

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on July 7, 2016 regarding Conceptual Site Plan CSP-14002 for Vista Gardens West, the Planning Board finds:

1. **Request:** The subject application proposes to develop approximately 31.34 acres of land into a mixed-use development, including 75,000 square feet of new commercial space, a gas station and associated food and beverage store, a 124-room hotel, and 115 single-family attached dwelling units, in addition to an existing office building of 14,881 square feet.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Office	Hotel, commercial/retail and single-family attached residential
Total Townhouse Units	0	115–124*
Commercial/Retail	0	60,000-75,000 sq. ft.
Commercial Office	14,881 sq. ft.	
TOTAL GFA		90,000 sq. ft.
Hotel		103–124 rooms
Acreage	31.34	31.34
100-year floodplain	4.73	4.73
Net Tract Area	26.61	26.61

Note * The unit count may increase to 124 due to a change in product type.

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

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted:	1.40 FAR
Total FAR Proposed:	0.28 FAR

3. **Location:** The subject property is located at the intersection of Annapolis Road (MD 450) and Martin Luther King Jr. Highway (MD 704), in Planning Area 70, Council District 5, in Lanham, Maryland.
4. **Surrounding Uses:** Across Annapolis Road to the northeast are two small subdivisions containing single-family dwellings in the R-R (Rural Residential) Zone. Across Martin Luther King Jr. Highway to the south are the Vista Gardens Shopping Center in the C-S-C (Commercial-Shopping Center) Zones, the Lottsford-Palmer building in the C-O Zone, and the Hanson Palmer Business Park in the I-1 (Light Industrial) Zone. To the west, across Business Parkway, is the Cabot-Forbes Industrial Park in the I-2 (Heavy Industrial) Zone and to the northwest, is the Washington Business Park in the I-1 Zone. An abandoned portion of Old Lottsford Vista Road bisects the property into a residential/hotel area and a commercial area. The site is currently developed with an office building adjacent to Business Parkway serving as the applicant's corporate headquarters. The site surrounds two existing residential dwellings in an area of approximately 1.5 acres, zoned R-R, that are not included in the proposed development.
5. **Previous Approvals:** The property was rezoned from the I-1 and R-R (Rural Residential) Zones to the M-X-T Zone via Zoning Map Amendment A-10028-C, approved by the District Council on August 18, 2014, (Zoning Ordinance No. 11-24). Preliminary Plan of Subdivision (PPS) 4-13024 is being reviewed concurrently with this application. The property is also the subject of Stormwater Management Concept Plan 47327-2007-04 approved on October 22, 2015 and valid for three years until October 10, 2018.
6. **Design Features:** The applicant proposes to develop the property as a mixed-use development consisting of single-family attached units, a hotel, and commercial/retail uses which includes a gas station and associated food and beverage store. Access to the site is proposed via two access points on Martin Luther King, Jr. Highway (MLK Highway), and two access points on Annapolis Road (MD 450). A proposed vehicular access easement will provide access to the commercial parcels that do not have direct access to public roads as required by Subtitle 24. This proposed driveway also shows potential access into the residential site that is currently outside of this application. Should the residential site be obtained by the applicant in the future, a CSP revision will be required. This easement should be treated as a roadway for design purposes, to ensure safe and efficient access for vehicles, pedestrians, bicyclists, and to help establish the character of the commercial portion of the development. Sidewalks, lighting and street trees should be shown along the easement at the time of DSP review. The townhouse portion of the development has only one access point (from Annapolis Road) for 115 units, therefore, emergency access for residents and emergency vehicles is desirable. Emergency access is shown on the site plan to be provided from Parcel C, via the proposed hotel driveway, which has a gated access further to Business Parkway. The emergency access should also be shown on the concept diagram exhibit. The conceptual site plan (CSP) proposes residential, hotel and commercial components in a horizontal mix; no vertical integration of uses is proposed. Commercial uses are located within the triangle formed by the intersection of MLK Highway and Annapolis Road and are separated from the residential uses by the proposed linear park which bisects the site. Townhouses are located in the center of the site framed by Annapolis Road, open space (100-year floodplain), and the proposed

hotel. The proposed hotel and existing office building abut Business Parkway in the western portion of the site. An illustrative rendering of the proposal was provided as part of the application, showing the commercial pad sites surrounded by surface parking, with the exception of one building fronting directly on the linear park.

The residential component of this mixed-use development proposes 115 fee-simple lots fronting on the linear park and private streets. The project includes primarily front-loaded garages with rear-loaded garages provided for the units fronting the linear park/bike trail. On-street parking is also shown in several locations.

Recreational facilities for the townhouse component of the development are calculated by multiplying the number of townhouse units proposed by the population per dwelling unit for the planning area in which the project is located to arrive at the total project population, in accordance with the Park's formula. On-site recreational facilities for the residential community will include a plaza/pocket park that will be integrated with the linear park/bicycle trail, which has been created to be the focal point of the development. Conformance with this requirement will be evaluated at the time of approval of a detailed site plan (DSP).

The proposed stormwater management facilities, as shown on the approved stormwater concept plan, indicate the use of bioretention areas in the residential portion and underground facilities in the commercial area. Ten and 100-year detention will be provided by the Vista Gardens Marketplace pond on the opposite side of MKL Jr. Highway. It is noted that the proposed CSP meets the intent of the approved stormwater concept plan.

References on the CSP coversheet to residential development standards should be removed. These standards will be reviewed at the time of PPS.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-10028-C:** On August 18, 2014, the District Council approved Zoning Map Amendment A-10028-C, (Zoning Ordinance No. 11-2014) subject to seven conditions. Of the conditions attached to the rezoning application, the following are applicable to the review of this CSP:
 2. **The following recommendations should be observed during the preparation and review of the Conceptual Site Plan (CSP) and preliminary plan of subdivision:**
 - a. **The site plan shall provide adequate open space at the interface, as determined by the Urban Design Section, to serve as a buffer between the project and abutting residential development.**

The CSP shows a linear park between the residential and commercial portions of the development. No residential development abuts the subject property.

- b. Wherever possible, existing living areas shall be linked to community facilities, transportation facilities, employment areas, and other living areas by a continuous system of pedestrian walkways and bike trails utilizing the open space network.**

The linkages shown on the CSP will be further evaluated at the PPS and Detail Site Plan (DSP) phases of the development.

- c. Buffering in the form of landscaping, open space, berming, attractive fencing, and/or other creative site planning techniques should be utilized to protect existing residential areas, particularly the interface along Old Lottsford Vista Road.**

The former roadway, Lottsford Vista Road, is proposed to be a landscaped linear park with a bicycle/trail and other amenities. Further conformance with this condition will be evaluated at the time of DSP.

