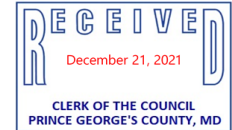


December 21, 2021

WHPC Block 3, LLC & WHPC Block 4, LLC
1100 North Glebe Road, Suite 1000
Arlington VA, 22201



Re: Notification of Planning Board Action on
Detailed Site Plan DSP-20053
West Hyattsville - ETOD
Expedited Transit-Oriented Development Project

Dear Applicant:

This is to advise you that, on **December 16, 2021**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

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

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

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

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

Sincerely,
James R. Hunt, Chief
Development Review Division

By: Henry Zhang 12/21/2021
Reviewer

Attachment: PGCPB Resolution No. **2021-144**

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 December 16, 2021, regarding Detailed Site Plan DSP-20053 for West Hyattsville - ETOD, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is for approval of a vertical mixed-use development consisting of 293 multifamily dwelling units and approximately 3,213 square feet of commercial retail space on proposed Parcel 1 and infrastructure only on proposed Parcel 2.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T/T-D-O	M-X-T/T-D-O
Use(s)	Vacant	Multifamily and commercial retail
Gross Acreage	8.09	8.09
Commercial Gross Floor Area	0	3,213
Total Multifamily Dwelling Units	0	293
Studio	0	6
1-Bedroom Unit	0	164*
2-Bedroom Unit	0	119**
3-Bedroom Unit	0	4

Notes: * 1-Bedroom units include junior 1-BR, 1-BR, and 1-BR plus den types.

** 2-Bedroom units include 2-BR and 2-BR plus den types.

Parking

	MAX. PERMITTED*	APPROVED
With 0.25 mile of West Hyattsville Metro Station		
Commercial at 2.0 spaces per 1,000 sq. ft of gross leasable area	7	-
Residential at 1.5 spaces per dwelling unit	440	-
Total	447	298**
Of which Standard handicap-accessible spaces		7
Handicap-accessible van spaces		1

Notes: *There is no minimum number of off-street parking or loading spaces within the 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone*, only a maximum number of surface parking spaces, as specified on page 118.

**Total off-street parking spaces are in a garage, which is surrounded by the mixed-use building on three sides. An amendment to change the standard parking space size from 9.5 by 19 feet to 8.5 by 18.5 feet is required and discussed in Finding 7 below.

Loading

	REQUIRED	APPROVED
Loading Spaces*	2	2

Note: *The Transit District Overlay Zone does not prescribe a minimum number of loading spaces. The requirement is in accordance with the Prince George’s County Zoning Ordinance.

Bicycle Parking Spaces

	REQUIRED BY TDOZ	PROVIDED
Residential (293 Units @ 1 space/20 Units)	15	34 (in garage)
Commercial/Retail (1 space/per 20 off-street parking spaces)	1	5 (outdoor)
Total	16	39

3. **Location:** The project is located on the east side of Little Branch Run, west of the West Hyattsville Metro Station and Washington Metropolitan Area Transit Authority (WMATA) rail lines, and southwest of the intersection of Ager Road and Little Branch Run, in Council District 2 and Planning Area 68. The site is also within the municipal boundary of the City of Hyattsville.
4. **Surrounding Uses:** The elongated site has frontages on Little Branch Run, the Northwest Branch of the Anacostia River stream valley park, and WMATA rail lines. The site is within the Northern Park Neighborhood, which is one of three distinct neighborhoods of the 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* (West Hyattsville TDDP). The site is bounded to the east by the WMATA rail lines and the West Hyattsville Metro Station in the Mixed Use-Transportation Oriented (M-X-T) Zone, to the west by the right-of-way of Little Branch Run and beyond with a townhouse development in the M-X-T Zone, which is under construction, and to the south and southwest by parkland owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space Zone.
5. **Previous Approvals:** The West Hyattsville TDDP retained the subject property in the Transit District Overlay (T-D-O) and M-X-T Zones.

The site was the subject of a previously approved Conceptual Site Plan CSP-05006, approved by the Prince George's County District Council on August 8, 2008, and Preliminary Plan of Subdivision (PPS) 4-05145, approved by the Prince George's County Planning Board on December 21, 2006. Both the CSP and PPS included a larger land area (44.57 acres) of which the subject property was included. That project was the result of a public/private joint venture between WMATA and the applicant in that case; however, the project never came to fruition. The conditions of the previous approval do not apply. A new CSP approval is not required due to the submittal requirements set forth in Section 27-290.01 for Expedited Transit Ordinated Development, of the Zoning Ordinance, which provides that the elements normally required with a CSP approval should be incorporated into the DSP review.

On March 7, 2017, the Planning Board approved PPS 4-15020 (PGCPB Resolution No. 17-42), which supersedes the previous approvals and provides an adequacy analysis based on the development proposed herein.

DSP-16029 for infrastructure for 183 townhouse lots and rough grading for a future multifamily building was approved by the District Council on April 25, 2017, for the overall 18.45-acre property, including the subject parcel.

DSP-17044, which is an umbrella architecture DSP, was approved by the Planning Board on July 19, 2018 (PGCPB Resolution No. 18-69), for 183 single-family attached (townhouse) dwelling units for development across Little Branch Run to the west of the subject site. A revision to this approval, DSP-17044-01, to adjust the approved townhouse models, was approved administratively.

DSP-20004 was approved by the Planning Board on May 28, 2020 (PGCPB Resolution No. 2020-88), for a 44,362-square-foot medical office building, for a site that is on the eastern side of the WMATA rail lines and in the southwest quadrant of the intersection of Little Branch Run and Ager Road.

On October 7, 2021, the Planning Board approved PPS 4-20040 (PGCPB Resolution No. 2021-122) for the subject site that includes the existing Parcels 2, 3, and 114. The new PPS subdivides the three parcels into proposed Parcels 1 and 2 that are included in this DSP.

The site also has an approved Stormwater Management (SWM) Concept, 3816-2021-00, which was approved on October 13, 2021, and is valid through October 13, 2024.

- 6. Design Features:** This DSP application proposes to develop a vertical mixed-use building consisting of 293 multifamily dwelling units and approximately 3,213 square feet of commercial retail space on proposed Parcel 1 and general grading and a compensatory SWM facility on Parcel 2.

The proposed mixed-use building will occupy the entire Parcel 1, with a parking garage in the middle of the building. The main residential entrance to the building is located in the middle of

the length fronting on Little Branch Run that also includes the access to the proposed parking garage and a drop-off area serving as the main entrance plaza. A public art theme used on the eastern elevation has also been featured in the main entrance area. An internal loading and trash area is located to the south of the main entrance plaza and is also accessed off of Little Branch Run. The commercial retail space is located on the first floor of the building at the southwestern corner, fronting Little Branch Run and a future central plaza and pedestrian walkway.

Architecture

The subject site is in close proximity to the West Hyattsville Metro Station, which offers an opportunity to create a sense of place and identity for this developing area of Hyattsville. The 293-unit, 5-story, flat-roof building complex is designed around a 4-level parking structure and constitutes Phase I of a two-phase project. The two phases, when complete, will form a plaza with public activities and retail around it that has direct connection to the West Hyattsville Metro Station to solidify the intent of the West Hyattsville TDDP to create a vibrant community center for this emerging area.

The architecture and massing of the building is calculated to enhance the feeling of interest activity and excitement. Bright, open, street-level visual interest, articulated roof line, lush landscaping, and colorful accents will make this an attractive place to live, adjacent to a Metro station, but also emphasizing the connection to the park and river (stream valley park owned by M-NCPPC) to the south that will result in a dramatic combination of urban living and natural amenities.

Great attention has been paid to building a contemporary building of high-quality construction and materials along the entire frontage of Little Branch Run to create a coherent and harmonious architectural expression on both sides of this public street. The building articulation includes vertical divisions of the massing to match that of the 4-story townhouses to the west, the selection of a matching color scheme, and a combination of brick and cementitious panels that results in a uniform development of high quality.

The eastern elevation, along the Metro rail lines, shows a different treatment from the main elevation along Little Branch Run. The parking garage occupies a large portion of this elevation and features precast concrete panels that are decorated with artwork that creates a colorful accent similar to that on the main entrance plaza. The rest of the elevation carries the typical residential architectural treatments, including fenestration and building materials, of the main elevation.

Lighting

A photometric plan has been included in this application that shows the foot-candle readings of the entrance areas, as well as the immediate surrounding outdoor areas of the building with three types of light fixtures, including pole light, bollard, and wall mount. All of the proposed light fixtures are light-emitting diode (LED) and full cutoff optics. Sufficient lighting has been provided. Due to different ways of calculating foot-candle reading, on a point-by-point base, a limited number of locations on the site will not meet the very specifically prescribed foot-candle requirements of the West Hyattsville TDDP. The applicant requests an amendment to the standard, and the Planning Board approves the amendment, as discussed in Finding 7 below.

Signage

A uniform signage plan (shown on Sheets A060 and A061) has been submitted with this DSP that includes signs for residential and commercial retail uses and wayfinding signage for both vehicle and bicycle parking. The specific signs have been shown on each elevation of the building complex and specific sign face areas have also been provided. A summary sign face area calculation table has been provided that shows a total of 690 square feet of signage for the entire project.

The proposed signs are consistent with the applicable T-D-O Zone signage standards, except for the method of illumination for certain blade signs that the applicant has requested amendments for, and the Planning Board approves the amendment, as discussed in Finding 7 below.

Recreational Facilities and Amenities

This application for the development of Parcel 1 is not required to provide on-site private recreational facilities because Parcel 1's requirements for mandatory dedication of parkland have been met by previous land dedication pursuant to PPS 4-15020, as part of the townhouse development across the street of Little Branch Run to the west, known as the Riverfront at West Hyattsville development.

On-site private recreational facilities and amenities have been provided by the applicant in this DSP to serve future residents, including fitness spaces, an outdoor kitchen, and an outdoor pool area with seating in two courtyards. The northern courtyard features landscaping and a walking path with seating and other outdoor amenities. The large, southern courtyard includes a swimming pool that will be accessible to residents and will be connected to the promenade as one of the important destinations on-site. The pedestrian promenade varies in width from 20 to 60 feet, creating an inviting pedestrian space that provides direct access from the townhouse and multifamily neighborhood to the pedestrian tunnel under the West Hyattsville Metro Station.

