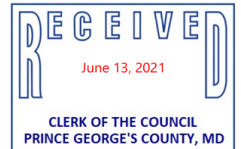


July 13, 2021

Velocity Capital, LLC
8909 Central Avenue
Capitol Heights, MD 20743



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-16052-03
Hampton Park

Dear Applicant:

This is to advise you that, on **July 8, 2021**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

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

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

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

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

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *N. Andrew Bishop*
Reviewer

Attachment: PGCPB Resolution No. **2021-74**

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

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on June 17, 2021, regarding Detailed Site Plan DSP-16052-03 for Hampton Park, the Planning Board finds:

- Request:** This detailed site plan (DSP) is for development of 200 multifamily dwelling units in a four-story building on Parcel 10.

In conjunction with this DSP, the Planning Board approved a Departure from Design Standards, DDS-676 (PGCPB Resolution No. 2021-75), for a reduction of the standard surface parking space size to 9 feet by 18 feet and parallel parking space size to 8 feet by 21 feet.

2. Development Data Summary

	PREVIOUSLY APPROVED	APPROVED
Zone(s)	M-X-T/M-I-O	M-X-T/M-I-O
Use	Integrated Shopping Center	Commercial/Retail, Office, Multifamily and Hotel
Total Gross Acreage	24.55	24.55
Floodplain	23.05	23.05
Right-of-way Dedication	0.00	0.00
Total Net Acreage	1.50	1.50
Parcels	10	10
Total Gross Floor Area (Sq. Ft.)	285,786	526,129
Commercial/Retail	95,976*	95,976*
Office	116,500	116,500
Multifamily Building	0	240,343
		200 Dwelling Units
123-Room Hotel	73,310	73,310

Note: *19,385 existing retail to remain.

Parking Requirements*

	PROVIDED
Total Parking Provided	1,292*
Proposed surface spaces	551
Existing surface spaces to remain on Parcels 6, 7, and 8	253
Parking Garage on Parcel 9	291
Parking Garage on Parcel 10	197
Standard (9 x 18 feet) - 90-degree parking spaces	1,116
Compact (8.5 x 18 feet)- 90-degree compact parking spaces	71
Parallel (8 x 21 feet) – parallel parking spaces	105
Handicap Van-accessible (29 required)	29
Loading (15 required)	10**

Notes: *The number of parking spaces required in the Mixed Use-Transportation Oriented (M-X-T) Zone is to be calculated by the applicant and submitted for Prince George’s County Planning Board approval at the time of DSP. As discussed in Finding 7, the Planning Board finds that the provided parking is sufficient for the proposed development.

**Five loading spaces are shared by commercial retail uses on Parcels 2 and 4.

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

Base Density Allowed	0.40 FAR
Residential Bonus Incentive	1.00 FAR
Total FAR Permitted	1.40 FAR (Optional Method of Development)
Total FAR Proposed	0.49 FAR*

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

3. **Location:** The overall Hampton Park Site is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and I-95/495 (Capital Beltway), in Planning Area 75A and Council District 6. The subject application is in the M-X-T Zone within the Military Installation Overlay (M-I-O) Zone. The specific area of this amendment is in the southeast corner of the property, adjacent to the on-ramp to the Capital Beltway.

4. **Surrounding Uses:** The property is directly adjacent to the ramp to the Capital Beltway and has frontage on Central Avenue. 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 Central Avenue; 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 Zone. Parcel 10, which is the subject of this amendment, is bound by drive aisles on the north and west sides, with an office building located to the north, retail building to the west, Capital Beltway to the east, and an adjacent warehouse use to the south.

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 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 (PPS) 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 existing Kingdom Gateway Shopping Center, with 23 conditions and a variation from Section 24-121(a)(3) of the Prince George's County Subdivision Regulations, for direct access onto an arterial road.

DSP-16052 (PGCPB Resolution No. 17-79) was approved by the Planning Board on June 15, 2017, for the construction of a mixed-use development including 121,192 square feet of commercial/retail, 115,000 square feet of office, 254 multifamily dwelling units, and a 123-room hotel, subject to 2 conditions. The original DSP included DDS-637, for a reduction in the parking space size for a percentage of the parking spaces in the garage.