- d. Provide a bikeway through the subject property that connects the Washington, Baltimore & Annapolis (WB&A) Trail to internal streets and area roads, and connect specifically to Annapolis Road (MD 450) and Martin Luther King Junior Highway (MD 704). Also provide pedestrian and bicycle connections to the adjacent sidewalks, transit stops, bikeways, and roads. All bikeway location recommendations shall be approved by the Department of Public Works and Transportation (DPW&T) and shall be designed to meet or exceed County and State standards.**

The extension of the Washington, Baltimore & Annapolis (WB&A) Trail onto the subject site is reflected within the linear park. This park is centrally located and should be connected to the adjacent development with sidewalks and walkways. Trailhead facilities should be provided on both the residential and commercial sides of the linear park, which should include amenities such as bicycle parking, benches or gazebos, trail signage, and water fountains.

- e. Provide sidewalks on both sides of all proposed internal streets. Right of way dedication and locations for sidewalks shall be reviewed and approved for feasibility and appropriateness by the Department of Public Works and Transportation and shall be designed to exceed County and State standards.**

Sidewalks should be provided along both sides of all internal roads. Walkways should be provided where appropriate to link the linear park to the various commercial uses proposed on the eastern portion of the site. Conformance with this condition will be evaluated at the time of DSP.

- f. Provide sidewalks on the adjacent roadways that abut the subject property, including Annapolis Road (MD 450) and Martin Luther King Junior Highway (MD 704). Right of way dedication and locations for sidewalks shall be reviewed and approved for feasibility and appropriateness by the Department of Public Works and Transportation and shall be designed to exceed County and State standards.**

Consistent with the MPOT, a standard sidewalk should be provided along the subject site's frontage of MD 450 and a sidepath should be provided along MD 704.

- g. Provide right-of-way dedication along Martin Luther King Junior Highway (MD 704) that is sufficient for the inclusion bicycle lanes and a sidepath. Right of way dedication and locations for sidepaths and bike lanes shall be reviewed and approved for feasibility and appropriateness by the Department of Public Works and Transportation (DPW&T) and construction shall be designed to meet or exceed County and State standards.**

Required right-of-way dedication should be evaluated by the Transportation Planning Section and the Department of Public Works and Transportation (DPW&T) prior to PPS approval. It appears that sufficient right-of-way has already been dedicated to accommodate both dedicated bike lanes and a sidepath. Currently, approximately 40 feet of right-of-way exists from the edge of the northern curb of the road to the end of the right-of-way.

- 3. All future submissions for development activities on the subject property shall contain a Natural Resources Inventory (NRI) plan that covers the entirety of the subject property. The NRI shall be used by the designers to prepare a site layout, which results in nonessential impact to the regulated features of the site.**

The application has two approved natural resources inventory (NRI) covering two areas separated by Lottsford Vista Road. To the east is NRI-036-13 and to the west is NRI-025-09 and (01). It was determined that the information on these NRI plans are still correct. No combined NRI is required for this project and the approved NRIs are still valid.

- 4. The Preliminary Plan application package shall contain a Phase I noise study, certified by a professional acoustical engineer, which delineates the location of the unmitigated upper and lower level 65 dBA Ldn noise contours associated with Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450).**

A Phase I noise study was submitted with both the CSP and PPS applications. This noise study delineates the location of the unmitigated upper and lower level 65 dBA Ldn noise contours on the site of the proposed residential areas.

5. **Any hotel use developed shall not exceed fifty (50) feet in height, above grade, to limit any adverse impact upon the single family homes across Annapolis Road (MD 450).**

The proposed hotel is 50 feet in height. The CSP should be revised to also indicate that the maximum height allowed is 50 feet.

6. **The Detailed Site Plan shall demonstrate the use of full-cut off optic light fixtures to the extent practicable.**

This requirement will be reviewed at the time of DSP.

7. **Prior to signature approval of any preliminary plan, the Applicants, the Applicants heirs, successors and or assignees, shall record the existing dwellings located at 4901 Lottsford Vista Road (ca. 1930), 4823 Lottsford Vista Road (ca. 1940), and 4815 Lottsford Vista Road (ca. 1955) and any remnants of the Vista Raceway on a Maryland Inventory of Historic Properties (MIHP) form. Two copies of the MIHP form shall be submitted to and approved by the Historic Preservation Section prior to signature approval of the preliminary plan.**

This requirement will be addressed by the Subdivision Section.

8. **The requirements of the Zoning Ordinance:** The subject application has been reviewed for compliance with the following Zoning Ordinance requirements:
 - a. The subject application is in conformance with the requirements of Section 27-547, which governs uses in all Mixed-Use Zones.
 - (1) The proposed residential and commercial/retail uses are permitted uses in the M-X-T Zone.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:
 - (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, ah 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.**

The submitted CSP proposes approximately 75,000 square feet of new commercial/retail space, a 124 -room hotel, and 115 residential single-family detached dwelling units and therefore meets the requirement for uses.

- b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR**
- (2) With the use of the optional method of development—8.0 FAR**

This development will use the optional method of development and specifically utilizes the one bonus incentive in Section 27-545(b) as follows:

(b) Bonus incentives.

(4) Residential use.

- (A) Additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.**

The CSP proposes a total of 115 single-family attached units with a proposed maximum floor area ratio (FAR) of 0.28, which meets this requirement. However, it should be noted that the mix of uses including residential uses allows the applicant to increase the FAR to a maximum of 1.4.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The illustrative plan shows that the commercial uses included in this CSP will be located in multiple buildings and on several lots/parcels.

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

This requirement is not applicable since this application is for a CSP. Subsequent DSP approvals will provide regulations for the development on this property. However, it is noted that the plan as proposed, indicates that the size of the townhouse lots and other requirements are not proposed in accordance with Section 545(h) below. This will require variances at the time of PPS. Therefore, the minimum lot size, interior building width, and end unit building width should be deleted from the plans at this time.

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

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening 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 and interior incompatible land uses at the time of DSP. However, the CSP as proposed provides for a level of detail that causes a certain amount of concern for the development as proposed. For example, proposed loading for a retail pad site may be visible from the linear park. In addition, it does not appear that enough area is provided for the installation of street trees along the private streets.

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

The FAR for the proposed development is calculated in accordance with the requirement.

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

There are no private structures within the air space above, or in the ground below, public rights-of-way as part of this project. Therefore, this requirement is not applicable to the subject case.

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

According to the CSP, the proposed commercial lots/parcels will not have frontage on a public street. Furthermore, if townhouses are approved as shown on the CSP, these townhouse lots will be served by private streets. At the time of PPS for the development included in this CSP, appropriate frontage and direct vehicular access for the townhouse lots and the commercial parcels should be properly addressed.

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

group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

As noted above, it appears that the townhouses proposed in this CSP will not meet several of the requirements above, including minimum lot size, interior building width, end unit building width, and the number of building groups with over six units. This issue will be further reviewed at the time of PPS.

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

The plan does not propose any residential multifamily buildings.

