 shall represent the distance between the street curb and BTL.**
- **The maximum BTL shall be 5 feet further from the curb in the Downtown Core, and 10 feet further from the curb in the Neighborhood Edge, than the minimum BTL.**
- **The area between the minimum and maximum BTL shall be the BTZ.**

All of the proposed interior streets in this DSP are classified as “B Streets” in the Neighborhood Edge, in accordance with the TDDP. Table 43 (page 212) provides that the minimum frontage zone depth/minimum build-to line on the Neighborhood Edge B Streets is 13 feet, and the maximum frontage depth requirement/maximum build-to line is 23 feet. With the 10-foot variation permitted in the Neighborhood Edge, the buildings must be located between 13 and 23 feet from the curb line of a B Street to meet the standard. In this phase, some of the lots have

the minimum curb setback along the B Streets measured at 18 feet, and the maximum proposed curb setback along B streets measured at 26–75 feet, and 48–62 feet in instances where green space is provided in front of units that have fronts oriented toward the streets.

In addition, Table 42 (page 211) requires that the minimum frontage zone depth/minimum build-to line on Northwest Drive and Dean Drive be 18 feet, and the maximum frontage depth requirement/minimum build-to line be 28 feet. With the 10-foot variation permitted, the buildings must be located between 18 and 28 feet from the curb lines of Northwest Drive and Dean Drive to meet the standard. The proposed minimum curb setback along Northwest Drive is 29 feet, and the maximum curb setback proposed is 42 feet. Setbacks along Dean Drive are a minimum of 36 feet, except where a curve in existing Dean Drive near its intersection with Northwest Drive pulls Dean Drive away from the southernmost six units from the typical 36 feet to a maximum of 47 feet, in order to have units front along both Dean and Northwest Drives to create attractive streetscapes. The Planning Board agrees that the amendment will benefit the proposed development and the Transit District and will not substantially impair implementation of the TDDP by creating active frontages along both roadways.

8. Zoning Ordinance: The DSP application has been reviewed for compliance with the requirements of the R-20 Zone and the requirements of the T-D-O Zone of the Zoning Ordinance.

- a. In accordance with Table 50. Table of Permitted Uses: Open Space and Single-family Residential Zones of the TDDP, the proposed townhouses are permitted in the R-20 Zone.
- b. As stated in Section 27-548.08(c)(2), the findings required by Section 27-285(b) of the Zoning Ordinance are not applicable to this DSP in the T-D-O Zone. Instead, the application’s conformance with the required findings for approval of this DSP is discussed, as follows:

(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

The subject DSP for infrastructure is consistent with the land use vision for the Neighborhood Edge area of the TDDP. The DSP conforms to all the mandatory requirements of the TDDP, as stated in the applicant’s “Exhibit A - Conformance with T-D-O Zone Standards,” an analysis of the applicable standards, except for those that the applicant has requested amendments, as discussed above in Finding 7.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

The subject site is within the Neighborhood Edge area of the TDDP, and the development proposal is consistent with the development standards and guidelines of the TDDP.

- (C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;**

The subject DSP has been reviewed for conformance with all the requirements and applicable regulations of the underlying zone, which is the R-20 Zone. The DSP meets the applicable requirements of the T-D-O and R-20 Zones, except for those T-D-O Zone standards that the applicant has requested amendments to, as discussed in the above Finding 7.

- (D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

The subject DSP is for infrastructure that covers limited elements, such as landscaping and pedestrian and vehicular circulation systems, which are adequate to meet the purposes of the T-D-O Zone. This requirement will be further reviewed for conformance, at the time of a full-scale DSP.

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and**

The townhouse development is part of a larger subdivision, including one existing mid-rise multifamily building. The subject site is the second phase of the approved development of 331 townhouse lots; no architecture is included in the infrastructure DSP. Future buildings will need to demonstrate compatibility with the surroundings and with the subsequent development. The proposed townhouses are the second substantial new development in this edge area that will significantly improve the appearance of the area.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

This infrastructure DSP includes on-street parking that meets the T-D-O Zone parking requirement, which establishes the maximum parking cap only.