The Planning Board has evaluated the proffered recreational facilities, in accordance with the Prince George's County *Park and Recreation Facilities Guidelines* and finds that the applicant's proposal of on-site recreational facilities is acceptable.

Green Building Techniques

The West Hyattsville project will employ a comprehensive and integrative approach to sustainability by incorporating, at a minimum, the green building strategies of site design, resource efficiency, energy efficiency, water efficiency, indoor environmental quality and operation, maintenance, and building owner education, as follows:

a. Site Design

- Complete environmental remediation of infill brownfield site.
- Encourage multimodal transportation through Metro access, bicycle parking, rideshare, and electric vehicle charging stations.
- Install gravel wetlands system for SWM.
- Provide greenspace with native or regionally appropriate plantings to restore natural vegetation on-site.
- Provide fitness and recreation areas.

b. Resource Efficiency

- Incorporate building materials with recycled content.
- Recycle construction waste.
- Provide easily accessible space for occupants to store recyclables.
- Select durable and long-life building materials.

c. Energy Efficiency

- Install EnergyStar roofing system to reduce heat island effect and heat load.
- Durably seal building thermal envelope to limit air and moisture infiltration.
- Use high-efficacy lighting in dwelling units and common spaces.
- Build thermal envelope with improved insulation.
- Provide high Seasonal Energy Efficiency Ratio/Heating Seasonal Performance Factor Heating Ventilation and Air Conditioning (HVAC) systems.
- Provide high Uniform Energy Factor hot water heaters.
- Use EnergyStar lighting, appliances, and bath fans.
- Install automatic lighting controls in multifamily common areas and parking garage.
- Meter and monitor energy consumption.

d. Water Efficiency

- Use high-efficiency irrigation system to reduce potable water consumption.
- Install water conserving dishwashers.
- Install low-flow plumbing fixtures in dwelling units and common spaces.
- Meter and monitor water consumption.

e. Indoor Environmental Quality

- Include moisture control measures in design and construction.
- Select flooring with low emission levels.
- Specify low or no Volatile Organic Compound paints, sealants, and adhesives.
- Provide Minimum Efficiency Reporting Value 8 or better air filters.
- Protect HVAC systems and ductwork from moisture, dust, and other contaminants during construction.
- Locate all plumbing and ductwork within conditioned space to prevent condensation.

f. Operation, Maintenance, and Building Owner Education

- Implement an Integrated Pest Management plan.
- Monitor energy data with Environmental Protection Agency EnergyStar Portfolio Manager.
- Develop Building Operations and Maintenance Manuals and training building operations staff.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone:** The West Hyattsville TDDP envisions three distinct neighborhoods in the West Hyattsville Transit District: Hamilton Square, North Park, and Queenstown. The subject site is located within the North Park neighborhood, which is located just north of the Metro tracks. The main character and attributes

of the North Park neighborhood include, but are not limited to, a primarily residential neighborhood with a diverse mix of housing types. Its residents will enjoy a direct connection to the Metro station and convenient access to the Northwest Branch stream valley park. Small, neighborhood-focused retail should be at the intersection of the primary internal streets, within two blocks of the Metro station.

In order to implement the land use vision of the TDDP, a set of T-D-O Zone standards has been prescribed for the transit district, including standards governing the building envelope, streetscape, architecture, and parking. The subject DSP has been reviewed for conformance with the T-D-O Zone standards and has been found to be in compliance, except for those standards below, to which the applicant has requested amendments, in accordance with Section 27-548.08(c)(3) of the Zoning Ordinance.

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

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

The applicant has provided a statement of justification (SOJ) to discuss the reasons for amending the specific T-D-O Zone standards, as follows:

BUILDING ENVELOPE AND BLOCK STANDARDS:

MODIFICATION 1: Ground Floor Retail (page 67)

- 6. Buildings shall provide retail on all ground floor elevations to provide an active and interesting pedestrian street life. Community-serving financial (e.g., ... commercial bank or savings and loan branch) or professional (medical, tax preparation, insurance) service establishments may be allowed in ground-floor space provided that such uses have a primary entrance on the street.**

In accordance with the applicant's SOJ, a total of 3,213 square feet of commercial retail space is proposed and needed for this project. Retail is not proposed on all ground floor elevations, but only in the southernmost portion of the building, adjacent to the pedestrian promenade on the southeast side of the

building. The retail space is focused on this area with the highest foot traffic and is designed to serve pedestrians and bicyclists going to and from the West Hyattsville Metro Station, as well as community residents. More extensive retail space is not supportable, due to the lack of vehicular access. This small-scale retail presence in this project is consistent with the TDDP vision for small neighborhood-focused retail in this neighborhood. This amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 2: Shared Parking (page 68)

- 8. Building parking areas (off-street) shall be located away from the street and shared by multiple owners/uses.**

Off-street parking is provided in a parking garage accessed directly from Little Branch Run. The parking garage is exclusively used by the residential tenants and will not be shared with the public. The parking garage is intended to be a secure facility, which will only be accessible by the residents and staff of the residential building. A small amount of retail use is located along the southern façade of the building but is primarily intended to serve residents of the development and pedestrians and bicyclists utilizing the trail system being incorporated into the project. It is anticipated that only a small number of the general public will utilize vehicles to patronize the retail spaces. However, there are on-street parking spaces available on Little Branch Run that will be available to the general public. This amendment request to not share the parking garage with the general public will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 3: Residential Street (page 75)

- 1. Building Street Façade: The façades of all buildings shall be constructed at the build-to line (or sidewalk edge) for at least 75 percent of the street frontage of each block with the following exception: Block corners are exempt from the build-to line requirement if a special pedestrian-oriented building corner treatment is provided. The street façade shall be a single plane, limited to façade jogs of less than 24 inches, interrupted only by porches, stoops, bay windows, shop fronts, and balconies.**

Proposed Parcel 1 has approximately 841.24 feet of frontage on Little Branch Run. The building is constructed at the build-to line for 538.24 feet along this frontage, which occupies 64 percent of the frontage on this road. The street façade is in a single plane, but façade jogs of greater than 24 inches are included that makes this design difficult to follow the build-to line. The main entrance to

the building is set back between 28 feet to 49.5 feet from the right-of-way, for 135 linear feet. The purpose of this arrangement is to accentuate the location of the entrance and provide a visual break in the building, which occupies a substantial length along the roadway. The final length, where the building does not occupy the build-to line, is at the southern end where existing easements prevent the building from being closer to the right-of-way. Given the smaller massing of the townhouses across the street, this design provides a transition space between the taller multifamily building and the existing shorter townhouses. The result is a smooth visual transition between the two developments while a human-scale complete street is achieved. This amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 4: Residential Street (page 75)

- 2. Maximum Block Length: Block lengths shall be a maximum of 400 feet in length; refer to the TDDP block registration plan (Map 13).**

Proposed Parcel 1 will create a block length of 743 feet, greater than the 400 feet in length allowed by this standard. The shape of the property is unusual in that it curves along Little Branch Run for approximately one-third of its length. This curvature makes dividing the property into two separate and distinct blocks more complicated. In addition, the subject site is bounded to the east by WMATA train tracks that make any road connection to the eastern side of the train tracks impossible. Given the unique shape of the site, the amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 5: Residential Street (page 75)

- 5. Rear Yard Line: On sites with no alley access, there shall be a 12-foot setback from the rear yard line.**

The building backs up to the right-of-way of WMATA Metro train tracks, which curves along the rear property line to the east. In most locations, the building is set back between 13 to 28 feet from the right-of-way of the train tracks. In one location, however, where a corner of the garage is closest to the right-of-way, the setback is only 10.5 feet. The parking garage is a rectangular structure, and as noted above, the property line is not straight. At the southern end of the garage, it is 27.8 feet from the right-of-way, but the curvature of the right-of-way brings the garage closer at its northeast corner. In all other locations, the 12-foot setback is provided. Given the amendment is limited to a portion of the garage only, it will benefit the proposed development and the transit district

and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

STREETSCAPE STANDARDS:

MODIFICATION 6: Landscaping of Building Fronts (page 82)

- 7. Landscaping of Building Fronts: Building fronts (public), along the streetscape, shall provide planters and window boxes with flowering plants within two feet of the building face.**

The applicant is not proposing planters and window boxes within 2 feet of the building. However, landscaping is provided along the building base area fronting the streetscape of the entire Little Branch Run. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 7: Location of Mechanical Equipment (page 82)

- 9. Location of Mechanical Equipment: The following mechanical equipment shall be located a minimum of 25 feet away from any build-to line and shall not be stored or located within any street...air compressors, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans, storage tanks, or any other similar mechanical equipment.**

As noted on the DSP, the transformers are located within 25 feet of the build-to line to conform to Potomac Electric Power Company standards. The transformers will be attractively screened to ensure that they are not prominently visible from the streetscape. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 8: Streetscape (page 83)

- 2. Permitted Materials: Brick, precast pavers, Belgium block, or granite pavers are permitted materials. Samples of proposed paving materials shall be submitted with the detailed site plan for review and approval by M-NCPPC staff and county/municipal public space maintenance agencies.**

Lead walks are provided from the building entrance to the sidewalks. In lieu of brick or precast pavers, the DSP proposes to utilize stamped concrete to be constructed to the City of Hyattsville standards. Compared with brick or pavers, stamped concrete requires less maintenance and has the same visual effect that

meets the intent of the West Hyattsville TDDP. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 9: Public Street Lighting (page 89)

2. Lighting levels shall be:

a. Minimum public/private space light levels shall be:

- (1) 1.25 foot-candles for building façades.**
- (2) 5.0 foot-candles for building entries.**
- (3) 2.0 foot-candles for walkways.**
- (4) 0.5 foot-candles for trails.**
- (5) 1.25 foot-candles for all other outdoor areas.**

b. Maximum public/private space lighting levels shall not exceed:

- (1) 2.0 foot-candles for building façades.**
- (2) 5.0 foot-candles for building entries.**
- (3) 2.0 foot-candles for walkways.**
- (4) 1.25 foot-candles for trails.**
- (5) 1.5 foot-candles for all other outdoor areas.**

A photometric study has been provided with this DSP that shows sufficient lighting has been provided throughout the site. However, as the applicant stated in Exhibit A, even though most of the site exceeds the lighting requirements, some locations are not in strict conformance in a point-by-point calculation. Fixture locations are limited due to underground utilities. The proposed lighting will produce a wider range of light levels than the requirements that will serve the proposed development. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 10: Public Street Lighting (page 90)

6. Lighting Fixtures: Lighting fixtures shall be incandescent, metal halide, or halogen only. No high-pressure sodium, mercury vapor, fluorescent lights, or floodlighting (i.e., no up-lighting) may be used on the exterior of buildings.