- (j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density,**

setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

This requirement does not apply to this CSP.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a CSP in the M-X-T Zone, 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 this requirement and serves the purposes of the M-X-T Zone. In accordance with Section 27-542(a)(2), the proposed CSP will generally implement the recommendation of 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* by contributing to the creation of a compact, mixed-use community. The walkable, mixed-use development proposed on the site takes advantage of the transportation links available, and allows for reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other.

(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 property was not rezoned through a sectional map amendment.

(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 will be outwardly oriented. Although the linear park/bike trail forms an internal focal point at the center of the community, commercial buildings at the edge of the site will front onto Martin Luther King Jr. Highway (MLK Jr. Highway).

Townhouse units along Annapolis Road (MD 450) are not fronting the roadway due to lot depth requirements and noise issues. A 10–12-foot-high berm and a combination of brick wall and ornamental fence runs along the Annapolis Road, frontage which will obscure the first floor view of most of the units. Conditions are included in the Recommendation section of this report to address visual enhancements at the time of DSP review for all the units backing up to this roadway, and particularly, for Lots 5, 6, 7, and 8 where rear entrances will be visible.

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

The most intensive uses, the commercial buildings, are located in the triangle formed by the intersection of Martin Luther King Jr. Highway (MLK Jr. Highway) and Annapolis Road, with the single-family attached units occupying the central portion of the site adjacent to floodplain, and the proposed hotel located next to the existing office building at the intersection of Business Parkway and MLK Jr. Highway. The proposed mixed-use development will be compatible with the Vista Gardens Marketplace across MLK Jr. Highway to the north, and the existing office building and proposed hotel provide a transition between the commercial uses on-site and the adjacent business park. The floodplain provides an effective buffer between the Washington Business Park and the proposed townhouses.

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

The mix of uses, arrangement of buildings, and other improvements and amenities including the linear park/bike trail will reflect a cohesive development capable of sustaining a vibrant, independent environment of continuing quality and stability. The proposed development on the subject site will create a focal point for the neighborhood and provide a crucial link to the larger WB and A trail system.

(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 development is not anticipated to be phased. According to the applicant, construction will be based upon market conditions. However, each building phase could be a self-sufficient entity that allows for the effective integration of subsequent construction phases.

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

This requirement will be further evaluated at the time of DSP. The CSP shows sidewalks along all public and private roads, forming a comprehensive pedestrian network throughout the site.

- (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 above finding is not applicable because the subject application is a CSP. Further attention should be paid to the design of pedestrian spaces and public spaces at the time of DSP.

- (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 (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

The subject property was rezoned through Zoning Map Amendment A-10028-C for Buena Vista West, which placed the property in the M-X-T Zone.

- (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 (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

This finding pertains to DSPs and is not applicable to this CSP.

- (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 development site is not proposed to be a Mixed-Use Planned Community.

- d. The CSP has been reviewed for conformance with the applicable CSP site design guidelines contained in Section 27-274 as follows:
- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. Surface parking is provided for the commercial sites and is generally designed to minimize the visual impact of cars on the site by providing planting islands. Specific layout of buildings and parking will be further reviewed at the time of DSP.
 - (2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. The development scheme should minimize the impact of loading and trash facilities on the existing residential properties at the time of DSP review. Facilities should be placed within structures where possible and set back a minimum of 50 feet from residentially zoned land or land proposed for residential uses.
 - (3) In accordance with Section 27-274(a)(2)(C), vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers, and parking areas should be designed to discourage their use as through-access drives. The simplified concept plan submitted with this application shows a vehicular access driveway which is required by Subtitle 24 to access the commercial parcels. However, this driveway is not shown on the illustrative or CSP plans. The plans should be revised to provide a defined vehicular access driveway with streetscape elements for the commercial uses in the development.
 - (4) In accordance with Section 27-274(a)(6)(i), site and streetscape amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required. A comprehensive review of streetscape amenities will occur at the time of DSP.
 - (5) A comprehensive and connected pedestrian system including seating elements should be provided to enhance the commercial and residential areas in accordance with Section 27-274(a)(9), Public Spaces. Public spaces should incorporate

high-quality design details and be integrated into the site design by a well-designed pedestrian system and continuous streetscape. An attractive mix of design features including seating areas, specialty landscaping, and specialty paving materials should be demonstrated at the time of DSP.

- (6) To convey the individuality of each townhouse unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials in accordance with Section 27-274(a)(11)(D). Conformance with this design guideline will be addressed at the time of DSP.
 - e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The CSP is not required to include detailed parking information. When the parking calculations are made, they should demonstrate 2.04 off-street parking spaces provided per townhouse unit. Additional parking for guests and visitors should also be provided. At the time of DSP review, adequate parking and loading will be evaluated for both the residential and commercial components.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of the existing woodlands.

The former I-1 portion of the site (northwest of Lottsford Vista Road) has an approved Type 1 Tree Conservation Plan, TCP1-048-96, and an approved Type II Tree Conservation Plan, TCPII-094-96. However, the former R-R portion of the site (east of Old Lottsford Vista Road) does not have an approved tree conservation plan. A Type 1 tree conservation plan (TCP1) has been submitted for the entire application area showing the proposed development. The site contains 10.03 acres of upland woodlands and 2.79 acres of wooded floodplain woodlands. This application proposes to clear all of the 10.03 acres of uplands, 0.07 acre within the floodplain, and 1.52 acres of off-site woodlands. The woodland conservation requirement is being met with 1.75 acres of on-site reforestation and 9.38 acres of off-site preservation where a portion of the reforestation is PMA. There is also planting outside the boundary of the PMA. There are some minor changes that are recommended to the TCPI, which are included in the Recommendation section of this report.

The recordation of a woodland conservation easement will be required prior to the signature approval of a TCP2 for a development application that includes on-site woodland conservation areas.

10. **Other site plan related regulations:** Two additional regulations are applicable to the site plan review that usually requires detailed information, which can only be provided at the time of DSP. The discussion provided below is for information only.
- a. **2010 Prince George's County Landscape Manual:** Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the requirements of the Landscape Manual should be determined when a more finalized plan of development is submitted for review. The following discussion is offered regarding the applicable provisions of the Landscape Manual, which will be reviewed at the time of DSP.
- (1) **Section 4.1, Residential Requirements**—This section requires a certain number of plants to be provided for residential lots depending on their size and type.
 - (2) **Section 4.2, Landscape Strips Along Streets**—This section requires that, for all nonresidential uses in any zone and for all parking lots, a landscape strip be provided on the property abutting all public and private streets.
 - (3) **Section 4.3, Parking Lot Requirements**—This section requires a percentage of parking lots over 7,000 square feet in area to include interior plantings and a perimeter strip along all adjacent properties.
 - (4) **Section 4.4, Screening Requirements**—This section requires all loading, trash collection facilities and mechanical equipment be screened from public views.
 - (5) **Section 4.7, Buffering Incompatible Uses**—The site may be subject to Section 4.7, Buffering Incompatible Uses. While this section does not apply to the interior property lines of unified developments, some amount and types of buffering may be appropriate between moderately incompatible uses within the development such as the hotel and residential uses. More specific information regarding bufferyard requirements along exterior property lines will be evaluated at the time of DSP. The specific uses on adjacent properties should be clearly identified on the DSP and landscape plans to determine whether or not conformance with this section will be required.
 - (6) **Section 4.9, Sustainable Landscaping Requirements**—This site will be subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants, along with other sustainable practices.
 - (7) **Section 4.10, Street Trees along Private Streets**—This site will be subject to Section 4.10, which requires street trees along private streets. Conformance with these requirements will be evaluated further at the time of DSP review. Concern has been raised as to whether future site plans will be able to demonstrate

conformance with this requirement in addition to the provision of sidewalks. The PPS should show sufficient area adjacent to the rights-of-way to ensure conformance with this section at the time of DSP.