The proposed parking is within the parking limit. This application does not request further reduction, in accordance with Section 27-548.09.02. Since no architecture is included in this DSP, future analysis of the parking need will be reviewed at time of a full-scale DSP.

In conclusion, the proposed infrastructure development, as contained in this DSP, meets all required findings for approval.

9. Preliminary Plan of Subdivision 4-17007: The Planning Board approved PPS 4-17007 with 24 conditions (PGCPB Resolution No. 18-25). The conditions that are applicable to the review of the subject DSP for infrastructure are discussed, as follows:

- 2. Total development within the subject property shall be limited to uses which generate no more than 325 AM and 402 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new determination of adequacy of transportation facilities.**

This trip cap was imposed on this property when the Planning Board approved PPS 4-17007 for a total of 331 townhouse lots. The previously approved DSP-18003 approved 131 townhouses. This DSP for infrastructure includes the remaining 200 townhouse lots out of the approved 331 lots, with a layout that is identical to the approved PPS. Therefore, the proposed development in this DSP is within the approved trip cap of 215 AM and 246 PM peak-hour trips.

- 3. With the exception of Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. With the exception of Parcel 1, at the time of detailed site plan, the type and siting of the facilities shall be determined, including appropriate triggers for construction.**

A list of proposed on-site recreational facilities has been included in the approval of DSP-18003, which made up 95.8 percent of the total required on-site recreational facilities for this development. The remaining 4.2 percent of the total required recreational facilities, in a dollar amount of \$15,357, has been provided with this DSP, including multiple sets of benches, dog waste stations, and picnic areas to be installed throughout both Phases 1 and 2.

In accordance with the applicant, the facilities shown on this infrastructure DSP will be installed as soon as possible after the approval of this DSP, when the site is properly prepared. Specifically, prior to issuance of the 1st building permit for Phase II, all recreational facilities approved in Phase I should be installed and open to residents. In addition, prior to issuance of the 100th building permit for Phase II, all on-site recreational facilities (including dog waste stations in Phase I) should be installed and open to residents.

7. **With the exception of Parcel 1, at the time of detailed site plan (DSP), the applicant shall provide an exhibit that illustrates the location, limits, and details of a trail/sidewalk connection to Northwestern High School. This exhibit shall show the location of the sidewalk or trail connection, include any associated Americans with Disabilities Act (ADA) improvements or pedestrian amenities, and provide appropriate details and specification for the improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations. If it is determined, at the time of DSP, that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section 24-124.01(d), be within one-half mile walking or biking distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section 24-124.01(c). The Planning Board shall find that the substitute off-site improvements are consistent with the bicycle and pedestrian impact statement adequacy finding made at the time of preliminary plan of subdivision.**

According to the review by the Transportation Planning Section, dated June 30, 2021 (Jackson to Zhang), this condition has been fulfilled.

8. **With the exception of Parcel 1, prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall submit Phase II and Phase III archeological investigations as determined by the Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department staff, as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow The Standards and Guidelines for Archeological Investigations in Maryland and must be presented in a report following the same guidelines. The plan shall provide for:**
 - a. **Evaluating the resource at the Phase II level, or**
 - b. **Avoiding and preserving the resource in place.**

Phase II archeological investigations of site 18PR81 were completed on the subject property in March 2018. The Phase II final reports were submitted and accepted by the staff archeologist on July 6, 2018. The Planning Board finds that no further archeological investigations are necessary on the subject property, and that this has been satisfied.

12. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-010-2017. The following note shall be placed on the final plat of subdivision:**

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-008-17), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

This DSP includes a TCP2-097-00-03, which is in conformance with the previously approved TCP1-010-2017.

- 17. With the exception of Parcel 1, prior to approval of the detailed site plan (DSP), a revised stormwater concept plan and letter, based on the approved layout, shall be submitted and correctly reflected on the Type 2 tree conservation plan and the DSP.**

A revised SWM concept plan has been submitted with this DSP. This condition has been met.

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

The infrastructure DSP includes the remaining 200 of the total 331 townhouse lots that were approved in PPS 4-17007. The layout of the 200 townhouses lots is identical, as that was shown on the approved PPS.