As the cost of LED lighting has lowered, it became the common replacement for old-fashioned incandescent lighting, because LED lights not only last much

longer, but also use far less electricity than standard lighting. LED lighting is proposed for all fixtures in this project. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 11: Blocks and Alleys (page 91)

- 3. Block Size: Block perimeters and lengths shall be in accordance with the West Hyattsville TDDP block registration plan. No block face shall exceed 400 feet in length without a street, common access easement, alley, or pedestrian pathway that provides through access to another street, alley, or pedestrian pathway.**

As discussed previously, due to the shape of the property and its location adjacent to the WMATA train tracks, it is impossible to create any vehicular connection to the properties east of the train tracks. The proposed Parcel 1 will create a block length of 743 feet, which is greater than 400 feet. However, a pedestrian promenade between proposed Parcels 1 and 2 has been designed to provide a pedestrian connection to the West Hyattsville Metro Station. This pedestrian pathway will provide through access from the North Park neighborhood to the Metro station. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 12: Blocks and Alleys (page 91)

- 4. Alleys: Alleys shall provide access to the rear of all building lots and off-street parking facilities. Alley construction shall be required as part of any redevelopment project within the rear setback unless an alley already exists.**

Due to the narrow and elongated shape of the property, and the presence of the WMATA train tracks to the east, no alleys are proposed with this DSP. There is no adjacent development which could access or benefit from providing an alley. The site is oriented toward Little Branch Run. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 13: Blocks and Alleys (page 91)

- 5. Dedicated Right-Of-Way For Alleys: Where an alley does not exist and is not constructed at the time of redevelopment of any property, the developer**

shall dedicate the alley right-of-way within the rear setback to the county. Pending construction of the alley, the developer or owner shall maintain the dedicated right-of-way by, at a minimum:

- a. Sodding and providing routine landscape maintenance to the area.**
- b. Keeping the area clear of debris, litter, stored materials, and vehicles.**

As discussed above, no alley is proposed, nor alley right-of-way is dedicated to the rear of the proposed building, because the site is too narrow to physically accommodate it. Limited landscaping is proposed between the building complex and the right-of-way of the WMATA train tracks. In the previously approved DSP-16029, the District Council approved an amendment to remove the requirement for an automatic irrigation system provided that native plant species be used. This DSP is proposing drought resistant native species that require less or no irrigation. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 14: Sod, Groundcover and Mulch (page 93)

- 4. Irrigation: All sod and groundcover area shall provide an automated irrigation system to maintain the health and vigor of the sod and groundcover.**

For the same reason as discussed above, an irrigation system is not proposed for sod or groundcover areas. However, native species will be used throughout the development. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

ARCHITECTURE STANDARDS:

MODIFICATION 15: Windows/Doors and Entrances (page 106)

- 1. All Windows:**
 - Windows shall be no closer than 30 inches to building corners (excluding bay windows and where the building corner is also a block corner).**

Windows have been placed on the building elevations based on functional furniture layout and to allow maximum daylight for healthy living. Some windows are closer than 30 inches to exterior building

corners. The proposed building is attractive and well-functioning to serve future residents. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 16: Windows/Doors and Entrances (page 106)

2. Ground Floor Windows:

- **Single panes of glass shall not be larger than six feet high by four feet wide.**
- **Windows shall not be made opaque by window treatments and shall allow a minimum 60 percent of surface view into the building for a depth of at least 20 feet.**

Residential window sizes are typically 6.125 feet wide by 6 feet high, and 8.125 feet wide by 6 feet high. Each window is divided in 2-3 panels; no panels are larger than 6 feet by 3 feet. Windows will have clear insulated low thermal emissivity glass for better thermal performance. While 60 percent of the surface view of the building allows for a depth of at least 20 feet in the lobby and retail areas, it does not allow for this depth in the residential units. This amendment to the above standard is limited to those ground floor areas occupied by residential uses only. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 17: Windows/Doors and Entrances (page 106)

3. Upper-Story Windows:

- **Windows shall be double-hung, single-hung, awning, or casement windows.**

Single-hung windows have been proposed, in accordance with prevailing industrial standards, as shown in applicant's Exhibit C. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 18: Windows/Doors and Entrances (page 106)

4. Doors/Entrances:

- **Roll-down security gates, door, and windows shall be prohibited.**

Roll-down security gates, doors, or windows are not being proposed for the primary building entrances. Roll-down doors are utilized on the garage and loading entrances for security and screening. The Planning Board agrees that the garage doors selected in this DSP are attractive and opaque to block views into the garage and loading areas. The parking lot will be a secure facility and the garage doors will ensure that access is limited. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 19: Signage (page 107)

- 1. Sign Lighting: Building signs shall be illuminated with external lighting only. Lighting shall provide full cut-off fixtures to reduce sky glow and glare. Flashing, traveling, animated, or intermittent lighting shall be prohibited on the exterior of any building or building sign whether such lighting is of temporary or long-term duration.**

The signage package for the proposed building is intended to enhance the visual appeal of the project and promote pedestrian accessibility and safety without contributing to visual clutter. The location of the retail uses along the southern façade of the building, accessible to pedestrians and bicyclists, requires adequate signage. The retail signs will be internally illuminated so that the space is easily identifiable. Visibility from the Metro is also desired for placemaking purposes, as the building is not readily accessible from Ager Road. As a result, some blade signs will also be internally illuminated. Some of the blade and retail signs have low level internally illuminated graphics. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

PARKING STANDARDS:

MODIFICATION 20: Parking Standards (page 109)

- 5. Parking Landscaping: Landscaping shall be provided for surface parking and parking structures as follows:**

c. Off-Street Parking Structures

- **Landscaping shall be provided along parking structure foundation facades that front the public realm.**
- **Landscaping shall be provided at the rate of one tree (2.5-inch caliper) and three shrubs (24-inch height) per ten linear feet of parking façade.**
- **Planting beds shall be a minimum of 5 feet in width and a minimum of 5 feet in depth.**

The garage is fully screened from the view of Little River Run by liner residential units. The garage is visible from a pedestrian trail and the Metro train tracks to the east. Landscaping provided along the rear of the parking structure does not provide the density of plant units specified, due to the narrowness of this area. Instead, limited landscaping is provided, and alternative compliance is also requested. Part of the garage façade will be painted with artwork to provide visual interest. The landscaping treatment between the garage and the Metro train tracks is appropriate and functional. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 21: OFF-STREET PARKING (page 112)

Materials:

The following is a list of permitted and prohibited material:

1. **Permitted: Brick and tile masonry; Native Stone (or synthetic equivalent); Precast masonry (for trim and cornice elements only); Gypsum Reinforced Fiber Concrete (for trim elements only); Metal (for beams, lintels, trim elements and ornamental only); Wood lap siding (horizontal configuration), smooth or rough-sawn finish; Hardie-plank equivalent or better siding.**
2. **Prohibited: Stucco/EIFS (cementitious finish); Split-faced block; Concrete (except for parking deck surface); Concrete Masonry Units; Faux wood grain.**
3. **Façade Treatments for Parking Structures: Parking structure façades that are visible to the public realm shall consist of high-quality material such as brick, brick with concrete banding, brick with glass block banding, or other material as specified in the permitted materials list above. All parking**

structure exteriors shall be architecturally designed to integrate and be compatible with adjacent building materials. Parking structures on corner lots shall provide street-frontage quality architectural façades along both the front and side streets.

Three sides of the parking garage will be surrounded by the residential building with no visible elevations and only one side is visible to the public. The only parking garage elevation that is visible to the public views is oriented toward the WMATA Metro train tracks to the east. That elevation will be constructed of precast concrete to be painted with artwork to provide visual interest and tie into the other colorful elements of the building. The base of the garage is constructed of gray masonry blocks which will also be painted to match the finish materials of the main building. In addition, landscaping is also provided along the entire length of the eastern property line. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 22: OFF-STREET PARKING (page 113)

- 4. Parking Structure Fenestration: Parking structure openings shall provide a minimum of 75 percent transparency to provide visibility for pedestrian safety. Ground floor building façade fenestration shall be 75 percent of each building façade along its street frontage. Blank wall façades shall not exceed 25 percent of any street frontage in accordance with the approved West Hyattsville TDDP conceptual site plan.**

The parking garage is integral to the building and will be fully screened from the street, except for the entry doors and on the eastern elevation, which will be visible from the WMATA train tracks. The parking structure will be a secure facility only utilized by the residential tenants of the proposed building. Given the elongated shape of the property, the DSP takes full use of the site's frontage along Little Branch Run to provide access to the building complex including the parking garage. The main entrance area is designed to allow vehicles to safely enter the garage and also provides a drop-off venue so that delivery vehicles and rideshare services such as Uber/Lyft drivers do not block the traffic. The entrance to the garage will be a secure and decorative roll up door with material selection that resembles semitransparent windows. With the proposed design of the parking garage, which cannot meet the minimum openings of 75 percent transparency, an amendment to this rigid standard is necessary. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 23: OFF-STREET PARKING (page 114)

- 8. Parking Structure Entrances and Exits (Multifamily/Nonresidential):** Parking structure entrances and exits within multifamily residential or nonresidential areas shall not exceed 16 feet clear height and 24 feet clear width and shall not be sited within 100 feet of the block corner or another garage entry on the same block. Garage entry portals may be set back up to 24 inches behind the surrounding façade. Parking access shall consist of a single location point for entry/exit purposes to minimize curb cuts. Vehicle access from the street frontage shall be prohibited.