- b. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of tree canopy coverage on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of ten percent of the gross tract area in tree canopy. The subject property is 31.34 acres in size, resulting in a tree canopy coverage requirement of 3.13 acres. Compliance with this requirement will be evaluated at the time of DSP.

- 11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Community Planning**—The following summarized comments are provided:

- (1) The application is consistent *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) which designates the subject area in the Established Communities Grow Policy area. The vision for Established Communities is a Context-Sensitive infill and low to medium-density development.
- (2) The application conforms to the Mixed-Use land use recommendation of the 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham Sector Plan and SMA) for the Vista Gardens Marketplace Focus Area.

The Glenn Dale-Seabrook-Lanham Sector Plan contains development scenario principles, and illustrative concepts to guide the future development for the Vista Gardens Marketplace and Vicinity. The vision is a human-centric mixed-use development articulated around village green and plazas that provide community gathering spaces and promote pedestrian activities. As part of creating a human-scale environment, the sector plan recommends orienting buildings to the public street with limited setbacks, placing parking areas to the rear of buildings, and providing accessible open space as a public amenity to be accessible by different modes of transportation. The application as proposed reflects a more conventional suburban development pattern with an emphasis on auto-oriented design. At the time of DSP review, consideration should be given to building placement and human-scale design that create places for community gathering and live-work experiences.

- b. **Subdivision Review**—A Preliminary Plan of Subdivision (PPS), 4-13024, is currently pending for the extent of the land that is the subject of this CSP, and is scheduled for a public hearing as a companion case to this application on July 7, 2016. The PPS application proposes 115 single-family attached dwelling units (townhouses), 75,000 square feet of gross floor area (GFA) including 15,000 square feet of existing office and a 126-room hotel. Approval of the PPS is predicated on the approval of the subject CSP pursuant to Section 27-270 of the Zoning Ordinance, Orders of Approval. The CSP must be approved and the plans certified prior to signature approval of the PPS. Any changes that are required as a result of the approval of the CSP must be reflected on the PPS, and must be in substantial conformance with the findings, conditions, and plans approved with the PPS.

The property is located in the western quadrant of the intersection of Annapolis Road (MD 450) and Martin Luther King Jr. Highway (MD 704), both arterial facilities with ultimate rights-of-way of 120 feet. The property is comprised of record lots that are the subject of two record plats. To the west of the existing right-of-way of Lottsford Vista Road (which is to be vacated within the limits of the PPS) Lot 45 and Outparcel B, Block B were recorded in land records in 1997 (VJ 178-76) pursuant to PPS 4-96086, which will be superseding by PPS 4-13026 once approved. This portion of the property is proposed to be subdivided and developed with 115 single-family attached dwelling units (Lots 1-115 and 12 HOA parcels), an existing 15,000-square-foot office building (Parcel 1, Block B), and a 126-room hotel (Parcel 2, Block B). Existing Outparcel B (18.10 acres) abuts the entire western edge of Lottsford Vista Road from MD 450 to the north to MD 704 to the south. The record plat for Outparcel B (VJ 178-74) reflects a “66-foot-wide Perpetual Easement for Future Transportation Use per S.H.A. R/W Plat No. 53896” abutting the western edge of the right-of-way. Based on a research of deeds, this property (Lot 45 and Outparcel B) was previously in the ownership of SHA and was surplused, with SHA holding the easement. The Maryland-National Capital Park and Planning Commission (M-NCPPC) has verified that the Maryland State Highway Administration (SHA) agrees that the “transportation use” of the easement is consistent with the extension of the public WB&A master plan trail that is proposed on Outparcel B (proposed Parcel A) within the 66-foot-wide SHA easement which is to be conveyed to the Business Owners Association (BOA) for maintenance)). SHA has stated that they do not intend to abandon the easement, but will enter into a Memorandum of Understanding (MOU) with M-NCPPC Department of Parks and Recreation (DPR) to ensure the perpetual public access remains and to allow for the public investment in the trail connection on private property. If SHA and the DPR are unable to enter into a mutually acceptable MOU for the park trail location, the trail shall be realigned and relocated onto Parcels 1–6 at a location to be determined with the DSP for the trail. Conditions for the implementation of the master plan WB&A trail through the property will be considered at the time of PPS.

The existing right-of-way of Lottsford Vista Road (RNR 2-51) abuts the east side of the SHA 66-foot-wide easement. The applicant is proposing to vacate that right-of-way along with several other minor streets (within the limits of the PPS) and incorporate the

rights-of-way with existing lots (RNR 2-51) recorded in Land Records in 1927 (Lots 7, 8, 3-6, and parts of (P/O) Lots 1, 2, 9-10, and 23, Block C; Lot 1-3, 9-15,24-28 and P/O 20-23; and P/O Lots 1, 2 and 23-34, Block E). This eastern portion of the property is being resubdivided into six (6) commercial parcels (Parcels 1-6, Block C) for the development of between 60,000 to 75,000 square feet of GFA of retail. Parcels 1-6, Block C, will front on the WB&A trail (Parcel A), MD 450 to the north, and MD 704 to the southeast. Because MD 450 and MD 704 are arterial facilities, the applicant has requested the approval of a variation for direct access and to consolidate access to Parcels 1-6, Block C, pursuant to Section 24-128(b)(9) of the Subdivision Regulations. This consolidation will reduce vehicular access driveways onto the arterial roadways from the potential of six to three. The easement location is consistent with the CSP. One driveway is proposed from MD 450 and two driveways are proposed from MD 704. The access easement will create an identifiable route for not only vehicles but pedestrians and bicyclists through the site to the WB&A trail and commercial areas beyond. The route should be reviewed for level-of-comfort for all users, and to ensure that it is not reduced to a circuitous route through a commercial parking lot. To accomplish this the applicant should submit a cross section which will include shade, lighting, and adequate space for pedestrians and bicyclists which will be a recommended condition of approval of the variation to Section 24-121(a)(3) of the Subdivision Regulations being reviewed with the PPS.