- 19. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 31834-2017 and any subsequent revisions.**

The site has an approved SWM concept plan for ultimate buildout that proposes the use of numerous micro-bioretenion areas and a retention pond. No additional information is required at this time.

- 24. With the exception of Parcel 1, prior to approval of the detailed site plan (DSP), the applicant shall provide a color-coded utility plan that has been approved by the affected utility companies. The approved location of the public utility easements shall be shown on the DSP.**

A color-coded utility plan has been provided with this DSP. However, not all utility companies have approved the locations of the proposed utilities. A condition has been included in this resolution requiring the applicant to obtain approval from all governing utility companies, prior to certification of this DSP.

10. **The requirements of Detailed Site Plan DSP-18003:** The District Council affirmed the Planning Board's approval of DSP-18003 with two conditions. Neither of the two conditions are relevant to the review of this DSP.
11. **2010 Prince George's County Landscape Manual:** The T-D-O Zone standards provided in Table 41. Landscape, (page 194) specifically discuss the applicability of each section of the Prince George's County Landscape Manual, within the TDDP area.

Under the Neighborhood Edge-Landscaping Standard for townhouse development (page 274), a minimum of 1.5 major shade trees and 1 ornamental or evergreen tree for every 2 dwellings are required to be located on individual lots and/or common open space. Trees planted in the Street Tree and Furnishing Zone shall count toward this requirement. The landscape plan provides a schedule for the proposed landscaping showing the proposed number of trees that meet the T-D-O Zone landscaping requirements.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property has previously approved tree conservation plans. TCP2-097-00-03 was submitted with this infrastructure DSP application.

A signed Natural Resources Inventory (NRI-016-2010-01), which included a detailed forest stand delineation, was submitted with the application. This NRI expires on November 22, 2022. According to the NRI, this site contains 23.02 acres of existing woodlands and 33 specimen trees. Much of this forest and 24 of the specimen trees have subsequently been harvested, per Forest Harvest Permit #38451-2016, due to safety concerns by County police. Regulated environmental features including steep slopes, 100-year floodplain, streams, and associated buffers inclusive of the primary management area (PMA) exist on-site. The NRI indicates that no forest interior dwelling species habitat is located on-site and that the site is not within a Sensitive Species Project Review Area, based on a review of the GIS layer prepared by the Maryland Department of Natural Resources Natural Heritage Program.

The site of DSP-18003-01 has an overall woodland conservation threshold of 20 percent or 4.53 acres. The site remains in one overall TCP2, however, the geographic area under DSP-18003-01 has a separate worksheet. According to the worksheet, the woodland conservation requirement for this phase of development is 13.62 acres (due to over clearing with penalty). The TCP2 proposes to meet this requirement through a combination of 0.84 acre of preservation, and 12.78 acres in off-site woodland conservation banks.

This infrastructure DSP and TCP2 meet the requirements of the WCO. There are several minor revisions that need to be addressed on the TCP2. These revisions are specified in the conditions that have been included in this resolution.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Since the subject site is located within a T-D-O Zone, the tree canopy coverage (TCC) requirements for the subject site should be met through the provision of street, on-site, and other trees preserved by a property owner or

provided to comply with other Transit District Standards and guidelines (page 247). However, the TDDP does not have specific quantitative requirements that can be applicable to the subject site. The trees provided to fulfill other Transit District Standards and Guidelines are sufficient to meet the TCC requirements for this case.

14. 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, as follows:

a. **Community Planning**—The Planning Board adopts a memorandum dated June 23, 2021 (Hartsfield to Zhang), incorporated herein by reference, which finds that, pursuant to Section 27-548.08(c), this DSP application:

- Is in strict conformance with the mandatory requirements of TDDP.
- Is consistent with, and reflects the guidelines and criteria for development contained in the TDDP.
- Meets all the requirements of the T-D-O Zone.
- Demonstrates that the location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the T-D-O Zone.
- Demonstrates that each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development.