The garage door conforms with the 16-foot clear height and 24-foot clear width requirements and there are no other garage entrances. The subject property is not a corner lot, so the entrance is not within 100 feet of a block corner. The garage is set back 82 feet from the surrounding façade. A single point of access to the garage is provided, but from the street frontage. The layout of the entrance and exit of the proposed building complex and parking garage is functional and appropriate. Given the unique shape and location of the subject property, the vehicular access to the property can only be provided from Little Branch Run. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 24: OFF-STREET PARKING (page 114)

- 9. Parking Structure Stairwells:** Parking structure stairwells shall provide up-lighting with a minimum of 2.0 foot-candles and a maximum of 5.0 foot-candles. Glass façades shall be provided for high visibility and openness to enhance pedestrian safety. Steps shall provide open riser construction to increase visibility for pedestrian security.

The parking structure is part of the proposed building complex. Illumination of the stairwells will comply with standards. The design of the stairwells will be in conformance with the governing building and fire codes. However, the steps are precast and are not open risers. Given that additional building code review will be carried out prior to issuance of the building permit, the Planning Board defers this issue to the later review.

MODIFICATION 25: OFF-STREET PARKING (page 114)

- 10. Parking Structure Elevators:** Parking structure elevators shall be lighted to a minimum of five foot-candles at the entrance to the elevator car door in accordance with the ADA standards. Elevators shall be constructed of glass walls to provide an open view to provide pedestrian safety and enhanced visibility.

Residential units and the private parking garage share a common elevator. The illumination level of the elevator will comply with this standard. However, the elevator will not be glass enclosed. As discussed above, the entire design of the building complex, including the parking structure and vertical transportation inside the building, will be in conformance with the governing building and fire codes. Given that additional building code review will be carried out prior to issuance of the building permit, the Planning Board defers this issue to the later review.

MODIFICATION 26: OFF-STREET PARKING (page 115)

- 11. Parking Structure Lighting: Lighting for all multifamily and nonresidential parking structures shall provide up-light fixtures and shall meet foot-candle requirements as specified below:**
- a. One-way pendant uplight fixture, 30- to 72-inch stems, recessed “J” box-style hung from parking structure ceiling**
 - b. Two-way pendant uplight fixture, 30- to 72-inch stems, recessed “J” box-style hung from parking structure ceiling**
 - c. Perimeter or core uplight wall fixture**
 - d. 250W metal halide**
 - e. 10-foot 6-inch parking structure ceiling**
 - f. Reflectance: 80 percent ceiling (shall use matte white paint), 40 deck (concrete construction), and 0 percent walls**

The parking structure will provide adequate lighting to meet the above standards. The parking structure ceiling is designed to allow each level of the parking garage to access a residential floor in the mixed-use building. The gross ceiling heights in the garage comply with the 10-foot 6-inch minimum requirement and are designed in accordance with the prevailing practices in the areas. However, after deducting the structural elements, the clear height in the garage for vehicles is 9 feet on the first floor and 8 feet on all other levels of the garage. In fact, the governing building code (Section 406.22, Clear Height, International Building Code) limits the clear height of each floor level in vehicle and pedestrian areas to no less than 7 feet. The proposed 8 and 9 feet are above the minimum clear height required by the building code. The amendment will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

MODIFICATION 27: **Parking Space Size in Parking Garage**

Section 27-558(a) of the Zoning Ordinance governs the size of surface parking spaces and provides that nonparallel standard parking spaces shall measure 9.5 feet by 19 feet, but permits up to one-third of the required spaces to be compact measuring 8 feet by 16 feet. This DSP proposes the use of 8.5 feet by 18.5 feet parking spaces within the garage for all 298 spaces, excluding handicap-accessible parking spaces. No compact parking spaces are proposed.

The subject property is located within the West Hyattsville T-D-O Zone. In a T-D-O Zone, Section 27-548.06(d)(1) provides that “the requirements of Part 11 concerning the minimum number of spaces in, and design of, off-street parking and loading areas shall not apply within a Transit District unless otherwise specified within the Transit District Standards.” The West Hyattsville Transit District Standards contain specific requirements related to parking, and do not specify that the provisions of Part 11 are otherwise applicable. Transit district standards do not modify the size of parking spaces. Section 27-548.06(2) further states that “if a Transit District Development Plan does not contain specific parking requirements, the requirements shall be determined at the time of Detailed Site Plan review by the Planning Board in accordance with the regulations of Part 11.” However, Section 27-548.08(c)(3), states the following:

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

The difference between the required standard parking space measurement and the 8.5 foot by 18.5-foot space that the applicant is proposing is insignificant because there will be no compact spaces. However, the use of the universal size spaces allows for a more efficient function within a pre-cast parking garage, as proposed in this DSP. Furthermore, the use of a universal-sized parking space has become more common in modern zoning ordinances.

The use of the universal size parking space allows the applicant to place the required number of parking spaces in the structure (see also the applicant’s Exhibit D attached to the SOJ). The amendment to the regular parking space size within the parking garage to utilize a universal size will benefit the proposed development and the transit district and will not substantially impair implementation of the TDDP. The Planning Board approves this amendment request.

8. Prince George’s County Zoning Ordinance: The DSP application has been reviewed for compliance with the requirements of the M-X-T and T-D-O Zones and the requirements for Expedited Transit-Oriented Development (ETOD) Projects of the Zoning Ordinance, as follows:

- a. The proposed multifamily residential and commercial/retail uses are listed on the Table of Permitted Uses in the M-X-T Zone within the West Hyattsville TDDP, as amended by DSP-16029, and are consistent with the land use vision of the approved TDDP.
- b. In accordance with Section 27-107.01(a)(242.2)(A) of the Zoning Ordinance, the DSP is an eligible ETOD project, as follows:

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

(A) the subject property is located entirely within a Transit District Overlay Zone (“TDOZ”),

The subject site is located entirely within the T-D-O Zone.

Section 27-290.01 sets out the requirements for reviewing ETOD projects, including submittal requirements, use restrictions, review procedures, the roles of the Planning Board and District Council, and the time limit for both Planning Board and District Council actions. Specifically, Section 27-290.01(b) provides the requirements for the uses and design of ETOD projects, as follows:

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

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

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

The subject application is located within 0.25 mile of the West Hyattsville Metro Station platform. This mixed-use building is considered high-density development.

(B) Reducing auto dependency and roadway congestion by:

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

The overall Riverfront at West Hyattsville development, which includes this proposed mixed-use building, provides a mixture of uses that allow multiple trips to take place within the community. Landscaping, pedestrian pathways, and building architecture create a quality streetscape along Little Branch Run, and this DSP includes no new surface parking. The building is connected to the Metro station via a pedestrian promenade full of amenities and public art that encourages walking and bicycling.

(C) Minimizing building setbacks from the street;

The building is proposed as close to the street as possible, behind the sidewalk and public utility easements. There are increased setbacks at the main entrance plaza and along the building façade to allow for variations in the elevation, which the Planning Board finds improves the streetscape design.

(D) Utilizing pedestrian scale blocks and street grids;

The subject site is located at the easternmost of the North Park neighborhood right against the WMATA Metro train tracks that makes it not practical to create any vehicular connection to the east of proposed Parcel 1. However, this DSP creates a high-quality promenade leading to the existing tunnel to the entrance of the West Hyattsville Metro Station. The design of the promenade focuses on human scale that makes it comfortable for pedestrians.

(E) Creating pedestrian-friendly public spaces; and

The public spaces in this DSP include two courtyards and a pedestrian promenade that connects the neighborhood to the West Hyattsville Metro Station. The promenade allows the general public to access the Metro station through the proposed project. The courtyards are limited to residents of the proposed building complex. All those spaces are pedestrian friendly and full of amenities.

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

Section 27A-209 of the Zoning Ordinance has general design principles of urban centers as stated below:

- (a) Building Façades should be aligned and close to the Street. Buildings form the space of the Street.**
- (b) The Street is a coherent space, with consistent building forms on both sides. Buildings facing across the Street-Space contribute to a clear public space and Street-Space identity.**
- (c) Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit, and auto facilities are essential elements of the Urban Centers and Corridor Nodes.**
- (d) Consideration of the natural environment is paramount in the Urban Centers and Corridor Nodes. All new development should be designed in accordance with best practices of environmentally-sensitive site design and sustainability. Development within the Urban Centers and Corridor Nodes shall demonstrate consideration of the natural environment through several means, including the environmental infrastructure Functional Overlay, Regulating Plan, and Permit Site Plan application.**
- (e) Regulated Environmental Features shall be preserved, protected, and restored to a natural state to the fullest extent possible.**

- (f) Buildings oversee the Street-Space with active fronts. This overview of the Street-Space contributes to safe and vital public spaces.**
- (g) In an urban environment, property lines are generally physically defined by buildings, walls or fences. Land should be clearly public or private—in public view and under surveillance or private and protected from view.**
- (h) Buildings are designed for neighborhoods, towns, and cities. Rather than being simply pushed closer together, buildings should be designed for the urban situation within towns and cities. Views are directed to the Street-Space and interior gardens or court-yards to highlight these key amenities for the community and reinforce visual surveillance and sense of communal ownership of these spaces.**
- (i) Vehicle storage and parking (excluding on-Street parking), garbage and recycling storage, and mechanical equipment are kept away from the Street-Space.**

The development proposed in this DSP contains two complementary uses. The DSP occupies the entire block of Parcel 1 and designs two attractive elevations with the main one fronting Little Branch Run. The building is sited closely to, and follows the curvature of, the street where possible. The building design takes into the consideration the massing and style of the existing townhouse community to the west and makes the shared street of Little Branch Run a complete street while proportionally arranging the vertical divisions of the multifamily family elevation. Sufficient architectural articulation, color, and elements are utilized to make an attractive and pedestrian friendly streetscape. The eastern elevation is conceived as a secondary elevation, but features artsy elaboration that strengthens the identity of the place.

The design of the public spaces in this DSP integrates human scale with safety consideration by providing “eyes on the street” with windows and clear territorial demarcation. The pedestrian promenade is full of amenities and is designed to be inviting to encourage pedestrian traffic.

The storage of vehicles is concealed, so are other site-serving utilities. The parking garage is in the middle of the mixed-use building complex and is surrounded on three sides by the residential units. The screening of the mechanical equipment is also functional and is consistent with the applicable regulations.