Multiple DSP amendments have been approved by the Planning Director for a variety of technical and administrative reasons. DSP-16052-01 was approved in 2018 to address engineering issues related to the impact of the 100-year floodplain on the property, revised the elevations for retail buildings, and removed the multifamily component from the application. DSP-16052-02 was approved in 2020 to allow the installation of a new vehicle rental facility in an existing building, with minor site improvements. DSP-16052-04 approved revisions to the existing daycare center, and DSP-16052-05 approved minor engineering modifications. The property also has a Stormwater Management (SWM) Concept Plan, 45614-2014-01, approved on January 17, 2021.

The subject application requests approval to restore the multifamily apartment building on the property and is proposing a reduction in the number of dwelling units from the 254 previously approved, to 200.

6. **Design Features:** The subject site is approximately 24.55 acres and is the location of the existing shopping center known as Hampton Mall. The subject DSP amendment proposes to construct a four-story, multifamily building with 200 dwelling units on Parcel 10. The multifamily building is accessed by a series of drive aisles connecting to Central Avenue to the north and to the remaining part of the shopping center site to the west. These drive aisles form a modified grid pattern on the site that generally follows the parcel lines. The multifamily building is proposed on the southeast portion of the site, adjacent to the Capital Beltway and the retail and office uses on the site. The multifamily building is served by a 197-space parking structure which is located at the rear of the building, and surrounding surface spaces, which includes two electric vehicle charging stations. The proposed multifamily building is an approximate W-shape that wraps around two exterior courtyards, and includes a pool, dog park, coffee bar, multimedia club room, and fitness center. The details of the recreational facilities and amenities on the site have been included with this DSP, and generally, the Planning Board finds them acceptable. However, some details are not shown on the plans and require clarification, such as the treatment for the fence surrounding the dog park. At the hearing, the Planning Board discussed improvements to be added or considered in the dog park. These included a dog fountain and pet waste station, in addition to the consideration of additional landscaping or other method of noise mitigation to reduce the noise level in the dog park. The applicant proffered to provide the dog fountain and pet waste bag station in the facility and these improvements have been included as conditions or considerations in this approval as appropriate.

Architecture

The four-story multifamily residential building is a contemporary design with a flat roof and is approximately 56 feet tall. The building has been designed to incorporate a variety of materials, including cementitious lap siding, cement panels, metal, glass, and block veneer. Emphasis has been incorporated into the façades through the application of different building volumes and massing. The overall design of the building creates a clean and contemporary design, which will complement the surrounding development. The main entrance to the building faces northwest into the site and has an elevated roof line and more windows for emphasis. Internal waste and loading areas are on the northeast corner of the building.

Lighting and Signage

The applicant has provided street lighting throughout the development that is consistent with the lighting approved with DSP-16052. Additional lighting is proposed around the multifamily building and in the parking areas. However, the Planning Board notes that it is unclear if additional lighting is proposed in the courtyards or parking structure and requires that this be shown to demonstrate that there is adequate lighting for pedestrians and vehicles. Requirements to provide lighting in these areas have been conditioned herein. One six-foot-high, monument sign is proposed adjacent to the northwest portion of the building. The submitted sign plan for the project includes square footage, but not all the details required to fully evaluate the

sign. A condition is included herein that requires the applicant to provide scaled details of the signs and elevation drawings showing its design.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance as follows:
- a. The subject application is in conformance with the requirements of Section 27-547, Uses permitted, of the Zoning Ordinance that governs permitted uses in the M-X-T Zone. The multifamily residential buildings proposed with the subject DSP are permitted in the M-X-T Zone and were shown on the approved CSP-14003.
 - b. Section 27-548, M-X-T Zone, of the Zoning Ordinance establishes additional standards for 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 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.**

At the time of the CSP-14003 review and approval, the applicant planned to use the optional method of development for the project by proposing a residential component of more than 20 units as part of the overall development, along with commercial/retail and office uses. Inclusion of the qualified residential use increases the permitted FAR by 1.0 above the base FAR of 0.40. Therefore, 1.4 FAR is permitted for the overall development. The proposed FAR is approximately 0.49 and 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 overall DSP proposes residential, retail, and office uses in multiple buildings on multiple parcels, in conformance with this requirement.

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

The site plan indicates the location, coverage, and height of all improvements, in accordance with this regulation.

- (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 development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening are required to satisfy the purposes of the M-X-T Zone and is discussed in detail in Finding 12 below.