Plan Prince George's 2035 Approved General Plan: The Plan Prince George's 2035 Approved General Plan (Plan 2035) places this application in the Prince George's Plaza Metro Downtown, which is also one of the County's eight Regional Transit Districts. Regional Transit Districts are characterized as medium- to high-density areas that should feature high-quality urban design, incorporate a mix of complementary uses and public spaces, provide a range of transportation options—such as Metro, bus, light rail, bike and car share, and promote walkability, (page 19). Plan 2035 recommends that 50 percent of new dwelling units be in Regional Transit Districts, which is expected to be around 31,500 units. The property is also within a designated Employment Area. Plan 2035 describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters: healthcare and life sciences; business services; information, communication, and electronics; and the Federal Government. (page 106)

Transit District Development Plan: The Prince George's Plaza Transit District Development Plan recommends Residential High (>20 dwelling units per acre) land uses

on the subject property (page 74). The subject property is in the Neighborhood Edge Character Area. The Neighborhood Edge character area is intended to transition the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods. Townhouses align with the vision of the character area to have lower-density residential uses that transitions from the higher-density core to the existing single-family detached neighborhood.

- b. **Historic Preservation**—The Planning Board adopts a memorandum dated June 10, 2021 (Stabler to Zhang), incorporated herein by reference, which stated that a Phase II archeological evaluation was completed for site 18PR81 between March 8 and March 22, 2018, and was reviewed with DSP-18003.

No further work was recommended on site 18PR81, as it was not felt that additional excavation would add any new data to the interpretation of the site. The presence of fire-cracked rock indicated that hearths were used at the site. However, continuous plowing in the historic period likely has not left any of these hearth features intact. The Planning Board concurs that significant information on the prehistoric period was obtained from site 18PR81, but that additional investigations would not add new information. No further work is recommended on site 18PR81 on the Landy Property.

- c. **Subdivision Section**—The Planning Board adopts a memorandum dated June 28, 2021 (Diaz-Campbell to Zhang), incorporated herein by reference, which provided an analysis on the subject DSP's conformance with the previously approved PPS 4-17007. The Planning Board concluded that the DSP is in substantial conformance with the PPS and approved this infrastructure DSP with two conditions that have been included in this resolution.
- d. **Environmental Planning Section**—The Planning Board adopts a memorandum dated June 29, 2021 (Nicole to Zhang), incorporated herein by reference, which provided information and comments as summarized as follows:

Specimen Trees: Section 25-122(b)(1)(G) of the WCO requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

The specimen trees that were on site were removed under the prior TCP approvals. No additional specimen trees are proposed for removal with this application. No further information is required regarding the removal of specimen trees at this time.

Preservation of Regulated Environmental Features/Primary Management Area:
The site contains regulated environmental features. According to the TCP2, two impacts to the PMA/stream buffer and the 100-year floodplain are proposed for SWM. A

statement of justification for these impacts was previously reviewed and approved by the Planning Board, in conjunction the approval of PPS 4-17007 and TCP1-010-2017. No additional impacts are proposed.

Soils: The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Beltsville silt loam (5–10% slopes), Beltsville-Urban land complex (0–5% slopes), Beltsville-Urban land complex (5–15% slopes), Christian-Downer complex (10–15% slopes), Christiana-Downer-Urban land complex (5–15% slopes), Issue-Urban land complex occasionally flooded, Russett-Christiana-Urban land complex (0–5% slopes), and Urban land-Russett-Christiana complex (0–5% slopes).

According to available information, no Marlboro clay exists onsite; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. On January 25, 2018, the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) indicated in an email that soil borings did not reveal any clay soils down to a depth of 33 feet and that none of the borings indicated highly plastic soils. DPIE concluded that the infiltration rates were mostly good and will not be requiring a slope stability analysis or full geotechnical report at this stage.

The Planning Board approved DSP-18003-01 and TCP2-097-00-03, subject to four conditions that have been included in this resolution.

- e. **Transportation Planning**—The Planning Board adopts a memorandum dated June 30, 2021 (Hancock to Zhang), incorporated herein by reference, which provided comments on access and circulation, as follows:

This site is located near the intersection of Toledo Terrace and Northwest Drive. There are two access points into this section of the development, one from Northwest Drive and the other from Dean Drive.

