

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Design Standards DDS-637, Hampton Park, requesting a departure to allow access to the loading space to be within 50 feet of residential property and for parking space sizes in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on May 25, 2017, the Prince George’s County Planning Board finds:

1. **Request:** This application is for a departure from design standards (DDS) from the requirements of Section 27-579(b), to allow access to the loading space to be within 50 feet of residential property and from the requirements of Section 27-558 for parking space sizes of the Zoning Ordinance.

It is coupled with a Detailed Site Plan (DSP-16052) application, which proposes to redevelop the subject property as a mixed-use development that consists of 121,192 square feet of commercial/retail space, 115,000 square feet of office space, 254 residential multifamily-dwelling units, and a 123-room hotel, to be constructed in five phases.

2. **Development Data Summary:**

Zone(s) Use(s)	EXISTING M-X-T/M-I-O Integrated Shopping Center	APPROVED M-X-T/M-I-O Commercial/Retail, Office, Multifamily and Hotel
Gross Acreage	24.55	24.55
Floodplain Acreage Area	23.05	23.05
Parcels	10 Parcels	10 Parcels
Total Gross Floor Area (sq. ft.)	292,977	578,016
Commercial/Retail	292,977*	298,616
Office	-	115,000
Multifamily Dwellings	-	254 units (174,708)
123-Room Hotel	-	73,310

Note: *21,643 square feet existing retail to remain

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted	1.40 FAR (Optional Method of Development)
Total FAR Proposed	0.54 FAR**

Note: ** FAR may be increased at the time of DSP in accordance with the provisions of Section 27-545(b) of the Zoning Ordinance.

PARKING AND LOADING DEVELOPMENT DATA

Parking Spaces	Parking Ratio	Provided
Parcel 1 – Retail (Future Phase)	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage= <u>18 spaces</u>	(Future Phase)
Parcel 2 - Retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage= <u>79 spaces</u>	59 spaces
Parcel 3 - Hotel	1 parking space per guest room. = <u>123 spaces</u>	48 spaces
Parcel 4 - Retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage= <u>374 spaces</u>	202 spaces
Parcel 5 – Retail/Open Space	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>15 spaces</u>	51 spaces
Parcel 6 - Retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>7 spaces</u>	38 spaces
Parcel 7 - Retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>33 spaces</u>	59 spaces

Parking Spaces	Parking Ratio	Provided
Parcel 8 - Retail	1 parking space per 150 sq. ft. for the first 3,000 sq. ft.; 1 parking space per 200 sq. ft. for the remaining square footage = <u>58 spaces</u>	101 spaces
Parcel 9 - Office	1 parking space per 250 sq. ft. for the first 2,000 sq. ft.; 1 parking space per 400 sq. ft. for the remaining square footage = <u>290 spaces</u>	306 spaces
Parcel 10 - Residential	2 parking spaces per dwelling unit, plus 0.5 parking spaces in excess of one per unit = <u>508 spaces</u>	301 spaces
Total Parking	1,487 spaces*	1,189 spaces Provided
Of which Standard Spaces	--	186 spaces
Compact Spaces	--	40 spaces
ADA Spaces (Total)	29 spaces	29 spaces
ADA Spaces (Van-Accessible)	4 spaces	7 spaces
Loading Spaces Required	14 spaces	7 spaces

Note: * A shared parking analysis for the subject application has been provided, which shows that the peak-parking requirements have been met for this property. No specific required parking space number is established in the M-X-T Zone.

3. **Location:** The subject property is located in the southwest quadrant of the intersection of Central Avenue (MD 214) and the Capital Beltway (I-95/495), in Planning Area 75A and Council District 6.
4. **Surrounding Uses:** The project is directly adjacent to the ramp to the Capital Beltway (I-95/495) and has frontage on Central Avenue (MD 214). The site is bounded to the east by the right-of-way of the Capital Beltway; to the north by the right-of-way of MD 214; to the west by the remaining part of the existing shopping center in the Commercial Shopping Center (C-S-C) Zone; and to the south by an existing industrial park known as Hampton Park in the Light Industrial (I-1) Zone. The lot in Hampton Park, directly adjacent to the subject site, is used for warehousing purposes.
5. **Previous Approvals:** The property was part of an existing shopping center, which was built in or about 1970 in the C-S-C Zone. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) placed the subject property in one of the

designated industrial centers known as Hampton Park/Steeplechase 95 and rezoned the property to the M-X-T Zone. The shopping center site was partially converted into a church and has a previously approved Detailed Site Plan (DSP-04002) for a private school for 140 students and a day care center for 106 students. A revision to DSP-04002 was approved administratively in 2006 for an International House of Pancakes (IHOP) restaurant. The private school and day care center approved in DSP-04002 and DSP-04002-01 no longer exist on the site.

Conceptual Site Plan CSP-14003 (PGCPB Resolution No. 15-52) was approved on May 21, 2015 by the Planning Board as a mixed-use development with four conditions. The application was proposed to be constructed in two phases: Phase I involves approximately 175,000 square feet of commercial/retail space, 253 residential multifamily-dwelling units, 125,000 square feet of office space, and a 250-room hotel at the front of the development site. Phase II includes removal of approximately 40,000 square feet of the existing commercial/retail space and an addition of 347 multifamily-dwelling units at the rear of the development site.

Preliminary Plan of Subdivision 4-14020 (PGCPB Resolution No. 15-86) was approved by the Planning Board on July 30, 2015 for 10 Parcels for retail, office, hotel, and residential mixed-used development of the existing Kingdom Gateway Shopping Center with 23 conditions, and a variation from Section 24-121(a)(3) for direct access onto an arterial road.

The property also has a Stormwater Management Concept Plan, 45614-2014-00, approved on June 10, 2015.

6. **Design Features:** The proposed DSP occupies the existing shopping center known as Hampton Mall. The development will be constructed in five phases and generally follows the parcel lines associated with each use as follows:

Phase 1 involves approximately 115,000 square feet of office space, parking garage, and road way system entering the property;

Phase 2 involves the relocation and renovation of the parking area and existing building for approximately 73,830 square feet of commercial/retail space to house the current tenants and daycare on-site;

Phase 3 involves 254 residential multifamily-dwelling units and the surface parking lot supporting the residential building;

Phase 4 appears to involve three parts including the construction of two commercial and retail buildings composed of approximately 17,091 square feet of proposed retail space, an urban plaza, and the reconfiguration of the parking area associated with 16,653 square feet of existing commercial/retail space and;

Phase 5 includes a 123-room hotel and the parking area for the hotel near the center of the development site.

It should be noted that an additional phase has been shown on the plan, which currently includes an existing eating and drinking establishment and has not been included in this DSP, but is labeled as a future phase.