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

The FAR for the proposed development, within the area of the CSP, is approximately 0.49, which is calculated in accordance with this 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.**

There are no private structures within the air space above, the ground below, or in public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject DSP.

- (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.**

This requirement was reviewed for conformance at the time of the review of PPS 4-14020, which was approved on July 30, 2015. Each parcel has frontage on and access to a public right-of-way, or other access right-of-way, as authorized pursuant to Subtitle 24 of the Prince George's County Code.

- (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 proposed residential multifamily building is approximately 56 feet high, which is below the 110 feet limit.

- (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).**

This requirement does not apply to this DSP.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

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

Conformance with the purposes of the M-X-T Zone was found with the CSP approval and is adopted herein by reference (PGCPB Resolution No. 15-52). The proposed DSP is consistent with that approval and supports that finding

because it promotes the orderly development of land with residential, retail, and office components of a mixed-use development in close proximity to the major intersection of Central Avenue and the Capital Beltway. It is also noted that the development of the site consisting of residential uses will allow for increased hours of activity in the area.

- (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 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 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, driveways and sidewalks. The regional roadways such as the Capital Beltway Central Avenue, 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 proposed development is compatible with nearby existing and proposed development and will be compatible with the existing and approved commercial uses along Central Avenue. Additional green area and buffering have been incorporated into the plan to provide a transition to the adjacent uses.

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

The subject DSP is designed to blend with the existing and approved commercial and residential uses in the overall Hampton Park development and the surrounding vicinity. The application also employs similar color and material themes for the proposed building to achieve a uniform and high-quality development, while keeping the unique features of each building.

- (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 overall Hampton Park consists of multiple buildings that are phased, in accordance with fine grading permits and building permits. The proposed commercial, retail, residential and office buildings will create a unique place and a destination, while also being integrated with each other. Each phase of development will be self-sufficient, and when combined contribute to the effective integration of the entire mixed-use center.

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

A comprehensive sidewalk network has been proposed and is generally located on both sides of all roadways and surrounds every building, except as conditioned. Once the project is complete, the pedestrian system will be integrated into the sidewalk and bicycle facility network of the overall property. The improvements shown on the submitted site plan will significantly enhance pedestrian access and safety on the subject site by providing 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 application proposes pedestrian pathways throughout the site, connecting to the main entrance of each building and outdoor landscaped areas and recreation facilities that are designed with attention 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.

This site has a recently approved CSP-14003 and PPS 4-14020. 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 provided by the applicant.**

The applicable PPS was approved by the Planning Board on July 30, 2015. The transportation adequacy findings in that PPS are still valid and governing, as discussed in detail in Finding 10 below.

- (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 overall site plan contains less than 250 acres; therefore, this application is not subject to this requirement.

- d. **Military Installation Overlay (M-I-O) Zone:** Part 10(c) of the Zoning Ordinance sets forth criteria for the M-I-O Zone. The subject property is located within the Joint Base Andrews M-I-O Zone area. The western portion of the property is within Height Surface 'B', 'G', and 'F' establishing a height limit of approximately 459 feet above the runway surface. All the proposed buildings are no more than 84 feet in height and therefore, meet the requirements of the M-I-O Zone.
- e. This DSP is in conformance with the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance and contained in Section 27-274 of the Zoning Ordinance. The proposed plan generally meets all of the site design guidelines by providing amenities that are functional and constructed of durable, low-maintenance materials; vehicular and pedestrian access is provided to the site from the public right-of-way; and the architecture proposed for the multifamily building is high quality and employs a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials. The approval of the proposed multifamily

building will contribute to an attractive, coordinated development that is designed to be safe, efficient, and convenient for both pedestrians and drivers. Adequate parking, circulation, lighting, and amenities are provided on site, as conditioned.

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

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

- 2. 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.**
- (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.**
- (3) Use of thoughtful architectural details such as massing breaks, sills, lintels, recessed window systems, and canopies where appropriate, to ensure varied visual interest.**
- (4) A varied roofline.**

The proposed multifamily building consists of cementitious siding, split-faced block and glass materials on all façades. Attention is given to blend with the surrounding development through the use of these materials and complimentary colors. Massing breaks with attractive fenestration patterns ensure visual interest on the entire building.