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

The plans propose residential and retail uses that are envisioned for this area by the West Hyattsville TDDP.

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

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

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

None of the above uses are included on this DSP.

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

Section 27A-802(c) states the following:

- (c) Public utility uses or structures including underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards, shall be permitted in all frontages (Building Envelope Standards), subject to the design regulations of this Subtitle. These uses or structures shall be designed to be harmonious to the overall design and character of the Urban Center District. Other public utility uses or structures including major transmission and overhead distribution lines and structures are prohibited within the Urban Centers and Corridor Nodes Districts.**

This section of the Zoning Ordinance speaks about the installation of public utility structures around the perimeter of the development and the creation of a harmonious design around these necessary elements and the proposed development. The plans do not reflect public utility structures or uses on the subject property, but only require private utilities to serve this project.

- (5) **Be compatible with any site design practices or standards delineated in any Master Plan, Sector Plan or Overlay Zone applicable to the area of development. To the extent there is a conflict between the site design practices or standards of subsection (b)(1), above, and those of a Master Plan, Sector Plan or Overlay Zone applicable to the area that is proposed for development under this Section, the site design practices and standards of the Master Plan, Sector Plan or Overlay Zone shall apply.**

This DSP is generally compatible with the governing TDDP requirements, and where it deviates, the applicant has filed amendment requests, in accordance with the requirements in the T-D-O Zone. The alternative standards benefit the development and the development district, and will not substantially impair implementation of the TDDP, as discussed in Finding 7 above.

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

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

- c. Section 27-546(d), Site Plans, of the Zoning Ordinance includes required findings that must be made by the Planning Board, as follows:

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

The proposed development is in conformance with the purposes of the M-X-T Zone as stated in Section 27-542(a) of the Zoning Ordinance, as follows:

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The site is within 0.25 mile of the West Hyattsville Metro Station. The property is in the West Hyattsville Metro local transit center, as stated in the Prince George's County Growth Policy Map of the *Plan Prince George's 2035 Approved General Plan*. Local Transit Centers are smaller-scale, mixed-use centers that are well connected by transit. Many of these areas are integrated with an established street grid and

offer local-serving retail and limited office uses, to which this project conforms.

- (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 West Hyattsville TDDP recommends a mix of townhouse, four- to six-story condominiums, and mixed-use residential on the subject property. The TDDP identifies the subject property as part of the North Park neighborhood, described as follows:

“Located just north of the Metro tracks, this will be a primarily residential neighborhood with a diverse mix of housing types. Its residents will enjoy a direct connection to the Metro station and convenient access to the Northwest Branch stream valley park. It will contain several LID streets designed to contain and minimize stormwater runoff into the adjacent Northwest Branch. North Park will also contain a number of neighborhood and smaller ‘pocket’ parks --one acre or less in size --that will be designed for active use by younger children and their parents. Small, neighborhood-focused retail will be at the intersection of the primary internal streets, within two blocks of the Metro station. Three taller residential buildings at the edge of North Park will offer outstanding views and surveillance of the stream valley park, increasing the safety of the park.”

The subject development will ultimately fulfill the vision of the area, as described above.

- (3) **To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The proposed development plan takes full advantage of the development pattern in the M-X-T Zone on the area proposed for the mixed-use building. For the overall site, as envisioned by the TDDP and the previously approved PPS, more development is anticipated. This application will conserve the value of the site and maximize the development potential inherent in the M-X-T Zone.

- (4) **To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The overall subject site is located directly adjacent to the Metro station. This location is so well served by public transportation that a person may not need an automobile, due to the convenient access to the Metro station. The proposed site layout further facilitates walking and bicycling and transit use.

- (5) **To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The proximity of the site to the West Hyattsville Metro Station, proposed medical office building, parkland, and the future anticipated additional multifamily residential and retail development will encourage activity in the area by the future residents, as they conduct their everyday business and leisure activities that will contribute to a 24-hour environment.

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

The proposed layout of the development occupies the entire Parcel 1 with a vertical mixed-use building. A promenade at the southern edge of the parcel will provide a spatial transition to the future phase that will blend harmoniously with the proposed development on the subject site.

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

This DSP shows a vertical mixed-use project with a distinctive visual character that will create a memorable place adjacent to the West Hyattsville Metro Station.

- (8) **To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**

This DSP represents the first phase of a two-phase development that features high-density, compact, urban development around the West Hyattsville Metro Station. The site design of the subject DSP and future development will result in a mix of uses that will promote optimum land utilization.

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

The subject application is proposing a mixed-use development that was envisioned by the West Hyattsville TDDP. This development will further rejuvenate the area on the west side of the West Hyattsville Metro Station and create the neighborhood as planned by the West Hyattsville TDDP.

(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 applicant has requested a number of amendments to the West Hyattsville TDDP that the Planning Board supports to give the applicant freedom of architectural design.

(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 West Hyattsville TDDP retained the subject property in the T-D-O/M-X-T Zones. Therefore, this requirement is not applicable to the subject project, notwithstanding the fact that the proposed development does conform to the development concept set forth in the TDDP.

(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 proposed development is the first phase of a two-phase development that is oriented mainly toward Little Branch Run, with the second phase also fronting on M-NCPPC parkland. A promenade is provided between the two phases that provides direct access from the larger community to the West Hyattsville Metro Station. In accordance with the section above, the ultimate development of the property will have front façades oriented toward Little Branch Run to provide an outward orientation, which will integrate and catalyze the development of the

surrounding neighborhood. The appearance of the project from the Metro rail line is equally important, and a very lively appearance has been achieved through the application of artwork.

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

This DSP for a multistory building has been designed to be compatible with the existing townhouse community by use of a common contemporary style, color scheme, and building finish materials.

(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 multifamily and retail uses will complement the existing townhouse community to the west, and the office use and Metro station to the east. The pedestrian promenade provides a direct connection to link the two communities on both sides of this project that will create a cohesive larger community, as envisioned by the West Hyattsville TDDP.

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

The DSP is itself the first phase of a two-phase development. The proposed development in this phase has 293 multifamily units of various sizes and small, ground-level retail space designed as a self-sufficient entity that will allow effective integration with the future phase.

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

This project is designed to be pedestrian-friendly with sidewalks along the Little Branch Run frontage with street trees and a pedestrian promenade full of amenities that closely links the larger community to the West Hyattsville Metro Station and the office use to the east. The pedestrian system will connect to existing streets to create convenient access to the Metro station and the entire transit district.

(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 site will have a main pedestrian path, which will be well-landscaped and includes site amenities, such as benches and bike racks, and function as a promenade, leading to the West Hyattsville Metro Station. The pavement of the promenade and the surrounding buildings has been designed to pay adequate attention to human-scale and pedestrian friendly elements with sufficient visual interests and colorful artwork. The buildings will have a clear change in building materials to create a masonry water table and strong elevations.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

This finding does not apply to the DSP.

- (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 governing PPS 4-20040 was approved on October 7, 2021, pursuant to PGCPB Resolution No. 2021-122, in which an adequacy finding was made, and this proposal is consistent with that approval.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The subject site is not a proposed mixed-use planned community.

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

Section 27-544. Regulations.

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

Section 27-544 of the Zoning Ordinance is modified by the West Hyattsville TDDP and the provisions of an ETOD project, as stated specifically in Section 27-290.01(a)(1) and discussed above.

Section 27-547. - Uses permitted.

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

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

Section 27-290.01(a)(1) and (2) states that the requirements above are overridden and allows an application to include a mix of uses on-site or in the adjacent areas. The subject site is surrounded by a mix of uses, existing or proposed, including residential uses across Little Branch Run and a medical office use to the east of the WMATA train tracks. Regardless, the subject DSP application includes both residential and commercial uses.

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

- (d) **Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The landscaping, screening, and buffering issues have been reviewed along with this DSP. Finding 11 below provides a detailed discussion of the landscaping proposal.

- (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 subject DSP includes two parcels that have direct frontage on Little Branch Run, which is a public street.

- e. Pursuant to Section 27-548.08(c)(2), the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:

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

The subject DSP consists of a mix of multifamily residential and commercial retail uses and is consistent with the land use vision of the North Park neighborhood, which is to create a compact, high-density, pedestrian-friendly, mixed-use center around the West Hyattsville Metro Station to provide significant residential opportunities and appropriate retail space. The DSP includes one, 5-story, multifamily building, with limited first floor retail space around the main entrance area plaza and the southwest end of Parcel 1 where the pedestrian promenade starts. The DSP conforms to most of the mandatory requirements of the TDDP, except for those standards to which the applicant has requested amendments, in order to achieve a superior development, in accordance with the prescribed procedure allowed by the Zoning Ordinance in Section 27-548.08(c)(3). As discussed in Finding 7 above, the requested modifications will benefit the proposed development and the transit district and will not substantially impair the implementation of the West Hyattsville TDDP.

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

The subject site is within the North Park neighborhood of the West Hyattsville TDDP that is also within the walking distance of the West Hyattsville Metro Station, and the development proposal is consistent with the development standards and guidelines for the North Park neighborhood.

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

The subject DSP has been reviewed for conformance with all the requirements and applicable regulations of the underlying M-X-T Zone and applicable T-D-O Zone standards, except for amendments that the Planning Board approves, as discussed above. The Planning Board concludes that the subject DSP meets the requirements of both the T-D-O and M-X-T Zones.

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

The proposed mixed-use building is surrounded on two sides by Little Branch Run and WMATA Metro train tracks. The main entrance is oriented toward Little Branch Run, with various design focuses on this elevation. The eastern elevation, fronting the WMATA train tracks, will have an exposed elevation of the parking garage and the rest of the multifamily units. This elevation is decorated with artwork that creates a lively and energetic appearance, which can be seen from the passing Metro trains. The façade design of the building incorporates many contemporary, multifamily residential, architectural design elements that correspond to the buildings surrounding the site. The two courtyards, where all outdoor amenities including a swimming pool are located, are surrounded by the residential units on all sides, except for the southern courtyard, which is open to the promenade on the south side. The entire site design maximizes safety and efficiency and adequately meets the purposes of the T-D-O Zone.