The property will be accessed from Central Avenue (MD 214) to the north of the site and a secondary access to the remaining part of the shopping center site to the west. The access from MD 214 is a signalized intersection. The access from the existing shopping center site is a dedicated public right-of-way, which is further connected to Hampton Park Boulevard to the west that eventually intersects with MD 214.

The plan included in this DSP application shows a main street leading to the site from MD 214 with buildings lined up on both sides of the street, which intersects with the cross-street of Hampton Boulevard and continues to the southernmost end of the site terminating at a roundabout separating the multifamily development from the existing commercial/retail building. The multifamily and office buildings are proposed on the eastern side of the site, adjacent to the Capital Beltway. The hotel and an urban plaza including a retail building are proposed centrally to the site, with the existing retail located on the southwestern portion of the site. The plaza will be used extensively by commercial and office users, as well as the future residents in the multifamily building and should include a variety of design elements for the active and passive recreational uses.

a. **Parcel 1: Future Development**

No information has been provided for this parcel, which has been label as a “future phase” of development.

b. **Parcel 2: Retail**

A 14,839-square-foot building in-line retail development (without specified tenants) is proposed in the first commercial building, and is located on the on the northern portion of the site along the frontage of the main street leading into the site from MD 214. The building is proposed to be located close to the street and include five tenant spaces.

Architecture

The architectural design of this building features a contemporary architectural style with large window display areas and cantilevered metal canopy. It is generally rectangularly shaped with a flat roof on the building, and includes exterior finish materials such as, masonry, stucco, glass, and steel, including accents of wood composite and metal coping.

Lighting

The applicant is specifying standard downward-facing light poles in the parking area and along the streets with a variety of lighting types proposed on the site such as wall-mounted lights, bollards, sconces, step lights, and accent lights of similar character and style.

Signage

Multiple building-mounted sign areas are provided on the building above the entrance to the individual tenant locations. The sign areas vary and measure from 29 to approximately 160 square feet, bearing the individual tenant's name and logo. The signage for this application is acceptable.

Loading and Trash Facilities

The Planning Board noted that no loading areas have been proposed with the application for this building, but said areas should be appropriately screened and located in the rear of the building away from public views. The details and location of a loading area are required prior to certificate approval of the plans. A dumpster enclosure is indicated at the northeastern corner of the parking area, and the enclosure shall reflect masonry materials complimentary to the exterior finish of the building, by condition of this approval.

c. **Parcel 3: Hotel**

A 123-room, 73,310-square-foot building hotel (without specified tenants) is proposed on Parcel 3 and is located on the central portion of the site with frontage of the main street leading into the site from MD 214.

Architecture

The architectural design of the hotel is contemporary with emphasis on the variation of façades through the application of different building volumes and massing, architectural design elements, and finish materials. The building is centrally located on the site and highly visible. The exterior of the building includes a metal canopy near the building entrance and is predominantly finished with masonry, stucco, metal panels, fiber cement panels and accents of wood composite and decorative metal cornice.

Lighting

The applicant is specifying standard downward-facing light poles in the parking area and along the streetscape, with a variety of lighting types proposed on the site such as wall-mounted lights, bollards, sconces, step lights, and accent lights of similar character and style. The lighting has been strategically located to produce an even and safe illumination level.

Signage

A single building-mounted sign is provided on the building near the entrance to the hotel, and channel-style lettering placed horizontally on the exterior of the building face is proposed. The Planning Board found that the sign measurements, details, and specifications including size and area, have not been provided for the proposed signage and are required, prior to certification of the plans, by condition of this approval.

Loading and Trash Facilities

The Planning Board noted that no loading areas have been proposed with the application for this building, but those to be provided should be appropriately screened and located in the rear of the building away from public areas. The details and location of a loading area are required prior to certificate approval of the plans. A dumpster enclosure is indicated at the northeastern corner of the parking area, and the enclosure should reflect masonry materials complimentary to the exterior finish of the building, by condition of this approval.

d. **Parcel 4: Retail**

A 73,830-square-foot building (without specified tenants) is proposed in the location of the existing commercial building, and proposes to renovate the existing commercial/retail space. The building is located on the southern portion of the site along the rear property line of the site at the terminus of the main street which leads into the site from MD 214. The building is proposed to include five tenant spaces.

Architecture

The architectural design of the project features traditional architectural style with emphasis on the different façades of the individual tenants through the application of different building architectural design elements and finish materials. A consistent storefront window display height is proposed across the front of the building providing uniformity of the building face. The exterior of the building will be finished predominantly with brick, masonry, and fiber board building materials using assorted colors and finishes, as well as canopies and awnings to differentiate individual tenant locations.

Lighting

The applicant is specifying standard downward-facing light poles in the parking area and along the streets, with a variety of lighting types proposed on the site such as wall-mounted lights, bollards, sconces, step lights, and accent lights of similar character and style. The lighting has been strategically located to produce an even and safe illumination level.

Signage

Multiple building-mounted sign areas are provided on the building above the entrance to the individual tenant locations. The sign areas vary and measure from 31 to approximately 372 square feet, bearing the individual tenant's name and logo. The signage for this application is acceptable.

Loading and Trash Facilities

Loading is proposed on the south side of the building, and includes four loading spaces. The Planning Board found that a trash facility was not provided with this application and should be added to the plan. The dumpster enclosure should reflect masonry materials complimentary to the exterior finish of the building, by condition of this approval.

The access driveway to this loading facility is within 50 feet of the proposed multifamily building. In accordance with Section 27-579(b), of the Zoning Ordinance, a departure from design standards (DDS) is required. This issue is discussed in detail relating to the DDS-637 see Finding 8.

e. **Parcel 5: Retail and Urban Plaza**

A 2,252-square-foot building (without specified tenants) is proposed in a commercial building, located adjacent to the Urban Plaza centrally located on the site near the intersection of Hampton Boulevard and the main street leading into the site from MD 214. The proposed building is located on the southwestern quadrant of the plaza close to the street, and includes two public areas for outdoor dining.

Architecture

The architectural design of this building features a contemporary architectural style with an angled roof which cantilevers over the building face providing a canopy. It is generally square shaped, with large store-front glass windows which extend the entire height of the building face, and includes exterior finish materials such as wood composite masonry, and horizontal accents of metal.

Lighting

The retail location is centrally located on the urban plaza and proposes a variety of lighting types on the site such as wall-mounted lights, bollards, sconces, step lights, and accent lights of similar character and style. The lighting has been strategically located to produce an even and safe illumination level.

Signage

The Planning Board noted that no signs have been proposed with this retail building.

Loading and Trash Facilities

Loading is not required with this retail building due to the size of the facility.

f. **Parcels 6, 7, & 8: Existing Retail**

These parcels are proposed to remain and the parking areas associated with these parcels will be restriped to accommodate the revised layout. No additional information has been provided for these parcels. No new architecture is being proposed with this application.