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

Sustainable practices are being used in the building design, such as LED lighting on the exterior and interior, installation of low flow plumbing in the building, and the addition of electric car charging stations. A shared parking strategy is used on-site to reduce the overall number of parking spaces required and increase the amount of green space provided. In addition, it is noted that Best Management Practices (BMPs) are implemented on the site to mitigate stormwater including rainwater planters, rainwater gardens, and porous pavement, where feasible. As such, stormwater runoff quality will be improved and quantities from impervious surfaces will be reduced. A condition has been included in this approval, requiring the applicant include a note on the DSP to clearly indicate the green building techniques that will be used.

- 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.**

DSP-16052 approved the pedestrian network for the development. The proposed multifamily building is integrated into that network and includes high-quality urban design with street furniture, lighting, varied paving, and shade trees.

- 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.**

This condition has been satisfied, and the same lighting as originally approved for the overall Hampton Park will be proposed with the subject application.

- 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.**

As a result of the loss of land associated with the floodplain mitigation, the application now proposes a two-story parking garage in lieu of a larger surface parking lot. The overall function and relationship to the parking as originally proposed will not be altered.

- 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.**

Private recreational facilities have been proposed with the multifamily building. These include a clubroom, fitness center, swimming pool, outdoor kitchen, grills, courtyard, and open space. The Planning Board finds that additional facilities have been included in the amenities that the applicant is taking credit for such as the business center, multimedia room, and dog park. These facilities should not be included, and a condition has been included in this approval to require the applicant to include only those facilities that are consistent with those in the *Parks and Recreation Facilities Guidelines*.

i. Provide bicycle parking at appropriate locations.

A storage room is proposed inside the multifamily building to store 16 bicycles. In addition, secure parking will also be provided in the garage, and bicycle racks are located near primary building entries.

9. Preliminary Plan of Subdivision 4-14020: The PPS was approved on July 30, 2015 (PGCPB Resolution No. 15-86). Of the 23 conditions attached to the approval of PPS 4-14020, the following are applicable to the review of this DSP:

2. The applicant, his successors, and/or assignees, shall provide on-site private, recreational facilities in accordance with Section 24-134 of the Subdivision Regulations and the standards in the *Parks and Recreation Facilities Guidelines*. The private recreational facilities shall be reviewed for adequacy and property siting, prior to approval of the detailed site plan for the multifamily buildings by the Planning Board.

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.

This amendment provides details for the recreational facilities within the multifamily building and on the same parcel. These facilities are consistent with the prior multifamily application and are adequate to serve the proposed number of residents.

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 subject application is not a substantial revision to the mix of uses on the subject property and is acceptable.

- 8. The applicant and the applicant's heirs, successors and assignees shall not execute any termination, modification or amendment of the Access Easement Agreement (recorded at Liber 4412 Folio No. 256) which provides vehicular access to Hampton Mall Drive North without the prior written consent of the Maryland-National Capital Park and Planning Commission. Evidence of such written consent shall be recorded with any such termination, modification or amendment, if approved by the M-NCPPC Planning Department.**

This DSP proposal shows the access easement (recorded at Liber 4412 at folio 256) which provides vehicular access to Hampton Mall Drive North. No termination, modification, or amendment of the Access Easement Agreement has been proposed with this application.

- 10. Development of this site shall be in conformance with the Stormwater Management Concept Plan, 45614-2014-00 and any subsequent revisions.**

The applicant submitted an approved SWM Concept Plan (45614-2014-01) and approval letter with the subject DSP. The approved SWM concept plan shows development matching that shown on the subject DSP.

- 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 finds that the applicant has complied with Conditions 15a and 15c. While the submitted plans generally provide adequate attention to human scale, high-quality design, the application is missing

sidewalk segments where pedestrian activity is likely to take place, and conditions related to their addition have been included herein, to improve the site plan and enhance pedestrian access and safety on the subject site, in conformance with Condition 15b.

- 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 applicant has submitted an exhibit detailing required off-site pedestrian and bicycle facilities that complies with this condition. This condition will be further reviewed at the time of building permit.