The layout of the lots and parcels depicted on the CSP is conceptual. The lotting pattern, road layout, and recreational amenities as well as adequacy test for fire and rescue, police, transportation, mandatory dedication of parkland, and bicycle and pedestrian off-site requirements will be reviewed by the Planning Board with the PPS. There are no other subdivision issues at this time.

- c. **Environmental Planning**—The following summarized comments on the subject application are provided:

(1) **Site Description**

This site is located on the north side of Martin Luther King Jr. Highway (MD 704), where it intersects with Annapolis Road (MD 450). The site is bisected by Old Lottsford Vista Road. A review of the available information indicates that nontidal wetlands and floodplain are found to occur on the property. The predominant soils found to occur according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the Christina-Downer complex, Christina-Downer-Urban land complex, Issue silt loam, and Russett-Christina-Urban land complex soil series. According to available mapping information, Marlboro clay does not occur on or in the vicinity of this property; however, Christiana complexes are mapped on-site. No Forest Interior Dwelling Species (FIDS) habitat or FIDS buffer are mapped on-site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare,

threatened, or endangered species found to occur on or in the vicinity of this property. The site drains to Folly Branch, which is a part of the Folly Branch watershed, then to Western Branch and then to the Patuxent River basin. The site has frontage on Martin Luther King Road and Annapolis Road which are both classified as arterial roadways. The site also has frontage on Lottsford Vista Road and Business Parkway both of which are not classified as a master plan roadway. Martin Luther King Jr. Highway and Annapolis Road are traffic noise generators and because of the proposed residential development, noise is regulated in this subject application. No designated scenic or historic roadways are adjacent to the project site. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the *2005 Approved Countywide Green Infrastructure Plan*, the site contains Regulated areas, Evaluation areas, and Network Gap areas.

(2) **Natural Resource Inventory**

The application has two approved natural resource inventory areas separated by Old Lottsford Vista Road (NRI-036-13 and NRI-025-09-01). There are regulated environmental features such as wetlands, 100-year floodplain, associated buffers, primary management area, and three specimen trees on-site. The overall NRI totals show that the 31.34-acre site contains 13.82 areas of woodlands of which 3.79 acres is found within 100-year floodplain. The TCP1 and CSP show all the required information correctly in conformance with the NRI. There were five specimen trees, but two of the specimen trees have died since the NRIs were approved and are correctly shown on the TCP1. No revisions are required for conformance to the NRI.

(3) **Specimen Trees**

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

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010.

A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were stamped as received by the Environmental Planning Section (EPS) on March 4, 2016.

The specimen tree table on the TCP1 proposes the removal of all three on-site specimen trees. The limits of disturbance on the plan also show that these trees are to be removed. The site previously contained five specimen trees, but two of those trees are now identified as dead.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for all three specimen trees as a group; however, details specific to individual trees has also been provided. The Planning Board agrees with the approach to the analysis because there are similar concerns for all of the trees with respect to the required findings and because the location, species and condition of the trees have been called out separately as necessary.

(A) Special conditions peculiar to the property have caused the unwarranted hardship.

The conditions rating for all three specimen trees are listed as fair. These trees proposed for removal are located at the edge of an existing woodland. This wooded edge needs to be cleared and graded for the new stormwater management facility and connecting into the on-site existing sewer line.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

The applicant has taken no action to date on the subject property.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

The requested variance does not arise from a condition relating to the land or building use, either permitted or nonconforming on a neighboring property. There are no existing conditions on the neighboring properties that have any impact on the location or size of the trees, nor are there conditions that are affecting the layout and development of the size with respect to the specimen trees to be removed.

(F) Granting of the variance will not adversely affect water quality.

Granting the variance to remove the specimen trees will not directly affect water quality because the reduction in tree cover caused by the proposed specimen tree removal is minimal. Specific requirements regarding stormwater management for the site will be further reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of Specimen Trees 1, 3 and 5.

(4) Primary Management Area Impacts

Wetlands and 100-year floodplain are found to occur on this property. These features and the associated buffers comprise the primary management area on the subject property in accordance with the Subdivision Regulations.

Section 27-285(b)(4) of the Zoning Ordinance requires the following finding: "The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5)."

Impacts to regulated environmental features must first be avoided. Proposed impacts to the regulated environmental features should be limited to those that are necessary for the development of the property and should be minimized. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

The applicant proposes one impact to the PMA. A statement of justification was submitted in accordance with Section 24-130 of the Subdivision Regulations dated February 17, 2016, for the proposed impact. Impact 1 consists of 0.16 acre

within the PMA for a connection to an existing sewer manhole that is necessary to connect the development to an existing sewer line. The proposed impact will disturb wooded 100-year floodplain, wetlands, and wetland buffer. The Planning Board supports this impact because it has been minimized to the fullest extent possible and essential for the development of the site.

Conclusion

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the impact exhibits and the tree conservation plan submitted for review.

(5) **Noise**

The project will be subject to the requirements of Subtitle 24. The following design requirements are specified in Section 24-121(a)(4):

- (4) **Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.**

The site has frontage on Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450) which is a master planned arterial roadway that generates enough traffic to produce noise levels above 65 dBA Ldn. The site is proposing 115 townhouse units, a hotel, retail pad sites and a gas station facility. This area is located in a heavily used and growing commercial/residential area along Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450).

A Phase I noise study prepared by Phoenix Noise and Vibration was received by the Environmental Planning Section on September 30, 2015. The study provided an analysis of noise impacts along Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450). No noise model was conducted by staff for the location of the unmitigated 65 dBA Ldn noise contour along Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450).

The applicant's Phase I noise study was submitted with the CSP application to determine the location of the unmitigated noise contours. The study states that measurements were made at 5.5 feet above ground level and 25 feet above ground for the upper level. Both the CSP and TCPI did not show the upper and lower unmitigated 65 dBA Ldn noise contour. These contours need to be on the plans to evaluate the impacts. The noise study did show, on Attachments 2 and 3, the

upper and lower 65 dBA Ldn noise contour where noise impacts the site. The measured unmitigated lower and upper level 65 dBA Ldn noise contours will affect townhouse lots along Annapolis Road and along Martin Luther King Jr. Highway. The CSP and TCP1 must show the unmitigated 65 dBA Ldn noise contour along the entire frontage of Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450).

Acceptable interior noise levels of 45 dBA Ldn or less may be achieved with appropriate shell construction methods and is recommended. The acceptable noise level in outdoor activity areas is 65 dBA Ldn or less; however, outdoor activity areas were not identified on the submitted plans. 18 townhouse lots will be affected by noise from Annapolis Road and 20 two-over-two lots will be affected by noise from Martin Luther King Jr. Highway. Adequate interior noise mitigation for the proposed residential dwelling units impacted is recommended as a condition of approval.