Lighting

The applicant is specifying standard downward-facing light poles in the parking area and along the streetscape, with a variety of lighting types proposed on the site, such as wall-mounted lights, bollards, sconces, step lights, and accent lights of similar character and style. The lighting has been strategically located to produce an even and safe illumination level. No new signage is being proposed with this application. No new Loading and trash facilities are being proposed with this application.

g. **Parcel 9: Office**

A 115,000-square-foot building (without specified tenants) is proposed in an office building, located adjacent to the Urban Plaza, and adjacent to the multifamily building onsite. The building is centrally located near the intersection of Hampton Boulevard and the main street leading into the site from MD 214.

Architecture

The architectural design of the office is contemporary with an angled roof and emphasis on the variation of façades through the application of different building volumes and massing, architectural design elements, and finish materials. The building is centrally located on the site and highly visible. The exterior of the building includes a cantilevered metal canopy near the building entrance and is predominantly finished with windows, metal panels, fiber cement panels and accents of wood composite and decorative metal cornice.

Lighting

The applicant is specifying standard downward-facing light poles in the parking area and along the streetscape, with a variety of lighting types proposed on the site such as wall-mounted lights, bollards, sconces, step lights, and accent lights of similar character and style. The lighting has been strategically located to produce an even and safe illumination level.

Signage

The Planning Board noted that no signs have been proposed with this office building.

Loading and Trash Facilities

Two loading facilities are provided on the southern side of this office building with the access driveway and loading facility both within 50 feet of the proposed multifamily building. In accordance with Section 27-579(b), of the Zoning Ordinance, a departure from design standards (DDS) is required. This issue is discussed in detail relating to the DDS-637, see Finding 7(e). The Planning Board noted that no trash facilities are proposed with this application for the office building and should be added to the plan.

h. **Parcel 10: Multifamily Residential**

A 254-unit multifamily residential building is proposed on the site and is located in the southeastern quadrant of the site adjacent to the Capital Beltway and the ramp to MD 214, and adjacent to the retail and office uses on the site.

Architecture

The architectural design of the multifamily residential building is contemporary with a generally flat roof and emphasis on the variation of façades through the application of different building volumes and massing, architectural design elements, and finish materials. The exterior of the building is predominantly finished with a mix of materials including windows, metal panels, balconies, glass sliding doors, fiber cement panels, and

accents of wood composite and decorative metal coping. The building includes two landscape courtyards which include a pool and passive recreational amenities for the building's residents.

Recreational Facilities

Preliminary Plan of Subdivision 4-14020 determined that on-site private recreational facilities are appropriate for the project development to serve the future residents, in accordance with Section 24-134 of the Subdivision Regulations and the standards in the *Park and Recreation Facilities Guidelines*.

The recreational facilities serving the multifamily building include an outdoor pool, patio, fire pit, cabana, landscape courtyards, and a group fitness room with a 1,000-square-foot gymnasium, as well as a community lounge, and a theater and gaming room. These amenities are located away from the noise generated from the vehicles along MD 214 and the Capital Beltway. The applicant also proposes a small dog park and dog washing station in addition to outdoor grilling areas, which will be located on-site.

The *Guidelines* have been satisfied.

Green Building and Sustainable Site Development Techniques

The following green building and sustainable site development techniques will be included for use on this building:

- Possible use of high efficiency plumbing fixtures to reduce water usage;
- Heating, Ventilating and Air Conditioning (HVAC) system will be Seasonal Energy Efficiency Ratio (SEER) 13 and above;
- Exterior building materials will pay attention to recycled and regional content and use materials such as glass, brick and stucco panels as opposed to vinyl siding;
- Low Volatile Organic Compounds (VOC) materials (i.e., adhesives, sealants and carpet);
- Upgraded thermal insulation;
- Low Emission glazing and upgraded performance windows;
- Light Emitting Diode (LED) EcoForm Lighting; and
- Parking for bicycles.

Freestanding Signage for the overall development

Three freestanding signs are proposed for the development. Two are pylon signs adjacent to the Capital Beltway on the northern and southeastern portions of the site and one is proposed at the main entrance into the site along MD 214. The following table includes the sign type, proposed height, and area of each of the freestanding signs:

Sign location	Advertising	Sign type	Height of sign	Area of sign
Capital Beltway	Overall Mixed-Use Center	Pylon	40 feet	320 sq. ft.
Capital Beltway	Overall Mixed-Use Center	Pylon	40 feet	320 sq. ft.
Central Avenue	Overall Mixed-Use Center	Monument	40 feet	185 sq. ft.

- Capital Beltway: Two freestanding pylon signs are proposed advertising the overall development location adjacent to the Capital Beltway. The pylon signs are internally lit and shown on the northern and southeastern portions of the site. They are triangular with a height of 40 feet in order to be visible from the Beltway, which sits approximately 10 to 14 feet above the property.
- Central Avenue: A monument sign is proposed at the entrance and is internally illuminated with a proposed height of 20 feet. It has been designed in a similar color scheme as other signage shown on the site and reflects the tenants located on the property, and includes a signage face of approximately 185 square feet.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the following Zoning Ordinance requirements:
 - a. The subject application is in conformance with the requirements of Section 27-547, which governs uses in mixed-use zones. The proposed multifamily residential units, office, hotel, and commercial/retail uses are permitted uses in the M-X-T Zone.
 - b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The DSP’s conformance with the applicable provisions is discussed as follows:
 - (a) **Maximum floor area ratio (FAR):**
 - (1) **Without the use of the optional method of development—0.40 FAR**
 - (2) **With the use of the optional method of development—8.0 FAR**

This development will use the optional method of development and specifically utilize the two bonus incentives in Section 27-545(b) as follows:

- (b) Bonus incentives.**
 - (4) Residential use.**
 - (A) Additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.**
- (6) Outdoor plaza.**
 - (A) Eight (8) gross square feet shall be permitted to be added to the gross floor area of the building for every one (1) square foot of outdoor plaza provided. The plaza shall be open to the sky, except for street furniture, landscaping, or similar items, or any sun or rain shades (not including open arcades) which cover not more than twenty percent (20%) of the plaza area. The plaza shall reflect a high degree of urban design which encourages a variety of human activities, such as walking and sitting in a pleasant public space. The plaza, and any buildings on the south side of the plaza, shall be arranged and designed to admit sunlight to the plaza. The plaza shall contain extensive plantings, a range of seating options, other street furniture, and works of art or water features, such as statuary, fountains, and pools. The plaza shall be surfaced in textured concrete, masonry, ceramic paving units, wood, or other approved special surfacing material. Lighting shall be furnished which provides for both safety and visual effect. The minimum size of a plaza shall be eighty (80) feet by one hundred (100) feet.**

The DSP proposes a total of 254 multifamily dwelling units and two plazas with a proposed maximum floor area ratio (FAR) of 1.09, which meets this requirement.