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 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.**

A revised Phase II noise study has been submitted with this DSP amendment. Noise levels in the two courtyard areas providing recreational facilities will be below 65 dBA Ldn due to the noise reduction provided by the proposed building and parking garage, and additional mitigation for these outdoor areas is not required. However, it is noted that noise levels in the proposed dog park will be at unacceptable levels, and residents will congregate in this location. Therefore, the Planning Board would like the applicant to consider the installation of additional noise mitigation techniques be used in this area to the extent practicable. Possible solutions include additional landscaping or an appropriately designed fence to mitigate the noise. A condition requiring consideration of additional noise mitigation techniques for this area has been included herein.

In addition, it is noted that the exterior walls for all units on the northeast elevation (facing the Capital Beltway) will require upgraded windows and doors to maintain

interior noise levels below the 45 dBA Ldn limit. The DSP should clearly identify which sections of the building facade require additional acoustical treatment, as shown in the noise study. A condition related to this improvement is included in this approval.

- 19. Prior to the approval of building permits for residential buildings located within the unmitigated 65 dBA Ldn noise contour, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA Ldn or less.**

This condition should be added to DSP as a general note. Additional mitigation techniques will be needed to reduce interior noise levels, and a condition of approval has been included herein.

- 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 finds that this application will not exceed the trip cap established by Condition 20 because this application's density falls below the trip cap. The development proposed on the initial DSP-16052 included 254 dwelling units, and the number of dwelling units proposed with the subject application has been reduced to 200 dwelling units.

- 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 satisfied.

- 23. Prior to approval of each final plat of subdivision a draft vehicular access and public utility easement, pursuant to Section 24-128(b)(9) and the approved DSP, shall be approved by The Maryland-National Capital Park and Planning Commission (MNCPPC) Planning Department and be fully executed. The easement may be extended into the site in phase with the DSP and final plat approvals. The easement shall provide for an orderly extension to provide access to each parcel. The easement documents shall set forth the rights, responsibilities, and liabilities of the parties and shall include the rights of M-NCPPC Planning Department. Prior to recordation of each final plat, the easement shall be recorded in land records and the liber/folio of the easement shall be indicated on the final plat.**

The Planning Board notes that an access easement for pedestrian and vehicular access, as well as utilities, was recorded in Liber 40684 at folio 1 on March 7, 2018, in accordance with this condition. However, an inset map on sheet 4 of the DSP labels this easement incorrectly and is required to be corrected, as conditioned herein.

10. **Detailed Site Plan DSP-16052 and its amendments:** DSP-16052 was approved on June 15, 2017 (PGCPB Resolution No. 17-79), by the Planning Board, and was subject to two conditions, with multiple subconditions. Those conditions related to building permits will be enforced at that time. The other conditions of approval were required at the time of certification, which was already completed.
11. **2010 Prince George’s County Landscape Manual:** Per Section 27-544(a) of the Zoning Ordinance, landscaping, screening, and buffering for property zoned M-X-T is subject to the provisions of the Landscape Manual. The proposed development is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required plantings and schedules are provided, in conformance with the Landscape Manual, with the exception of Section 4.7, Buffering Incompatible Uses, adjacent to an existing warehouse use along the southern property line. Specifically, the applicant is seeking relief via Alternative Compliance AC-17005-01, as follows:

Section 4.7 Buffering Incompatible Uses

REQUIRED: 4.7 Buffering Incompatible Uses, multifamily residential adjacent to warehouse use

Length of bufferyard	620 feet*
Minimum building setback	50 feet
Landscape yard width	40 feet
Plant units (160 per 100 linear feet)	832

Note: *The total length of the southern property line is approximately 650 feet minus 30 feet for the private road, on Parcel 10.

PROVIDED: 4.7 Buffering Incompatible Uses, multifamily residential adjacent to warehouse use

Length of bufferyard	520 feet*
Minimum building setback	56 feet
Landscape yard width	40 feet**
Fence or wall	No
Percent with existing trees (off-site)	100 percent
Plant units (on-site)	104

Notes: *The multifamily parcel occupies 520 linear feet of the southern property line.

**Buffer width provided on and off-site with proposed and existing vegetation.

Justification

The applicant is requesting a revision to the previously approved Alternative Compliance AC-17005, from Section 4.7, Buffering Incompatible Uses, along the southern property line of the proposed multifamily use on Parcel 10, which is adjacent to an existing warehouse use on Lot 9, Block F. A Type D bufferyard consisting of 50-foot building setback and 40-foot-wide landscape bufferyard to be planted with 160 plant units per 100 linear feet of property line, is required. Since the developing property is the multifamily use, the Landscape Manual allows that if all or any part of the buffer has been provided on the adjacent property, the proposed use may provide only the amount of the buffer that has not been provided on the adjacent property.