The proposed plans show an outdoor recreation area adjacent to the proposed on-site trail extension. This outdoor play area should be located in an area that is not affected by the unmitigated and mitigated 65 dBA Ldn noise contours.

A Phase II noise study is required at the time of PPS submission. The accompanying TCP1 shall show all unmitigated and mitigated 65 dBA Ldn noise contours based on the proposed residential layout. The Phase II study should provide the recommended mitigation measures.

(6) **Stormwater Management**

A copy of the approved Stormwater Management Concept Plan and Letter (47327-2007-04) dated October 22, 2015 were submitted with the subject application. The concept plan appears to show stormwater to be directed to an existing off-site extended detention facility, and on-site facilities such as two bioretention areas, a wet ponds, swales and an extended detention facility. The wet pond is proposed during construction activities only. According to the approval letter, no quantity or quality control is required. The TCP2 is consistent with the concept plan. No additional information with regard to stormwater management is required.

Conditions addressing the above deficiencies have been included in the approval of this application.

- d. **Transportation Planning**—The application was reviewed with regard to Zoning Map Amendment A-10028-C and comments on the subject CSP are provided below.

Site Access Evaluation

Two new access points are shown on MD 704, one with a proposed traffic signal and median break creating a four way intersection. The second access point on MD 704 will be a right-in/right-out. Two access points are also shown on MD 450, one opposite Baltimore Avenue (US 1) at the median break, and the second, a right-in/right-out located closer to the MD 450 intersection with MD 704. A series of internal streets are shown on the site plan. These will be reviewed at the PPS and DSP stages along with on-site circulation. A variation request to allow access to these arterial roadways was submitted with the PPS for the site.

SHA had concerns at the zoning map amendment stage about the two right-in/right-out entrances on MD 704 and MD 450 to serve the proposed convenience store with fueling stations. DPW&T also indicated their concern about queuing at the main MD 704 entrance opposite Vista Gardens Marketplace. These issues will be reviewed at the PPS stage.

Four alleys are shown within the residential portion of the site. They are all less than 150 feet in length; therefore turnarounds will not be required. It is noted that there is only one entrance on MD 450 opposite Baltimore Avenue for 115 proposed townhouses. Typically a second access is provided for safety concerns and to reduce traffic congestion. The applicant has stated that a second emergency-only access point will be provided.

Master Plan Rights-of-Way

The site is adjacent to two master plan arterial roadways, Annapolis Road (MD 450) and Martin Luther King Jr. Hwy. (MD 704), listed in the Approved Glenn Dale-Seabrook-Lanham Sector Plan and SMA. Adequate right-of-way consistent with master plan recommendations exists along these two facilities. However, additional right-of-way maybe required by SHA along MD 704 to accommodate pedestrian facilities as noted in the Zoning Map Amendment conditions.

There is a SHA easement on the site reserved for future transportation use. This area is planned for a master plan trail. It is shown on the CSP as a linear park serving as an extension to the WB&A railroad trail.

Analysis of Traffic Impacts

The site is subject to the general CSP findings included in Section 27-276; this section contains no transportation-related finding. The site is also subject to findings related to the M-X-T Zone in Section 27-546.

Property placed in the M-X-T Zone by a Sectional Map Amendment shall provide supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program or within the current State Consolidated Transportation

Program. The transportation-related adequacy finding in this section was made when the site was rezoned through the zoning map amendment. As noted above it currently carries conditions to ensure the adequacy of transportation facilities in the area. These will be carried forward to the PPS review stage.

The following facts regarding traffic are noted for the record:

A traffic study was submitted for review in April 2016. The study area included the following intersections:

- MD 704 & Forbes Blvd.
- MD 704 & Lottsford Vista Rd/Business Pkwy.
- MD 704 & Site Access
- MD 705 & MD 450
- MD 450 & MD 953 (Glenn Dale Rd.)
- MD 450 & Site Access
- MD 450 & Baltimore Ave.
- MD 450 & Forbes Blvd.
- MD 704 & Site Access

The study covers both weekday-peak hours. The study included the unbuilt but approved developments in the area plus an annual growth rate of 1.0 percent. The study assumes the development of 75,000 square feet of retail space, including a convenience store with gas pumps, two hotels, 80 townhouses, and 44 condominiums. During the review of the PPS, the submitted traffic study was referred to the operating agencies for comments. A trip cap will be placed on the site.

Conclusion

In consideration of these findings, the Planning Board determines that the plan conforms to the required findings for approval of the CSP from the standpoint of transportation, in consideration of the requirements of Sections 27-274 and for the M-X-T Zone in Section 27-546.

- e. **Trails**—The CSP application was reviewed for conformance with Zoning Map Amendment A-10028-C, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements. The site is covered by the MPOT and the 2010 Glenn Dale-Seabrook-Lanham Sector Plan and SMA. The following summarized comments are provided.

The MPOT and sector plan include three master plan trails that impact the subject property.

- A sidepath along Annapolis Road (MD 450)
- A sidepath along Martin Luther King, Jr. Highway (MD 704)
- The extension of the WB&A Trail through the subject site.

The sidepath along MD 450 has been completed by SHA on the north side of Annapolis Road through a previous capital improvement program project. The sidepath along MD 704 will be required as part of road frontage improvements. The extension of the WB&A Trail is reflected on the submitted plans within a linear park. The MPOT explains the importance of the extension of the WB&A Trail and the planned sidepath along MD 704. These improvements will serve as important connection in the regional trail network and ultimately serve as a cross-county trail connection:

- MD 704 Shared-Use Side path: A side path or wide sidewalk construction with designated bicycle lanes is recommended along MD 704 (District of Columbia to I-495). It may be appropriate to use excess capacity along MD 704 to accommodate improved bicycle and pedestrian facilities. MD 704 connects to the existing WB&A Trail outside I-495. Trail construction along MD 704 will provide an extension of the existing WB&A Trail to provide a continuous east/west trail connection through central Prince George's County (MPOT, page 28).
- The Countywide Master Plan of Transportation (MPOT) includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Sidewalks are recommended along both sides of all internal roads and designated walkways may be recommended between commercial uses. These connections are most appropriately identified at the time of PPS and DSP.

On May 25, 2016, a revised exhibit and detail sheet was submitted for the linear park layout. This exhibit illustrates the planned facilities along the trail, the location of the easement boundary, and the location of plazas, pocket parks, and other facilities. The exhibit illustrates the goal of providing access to the trail from all portions of the development. Details regarding the facilities, operation, and maintenance of the trail will be addressed as part of the PPS and DSP applications. Facilities incorporated into the trailheads may include benches, a gazebo, bicycle parking, water fountains, and maps.

The extension of the WB&A Trail is reflected in the linear park. The existing WB&A Trail terminates at MD 450 opposite the frontage of the subject site. Access from the existing trail to the planned trail on the subject site will be at the site's access point opposite Baltimore Avenue. Traffic controls to ensure a safe pedestrian crossing will be determined as part of the PPS per the guidance of SHA.