- (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 Planning Board noted that the DSP shows that the uses included in this DSP will be located in 9 buildings on 10 parcels.

- (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 Planning Board noted that the site plans do not indicate the height of all improvements shown on the DSP and should be revised prior to certification of the plans. A condition requiring this has been included in this approval.

- (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 Planning Board found that the development is subject to the requirements of the 2010 *Prince George's County Landscape Manual*. Additional buffering and screening is 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.

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

The Planning Board found that the FAR for the proposed development of 1,165,000 square feet on a 24.5-acre site is 0.54, which is calculated in accordance with the requirement and is within the maximum permitted FAR for this development.

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

The Planning Board found that there are no private structures within the airspace above, or in the ground below, public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject case.

- (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 Planning Board found that this requirement was reviewed for conformance at the time of the review of Preliminary Plan 4-14020, which was approved on July 30, 2015.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front façades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the

dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

The Planning Board found that there are no townhouses proposed in this DSP. The residential component of this DSP includes 253-multifamily dwelling units.

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

The Planning Board found that the proposed residential multifamily buildings are multistory buildings which are below 110 feet in building height. The proposed multifamily buildings meet this height requirement.

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

The Planning Board found that this requirement does not apply to this DSP.

- c. In accordance with Section 27-546(d) of the 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-XT Zone:

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

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, 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 Planning Board found that the subject project promotes the orderly redevelopment of an existing shopping center that is located right at the intersections of Central Avenue (MD 214) and the Capital Beltway (I-95/495), in accordance with the vision of the larger Subregion 4 Master Plan and SMA. With a mix of commercial/retail, office, multifamily residential uses, and a 123-room hotel, this project will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens.

- (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 Planning Board found that the project implements the vision of the Subregion 4 Master Plan and SMA by providing a mixed use of commercial, office, hotel, and residential medium-density development to create a compact and walkable community within the Capital Beltway.

- (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 Planning Board found that the project proposes approximately 0.54 FAR on the existing shopping center site that will conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of this mixed-use zone.

- (4) To promote the effective and optimum use of transit and other major transportation systems;**

The Planning Board found that the location of the property near residential, institutional, and other commercial uses, with sidewalks serving as connectors, will help to reduce automobile use and promote alternative transportation such as bicycling, and includes bike rack locations throughout the site.

- (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 Planning Board found that the DSP proposes four different uses that will complement each other and coexist with the remaining shopping center to create a 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.

- (6) To encourage diverse land uses which blend together harmoniously;**

The Planning Board found that the proposal will be developed in five phases and will include several different uses, but will be encouraged to be uniform in design and coordinated visually through the site design processes.

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

The Planning Board found that the DSP shows nine buildings designed around a main street connected to a central public plaza. The plans employ several design themes including a variety of green building techniques, and propose the use of multiple building materials, and building styles, which in turn create dynamic functional relationships among the individual uses and provide a distinctive visual character and identity.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**

The Planning Board found that green building and sustainable site development techniques, such as those employed in leadership in energy and environmental design (LEED) standards, are utilized for each building to the extent practical and promote optimum land use and great savings in energy.

- (9) To permit a flexible response to the market; and**

The Planning Board found that the M-X-T Zone is one of the mixed-use zones that were created to allow developers maximum flexibility to respond to the changing market. This DSP includes four different uses and is located within an existing shopping center that will create many development opportunities.

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

The Planning Board found that the architecture, as proposed, is fairly unified within the development using brick on most of the proposed buildings, combining with a stucco-like appearance throughout the development. At the same time, each individual use will maintain its unique identity.

(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;

The Planning Board found that the subject property was rezoned to the M-X-T Zone by the Subregion 4 Master Plan and SMA, and the Master Plan did not provide any design guidelines or standards for the property. As such, the development proposed in this DSP is subject to the requirements of the M-X-T Zone, the conditions of prior approvals, and the required findings for approval of a DSP of the Zoning Ordinance, as discussed in Finding 7 of this report.

(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 Planning Board found that the DSP covers a large portion of the existing shopping center and will be connected to the remaining portion of the shopping center through public roadways and wide driveways. The regional roadways such as the Capital Beltway (I-95/495), Central Avenue (MD 214), and Hampton Park Boulevard further connect the project to the adjacent communities. This redevelopment is expected to rejuvenate the existing shopping center and inject new economic vitality into the immediate areas.

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

The Planning Board found that the development proposed in this DSP should be compatible with the buildings in the remaining part of the shopping center. Compatibility of uses will be challenging for the proposed development, partly because of the horizontal

mix of residential and commercial uses on the property. Additional green area and buffering have been incorporated into the plan. Residential development adjacent to commercial development and the Capital Beltway will require additional buffering or a combination of various design solutions.

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

The Planning Board found that the mix of uses in this DSP includes commercial/retail, office, residential multifamily dwellings, and hotel. The design scheme provided for review provides for a cohesive development centering on a main street and a public plaza. The development is capable of creating an independent environment of high quality and stability.

(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 Planning Board found that the project is to be completed in five phases. Phase I involves the construction of the office building and parking garage. Phase 2 involves razing a total of 271,334 square feet of existing buildings and the renovation of the existing commercial/retail space. Phase 3 involves the construction of the multifamily building and recreational area on the southeastern quadrant of the site. Phase 4 involves the construction of a proposed retail space, the central urban plaza, and the renovation of the parking area surrounding the existing commercial/retail space on the northern portion of the site. Phase 5 includes the construction of the hotel. Each phase of development will be self-sufficient, and when combined contribute to the effective integration of the entire shopping center.

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

The Planning Board found that a comprehensive sidewalk network has been proposed to be located on both sides of all roadways and surrounds every building. The sidewalks are further connected to the remaining part of the existing shopping center. In a memorandum dated April 17, 2017, the trails coordinator stated that, from the standpoint of non-motorized transportation, it has been determined that the plan is acceptable in accordance with this requirement, showing sidewalks at appropriate locations along internal roads and access easements. Additionally, the improvements shown on the submitted site plan will significantly enhance pedestrian access and safety on the subject site by provided dedicated walkways and crosswalks connecting to all the proposed buildings.

- (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 Planning Board reviewed the above issues and found the plans to be satisfactory. Space for a gathering place has been provided at the center plaza on Parcel 5. Adequate attention has been paid to human scale and high-quality urban design.

- (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, or will be provided by the applicant, 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 Planning Board found that this site has a recently approved Conceptual Site Plan (CSP-14003) and Preliminary Plan (4-14020), and this requirement has been met.