The internal roadway network of this site will be made public and dedicated to the City of Hyattsville. Based on the requirements of the 2017 *Prince George’s County Urban Street Design Standards*, the circulation within this site is acceptable.

Parking within single-family attached residential units is always a concern. In this case, one parking space is located with each residential unit. An additional 135 parking spaces are located throughout this portion of the development.

The Planning Board concluded that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

- f. **Pedestrian and Bicycle Facilities**—The Planning Board adopts a memorandum dated August 1, 2018 (Jackson to Zhang herein by reference, which notes that the DSP

application is in conformance with the appropriate sections of Subtitle 27, Part 3, Division 9, of the Zoning Ordinance; the 2009 *Approved Countywide Master Plan of Transportation*; and the TDDP. The Planning Board concluded that the multimodal transportation site access and circulation of this plan is acceptable, consistent with conditions of approval of prior cases and meets the findings required for a DSP for multimodal transportation purposes. Furthermore, the Planning Board approved this infrastructure DSP subject to one condition that has been included in this resolution.

g. **Prince George's County Health Department**—The Planning Board adopts a memorandum dated June 10, 2021 (Adepoju to Zhang), incorporated herein by reference, that provided four comments on the subject application, as follows:

- There are over 10 existing carry-out/convenience stores food facilities and three grocery store/markets within a 0.5-mile radius of this site. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity.
- The DSP should include open spaces and pet friendly amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are strongly recommended at strategic locations in the designated outdoor play/picnic areas.
- During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

The Planning Board adopted two of the aforementioned comments, which have been included in this resolution.

h. **The Prince George's County Department of Parks and Recreation**—The Planning Board adopts a memorandum dated July 5, 2021 (Burke to Zhang), incorporated herein by reference, which notes that the Prince George's County Department of Parks and Recreation has reviewed and evaluated the DSP as it pertains to public parks and recreational facilities, and recommended approval with a condition requiring the applicant to clearly label the recreational facilities included in this DSP. This condition has been included in the Recommendation section of this report.

- i. **City of Hyattsville**—The Planning Board adopts a memorandum dated July 11, 2021, (Mayor Ward to Honorable Elizabeth Hewlett Chairman, Prince George’s County Planning Board), incorporated herein by reference, which notes that the City of Hyattsville City Council voted to support the applicant’s requested modifications to the TDDP standards, specifically a 13-foot extension to accommodate additional greenspace and a setback modification to allow for the front façade of attached townhouses, adjacent to Dean Drive to be flush along the frontage. The City Council further supports this DSP with two conditions, which the Planning Board has adopted and are included in this resolution.
- j. **Prince George’s County Fire/EMS Department**—The Planning Board adopts email correspondence dated June 10, 2021, incorporated herein by reference, from the Fire Department that notes the local County code requires all units to be served by a 22-foot fire access road. The roads and alleys throughout the proposed project only provide 20 feet of clear width.

At the time of PPS 4-17007 approval (PGCPB Resolution No. 18-25), the following finding was requested by the City of Hyattsville and approved by the Planning Board:

The roads, sidewalks, and alleys within the development shall be dedicated to public use, designed and constructed to the adopted Prince George’s County Department of Public Works and Transportation (DPW&T) “Urban Street Standards” 100.28, 100.31, 100.37, and 600.21, and upon certification of the plans by the City and the County, and the completion of the construction, the roads, sidewalks and alleys shall be inspected by the City of Hyattsville, and, if acceptable, be publicly maintained by the City of Hyattsville.

The original DSP-18003 was also approved with the roadways and alleys that are consistent with the County’s Urban Street Standards. The Planning Board finds that the subject DSP uses the same standards as those shown in DSP-18003.

- k. **Prince George’s County Department of Permitting, Inspections and Enforcement**—The Planning Board adopts a memorandum dated June 30, 2021, incorporated herein by reference, that notes that the Site Development Concept Plan No. 31834-2017-0, approved on March 12, 2018, is consistent with the proposed DSP 18003-01. DPIE’s other comments will be enforced through their separate permitting process.
- l. **Prince George’s County Police Department**—At the time of the preparation of this resolution, the Police Department did not offer comments on the subject application.
- m. **Washington Suburban Sanitary Commission**—The Washington Suburban Sanitary Commission (WSSC) provided comments on the subject application on June 7, 2021, adopted herein by reference. WSSC’s comments will be enforced through their separate permitting process.