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

The subject DSP is for a vertical mixed-use building on the property that is part of a larger mixed-use development within walking distance of the West Hyattsville Metro Station in the North Park neighborhood of the West Hyattsville TDDP. This high-quality development will improve the appearance of the area

significantly and reinforce a high-quality standard for all future adjacent developments.

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

The T-D-O Zone has a maximum allowed parking requirement for this site. There is no required minimum number or ratio of off-street parking spaces in the West Hyattsville TDDP. According to the applicant, the proposed parking is below the maximum allowed and will satisfy the parking demand of this project.

f. **Conceptual Site Plan:** Section 27-290.01(a)(1) allows for the following:

- (1) **Expedited Transit-Oriented Development Projects located in a Euclidean Zone or a Mixed-Use Zone, where a site plan approval is required, shall be exempt from applicable site plan requirements other than a Detailed Site Plan. Detailed Site Plan applications filed pursuant to this Section shall be eligible for expedited review.**

In this case, the applicant has not filed a new CSP, due to the exemption above. In addition, pursuant to Section 27-548.08(c)(2), a DSP in a transit district does not have to conform to a previously approved CSP.

9. **Preliminary Plan of Subdivision 4-20040:** The property is the subject of PPS 4-20040, which was approved by the Planning Board on October 7, 2021 (PGCPB Resolution No. 2021-122), including two parcels of 8.1 acres for the development of 750 multifamily dwelling units and 15,000 square feet of commercial space, subject to 23 conditions. This subject DSP proposes 293 multifamily dwelling units and approximately 3,213 square feet of commercial retail space on proposed Parcel 1 only. The conditions that are relevant to the review of this DSP warrant the following discussion:

2. **Total development within the subject property shall be limited to uses which generate no more than 318 AM peak-hour trips and 388 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 development shown with the DSP is within the development limits of the approved PPS. The table below summarizes trip generation in weekday peak hours for the site:

Weekday Trip Generation Summary: DSP-20053: West Hyattsville								
Land Use	Use Quantity	Metric	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
Apartments (garden and mid-rise)	293	Unit	23	99	122	92	49	141
Note: residential trips are 20% TOD credit due to WMATA Metro proximity								
Shopping Center (ITE-820)	3,213	1,000 sq. ft. GFA	1	1	2	3	3	6
Note: pass-by trips per M-NCPPC guidelines (50% AM/50% PM)								
Total Trip			24	100	124	95	52	147
Trip Cap – 4-20040 PPS			66	252	318	247	141	388

As evidenced above, the uses proposed on this site plan are within the PPS trip cap.

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

The subject DSP proposes development in accordance with the approved PPS, and there is no substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings. A new PPS is not required at this time.

5. **Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that illustrates the location, limits, specifications, and details of the off-site pedestrian and bicyclist adequacy facilities approved with Preliminary Plan of Subdivision 4-20040, consistent with Section 24-124.01(f) of the Prince George’s County Subdivision Regulations.**

The applicant has submitted an exhibit that illustrates the location, limits, specifications, and details of the off-site pedestrian and bicycle facilities approved with PPS 4-20040.

6. **Prior to approval of any detailed site plan, the applicant shall update plans and provide an exhibit displaying the location, limits, specifications, and details displaying:**
 - a. **The extension of 5-foot-wide sidewalk along the subject property’s frontage of Little Branch Run until the point of vehicle entry for Parcel2 and to the Northwest Branch Trail.**

- b. **Bicycle parking in parking garages for residential uses and on-site or in the right-of-way for nonresidential uses that is consistent with 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* standards.**
- c. **Bicycle fix-it station at each garage bicycle parking area.**
- d. **Crosswalks crossing the drive aisle at both points of vehicle entry in the proposed garages.**
- e. **A pedestrian and bicycle access of adequate width through the property from the western side of the subject site near Emerald Branch Drive to the pedestrian tunnel for the West Hyattsville Metro Station.**

The 5-foot-wide sidewalk shown on the DSP extends to the vehicle entry point on Parcel 2, but does not extend to the Northwest Branch Trail. This will need to be shown with the DSP for full development of Parcel 2. Bicycle parking in the parking garage is shown and labeled. However, bicycle fix-it stations are not labeled on the DSP. Crosswalks crossing the drive aisle at points of vehicle entry are provided. Pedestrian and bicycle access near Emerald Branch Drive to the pedestrian tunnel for the West Hyattsville Metro Station have been provided. Appropriate conditions regarding these items have been included herein.

8. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-012-2016-01). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-012-2016-01 or most recent revision), or as modified by the Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of Prince George’s County Council Bell CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

The DSP is in general conformance with Type 1 Tree Conservation Plan TCP1-012-2016-01. The Planning Board finds that the submitted TCP2-001-2017-02 is consistent with the previously approved TCP1.

- 14. Development of this site shall be in conformance with the approved Stormwater Management (SWM) Concept Plan (3816-2021-00) and any subsequent revisions. The final plat shall note the SWM concept plan number and approval date.**

The DSP is in general conformance with SWM Concept Plan 3816-2021-00.

- 16. Prior to acceptance of a detailed site plan for the multifamily development on Parcels 1 and 2, a Phase II noise report must be submitted to demonstrate that the interior of all buildings can be mitigated to 45 dBA Ldn or less, and that all outdoor activity areas can be mitigated to 65 dBA Ldn or less.**

The applicant has provided a Phase II noise report that demonstrates that the interior of all buildings can be mitigated to 45 dBA Ldn or less through installation of certain Sound Transmission class rated soundproof windows, and that all outdoor activity areas can be mitigated to 65 dBA Ldn or less. Building permits will have to demonstrate conformance to these noise requirements, as conditioned by the PPS.

- 21. The applicant, and the applicant's heirs, successors, and/or assignees shall provide adequate and developable areas for private on-site recreational facilities, in accordance with the standards outlined in the Prince George's County Parks and Recreation Facilities Guidelines for development proposed for Parcel 2. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division, of the Prince George's County Planning Department, for adequacy, proper siting, and establishment of triggers for construction with the submittal of the detailed site plan for Parcel 2.**

The proposed development is located on Parcel 1 and no improvements other than general grading and a SWM facility have been shown on the Parcel 2. Additional on-site recreational and amenities (see above Finding 6) have been proposed on Parcel 1 within the courtyards of the building complex that are acceptable.

- 10. 2010 Prince George's County Landscape Manual:** The proposed mixed-use development is within the West Hyattsville TDDP that is subject to the standards as contained under the Landscape Section of the TDDP. However, for those landscaping requirements not covered by the standards, the applicable 2010 *Prince George's County Landscape Manual* (Landscape Manual) regulations govern. The DSP demonstrates conformance to the applicable requirements, except for Section 4.7, Buffering Incompatible Uses, for which Alternative Compliance AC-21021 has been submitted and reviewed, as follows:

The development is subject to Section 4.7, Buffering Incompatible Uses, of the Landscape Manual because the proposed multifamily building is adjacent to the Metrorail lines along the eastern boundary area. Alternative compliance is being requested because the building setback and the width of the landscape yard do not meet the minimum requirements. The applicant is seeking approval to reduce both the minimum building setback and the width of the landscape yard to a range between 10.5 and 37.2 feet.

REQUIRED: Section 4.7, Buffering Incompatible Uses, along the eastern property line of proposed Parcel 1, adjacent to the WMATA rail lines

Length of Bufferyard	498 feet
Minimum building setback	50 feet
Minimum landscape yard	40 feet
Plant units (160 per 100 linear feet)	796

PROVIDED: Section 4.7, Buffering Incompatible Uses, along the eastern property line of proposed Parcel 1 adjacent to the WMATA rail lines

Length of bufferyard	498 feet*
Building setback	10.5–37.2 feet*
Landscape yard	10.5–37.2 feet*
Fence or wall	No
Plant units	210*

Note: *The linear feet of buffer strip, building setback, landscape yard widths, and number of provided plant units are not correct on the landscape plan and need to be corrected to match the plan and be inclusive of the proposed shrubs.

Justification

The applicant is requesting alternative compliance from Section 4.7, Buffering Incompatible Uses, of the Landscape Manual, along the eastern side of the property adjacent to the WMATA rail lines. A Type D bufferyard, which includes a 50-foot-wide building setback, and a 40-foot-wide landscape yard to be planted with 160 plant units per 100 linear feet, is required along this property line. The site is unusually shaped and is also an urban infill site built in the floodplain, which limits the amount of grading that can occur. The Metrorail lines are located underground at the Little Branch Run right-of-way and are below grade at the northeast end of the building and are not at grade until the southern end. The proposed parking garage is located along a portion of the eastern property line (approximately 200 feet), providing a structural buffer from residential units. There is a pedestrian trail that runs on WMATA's property abutting the site, and safety concerns limit the possibility of dense landscaping or walls along this edge.

The applicant is proposing a minimum building setback and landscape yard of 10.5 to 37.2 feet and approximately 210 plant units, including a mix of shade and ornamental trees. However, the building setback and landscape yard widths are not listed correctly in the schedule and the 210 plant units do not include the proposed shrubs. These corrections need to be made to the landscape plan, but there are still opportunities for even more plantings along this edge that will enhance the buffer. In addition, the landscape and site plan seem to show a proposed fence line along most of the eastern property line, however this is not labeled, and no detail is provided. A fence, even if it is not sight-tight, will provide some enhanced buffering between these uses,

so a condition has been included herein to label this on the plan and provide a detail. A noise and vibration study was submitted to address the impacts of the rail lines on the residential units and states that the building materials will reduce the interior noise levels below 45 dBA. The study stated that the vibration levels conform to the Federal Transportation Administration standards.

The Alternative Compliance Committee finds that given the specific site conditions, parking garage and adjacent pedestrian trail locations, the reduced building setback and landscape yard, planting units, and building materials will sufficiently meet the objectives of a Section 4.7 bufferyard. The Committee finds the proposed alternative design equally effective as normal compliance with Section 4.7(c)(3)(4), for the eastern property line, if revised as conditioned herein.

The Planning Board adopts the Planning Director's APPROVAL of Alternative Compliance AC-21021 from the requirements of Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual*, along the eastern property line of proposed Parcel 1, adjacent to the Washington Metropolitan Area Transit Authority rail lines, subject to four conditions that have been included in this resolution.