- (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 approved by the applicant.**

The Planning Board found that a Preliminary Plan, 4-14020, for the project was approved on July 30, 2015. In accordance with Section 27-270, Order of Approvals, a preliminary plan shall be approved prior to approval of a DSP and, with the previously approved preliminary plan for the subject project, this condition has been met.

- (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 Planning Board noted that the subject property measures 24.55 acres and it is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. The DSP has been reviewed for conformance with the applicable site design guidelines cross-reference in Section 27-283 (contained in Section 27-274) as follows:
- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. The subject application has provided a shared-parking garage for the residents of the multifamily building and the office use. Additionally, surface parking spaces located along the frontage of Central Avenue (MD 214) and the ramp of the Capital Beltway (I-95/495) have included a green area for planting vegetation, to the extent possible, and the site plan has been designed to avoid large uninterrupted expanses of pavement.
 - (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive and this has been demonstrated on the DSP, for example, the loading areas serving the existing retail building have been located at the rear of the building away from public areas.
 - (3) In accordance with Section 27-274(a)(6)(i), Site and Streetscape Amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture is required. A comprehensive review of streetscape amenities has been shown on the DSP, however, the Planning Board noted that detailed information has not been provided for all the site and street furniture. Additional information will be required to satisfy this requirement prior to certification and a condition requiring this has been included in this approval.
 - (4) A comprehensive and connected public space system should be provided to enhance the commercial and multifamily areas in accordance with Section 27-274(a)(9), Public Spaces. These public spaces (plazas) should incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system and continuous streetscape. An attractive mix of design features including focal points, seating areas, specialty landscaping, and specialty paving materials have been demonstrated on the DSP. The subject application shows decorative paving and special design features. However, the Planning Board noted that detailed information has not been provided for all design features, and should be shown by condition of this approval.

- e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The DSP has included detailed parking information and the proposed parking and loading facilities are acceptable.

8. **Departure from Design Standards (DDS-637):** The applicant requires two departures. The first departure is from Section 27-558(a) of the Zoning Ordinance, which governs the size of parking spaces. The second departure is from Section 27-579(b) of the Zoning Ordinance, which prohibits access to a loading space to be located less than 50 feet from property proposed to be used for residential purposes. The following discussion relates to these departures of design standards:

a. **Departure 1**

Specifically, Section 27-558(a) states the following:

(a) **The size of parking spaces shall be as follows:**

TYPE OF SPACE	MINIMUM SIZE (IN FEET)
Standard car spaces:	
Parallel	22 by 8
Nonparallel	19 by 9 1/2
Compact car spaces:	
Parallel	19 by 7
Nonparallel	16 1/2 by 8
Spaces for boat ramps (to accommodate length of, and maneuvering space for, both car and boat)	40 by 12

The application proposes a reduction in the required parking space size and a Departure from Design standards allows the provision of non-standard parking spaces. The DSP is proposing a standard parking space size on 74 percent of the site. However, the applicant is proposing a reduction of the size of the 127 (13percent) parallel parking spaces on the property. Section 27-558 requires a parking size of 8 feet x 22 feet, and the applicant is proposing a parking size of 8 feet x 21 feet. Additionally, the application is proposing 123 (13 percent) compact spaces on the site, which are located near the multifamily building.

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

Each required finding is listed in **boldface** type below, followed by the applicant's response and then by Planning Board comments:

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

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

Applicant's Response: The reduction of the size of the parking spaces will allow the applicant to maximize the number of parking spaces and will not substantially detract from the utility of the parking areas. A large majority of the reduced parking spaces are proposed to be perpendicular spaces which will be located along the main vehicular travel ways on the site and help to create an urban streetscape, slow on site vehicular moment, and increase pedestrian access to interior sidewalks. The remainder of the reduced parking areas are proposed to be compact parking spaces which are located near the multifamily building. These are required due to the site constraints and needed to provide the minimum number of spaces to conform with HUD requirements. It should be noted that the applicant has reduced the allowed percentage of compact spaces from 33 percent to 13 percent. As a redevelopment site with fixed, but limited access points, converting the site from a suburban shopping center to a mixed-use site has presented design challenges which have been enhanced due to the need to accommodate the existing relations and phase the development.

The Planning Board found that the reduction required will not substantially detract from the utility of the parking areas and helps to encourage economic development and reduce traffic danger. The Planning Board agrees with the applicant that a reduction in the parking size will not substantially impact the development negatively. Additionally, the applicant has indicated that the adjacent parking garage will be a shared parking structure, and has accounted for it in the shared parking analysis. The Planning Board noted that sharing this facility between the office and residential uses during off-peak hours and on the weekends would benefit the community, maximize the number of parking spaces, and will not substantially detract from the utility of the parking areas.

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

Applicant's Response: The applicant states that the property is unique in its location and existing configuration. Razing a substantial portion of the existing shopping center affords the ability to construct a County office building and introduce a residential use to the property. However, the ability to locate these uses is constrained by several factors, most of which have been noted. In addition to the constraints of the site there is a major WSSC waterline which extends under the parking lot on the eastern edge of the property adjacent to the

Capital beltway, establishing another site constraint. The departure will allow the applicant to provide adequate, functional parking in light of the site constraints.

As stated above, the decreased parking size used by the applicant is not in keeping with the requirements of the Zoning Ordinance. However, the Planning Board finds the applicant's request appropriate and hereby approves a departure allowing the applicant to use the smaller parking space sizes.

- (iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

Applicant's Response: The subject property is an existing developed site with existing points of access on MD 214 and from an existing private access easement along its western boundary. While not constructed prior to 1949, the points of access into the property cannot be modified and they largely define the development pods. The WSSC easement further restricts design flexibility. Redeveloping these pods in an efficient manner can be challenging in a redevelopment scenario and the predominant use of universal spaces assists in not being able to redevelop the subject property.”

The Planning Board noted that the M-X-T Zone promotes dense and compact development. This development is proposed as such a project, and will mitigate negative impacts of the proposed parking space sizes.

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

Applicant's Response: The applicant suggests that the requested departure will not impair the integrity of the site of the surrounding neighborhood. The primary request in this application is the ability to utilize universal size spaces for the majority of the parking area. This allows for more flexibility in the design of the project, and particularly in the parking garage, and does not impair the visual, functional, or environmental quality or integrity of the site.”

The Planning Board agreed with the applicant that the departure will not negatively impair the development. The decreased parking size proposed by the applicant can be used in a manner which increases green space and green area on the site to the maximum extent possible.

b. **Departure 2**

Section 27-579(b) states the following:

- (b) **No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan). (emphasis added)**

A portion of the existing retail shopping center will be retained and renovated to accommodate existing tenants remaining on the property. These tenants, in addition to the new retail locations, proposed office, hotel, and multifamily, will require a loading space to serve the associated building. Due to the location of these loading areas, specifically the loading drive isles for the office and retail uses in proximity to the residential multifamily building, a departure is required. The drive isles on the western and northern sides of the residential structure will impact the facility and are within 50 feet of the multifamily building. The applicant has argued that Section 27-579(b) does not apply to loading spaces within an M-X-T development, but only to loading spaces on an adjacent property.