15. As required by Section 27-285(b)(4), the Planning Board must also find 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)(5) of the Prince George's County Subdivision Regulations. In a memorandum dated June 29, 2021 (Nicole to Zhang), the Environmental Planning Section noted that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the level of design information available at this time.

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 TCP2-097-00-03, and further APPROVED Detailed Site Plan DSP-18003-01 for the above described land, subject to the following conditions:

- A. **APPROVE** the alternate development district standards for:
1. **Streets and Frontage | Blocks (page 208)**—To allow the maximum block size to be at 513 feet, as shown on the detailed site plan.
 2. **Streets and Frontage | Build-To Lines and Zones (page 209–213)**—To allow varied build-to lines and zones for lots along the frontages of Dean Drive and Northwest Drive, as shown on the detailed site plan.
- B. **APPROVE** Infrastructure DSP-18003-01 and Type 2 Tree Conservation Plan TCP2-097-00-03, for Landy Property, subject to the following conditions:
1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information be provided:
 - a. Revise the landscape plan to provide the required and provided landscape materials, in accordance with the Transit District Overlay Zone landscape standards for the Neighborhood Edge.
 - b. Clearly label the recreational facilities included in this DSP using a line weight consistent with the other features proposed with this application.
 - c. Update the owner/developer/applicant listed on the DSP to reflect the current property ownership.
 - d. Add the current deed recording reference (Liber 44633 folio 491) to General Note 1.

- e. Obtain the approval from all governing utility companies for the locations of the proposed color-coded utilities and show the locations of the utility easements on the DSP.
- f. Revise the site plan to remove pavement markings designating parking spaces and replace with affixed signage designating permissible parking areas, consistent with applicable City of Hyattsville requirements and in concurrence with State of Maryland Transportation Code Title 21-1003, requiring a 20-foot setback from any crosswalk at an intersection and 30-foot setback from any stop sign or traffic control signal.
- g. Screen all mechanical equipment, including but not limited to ground transformers and gas meters, either with landscaping or in other aesthetically pleasing manners. Provide details of the screen on the detail sheet.
- h. Provide the following site plan notes:

“During the construction phase, the applicant shall adhere to all applicable Prince George’s County or State of Maryland regulations and laws regarding particulate matter, pollution, and noise.”
- i. Add lots 236, 237, 244, 263, 277, 278, 314, 319, 325, and 331 on the Highly Visible End Units Exhibit.
- j. Show a 6-foot-wide sidewalk at the south end of Parcel CC, in front of Lots 182–186.
- k. The Type 2 tree conservation plan (TCP2) shall be revised, as follows:
 - (1) In the worksheet specific to this DSP, add the current TCP2 revision number as “TCP2-097-00-03.”
 - (2) Update the Environmental Planning Section Approval Block to reflect the prior certification of DSP-18003 by Marc Juba on August 25, 2020, and the Development Review Division case number of “DSP-18003-01” for the -03 revision.
 - (3) Submit documents for the required woodland conservation easements to the Environmental Planning Section. 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.”

- (4) Update the signature on the property owner's certificate so it is current.
 - (5) Have the plans signed and dated by the qualified professional who prepared them.
- 2. Prior to issuance of the 1st building permit of this detailed site plan, all recreational facilities for Phase I shall be installed and open to the residents.
 - 3. Prior to issuance of the 100th building permit of this detailed site plan, all recreational facilities for Phase II shall be installed and open to the residents.

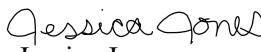
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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, July 29, 2021, in Upper Marlboro, Maryland.

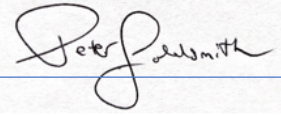
Adopted by the Prince George's County Planning Board this 9th day of September 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter J. Smith", is written over a light blue horizontal line. The signature is stylized and cursive.

M-NCPPC Legal Department
Date: August 4, 2021