- 11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance and the Environmental Technical Manual, because the property has previously approved tree conservation plans. TCP1-012-2016-01 was approved with PPS 4-20040 and TCP2-001-2017-02 was submitted with the subject application.
- a. The site has an approved Natural Resources Inventory Plan (NRI-090-2020-01), which correctly shows the existing conditions of the property. The NRI covers both Parcel 1 and Parcel 2. No specimen or historic trees are associated with this site. This site is not associated with any regulated environmental features, such as streams, wetlands, or associated buffers. Although a good portion of the area covered by this NRI is associated with an area of previously developed 100-year floodplain within Parcel 2, no existing floodplain or associated primary management area (PMA) exists on-site within the scope of this DSP application on Parcel 1. The DSP is consistent with the NRI.
 - b. The initial PPS was not phased, but this DSP is creating a phased development broken down into three separate phases. Phase 1 is the previously developed area located to the west of the site associated with DSP-16029 and TCP2-001-2017, Phase 2 is the proposed development associated with this DSP application on Parcel 1, and Phase 3 is for rough grading required to support the development of Phase 2 SWM on Parcel 2. The area within this application was previously approved for rough grading under DSP-20004 and TCP2-001-2017-01.

The site has an overall woodland conservation threshold of 15 percent or 0.54 acre. According to the TCP2 worksheet, no existing woodlands are present on Phase 2. No net tract woodland is associated with any of the phases. A total of 0.42 acre of woodlands was present in the floodplain for all phases, all of which was previously cleared under

grading permits for Phase 1. The cumulative woodland conservation requirement for Phase 2 is 0.96 acre for all phases of development. The TCP2 proposes to meet the requirement of Phase 2 through a combination of 0.88 acre of previously recorded off-site preservation recorded under Phase 1 with DSP-16029 and TCP2-001-2017; 0.03 acre of existing street tree credit approved with DSP-20004 and TCP2-001-2017-01 (four willow oaks at the intersection of Ager Road and Little Branch Run); and 0.05 acre of fee-in-lieu with this DSP application.

Since the street trees credited towards meeting woodland preservation under DSP-20004 and TCP2-001-2017-01 were not placed into a woodland preservation easement as required prior to permit, the landscape credit must be removed from the plan and shown as additional fee-in-lieu.

There are several additional minor revisions that need to be addressed on the TCP2. These revisions are specified in the conditions in this resolution.

12. **Prince George's County Tree Canopy Coverage Ordinance:** A 10 percent tree canopy coverage (TCC) requirement applies to this M-X-T-zoned site, in accordance with the Prince George's County Tree Canopy Coverage Ordinance. This DSP covers a total of 8.09 acres of land; however, the proposed development is only on the proposed 3.05-acre Parcel 1. The applicant has applied this calculation only to Parcel 1 (3.05 acres), as it is shown for full development, and the remaining acreage is shown only for grading impacts. The subject application provides a schedule showing that the TCC requirement has been met through the proposed on-site tree planting.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Community Planning**—The Planning Board adopts a memorandum dated November 17, 2021 (Benton to Zhang), incorporated herein by reference, which stated that pursuant to Section 27-548.08(c)(3), this DSP application includes requests for amendments to the mandatory requirements of the T-D-O Zone that benefit the proposed development and the transit district and does not substantially impair the TDDP.
 - b. **Historic Preservation**—The Planning Board adopts a memorandum dated November 12, 2021 (Stabler and Smith to Zhang), incorporated herein by reference, which stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.
 - c. **Transportation Planning**—The Planning Board adopts a memorandum dated November 18, 2021 (Yang to Zhang), incorporated herein by reference, which provided the following discussion:

Access is proposed via Little Branch Run. The driveway to the garage has a minor offset from existing Kirkwood Place. While the offset should be corrected, if at all possible, given that Kirkwood Place is not a through street and serves a limited number of residences, the offset is not deemed to be an issue for this case, and is determined to be acceptable.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.

- d. **Subdivision Review**—The Planning Board adopts a memorandum dated November 15, 2021 (Heath to Zhang), incorporated herein by reference, which provided a review of this DSP’s conformance with the applicable conditions attached to the approval of PPS 4-20040, and concluded that the proposed DSP is within the development limits of the approved 4-20040.

- e. **Bicycle and Pedestrian**—The Planning Board adopts a memorandum dated November 12, 2021 (Ryan to Zhang), incorporated herein by reference, which analyzed the DSP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2006 *Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone* to provide the appropriate pedestrian and bicycle transportation recommendations. The proposed development is in conformance with the pedestrian and bicycle transportation recommendations of the West Hyattsville TDDP.

The Planning Board also reviewed the DSP’s conformance with the requirements of the Zoning Ordinance and the applicable conditions attached to PPS 4-20040, which is the governing PPS, and concluded that the proposed DSP meets the applicable requirements and conditions.

The Planning Board concludes that the pedestrian and bicycle transportation site access and circulation of this plan is acceptable, consistent with the site design guidelines pursuant to Sections 27-283 and 27-274, the relevant design guidelines for transportation, and the conditions of approval for the subject PPS, and finally the submitted DSP is deemed acceptable from the standpoint of bicycle and pedestrian transportation.

- f. **Environmental Planning**—The Planning Board adopts a memorandum dated November 16, 2021 (Juba to Zhang), incorporated herein by reference, which stated that they have reviewed the revised DSP, TCP2, and associated information, and provided the following summarized comments:

Preservation of Regulated Environmental Features

At time of review of PPS 4-20040 and TCP1-012-2016-01, the Planning Board reviewed and approved impacts to the entire PMA on-site, which covers 4.73 acres to raise the

proposed development out of the floodplain. Compensatory floodplain storage will be provided on the southern part of the property.

The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) has also issued a floodplain waiver (Case No. 17692-2020) dated November 20, 2020, for construction of the proposed mixed-use development and parking.

Since no further impacts to on-site regulated environmental features are proposed, the Planning Board finds that the regulated environmental features have been preserved and/or fully restored in a natural state to the fullest extent possible, in accordance with the requirement of Subtitle 24-130(b)(5).

Stormwater Management

The site has an approved SWM Concept Plan 3816-2021-00, which is valid until October 13, 2024. According to the Final Plan Best Management Practices Summary Table on the approved Concept Plan, one submerged gravel wetland structure is proposed on the southernmost section of the property. According to the approval letter, the concept for Buildings A and B have been combined into this approval (see Concept 11905-2016-01 for previous approvals on Building A). A floodplain waiver from DPIE, dated November 20, 2020, was submitted with this application granting permission to build within the existing developed 100-year floodplain subject to nine conditions. Conformance with the provisions of the Prince George's County Code and state regulations with regard to SWM will be reviewed by DPIE and reflected on an approved SWM concept plan.

The Planning Board approves DSP-20053 and TCP2-001-2017-02, subject to two conditions that have been included in this resolution.

- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this resolution, the Fire Department did not offer comments on the subject application.
- h. **Prince George's County Department of Parks and Recreation**—The Planning Board adopts a memorandum dated November 15, 2021 (Yu to Zhang), incorporated herein by reference, in which the Prince George's County Department of Parks and Recreation (DPR) provided comments on the possible impact of the proposed compensatory facility on Parcel 2 on the adjacent stream valley park to the south and west of the subject property, summarized as follows:

The subject property's compensatory storage on Parcel 2 abuts M-NCPPC's property to the west. The proposed grading of the compensatory storage will disturb the embankment in M-NCPPC's property; therefore, right of entry will be required during the construction phase.

The DSP did not address how the outfall from the compensatory storage facility will impact the existing embankment on M-NCPPC land. A further study is needed to investigate the impact of joining three outfalls into one confluence and rip-rap outfall.

Due to high visibility of the outfall improvements at the subject property, an aesthetic treatment of the headwall and weir wall should be considered.

The subject DSP proposes development only on Parcel 1. Parcel 2 is included in this DSP as the site for future development and rough grading. A compensatory facility, which was approved by DPIE for flood control, is located in the southernmost part of the site on Parcel 2 abutting the M-NCPPC property. Given no additional improvements are proposed on Parcel 2 in this DSP, DPR's concerns raised in this memorandum will be addressed at time of a full DSP for Parcel 2.

- i. **Prince George's County Police Department**—At the time of the writing of this resolution, the Police Department did not offer comments on the subject application.
- j. **Prince George's County Health Department**—The Planning Board adopts a memorandum dated November 2, 2021 (Adepoju to Zhang), incorporated herein by reference, in which the Health Department provided five comments on the subject application that have been transmitted to the applicant. Two comments on limiting construction noise and particle pollution during the construction phases of this project have been included in this resolution.
- k. **Prince George's County Department of Permitting, Inspections and Enforcement**—At the time of the writing of this resolution, DPIE did not offer comments on the subject application.
- l. **City of Hyattsville**—The Planning Board adopts a letter dated November 16, 2021 (Mayor Ward to Chair Hewlett), in which the Mayor of the City of Hyattsville stated that the Hyattsville City Council reviewed this DSP on November 15, 2021, and voted in support of DSP-20053, affirming the applicant's request for certain modifications to the development standards of the West Hyattsville TDDP, given that technology and design standards have evolved substantially since adoption of the West Hyattsville TDDP in 2006. Specifically, the City supports the applicant's request for modifications to the Ground Floor Retail standard, maximum block length, block size, and rear yard line standards, requirement for an automatic irrigation system, off-street parking standards, location of mechanical equipment, universal parking space sizes of 8.5 feet by 18.5 feet in the parking structure, use of LED lighting, and signage standards for internally illuminated signs and graphic heavy wayfinding signage in both English and Spanish.

The City also stated requests for three conditions, as follows:

1. **The City recommends that off-street parking be provided in the proposed parking garage for employees of the retail space to reduce pressure on**

on-street parking. The City requests the Planning Board require that property owners and developers unbundle, or separate, the cost of off-street parking from the costs of housing or commercial space.

The proposed off-street parking in the parking garage includes parking spaces for the retail space. However, those spaces are not clearly demarcated on the site plan. A condition has been included in this resolution requiring the applicant to clearly mark those parking spaces for retail use, prior to certification of this DSP. The issue of unbundling the cost of off-street parking spaces is operational in nature and outside the purview of the Planning Board.