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

Each required finding standard is listed in **boldface** type below, followed by the applicant's response and then by Planning Board comment:

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

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

Applicant's Response: The applicant states that the mix of horizontal mix of uses proposed on the site is appropriate and that it is not possible to design the site and prevent trucks serving property to drive within 50 feet of the multifamily residential building. The proposed site plan presents an appropriate integration of uses in conformance with the existing zoning and the purposes of the Zoning Ordinance will be equally well of better served by the proposal. The departure to allow access to the loading space within 50 feet of the multifamily residential building allows for the redevelopment of the site and the addition of a residential component, while still providing required loading to all of the buildings which require it. For these reasons the purposes of protecting and promoting the most

beneficial relationship between land and buildings, encouraging economic development and lessening the danger of traffic on the streets.

For clarification, the Planning Board noted that the applicant's response above relates to the proposed loading spaces on Parcels 4 and 9 for the existing retail building and the proposed office space in relation to the multifamily building. The applicant argues that the type of loading between the office and residential is similar, and that the loading areas and travel ways are in needed in order to provide the required loading to all of the buildings, promoting the most beneficial relationship between land and buildings and encouraging economic development.

The plan identifies few travelways for the loading vehicles and should explore different travel patterns to remove the conflict with the residential building.

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

Applicant's Response: The location of the existing loading area for the retail building is situated such that trucks must drive along the back of the existing building. To exit the loading area will bring the trucks within 50 feet of the multifamily residential structure, requiring the departure. Additionally, the loading space for the office is located within 50 feet. The applicant states that the loading area is placed at the most appropriate location to serve the office building, and given the nature of the office building the types of delivery vehicles serving the building would not be dissimilar to the those serving the residential building, and include FedEx, UPS, and similar delivery vehicles. Locating the loading area conveniently to serve both uses is appropriate for the mixed-use design. Attempting to relocate the loading space for the office would not make logical sense, and due to the location of the existing loading area for the retail must drive by the multifamily residential building. Thus, the applicant states that it is better to allow for a design that best serves the proposed development than strictly conforms to a regulatory requirement.

The Planning Board noted that the M-X-T Zone promotes a dense and compact development, and understands that it is difficult to design the site to prevent trucks from serving the property to not drive within 50 feet of the multifamily residential building. Therefore, the Planning Board found the request acceptable and the recommended conditions will mitigate negative impacts of the loading areas on the residential uses.

(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the

**County which were predominantly developed prior to
November 29, 1949;**

Applicant's Response: The applicant states that the subject property is an existing developed site with existing buildings which will be retained and existing truck route which will also be retained. Introduction of a residential component is consistent with the M-X-T Zone and the location proposed for this use is appropriate. Redeveloping the property in an efficient manner can be challenging in a redevelopment scenario and retaining the existing retail building with its existing loading pattern assists in being able to redevelop the subject property.

The Planning Board found that the M-X-T Zone promotes dense and compact development. This development is proposed as such a project, and the Planning Board noted that redeveloping the property efficiently can be challenging. The conditions of approval will mitigate negative impacts that existing loading areas may have on the residential uses.

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

Applicant's Response: The applicant states that the requested departure will not impair the visual, functional, the environmental quality, or integrity of the surrounding neighborhood. The residential building is proposed for the southern end of the site adjacent to a preserved, wooded floodplain. It will be adjacent to a retail building which will provide services to the residents and an office building which may provide employment for some of the residents. Since the retail building will be renovated in the first phase of the development to allow a portion of the existing retail to be razed, all future residents will be well aware of the design of the building and how it operates when they occupy the property. Additionally, the residential building will be bounded by floodplain on the south, the Capital Beltway to the east, the existing retail building on the west, and the new office building on the north, and therefore the applicant states that no impact will be made to the surrounding neighborhood.

The Planning Board found that the requested departure will not impair the quality or integrity of the site or surrounding neighborhood. Particularly the site plan, landscape plan and the architecture all have been analyzed so that the residential building is designed to minimize potential conflicts during the construction of subsequent phases of development.

Based on the analysis above, the Planning Board approved DDS-637.

9. **Conceptual Site Plan CSP-14003:** The DSP is in general conformance with Conceptual Site Plan CSP-14003, and the applicable conditions of approval. The following conditions are relevant to the review of the DSP:

3. **Prior to approval of each detailed site plan (DSP) for the project, information shall be provided or the issues shall be addressed, as follows:**

a. **The architectural elevations fronting all public roadways shall be treated as highly-visible elevations to include the following:**

(1) **A predominant use of brick, precast, glass, metal, and masonry, or any combination of these finish materials.**

The Planning Board found that this condition has been satisfied.

(2) **Well-designed façades with attractive fenestration patterns. For vertically mixed-use buildings, the ground level shall be a combination of durable at-grade materials, storefront, and lighting, promoting visually rich and engaging streetscape façades.**

The Planning Board found that this condition has been satisfied.

(3) **Use of thoughtful architectural details such as massing breaks, sills, lintels, recessed window systems, and canopies where appropriate, to ensure varied visual interest.**

The Planning Board found that this condition has been satisfied.

(4) **A varied roofline.**

The Planning Board has included a condition in this approval requiring the applicant to add additional variation to the proposed roofline on the multifamily, office, hotel, and retail buildings, to the extent practical.

b. **Identify the green building techniques to be used in this project and/or provide evidence that green building certification will be obtained.**

See above Finding 6 for a list of green building techniques to be employed on this project.

c. **In the areas of the development which are to be used for pedestrian corridors and/or as gathering places for people, adequate attention shall be paid to human scale, high-quality urban design, shade trees, and landscaping types and textures of paving materials, street furniture, trash facilities, and lighting.**

The Planning Board found that this condition has not been met. The Planning Board noted that additional information should be provided for street furniture and landscape furnishings in active and passive areas, including details and specifications. Additional information should be provided on the revised DSP prior to certificate approval of the plans.

- d. Full cut-off lighting fixtures shall be used for grade-level lighting, and special night lighting will be permitted to highlight the iconic features and signage of the hotel, office, retail, and office uses.**

The Planning Board found that this condition has been satisfied.

- e. Surface parking spaces around the residential multifamily buildings shall be reduced to provide additional green spaces around the buildings to the extent practical. Parking shall be provided within the parking structure for residents, guests, and leasing applicants to the extent practical.**

The Planning Board found that this condition has been satisfied, and noted that the parking requirements for the multifamily building are served by a surface lot and supplemented by the shared use of the parking garage outside the office building, helping to provide additional green spaces around the residential building, to the extent practical.