The existing woodland on the adjacent Lot 9, Block F, where the warehouse use is located, is already protected with numerous easements, including a floodplain easement. The actual distance of the use improvements located on Lot 9, Block F, is approximately 150 feet from the southern property line of the subject site. Nearly half of that distance is in existing woodland on steep slopes, that is approved and preserved previously and is unlikely to ever be developed.

The applicant also proposes 104 additional planting units in sufficient green areas on-site along the southern property line. The newly proposed parking structure will also provide visual separation between the two uses and additional screening for the multifamily units from the possible negative impacts of the adjacent warehouse use.

The Planning Board finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual, along the southern property line.

The Planning Board APPROVES of Alternative Compliance AC-17005-01, for Hampton Park, from the requirements of Section 4.7, Requirements for Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual*, along the southern property line of Parcel 10 for Hampton Park.

12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:

The subject DSP is exempt from the Woodland and Wildlife Habitat Conservation Ordinance because the site has less than 10,000 square feet of existing woodlands, and the property has no

previous tree conservation plan approvals. In addition, it is noted that the property was issued a Standard Letter of Exemption, S-080-2021, on March 4, 2021.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered in TCC. The subject application provides the required TCC schedule, however, it does not account for the entire DSP area of 24.55 acres and should be revised as such. A condition is included herein, requiring the schedule to be revised to account for the entire site and demonstrate conformance to TCC.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments and major findings are summarized, and incorporated herein by reference as follows:
 - a. **Historic Preservation and Archeological Review**—The Planning Board adopts a memorandum dated April 14, 2021 (Stabler to Bishop), which notes that the property is adjacent to the Ridgely Church and Cemetery Historic Site (72-005). The proposed development should not be easily visible because of the distance between the historic site and the proposed construction. In addition, it was noted that the historic site has a sufficient buffer of vegetation with mature trees that will screen views from the historic site to the proposed development. Also, it was determined that the proposed development will have little or no impact on the historic site and will not affect any known archeological resources.
 - b. **Community Planning**—The Planning Board adopts a memorandum dated May 6, 2021 (Byrd to Bishop), which notes that pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—The Planning Board adopts a memorandum dated May 20, 2021 (Saunders Hancock to Bishop), which offered an analysis of the prior approval, that is included in the findings above, and notes that access and circulation are acceptable. The number and locations of points of access are consistent with those reviewed and approved with prior applications. From the standpoint of transportation, and in consideration of the findings contained herein, it is determined that this plan is acceptable.
 - d. **Pedestrian and Bicycle Facilities**—The Planning Board adopts a memorandum provided on May 20, 2021 (Jackson to Bishop), which offered an analysis of the prior approvals, that is included in the findings above, and determined that the multimodal transportation site access and circulation of this plan is acceptable and consistent with the underlying conditions of approval. Additional requirements regarding pedestrian safety, including space for a future bikeshare location, have been included in this approval. In conclusion, it was noted that the subject application meets the site design guidelines

pursuant to Sections 27-283 and 27-274(a)(2) of the Zoning Ordinance, and is acceptable, as conditioned.

- e. **Subdivision**—The Planning Board adopts a memorandum dated May 18, 2021 (Vatandoost to Bishop), which provided an analysis of the subject DSP’s conformance with the prior approvals, as included in Finding 9 above, and noted that the DSP is in substantial conformance with the approved PPS. It was determined that the DSP does not propose a substantial revision to the mix of uses on the site, however technical revisions to the general notes are required and have been conditioned herein.
- f. **Prince George’s County Department of Parks and Recreation (DPR)**—At the time of the writing of this approval, DPR did not provide comments on the subject application.
- g. **Environmental**—The Planning Board adopts an email dated April 15, 2021 (Schneider to Bishop), which notes that an approved Natural Resources Inventory, NRI-191-14-01, was submitted with the application, and no new impacts to regulated environmental features are proposed beyond those approved with PPS 4-14020. The email was provided in lieu of a memo and offered no comments or conditions related to DSP-16052-03.
- h. **Prince George’s County Fire/EMS Department**—The Planning Board adopts an email received on April 15, 2021 (Reilly to Bishop), in which the Fire/EMS Department offered comments related to fire hydrants and fire safety that have been incorporated into revisions to the DSP.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this approval, DPIE did not provide comments on the subject application.
- j. **Prince George’s County Police Department**—At the time of the writing of this approval, the Police Department had not offered comments on the subject application.
- k. **Prince George’s County Health Department**—At the time of the writing of this approval, comments regarding the subject project have not been received from the Health Department.
- l. **Maryland State Highway Administration (SHA)**—At the time of the writing of this approval, comments regarding the subject project have not been received from SHA.
- m. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board adopts an email dated April 9, 2021 (Ibikunle to Bishop), in which WSSC provided numerous comments on the application. These have been provided to the applicant and will be addressed through WSSC’s separate permitting process.

16. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
17. As required by Section 27-285(b)(2) of the Zoning Ordinance, this DSP is in general conformance with approved CSP-14003.
18. In accordance with Section 27-285(b)(4) of the Zoning Ordinance, the regulated environmental features on the subject property have been fully preserved and/or restored based on consistency with the limits of disturbance shown on the previously approved CSP-14003 and PPS 4-14020. No additional regulated environmental features are located within the limits of the current application.

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 Alternative Compliance AC-17005-01, and further APPROVED Detailed Site Plan DSP-16052-03 for the above described land, subject to the following conditions:

1. Prior to certificate approval of the detailed site plan (DSP), the applicant shall:
 - a. Provide sidewalk connections from the southeast and southwest sidewalks within the courtyard to the ground level driveway aisles for emergency egress, add a diamond shaped "Watch for Pedestrian Sign" on the southeast ground level driveway and install one W11-2/Pedestrian warning sign facing drivers entering the garage on both the southeastern and southwestern driveways.
 - b. Provide sidewalk ramps on either end of the crosswalk traversing the north drive aisle where it intersects with the east drive aisle.
 - c. Provide space for a future bikeshare station within the development.
 - d. Redesign the roundabouts on the southeast corner to a "T" intersection. Revise the roundabout on the southwest corner of the building to eliminate the circle. Both areas shall be enhanced with landscaping and/or a focal element to provide visual interest.
 - e. Add a general note to state that prior to the approval of building permits for residential buildings located within the unmitigated 65 dBA Ldn noise contour, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA Ldn or less.

- f. Identify on the DSP which sections of the building facades require architectural treatment for noise mitigation.
 - g. Label the 300-foot residential lot depth line, in accordance with Preliminary Plan of Subdivision 4-14020.
 - h. Show and label unmitigated and mitigated noise contour lines.
 - i. Revise the label for access and utility easement shown in the inset map on sheet 4 of the DSP to provide the correct recordation reference as Liber 40684 at folio 1.
 - j. Demonstrate that adequate lighting is proposed in the courtyards and within the parking structure to allow for pedestrian safety and wayfinding, without causing glare.
 - k. Provide sign details showing the size, material, color, and illumination to be consistent with other signs in the development.
 - l. Clearly label and delineate the dog park on the site and landscape plans.
 - m. Provide a list of the proposed recreational facilities, including specific features and their values, on the landscape plan.
 - n. Provide a note on the DSP to clearly indicate the green building techniques that will be used on the building.
 - o. Revise the Tree Canopy Coverage schedule to meet the requirements of the Prince George's County Tree Canopy Coverage Ordinance for the entire property.
 - p. Provide a dog fountain and pet waste bag station within the dog park, in accordance with the proffer at the hearing.
2. Prior to issuance of the final certificate of occupancy for the multifamily building, all on-site recreational facilities and amenities shall be completed and verified by the Maryland-National Capital Park and Planning Commission.

Consideration

- 1. Explore additional noise mitigation techniques for the dog park, such as adding a fence or landscaping, and include the details and specifications for these improvements, as appropriate.

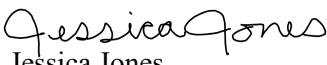
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 17, 2021, in Upper Marlboro, Maryland.

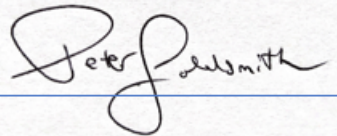
Adopted by the Prince George's County Planning Board this 8th day of July 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: June 29, 2021