- 2. The City supports the applicant's request for incorporating EV charging stations within structured parking garage with capacity for conversion of additional charging stations should demand increase. The City requests that the locations of EV charging stations shall be detailed in the applicant's exhibit(s).**

The Planning Board supports this request, and the applicant also agrees to provision of the electric vehicle charging stations in the parking garage. A condition has been included in this resolution requiring the applicant to clearly show electric vehicle charging stations on the floor plan, prior to certification of this DSP.

- 3. The City requests the applicant significantly increase bike storage proposed by the applicant, given the property's proximity to Metro and the Anacostia Tributary Trail System. The requests the applicant achieve a minimum of a 5 (RDU) – 1 (dedicated bicycle parking space) ratio, which may include a combination of vertical bike storage included in an indoor bike room and secured outdoor bicycle storage. Staff recommends the applicant consider additional covered bike storage outside building with private fob entry, integration of double-deck bike racks to increase capacity, and basic bike repair stand like the College Park Metro Bike Facility. In addition, the City recommends wayfinding and an assistive door device at the street-level pedestrian entrance to the garage to ensure safety and ease of access for cyclists utilizing bike parking within the structure parking garage.**

The West Hyattsville TDDP standards require 1 bicycle parking space for every 20 vehicular parking spaces. This DSP is required to provide 16 bicycle parking spaces based on this ratio. Currently, the proposed plans show 34 bicycle spaces and a bicycle fix-it station in the parking garage which exceed the requirements.

In addition, 4 racks (8 bicycle parking spaces) will be provided in the plaza area of the pedestrian promenade. After receiving the comments from the City, the applicant proffered to increase the total bicycle parking in the parking garage from 34 spaces to 60 spaces. The Planning Board welcomes this increase in

bicycle parking capacity of the project and included a condition in the resolution to require the applicant to update the bicycle parking information, prior to certification of this DSP.

Finally, the City Council also stated two considerations, as follows:

4. **The City requests that the Planning Board to refer to back to Prince George’s County DPW&T a request for an evaluation of pedestrian and cyclist safety adequacy at crossings of Ager Road at both Lancer Drive and Nicholson Street, along with all other intersections evaluated in the applicant’s Traffic Impact Study.**

This request from the City to evaluate the pedestrian and cyclist safety within the adjacent public rights-of way that are beyond the boundary of this DSP is outside the purview of the Planning Board. At the time of PPS 4-20040 approval, an adequate public facility test, including the test for adequate transportation, bicycle and pedestrian facilities to serve the proposed development, was performed and found to be sufficient for this project.

During the Public Hearing for this DSP on December 16, 2021, the Planning Board supported the City’s request, and further encouraged the City to reach out to operational agencies, including DPIE and DPW&T, to request those agencies to look into the issues of pedestrian and cyclist safety.

5. **The City of Hyattsville encourages the applicant to pursue opportunities to pursue financing through programs, such as Amazon’s Housing Equity Fund, to support the City’s Affordable Housing Strategy.**

This consideration has been transmitted to the applicant, who will pursue the opportunities as appropriate.

- m. **Washington Metropolitan Area Transit Authority**—At the time of the writing of this resolution, WMATA did not offer comments on the subject 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 Type 2 Tree Conservation Plan TCP2-001-2017-02 and APPROVED Alternative Compliance AC-21021, and further APPROVED Detailed Site Plan DSP-20053 for the above described land, subject to the following conditions:

- A. APPROVE Alternative Transit District Overlay Zone Standards, as follows:

BUILDING ENVELOPE AND BLOCK STANDARDS

1. **Ground Floor Retail (page 67):** To allow ground floor retail only in the southernmost portion of the building, adjacent to the pedestrian trail, on the southeast side of the building.
2. **Shared Parking (page 68):** To allow the proposed parking garage not to be shared with the general public or other users outside of the multifamily residential use.
3. **Residential Street - Build-to line (page 75):** To allow various building plane setbacks from the curb line of Little Branch Run and a frontage occupancy of less than 75 percent, as shown on the detailed site plan.
4. **Residential Street - Maximum Block Length (page 75):** To allow a block length longer than 400 feet, as shown on the detailed site plan.
5. **Residential Street - Rear Yard Line (page 75):** To allow a corner of the proposed parking garage to be set back only 10.5 feet, as shown on the detailed site plan.

STREETSCAPE STANDARDS

6. **Landscaping of Building Fronts (page 82):** To allow landscaping of the building front to be provided along the building base area for the entire frontage of Little Branch Run, as shown on the Landscape Plan, instead of in planters and window boxes.
7. **Location of Mechanical Equipment (page 82):** To allow the location of transformers, in accordance with the Potomac Electric Power Company standards to be less than 25 feet from the build-to line, as shown on the detailed site plan.
8. **Streetscape (page 83):** To allow the sidewalks to be constructed to the City of Hyattsville standards by using stamped concrete with a brick appearance.
9. **Public Street Lighting (page 89):** To allow the proposed lighting level to be in accordance with the submitted photometric study for the proposed development.
10. **Public Street Lighting (page 89):** To allow light-emitting diode lighting fixtures to be used throughout this project.
11. **Blocks and Alleys (page 91):** To allow the block length to be greater than 400 feet, as shown on the detailed site plan.
12. **Blocks and Alleys (page 91):** To allow no alley that will provide access to the rear of the proposed building, as shown on the detailed site plan.

13. **Blocks and Alleys (page 91):** To allow no alley nor alley right-of-way to be provided, and no automatic irrigation system to be installed, provided that native planting species be used in the areas between the proposed building complex and the Washington Metropolitan Area Transit Authority Metro rail tracks.
14. **Sod, Groundcover and Mulch (page 93):** To allow no automatic irrigation system to be installed, provided that native planting species be used throughout the development.

ARCHITECTURE STANDARDS

15. **Windows/Doors and Entrances (page 106):** To allow some windows to be placed closer than 30 inches to the exterior building corners.
16. **Windows/Doors and Entrances for Ground Floor Windows (page 106):** To allow ground floor residential windows to have less than 60 percent surface view for a depth of 20 feet, and use smaller single panels as shown on the submitted architectural elevations.
17. **Windows/Doors and Entrances (page 106):** To allow single-hung windows to be used on the residential units, as shown on the submitted architectural elevations.
18. **Windows/Doors and Entrances (page 106):** To allow the proposed garage doors, as shown on the submitted architectural elevations.
19. **Signage (page 107):** To allow some blade signs to be internally illuminated, as included in the signage package of this detailed site plan.

PARKING STANDARDS

20. **PARKING STANDARDS (page 109):** To allow the landscaping treatment between the rear of the parking garage and the Washington Metropolitan Area Transit Authority train tracks, as shown on the landscape plan.
21. **OFF-STREET PARKING - Parking Structure Material (page 112):** To allow the elevation of the parking garage facing the Metro train tracks to be finished with precast concrete, to be painted with artwork, as shown on the architectural elevations.
22. **OFF-STREET PARKING - Parking Structure Fenestration (page 113):** To allow the openings of the proposed parking garage to be less than the minimum 75 percent transparency, as shown on the architectural elevations.
23. **OFF-STREET PARKING - Entrance and Exit (page 114):** To allow the entrance and exit to the parking garage to be located 82 feet from the surrounding façade and to be accessed directly from Little Branch Run, as shown on the detailed site plan.

24. **OFF-STREET PARKING - Stairwells (page 114):** To allow conformance with this standard to be deferred to building code review, at time of building permit.
 25. **OFF-STREET PARKING - Elevators (page 114):** To allow conformance with this standard to be deferred to building code review, at time of building permit.
 26. **OFF-STREET PARKING - Ceiling Height (page 115):** To allow the parking structure with varied clear ceiling heights of 8 and 9 feet, as shown on the architectural elevations.
 27. **PARKING SPACE SIZE WITHIN THE PARKING GARAGE:** To allow universal parking space size of 8 feet 6 inches by 18 feet 6 inches in the proposed parking garage, as part of the mixed-use building complex.
- B. APPROVE Detailed Site Plan DSP-20053, for West Hyattsville, including Type 2 Tree Conservation Plan, TCP2-001-2017-02, and Alternative Compliance AC-21021, subject to the following conditions:
1. Prior to certification of this detailed site plan (DSP), the applicant shall revise the DSP to incorporate the following revisions:
 - a. Obtain signature approval of Preliminary Plan of Subdivision PPS 4-20040, and revise the DSP accordingly, if necessary.
 - b. Provide the following site plan notes:

“The applicant shall conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.”

“The applicant shall conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
 - c. Revise the Type 2 tree conservation plan (TCP2), as follows:
 - (1) Remove all references to street tree credit on the plan and the TCP worksheet. Update the TCP worksheet with additional fee-in-lieu credit, as necessary.
 - (2) Add the additional standard TCP2 notes regarding the use of fee-in-lieu onto the TCP2.
 - d. Clearly mark those parking spaces for retail use on the parking garage floor plan.

- e. Show the location of the proposed electric vehicle charging stations and bicycle fix-it stations on the parking garage floor plan. Add a note stating that the location can be modified, provided that the number of each facility is not reduced.
- f. Show an additional 4 racks (8 bicycle parking spaces) in the promenade area.
- g. Identify the location of pet waste stations along the perimeter of the building complex on the DSP.
- h. Update the bicycle parking information in the parking garage to 60 spaces and identify the location of the spaces on the floor plan of the parking garage. Add a note stating that the location can be modified, provided that the number of each facility is not reduced.
- i. Revise the landscape plan and the associated Section 4.7 schedule to include the correct linear feet of bufferyard, provided building setback, provided landscape yard, and number of proposed plant units.
- j. Provide an additional 10 percent more plant units along the eastern property line, mostly within the northern portion where feasible.
- k. Clearly show and label the proposed fence along the eastern property line and provide a detail for a minimum 6-foot-high fence, with gates 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, December 16, 2021, in Upper Marlboro, Maryland.

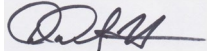
Adopted by the Prince George's County Planning Board this 16th day of December 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: December 17, 2021