- f. The main street shall not terminate at a surface parking lot. A pedestrian alley that does not reduce retailer visibility shall be provided for pedestrian movement from the main street to the retailers across the largest surface parking lot on the site.**

The Planning Board found that this condition has been satisfied.

- g. Street trees on the main street shall be located approximately 35 feet on center if they do not exist in the right-of-way. A row of the same species shall be planted at the same interval on the other side of the sidewalk.**

The Planning Board found that this condition has been satisfied.

- h. The applicant shall demonstrate to the Planning Board that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means, and that such instrument is legally binding upon the subdivider and his heirs, successors, and/or assignees.**

The Planning Board found that private recreational facilities have been proposed with the multifamily building. This condition has been satisfied.

i. Provide bicycle parking at appropriate locations.

The Planning Board has evaluated this requirement and the condition has been satisfied.

10. **Preliminary Plan of Subdivision 4-14020:** Preliminary Plan 4-14020 was approved on July 30, 2015, (PGCPB Resolution No. 15-86), with the following conditions (**in bold**) related to the review of this DSP, or are provided at this stage of development for information.

- 5. Prior to the approval of a Detailed Site Plan for multifamily dwellings, the applicant shall demonstrate to the Planning Board that the on-site private recreational facilities for the fulfillment of mandatory dedication (Section 24-135) will be properly developed within or next to the same parcel or lot as the residential building to the extent practicable, and maintained to the benefit of future residents pursuant to Section 24-135(b)(2) of the Subdivision Regulations.**

The Planning Board found that private recreational facilities have been provided with this application by the applicant and have been reviewed by staff. The private recreational facilities are found to be acceptable.

- 6. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to the release of any building permits.**

The Planning Board found that the subject application is not a substantial revision to the mix of uses on the subject property and is therefore acceptable.

- 15. In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**

- a. Provide a sidewalk connection from the site access on Central Avenue (MD 214) to the subject site's western boundary and incorporate a landscape strip including shade trees where appropriate, subject to approval by the Maryland State Highway Administration (SHA).**
- b. In the areas of the development which are to be used for pedestrian corridors and/or as gathering places for people, subsequent Detailed Site Plans shall pay adequate attention to human scale, high-quality urban design, shade trees, and landscaping types and textures of paving materials, street furniture, trash facilities, and lighting.**

- c. **At the time of DSP, the plan shall include bicycle racks accommodating a minimum of 50 bicycle parking spaces and other secure bicycle storage facilities at locations scattered throughout the subject site. The number and location of the racks and secure facilities shall be marked and labeled on the DSP, with details provided for the racks and secure facilities.**

The Planning Board has reviewed the subject application and indicated that sidewalks are shown at appropriate locations along internal roads and access easements. The improvements shown on the submitted site plan significantly enhance pedestrian access and safety on the subject site by providing dedicated walkways and crosswalks connecting to all the proposed buildings.

- 16. **Prior to issuance of any building permits within each phase as proposed within the detailed site plan, the Bicycle and Pedestrian Impact Statement (BPIS) improvements in accordance with Section 24-124.01 of the Subdivision Regulations shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's permitting process; and (c) have an agreed-upon timetable for construction with the operating agency.**

- a. **MD 214 and Hampton Park Boulevard intersection (east, west and south legs)**

- (1) **Brick pavers**
- (2) **Mill existing pavement**
- (3) **ADA ramps**
- (4) **Pedestrian crossing signals**

- b. **Hampton Park Boulevard**

- (1) **'Share the Road' signage**

- c. **Westbound MD 214, west of Hampton Park Boulevard**

- (1) **Bus shelter installation**

- d. **Hampton Mall Drive North Extended
(from the end of the public right-of-way to the subject property line)**

- (1) **Concrete sidewalks**
- (2) **ADA ramps**

- e. **One bus shelter installation**

- (1) **One bus shelter should be installed at a location determined by DPIE within one-half mile walking or biking distance of the subject site.**

At the time of DSP, provide an exhibit that illustrates the location, phasing, and limits of all off-site improvements proposed. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk improvements, bus shelter installations, pavement markings and signage.

If it is determined at the time of Detailed Site Plan that alternative off-site improvements are appropriate due to comments from the appropriate governmental agency (DPIE and/or SHA) or lack of public right-of-way, 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 bike 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 BPIS adequacy finding made at the time of Preliminary Plan of Subdivision.

The Planning Board has reviewed the subject application pursuant to the above conditions and finds that the off-site improvements in Condition 16 were required as part of Preliminary Plan 4-14020 pursuant to Section 24-124.01 (bicycle/pedestrian adequacy requirements). An exhibit of the proposed improvements needs to be submitted illustrating the location, limits, and specifications of the improvements.

- 17. At the time of detailed site plan, the DSP and landscape plan shall show a limit of disturbance that preserves all of the existing vegetation within the fenced and channelized streams, except for where water, sewer and stormwater outfalls are necessary. Where necessary and appropriate, the landscape plan shall show enhancement planting along Stream 2 (southern property line).**

The Planning Board found that the DSP is in conformance with this condition.

- 18. Prior to acceptance and approval of each Detailed Site Plan, a Phase I and Phase II noise study shall be submitted and shall be based on all existing and proposed conditions for the entire site.**

The Planning Board noted that this condition has been satisfied.

- 20. Total development shall be limited to uses that would generate no more than 760 AM and 991 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The Planning Board concluded that this application will not exceed the trip cap established by Condition 20, because this application density falls below the trip cap. The Planning Board noted

that future DSP applications requiring additional development must provide a statement of trip generation of the proposed uses and a comparison with the trip cap from the approved preliminary plan, and a condition has been included in this approval requiring this.

11. **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. **Transportation Planning**—The site consists of 24.55 acres in the M-X-T Zone. It is located in the southwest quadrant of the intersection of Central Avenue (MD 214) and the Capital Beltway (I-95/I-495).

Background

Pursuant to PGCPB Resolution No. 15-86, the subject property was the subject of an approved Preliminary Plan (4-14020) that was approved on July 30, 2015. The property was approved with multiple conditions, including the following pertaining to transportation:

20. Total development shall be limited to uses that would generate no more than 760 AM and 991 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

Information provided on the site plan has indicated the following proposed uses:

Use	Preliminary Plan	Current DSP	Comparison
Retail	105,000 square feet	91,411 square feet	DSP is less
Medical Office	70,000 square feet	0 square feet	DSP is less
General Office	100,000 square feet	115,000 square feet	DSP is more, however, total/combined office use in less overall
Hotel	250 rooms	123 rooms	DSP is less
Residential	348 multifamily units	254 multifamily units	DSP is less

The Planning Board concluded that this application will not exceed the trip cap established by Condition 20. Because this application density falls below the trip cap, the Planning Board found that future DSP applications requiring additional development must provide a statement of trip generation of the proposed uses and a comparison with the trip cap from the approved preliminary plan.