Due to the site's location within the Annapolis Road Corridor (per the Adequate Public Facility Review Map of the General Plan), the application is subject to the requirements of CB-2-2012 and the associated "Transportation Review Guidelines – Part 2, 2013." These requirements and the necessary finding of adequacy will be made at the time of PPS.

Conclusion

From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, and meets the findings required for a CSP if the application were to be approved with the following conditions:

Conditions addressing the above comments have been included in the approval of this application.

- f. **Historic Preservation**—The following summarized comments are provided:
- (1) Phase I Archeology Survey is not recommended on the subject property. Modern disturbance has likely adversely impacted any intact cultural resources that may have been present on the subject property.
 - (2) The houses located at 4901 Lottsford Vista Road (ca. 1930), 4823 Lottsford Vista Road (ca. 1940), and 4815 Lottsford Vista Road (ca. 1955) and any remnants of the Vista Raceway should be recorded on a Maryland Inventory of Historic Properties (MIHP) form prior to demolition or any grading. The documentation should include floor plans and representative interior and exterior photographs of all structures. A chain of title can be provided by the Historic Preservation Section.

- (3) The applicant should provide interpretive signage highlighting the history of the Buena Vista Community (including the Burke-Jackson House, 70-037) and the Vista Raceway along the proposed bikeway through the subject property. The wording and placement of the interpretive should be reviewed and approved by the Historic Preservation Section.
- (4) The Burke-Jackson House Historic Resource was evaluated by the Historic Preservation Commission at its April 29, 2016 meeting. The Historic Preservation Commission voted 7-0-1 (Chairman Thompson voted “present”) to remove the Burke-Jackson House Historic Resource from the 2010 *Approved Historic Sites and Districts Plan*.

Conditions addressing the above are included in the approval of this application.

- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated June 13, 2016, DPR provided the following summarized comments:

DPR has reviewed the CSP application. The evaluation was based on the recommendations in the 2010 Glenn Dale-Seabrook-Lanham Sector Plan and SMA, Zoning Map Amendment (A-10028-C Buena Vista West), the Land Preservation Parks and Recreation Plan (LPPRP) for Prince George’s County, and the Subdivision Regulations (Subtitle 24) as they pertain to public parks and recreation. The subject property is not adjacent to any existing parkland, but does provide a connection to the WB&A Trail across MD 450 to the north.

In 2014, the District Council approved Zoning Map Amendment (A-10028), which resulted in the rezoning of the subject property from R-R and I-1 to M-X-T (Mixed Use Transportation–Oriented) to allow for a range of retail, commercial, residential, office and hotel uses. Per Zoning Ordinance 11-2014, Recommendation 2(e), the applicant is required to provide a bikeway through the subject property that connects the WB&A Trail to the internal streets and roads, with connections specifically to MD 450 and MD 704. The applicant is also required to provide pedestrian and bicycle connections to the adjacent sidewalks, transit stops, bikeways and roads. Both DPR and Planning Department staff have met with the applicant to discuss the required construction of the bikeway through the Lottsford Vista Road right-of-way, which will be closed for vehicular traffic through the proposed development. The current land records show that this right-of-way is owned by SHA. The applicant has proffered to develop the bikeway as a public linear park, and has provided sketches of the proposed linear park to be located within the Lottsford Vista Road right-of-way. The linear park will consist of an approximately 800 linear foot hiker/biker trail, benches, lighting, three urban plazas, seat/planter walls, and a small open play area.

The linear park concept is supportable as it would provide a buffer between the commercial uses to the residential development. The Planning Board finds that the incorporation of several urban plaza areas along the linear park/bikeway will further enhance this development as a destination center. Development of a bikeway that traverses the property would provide a much-needed connection to the WB&A Trail across MD 450 to the north and the Lakeview Trail across MD 450 to the south. The preferred method for developing public spaces through a proposed development would be to place the public space (in this case the linear park) in a public use easement. In this case, the public use easement is not feasible due to the existing SHA right-of-way. The details of the necessary agreements between the applicant, M-NCPPC and SHA will be determined at the time of PPS to ensure that the linear park will be properly developed and maintained for the benefit of all future residents within the County.

At the time of PPS review, the dedication of 1.34 acres of land to M-NCPPC will be required. The applicant is proposing the use of private recreational facilities acceptable to DPR in order to meet the requirements of mandatory dedication. The applicant has provided sketches of a pocket park connection (approximately 7,000 square feet), located between the residential units and adjacent to the main public linear park. Amenities that could be provided may include: an overhead pergola/trellis, seat/planter walls, benches, lighting, and perhaps some ornamental fencing. The provision of this pocket park by the applicant would meet the requirements of on-site private recreational facilities (as per Section 24-135 of the Prince George's County Subdivision Regulations), along with providing the future residents a wonderful connection to the public linear park which would have active recreational opportunities. Further refinement and design of the public linear park and private pocket park will be reviewed through future applications on this project.

Recommendations

DPR recommends that approval of the above referenced plan be subject to the following conditions:

- (1) As per County Zoning Ordinance 11-2014, the applicant shall provide a bikeway through the subject property in accordance with the following:
 - (a) The applicant shall design, construct, and maintain the master planned WB&A Trail extension as a public linear park with the public recreationally.
 - (b) In the event that the land area needed for the trail and linear park in accordance with is located within the SHA easement for Lottsford Vista Road, the applicant shall enter into a MOU with M-NCPPC for the area needed for the linear park. The MOU shall set forth the rights, responsibilities and liabilities of the parties. The MOU between the applicant and M-NCPPC shall be preceded by an MOU between SHA

and M-NCPPC for the use of the 66-foot-wide SHA easement for the public trail. Both MOUs shall be recorded among the County Land Records and noted on the final plat of subdivision.

- (c) The public recreational facilities within the linear park shall be designed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. Detailed drawings for the facilities shall be included with the DSP for the trail and linear park.
 - (d) The DSP for the WB&A Trail extension and linear park shall establish appropriate triggers for the construction of the linear park, as designed with the site plan.
- (2) At the time of PPS, (the applicant shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.)
 - (3) The details of the private facilities shall be reviewed and approved with the DSP for this project.

The above conditions have been included in the approval of this application.

- h. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 20, 2016, DPIE provided the following summarized comments:
 - (1) The property is bounded by Business Parkway on the west, Martin Luther King Jr. Highway (MD 704) on the south, and Annapolis Road (MD 450) on the east. Business Parkway is a County-maintained industrial roadway with adequate right-of-way. Frontage Improvements will be required as determined DPW&T and DPIE. Martin Luther King Jr. Highway and MD 450 are both state-maintained roadways; therefore, coordination with SHA is required.
 - (2) The development proposes to abandon a portion of the existing right-of-way of Lottsford Vista Road. Coordination with DPW&T will be required for the abandonment and development of this existing right-of-way. Coordination with SHA is also required for the abandonment of the 66-foot perpetual easement for the development of the linear park.
 - (3) All improvements within the public rights-of-way, as dedicated for public use to the County, are to be in accordance with the County Road Ordinance, DPW&T's Specifications and standards, and the Americans with Disabilities Act (ADA).
 - (4) A floodplain waiver will be required for disturbance within the 100-year floodplain.

- (5) Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
 - (6) All storm drainage systems and facilities are to be in accordance with DPW&T's specifications and standards.
 - (7) A soils investigation report which includes subsurface exploration and a geotechnical engineering evaluation for the proposed dwellings will be required.
 - (8) The proposed site development has an approved Stormwater Management Concept Plan, 47327-2007-04, dated October 22, 2015. The proposed development meets the intent of the stormwater concept plan.
- i. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject application.
- j. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
- k. **Prince George's County Health Department**—In a memorandum dated March 22, 2016, the Health Department provided the following comments on the subject application:
- (1) The public health value of access to active recreational facilities has been well documented. Indicate the location of active recreational facilities within one-quarter mile of the proposed residences.

The site plan shows a hiker/biker trail bisecting the property that connects to the WB&A Trail. Specific details of the recreational facilities will be reviewed at the time of PPS and DSP.
 - (2) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space within the designated "open space" on the plan for a community garden.

The applicant has been made aware of this comment.
 - (3) Consider including in the design plans "pet friendly" amenities for pets and their owners in the designated open space area. The areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are strongly recommended at strategic locations.

As noted above, the specific details of the private recreational features, which could include pet-related features, will be reviewed at the time of DSP.

- (4) Health Department permit records indicate there are approximately 9 carry-out/convenience store food facilities, and one market/grocery store within a one-half mile radius of this location. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. Future planning should consider designating retail space to businesses that provide access to healthy food choices within the commercially zoned area.

The applicant is fully aware of this comment; however, the amount of retail proposed with the subject application is insufficient to house a supermarket. The applicant is encouraged to consider this issue when selecting tenants.

- (5) During the construction of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

A note should be provided on the CSP indicating conformance with the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control requirements.

- (6) No construction noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

A note should be provided on the CSP indicating conformance with construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

1. **Maryland State Highway Administration (SHA)**—In an e-mail dated June 15, 2016, SHA indicated the following:

- (1) The applicant will need to obtain an access permit/utility permit for all work within SHA right-of-way.
- (2) SHA will allow the developer to construct a trail over the perpetual easement controlled by SHA, as this trail will serve as a transportation use.
- (3) The trail will require an MOU for maintenance between SHA and DPR.

- m. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated April 8, 2016, WSSC provided standard comments on the CSP regarding the provision existing and proposed water and sewer connections on the plan, along with requirements for service and connections, requirements for easements, spacing and alignments, easements, and coordination with other utilities. These issues must be addressed at the time of permits for site work.
 - n. **Prince George’s County Police Department**—The Police Department did not offer comments on the subject application.
 - o. **Verizon**—Verizon did not offer comments on the subject application.
 - p. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
12. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP, if approved with the proposed conditions below, represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
13. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a CSP:

The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

According to the review of the Environmental Planning Section, this requirement has been met.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type 1 Tree Conservation Plan (TCP1-048-96-01), and further APPROVED Conceptual Site Plan CSP-14002 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of the conceptual site plan (CSP), the applicant shall:
 - a. Delete the references to Residential Development Standards on the coversheet.
 - b. Revise the plans to shown an emergency access connection between Parcel C, Block A, and Parcel 2, Block B.
 - c. Revise the CSP development data to reflect the correct development qualities.

2. At the time of detailed site plan (DSP), information shall be provided, or the issues shall be addressed as follows:
 - a. Parking shall be calculated separately for the hotel, commercial buildings, and townhouses. Parking spaces in the townhouse driveways must allow at least 19 feet of parking space for cars, which must not obstruct pedestrian or vehicular travel routes. A minimum of ten percent more parking for visitors shall be provided in the townhouse area.
 - b. Particular consideration shall be given to the placement of the commercial/retail buildings and human-scale design that will enhance the linear park as a focal point, create places for community gathering and live-work experiences, and provide a pleasing and safe pedestrian realm.
 - c. The details of the private recreational facilities shall be reviewed and approved.
 - d. All outdoor recreation areas shall be shown located outside the unmitigated 65 dBA Ldn, with the exception of the linear park.
 - e. A standard sidewalk shall be provided along the subject site's entire frontage of Annapolis Road (MD 450), unless modified by the Maryland State Highway Administration.
 - f. A standard sidewalk shall be provided along the subject site's entire frontage of Business Parkway, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.
 - g. Sidewalks shall be provided along both sides of all internal roads, unless determined not feasible or appropriate, and modified by the Planning Board or its designee at the time of DSP.
 - h. A ten-foot-wide shared-use path shall be provided along the subject site's entire frontage within the right-of-way of Martin Luther King Jr. Highway (MD 704), unless modified by the Maryland State Highway Administration.
 - i. The vehicular access driveway on the commercial site shall be designed with appropriate pedestrian amenities and safety features, including sidewalks, crosswalks, lighting, and landscaping.
 - j. Pedestrian walkways and crosswalks shall be provided that link the commercial uses with Annapolis Road (MD 450) and Martin Luther King Jr. Highway (MD 704), as well as the linear park.

- k. Units with visible rear yards fronting on either Annapolis Road (MD 450) or private streets shall have enhanced architectural elements. Side entries shall be considered for dwelling units on Lots 100 and 101, abutting the private central green area (Parcel KI, Block A), at a minimum.
 - l. Similar emphasis on front and rear elevations shall be provided on the commercial/retail buildings.
 - m. Identify highly-visible residential units that require enhanced architectural treatments.
 - n. Sufficient area shall be shown along all private streets to ensure conformance with Section 4.10, Street trees along Private Streets, of the *2010 Prince George's County Landscape Manual*, in addition to the provision of sidewalks, at the time of DSP.
3. Prior to signature approval of the preliminary plan of subdivision (PPS), the following shall be addressed:
- a. The PPS and the Type 1 tree conservation plan (TCP1) shall correctly show the lower and upper unmitigated 65 dBA Ldn noise contours along the entire frontage of Martin Luther King Jr. Highway (MD 704) and Annapolis Road (MD 450). The recommended mitigation measures shall also be shown on the TCP1.
 - b. Adequate on-site private recreational facilities shall be provided in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The private recreational facilities shall be reviewed by the M-NCPPC, Development Review Division (DRD), Urban Design Section, for adequacy and proper siting. The private recreational facilities package to be provided shall include those facilities proposed with the conceptual site plan application, which include, but are not limited to, bike racks, benches, tables, lighting, and landscaping.
4. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

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.

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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 Bailey, with Commissioners Washington, Bailey, Shoaff, and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, July 7, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2016.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:rpg