21. At time of DSP, the plan shall show a four-lane divided access roadway with sidewalks on both side extending south from MD 214 and sidewalks on both sides of the off-site access easement connecting to the Hampton Mall Drive North.

This condition has been met.

- 22. Prior to issuance of any building permit within the subject property above the levels that generate more than 712 PM peak-hour vehicle trips, using the approved trip generation rates as defined or augmented by the “Transportation Review Guidelines, Part 1 2012” (“Guidelines”) the following road improvements shall have (a) full financial assurance through either private money or full funding in the Maryland Department of Transportation “consolidated Transportation Program” or the Prince George’s County “Capital Improvement Program,” (b) have been permitted for construction through the operating agency’s permitting process, and (c) have been an agreed-upon timetable for construction with the appropriate operating agency:**

At MD 214/ Ritchie Road/ Garrett A Morgan Boulevard: the provision of a dual left-turn lanes instead of the existing single left-turn lane along the south leg (Ritchie Road), per the County and/or Maryland State Highway Administration (SHA) Standards and the provision of all necessary traffic signal modifications including provision of pedestrian signals on all approaches.

This condition will be addressed at the time of building permit.

Site Circulation

The subject property is currently improved as an integrated shopping center of various uses. The site has two access points; one directly from MD 214 and another from the adjacent shopping center to the west of the subject property. Based on the current proposal, with the exception of a few buildings, most of the existing buildings on the property will be razed in order that the site can be re-purposed with new development and a new traffic circulation plan. In reviewing the proposed site layout, the Planning Board is satisfied that various vehicle types will be adequately accommodated from a circulation perspective.

Parking

The subject property is zoned M-X-T. Consequently, the applicant is allowed to evaluate the parking needs of the site from a shared-use perspective. To that end, the applicant has provided the Planning Board with a shared-use parking analysis based on Weekday Peak-Hourly Demand as well as Saturday Peak-Hourly Demand. A total of 959 spaces are being proposed. Based on the peak-hour parking analyses, the site will require a minimum of 854 spaces during weekdays and 739 spaces on weekends. The parking rates cited in the parking studies are consistent with rates from the Institute of Transportation Engineer’s (ITE) *Parking Generation Manual, 4th Edition*. There were some initial concerns that the proposed parking garage and its 305 spaces were for the exclusive use of the office phase

of the development. If this were true, then the spaces allotted for the office use could not be part of the shared parking analyses. However, the Board was assured that none of the proposed 959 spaces (including 305 in the parking garage) will be assigned for any particular uses being proposed. Consequently, the Board accepted the results of the shared parking analyses, and further concluded that the parking provided will be adequate.

Departure from Design Standards DDS-637

The applicant has filed a Departure from Design Standards (DDS) in order to construct parking spaces that are smaller than the standard sizes. The applicant cites several challenges regarding the overall size of the development as reasons for the departure application. Specifically, of the 959 proposed spaces, the applicant is proposing that 250 (approximately 26 percent) spaces be built as non-standard. These spaces will consist of parallel as well as angled spaces. In looking at the overall site circulation and the location of the proposed spaces, the Planning Board noted that no negative impact would be created by reducing the size of those spaces.

Conclusion

Overall, from the standpoint of transportation, the Planning Board found that this plan is acceptable and meets the finding required for a DSP, as well as a DDS described in the Zoning Ordinance.

- b. **Prince George's County Fire/EMS Department**—In a memorandum dated March 3, 2017, the Fire/EMS Department stated that they completed a review of the DSP submission for Hampton Park, and made the standard comments that will be enforced in their separate permitting process.
- c. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 11, 2017, DPIE offered numerous comments. Those comments have been provided to the applicant and will be addressed under DPIE's separate permitting process.
- d. **Prince George's County Police Department**—The Police Department did not offer comments on the subject project.
- e. **Prince George's County Health Department**—In a memorandum dated April 5, 2017, the Health Department stated that they completed a health impact assessment review of the DSP submission for Hampton Park, and made the following comments and recommendations:
 - The applicant must obtain appropriate Raze Permits from Prince George's County's Department of Permitting, Inspections and Enforcement Office (DPIE).

- During the demolition/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.
- During the demolition/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.
- The applicant must submit plans for the proposed food facility (i.e. coffee bar) and swimming pool and apply to obtain applicable Health Department permits through the Department of Permitting Inspections and Enforcement.
- Health Department permit records indicate there are approximately 10 existing carryout/convenience store food facilities and one market grocery store within a half-mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. The applicant should consider setting aside retail space for tenants that would provide access to healthy food choices in the area. It is recommended that the applicant designate an area in the proposed commercial space for a market/grocery store that would provide healthy eating options for the residents of Hampton Park.
- The Hampton Park project is located adjacent to Capital Beltway (I-95). Published scientific reports have found that road traffic, considered a chronic environmental stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests. There is an emerging body of scientific evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma.
- Several large-scale studies demonstrate that increased exposure to fine particulate air pollution is associated with detrimental cardiovascular outcomes, including increased risk of death from ischemic heart disease, higher blood pressure, and coronary artery calcification. The office looks forward to receipt of a landscape plan depicting elements of the project that will help mitigate the above noted potential adverse impacts due to its proximity to the I-495 highway.

The Planning Board found that the DSP includes multiple uses and has potential to attract a grocery provider that provides fresh fruits and vegetables and restaurants that provide healthy food choices. The applicant has been informed of the lack of healthy food options

in the close vicinity of the site. The applicant indicates that market conditions will be the most important factor in determining what type of restaurant(s) this site will attract, and as more information about possible tenants becomes available a grocery will be considered.

Regarding noise and dust control, two standard site plan notes have been included in the conditions of approval of this DSP. The applicant is fully aware of the issue and will try to minimize the possible negative impacts associated with pollution. The multifamily buildings have courtyards designed with amenities for outdoor activities. Since the courtyards are surrounded by buildings on four sides, noise and fine particulate air pollution will be reduced significantly.

- f. **Maryland State Highway Administration (SHA)**—In an e-mail dated March 24, 2017, SHA stated:
- An SHA Access Permit will be required for the proposed improvements taking place in the state right of way.
 - SHA is currently reviewing the TIS and will provide comments to the applicant.
- g. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject project.
12. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
13. As required by Section 27-285(b)(2), this DSP is in general conformance with approved Conceptual Site Plan CSP-15001.
14. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:
- (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).**

Subtitle 24-130(b)(5) states:

- (5) Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any**

lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.

The Planning Board found that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

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 the above-noted application.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of 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, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, May 25, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of June 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator