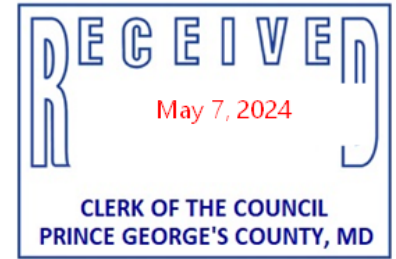




May 7, 2024



Pinnacle Harbor L.L.C.
12500 Fair Lakes Circle, Suite 400
Fairfax, VA 22033

Re: Notification of Planning Board Action on
Conceptual Site Plan CSP-11006-01
Salubria Center

Dear Applicant:

This is to advise you that, on **May 2, 2024**, the above-referenced Conceptual Site Plan was acted upon by the Prince George's County Planning Board applying the provisions of the prior Prince George's County Zoning Ordinance and in accordance with the attached Resolution.

Pursuant to Section 27-280 of the prior Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**May 7, 2024**) of the Planning Board's decision, unless:

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

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

Very truly yours,
James R. Hunt, Chief
Development Review Division

By: *Te-Sheng Huang*
Reviewer

Attachment: PGCPB Resolution No. **2024-025**

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

PGCPB No. 2024-025

File No. CSP-11006-01

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Industrial, Employment Zone (IE); and

WHEREAS, the applicant, Pinnacle Harbor L.L.C., submitted an application for approval of a conceptual site plan; and

WHEREAS, Conceptual Site Plan CSP-11006 was approved by the District Council on October 16, 2012; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, proposals for development in the IE Zone may utilize the prior Zoning Ordinance, for a period of two years, until April 1, 2024, and that this deadline was extended to April 1, 2026, in accordance with Council Resolutions CR-22-2024 and CR-25-2024 approved on March 26, 2024; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on April 11, 2024, regarding Conceptual Site Plan CSP-11006-01 for Salubria Center, the Planning Board finds:

1. **Request:** This conceptual site plan (CSP) seeks to amend CSP-11006 to add a ± 7.4 -acre lot with an existing office building, and develop a new eating or drinking establishment, with drive-through service, and a new day care center for children.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	IE (Prior M-X-T)	M-X-T
Use(s)	Commercial "Outlet Center" inclusive of restaurant uses and a hotel.	Commercial and Institutional/Education
Parcels	3 (Parcels 1, 2 and 3)	4 (Parcels 1, 2, 3 and 5)
Gross Acreage	± 43.79	± 50.04
Net Acreage	42.04	48.29
Total Gross Floor Area (sq. ft.)	$\pm 460,000^*$	$\pm 520,000$
Commercial/Retail	350,000 sq. ft.	
Restaurant	16,000 sq. ft.	

	EXISTING	APPROVED
Hospitality	60,000 sq. ft.	
Commercial		373,996 sq. ft. (Parcel 1)
Commercial		16,004 sq. ft. (Parcel 2)
Commercial		116,284 sq. ft. (Parcel 5)
Commercial		3,716 sq. ft.**
Institutional/Educational		10,000 sq. ft. (Parcel 3)

Notes: *Prince George’s County Planning Board (PGCPB) Resolution No. 12-04(C) notes that an additional 34,000 square feet of development growth potential is built into the conceptual proposal for a total gross floor area (GFA) of ±460,000 square feet.

**This square footage will most likely be added to Parcel 5 for any future expansion, but it would be allocated to all the parcels contained in this CSP, for development, as needed.

Floor Area Ratio (FAR) in the Mixed Use-Transportation Oriented (M-X-T) Zone

Base Density Allowed:	0.40 FAR
Total FAR Permitted:	0.4
Total FAR Approved:	0.25
Total FAR Proposed:	0.25**

Notes: *The total approved GFA of the project is ±520,000 square feet based on the total net acreage of 48.29, which results in a total FAR of approximately 0.25.

3. **Location:** The subject property is located on the east side of Oxon Hill Road, approximately 1,000 feet south of I-95/495 (Capital Beltway) and MD 210, in Planning Area 80 and Council District 8. The property is also located on Tax Map 104, Grids F1 and F2, and on Tax Map 105, Grids A1 and A2. The property is known as Parcels 1, 2,3, and 5 of Salubria. Parcel 1 was recorded in Plat Book MMB 237 Plat No. 68 of the Prince George’s County Land Records, in March 2013; Parcels 2 and 3 were recorded in Plat Book SJH 241 Plat No. 94, in February 2015; and Parcel 5 was recorded in Plat Book ME 254 Plat No. 71, in July 2020.
4. **Surrounding Uses:** To the north of the subject property is the Oxon Hill Park and Ride Lot, with a bus bay for the Washington Metropolitan Area Transit Authority (WMATA) bus services, in the Industrial, Employment (IE) Zone, formerly the Planned Industrial/Employment Park (I-3) Zone. To the east of the subject property is MD 210 and multifamily development (Wilson Bridge Condominium) in the Residential, Multifamily-20 (RMF-20) Zone, formerly the Multifamily Medium Density Residential (R-18) Zone. To the west of the subject property is Oxon Hill Road, and beyond it is the Oxon Hill Manor Historic Site (80-001) in the Reserved Open Space (ROS) Zone, formerly labelled as R-O-S. To the south of the subject property is the campus of Thomas Addison Elementary School, in the Residential, Rural (RR) Zone, formerly the Rural Residential

(R-R) Zone, and single-family detached houses in the Residential, Single-Family-65 (RSF-65) Zone, formerly the One-Family Detached Residential (R-55) Zone.

5. **Previous Approvals:** The subject site for CSP-11006 is a combination of four parcels. The northern most 21.23-acre parcel is part of a 35-acre parcel, previously zoned I-3 with an approved CSP-87024, Preliminary Plan of Subdivision (PPS) 4-88087 (PGCPB Resolution No. 88-254), and Detailed Site Plan DSP-88069 (PGCPB Resolution No. 88-424). This provided for the development of less than 250,000 square feet of office space, or 530,000 square feet of light industrial space, with additional transportation. The remaining southernmost acres were previously zoned R-R.

On May 24, 1994, Zoning Map Amendment (ZMA) A-9882-C was approved by the Prince George's County District Council (Zoning Ordinance 35-1994), to rezone the I-3 and R-R properties (totaling 54.7 acres) to the M-X-T Zone. A-9882-C was amended by the District Council (Zoning Ordinance 15-2012) on October 16, 2012.

CSP-11006 was approved by the Prince George's County Planning Board on January 12, 2012 (PGCPB Resolution No. 12-04(C)), for up to 460,000 square feet of retail and hotel development. This CSP was reviewed and approved by the District Council on October 16, 2012 (Zoning Ordinance No. 16-2012). The subject site had an approved Stormwater Management (SWM) Concept Plan, 40537-2003.

PPS 4-11028, with Type 1 Tree Conservation Plan TCP1-014-11-01, was approved by the Planning Board on April 12, 2012 (PGCPB Resolution No. 12-26(C)), for 8 parcels, to support development of 400,000 square feet of retail development, 100,000 square feet of office development, and a 100-room hotel.

On May 17, 2012, DSP-11025, with Type 2 Tree Conservation Plan TCP2-015-12, was approved by the Planning Board (PGCPB Resolution No. 12-40), for 437,721 square feet of retail, office, and hotel development in the M-X-T Zone. This DSP was affirmed by the District Council on October 16, 2012.

DSP-11025-01 was approved by the Planning Board on July 31, 2012 (PGCPB Resolution No. 14-66), for a 53,790-square-foot hotel with 100 rooms, as required by Condition 14 of the amended A-9882-C, and Condition 6 of DSP-11025.

DSP-11025-02 was approved by the Planning Director on October 13, 2013, for the change of signage for Tanger Outlets.

On May 31, 2012, the Planning Board approved Departure from Design Standard DDS-614 (PGCPB Resolution No. 12-41), for a departure from Section 27-558(a) of the prior Prince George's County Zoning Ordinance, to allow a reduced standard, nonparallel parking space size of 9 feet in width by 18 feet in length.

On November 14, 2023, the District Council amended the 2006 *Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment* (sector plan), pursuant to Prince George's County Council Resolution CR-106-2023. None of the changes in the minor amendment nor the concurrent sectional map amendment impact the subject property associated with this CSP or CSP-11006.

6. **Design Features:** The applicant plans to develop a mixed-use development with commercial and institutional/educational uses. Specifically, the subject property currently contains the Tanger Outlet Center on Parcel 1 and an existing office building on Parcel 5. The applicant is proposing to construct an approved eating or drinking establishment, with drive-through service, and day care center for children on Parcels 2 and 3, respectively.

The submitted plans with this CSP show two vehicular entry/exit points to the Tanger Outlet Center. One is located on Oxon Hill Road, and the other is located on the south side of Tanger Boulevard. Another entry/exit point, which is located on the north side of Tanger Boulevard, is to access the existing office building and the approved development projects on Parcels 2 and 3. In addition to the vehicular circulation on-site, the submitted plan displays an internal pedestrian network connecting properties located to the north and south of Tanger Boulevard. Finally, the plan illustrates the location of four signs, one historic marker/monumentation, parking areas, and the outdoor play area for the approved day care for children.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9882-C:** A-9882-C, which rezoned approximately 54.7 acres of land from the I-3 and R-R Zones to the M-X-T Zone, was approved by the District Council on May 24, 1994, in accordance with Zoning Ordinance 35-1994, subject to conditions. An amendment to A-9882-C was approved by the District Council on October 16, 2012 (Zoning Ordinance 15-2012), to amend the conditions of A-9882-C, subject to 14 conditions. The conditions relevant to the review of the CSP are listed below, in **bold** text. The Planning Board's analysis of the project's conformance to the conditions follows each one, in plain text:

- (1) **Any residential housing on the site shall be restricted to single-family detached and/or attached units.**

This condition is not applicable to the subject CSP application because it does not include any residential units.

- (2) **For that portion of the site south of the freeway ramp, a common pedestrian path system shall be designed to link all segments of the proposed development. Any retail segment shall not be designed as a typical strip shopping center or large single-use site.**

The plans submitted for this CSP illustrate an internal pedestrian network, connecting development projects located in the north and south sides of Tanger Boulevard. The Tanger Outlet Center, located to the south of Tanger Boulevard, has been developed with a pedestrian path system within the mall site.

(3) All future development plans for the subject property shall show buffering along Oxon Hill Road and the southern boundary of the site consistent with the following:

- (a) Along the frontage along Oxon Hill Road on old Parcel 7 and that portion of old Parcel 8 north of the existing paved entrance drive onto the subject property, not being adjacent to Oxon Hill Manor, a minimum 20-foot-wide landscape strip shall be maintained in accordance with the specifications of Section 4.6 of the Landscape Manual. The strip may incorporate a variety of buffering and screening methods, including, but not limited to, landscaping, and low walls. The type and quantity of plant materials and other methods to be utilized shall be reviewed and approved at the time of Detailed Site Plan.**

This condition has been addressed in CSP-11006 and DSP-11025. The plans submitted for this CSP show a 20-foot-wide landscape strip along the Oxon Hill Road frontage, on Parcels 2 and 5. This landscape strip will be further evaluated at the time of DSP.

- (b) Along the frontage along Oxon Hill Road on old Parcel 8 south of the paved entrance drive and on Parcel 18, a 25-foot to 55-foot landscaped buffer in conformance with the County Landscape Manual with enhanced plantings across from the adjacent Oxon Hill Manor historic site, in accordance with Type “E” Bufferyard. Additionally, in accordance with a Type “E” Bufferyard, there shall be a ten-foot building setback from the buffer.**

This condition has been addressed in CSP-11006 and DSP-11025.

(4) The Salubria Historic site #80-002 and its 2.7 acres environment setting should be eliminated from the Historic Sites and District Plan.

The Historic Site of Salubria (80-002) was deleted from the inventory on January 4, 2012. All conditions related to the historic site and its environmental setting were satisfied and are no longer operable.

(5) The Historic Site status of Salubria, as well as the extent of the Environmental Setting, shall be noted on all plans and other documents submitted for this site.

The previous Historic Site (80-002) and its 2.7-acre environmental setting were not shown on the submitted plans. A condition is included herein requiring the applicant to note these on the plans.

- (6) **All subsequent submittals for this site shall be referred to the Historic Preservation Section staff and the Historic Preservation Commission for their review and comment prior to approval.**

This development was reviewed by the staff of the Historic Preservation Section and the Historic Preservation Commission. No comments were provided.

- (8) **A 100-year floodplain study shall be approved by DER Watershed Protection Branch prior to the approval of a Conceptual Site Plan.**

This condition has been addressed and satisfied with CSP-11006.

- (9) **Forest Stand Delineation shall be submitted and approved in conjunction with any Preliminary Plan of Subdivision or Conceptual Site Plan for the subject property.**

This condition has been satisfied with PPS 4-11028 for the Tanger Outlet Center.

- (10) **A Type 1 Tree Conservation Plan shall be submitted and approved in conjunction with the Conceptual Site Plan or Preliminary Plan of Subdivision for the subject property.**

This condition has been satisfied with CSP-11006 and PPS 4-11028 for the Tanger Outlet Center.

- (11) **Noise-related issues shall be addressed at the time of Conceptual Site Plan submittal. The Plan shall include needed mitigation measures and provide adequate screening and buffering along Indian Head Highway (MD 210).**

The site has frontage along Oxon Hill Road, a master-planned collector roadway, and is bounded on the east by MD 210, a designated freeway. The noise-related issues for the development of the Tanger Outlet Center were addressed with CSP-11006.

The 65 dBA noise limit is noted on the plans submitted for the subject CSP, without the labeling of the noise contour. A condition is included herein requiring the applicant to label the noise contour on the plans. The subject CSP is a combination of commercial and institutional/educational uses and does not include any residential uses. Based on the notation of the 65 dBA noise limit shown on the plan, all the approved development projects with this CSP are outside the noise limit. The Planning Board finds that no noise mitigation measures are required. However, the location of the outdoor play area for the approved day care for children will be further evaluated when more details are available.

- (12) **Development on the site shall not produce a greater number of vehicle trips than that identified in the previous approval for Salubria Office Park (SP-88069) and shall be subject to the same transportation conditions and improvements.**

DSP-88069 approved a total of 500,000 square feet of office space, which was determined to generate 1,000 AM and 925 PM peak-hour trips, or a total of 1,925 combined AM and PM peak-hour trips. The subject CSP is within the established trip cap. A detailed discussion regarding trip generation is addressed in the Transportation Planning Section's referral comments, in Finding 14 below.

8. **Prince George's County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T Zone of the prior Zoning Ordinance.
- a. The subject CSP is in conformance with the requirements of Section 27-547, Uses Permitted, of the prior Zoning Ordinance, which governs permitted uses in the M-X-T Zone. The applicant plans to develop $\pm 510,000$ square feet of commercial and $\pm 10,000$ square feet of institutional/educational uses, which has been discussed in Finding 2 above. All approved uses of commercial/retail (the Tanger Outlet Center), office/medical office, eating or drinking establishments with drive-through services, and day care for children are permitted in the M-X-T Zone.

Section 27-547(d) of the prior Zoning Ordinance requires at least two out of the following three categories of uses be present in every development in the M-X-T Zone:

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

The subject CSP seeks to amend CSP-11006 by removing the previously approved hotel and adding office/medical use on Parcel 5, with additional square footage of retail businesses, which will be developed on Parcel 2, and an institutional/educational use for a day care center for children on Parcel 3. These approved uses conform to Section 27-547(d).

- b. Section 27-548, M-X-T Zone Regulations, of the prior Zoning Ordinance, establishes additional standards for 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;
and**
 - (2) **With the use of the optional method of development—8.0 FAR.**

The subject application does not use the optional method of development. The overall FAR for the site is 0.25, which has been discussed in Finding 2 above. This number is lower than the maximum allowed, which is 0.4.

- (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 applicant plans to develop a mix of uses to include commercial/retail (the Tanger Outlet Center), office/medical office, eating or drinking establishments with drive-through services, and a day care for children, in multiple buildings, on more than one parcel, as permitted.

- (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 development on this property.

- (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 use.**

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.

- (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 approved development, up to $\pm 520,000$ square feet on the 50.04-acre property, is 0.25. This will be refined further at the time of DSP, relative to the final approved GFA of the buildings, in conformance with this 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, the ground below, or in public rights-of-way, as part of this project. Therefore, this requirement is not applicable to the subject CSP.

- (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.**

All parcels associated with this CSP will have frontage on, and direct vehicular access to, a public or private street authorized pursuant to the applicable prior Subdivision Regulations. Access will be established and authorized with the subsequent subdivision application, PPS 4-23013. A detailed discussion is addressed in the Subdivision Section's referral comments, in Finding 14 below.

- (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 two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where 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. The minimum building width in any continuous, attached group shall be eighteen (18) 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. The minimum building width in any continuous, attached group shall be eighteen (18) 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 may 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 Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

This regulation is not applicable to the subject CSP because it does not include any townhouse units.

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

This requirement is not applicable because this CSP does not include any 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).

The subject property was placed in the M-X-T Zone through the 1994 ZMA, A-9882-C. Therefore, this regulation is not applicable to the subject CSP.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the prior Zoning Ordinance, which requires additional findings be met 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 approved development is in conformance with the purposes of the M-X-T Zone, as stated in Section 27-542 of the prior Zoning Ordinance, as follows:

Section 27-542. Purposes.

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

The CSP promotes the orderly development of land through an approved mixed-use development that is in proximity to a major intersection, Oxon Hill Road and MD 210. The approved development adds supplementary uses to the existing uses on-site, including office/medical office, eating or drinking establishments, with drive-through services, and a day care center for children. All these uses will expand the source of desirable employment.

- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The sector plan recommends mixed-use land uses on the subject property. The approved uses are consistent with the recommended land use, which includes commercial, employment, and institutional/educational uses.

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

The subject CSP efficiently utilizes two vacant parcels that are surrounded by surface parking and public rights-of-way to maximize the development potential of the M-X-T Zone and support proximate uses.

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

The approved development is in proximity to the Oxon Hill Park and Ride Lot, with a bus bay for WMATA bus services, and is located close to major interchanges and the interstate highway system. The uses included in the subject CSP consist of commercial/retail, office/medical office, and institutional/educational purposes. These uses are accessible through the on-site and off-site pedestrian paths and infrastructures, which reduce automobile use.

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

In addition to the Tanger Outlet Center, the subject CSP application will add an existing office building on Parcel 5, and develop an eating or drinking establishment with drive-through service, and a day care center for children on Parcels 2 and 3, respectively. With proximity to the National Harbor, the mixture of different uses approved for the subject site will support a vibrant 24-hour environment on both weekdays and weekends.

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

The CSP plans to develop a horizontal mix of land uses within several buildings. The additional uses approved with this CSP will blend with the Tanger Outlet Center and the existing office building on-site and the nearby development.

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

It is anticipated that office workers in the existing office building on Parcel 5, and patrons at the Tanger Outlet Center on Parcel 1, will utilize both approved uses at Parcels 2 and 3. This will be further evaluated at the time of DSP, when more information and details are available.

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

The subject CSP includes a mix of compatible uses within close proximity, which promotes a more efficient and convenient design.

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

The M-X-T Zone is one of the mixed-use zones that was created to allow flexibility to respond to the changing market. The approved eating or drink establishment, with drive-through service, and day care for children appear to respond to the need of the existing market, as well as to promote economic vitality and additional investment to the area.

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

This finding will be evaluated at the time of DSP, when architectural elevations and details are available.

- (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 or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;**

The CSP is not subject to this requirement because the property was placed in the M-X-T Zone through the 1994 ZMA, A-9882-C.

- (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 subject site houses two existing buildings: the Tanger Outlet Center on Parcel 1 and the office building on Parcel 5. The CSP plans to develop an eating or drinking establishment, with drive-through service, and a day care for children. Both projects will have outward orientation to connect the office building to the north and the Tanger Outlet Center to the south. In addition, both projects are intended to integrate with existing adjacent development physically and visually.

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

The approved eating or drinking establishment with drive-through service and day care for children will be compatible with the Tanger Outlet Center on Parcel 1, the office building on Parcel 5, and the MGM National Harbor Resort and Casino.

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

The subject site currently houses the Tanger Outlet Center on Parcel 1 and one existing office building on Parcel 5. With the subject CSP, the uses of an eating or drinking establishment, with drive-through service, and a day care for children will be added to the site, between two existing development projects. The approved uses support one another and provide needed services to the surrounding development. The specifics of the arrangement and design of the buildings will be further examined at the time of DSP.

- (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 subject CSP is not staged. Therefore, this requirement is not applicable.

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

There is an existing sidewalk along the majority of Oxon Hill Road to the west, and Tanger Boulevard to the south, and along the western side of the internal drive aisle accessing the northern portion of the site. At the time of DSP, for Parcels 2 and 3, additional sidewalk or pedestrian infrastructure may be recommended based on the uses and will be evaluated at that time. Child drop-off locations should be clearly marked, and additional pedestrian enhancements may be required for the day care center on Parcel 3, when more details are available.

- (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.**

This requirement is not applicable to the subject CSP because the property was rezoned to the M-X-T Zone pursuant to A-9882-C.

- (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).**

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated at the time of DSP for this project.

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

The subject property measures 50.44 acres and does not meet the above acreage requirement. Furthermore, this CSP is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. Section 27-274 of the prior Zoning Ordinance provides the design guidelines related to CSPs, as follows:

(1) General.

(A) The Plan should promote the purposes of the Conceptual Site Plan.

The approved development is in conformance with the general and specific purpose of a CSP, in accordance with Section 27-272 of the prior Zoning Ordinance. Specifically, the mixed-use development will be based on the underlying zone, the site design guidelines, and the principles for orderly, planned, efficient, and economic development contained in the 2014 *Plan Prince George's 2035 Approved General Plan*, sector plan, and other plans.

The subject CSP application shows the relationship between the existing and approved uses within the subject site. The CSP also illustrates approximate locations of the approved eating or drinking establishment, with drive-through service, day care for children, and associated physical features including parking lots and streets. The associated plans, including Natural Resources Inventory NRI-049-2023 and Type 1 Tree Conservation Plan TCP1-014-11-01, shows general grading, woodland conservation areas, preservation of sensitive environmental features, planting, sediment control, and SWM concepts in the design for the site.

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces**

should be located to provide convenient access to major destination points on the site...

The development of the Tanger Outlet Center on Parcel 1 and one existing office building on Parcel 5 has satisfied this requirement. The submitted plans for the subject CSP illustrate the location of surface parking for the approved eating or drinking establishment, with drive-through service. Parking for the approved day care for children is primarily for employees and visitors. A condition is included herein requiring the applicant to indicate the parking location for the day care use on the plans. Nonetheless, parking spaces are planned to allow visitors and residents to leave their vehicles and enter the building without having conflicts with pedestrians. The location and adequacy of parking will be further evaluated at the time of DSP.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians...

The development of the Tanger Outlet Center on Parcel 1 and one existing office building on Parcel 5 has satisfied this requirement. The location of loading areas for both parcels is shown on the submitted plans. The requirement for Parcels 2 and 3 will be further evaluated at the time of DSP, when detailed information is available.

Both parcels will have individual access to Tanger Boulevard through a private road.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...

The submitted illustrative plan shows the conceptual pedestrian and vehicular circulation within the subject site and an internal pedestrian connection to properties on both sides of Tanger Boulevard. Specifically, the site plan shows a vehicle and pedestrian circulation plan that prioritizes pedestrian movement throughout the site, as well as access to off-site pedestrian infrastructure. The circulation plan also reduces conflict between vehicles and pedestrians. Further details of the approved circulation will be provided and evaluated at the time of PPS and DSP.

(3) Lighting.

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character...

The development of the Tanger Outlet Center on Parcel 1, and one existing office building on Parcel 5, has satisfied this requirement. Details of lighting will be further evaluated for Parcels 2 and 3 at the time of DSP, when required information is available.

(4) Views.

(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

The subject site is in proximity to the Oxon Hill Manor Historic Site (80-001). Site design techniques have been taken to preserve scenic views from public areas when developing the Tanger Outlet Center on Parcel 1. Landscape along the street frontage of Parcels 1 and 5 has also been developed, which satisfies this requirement. Landscape along the frontages of Parcels 2 and 3 will be evaluated at the time of DSP.

(5) Green Area.

(A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use...

The on-site green area was satisfied when developing the Tanger Outlet Center on Parcel 1 and one existing office building on Parcel 5. This requirement for Parcels 2 and 3 will be evaluated at the time of DSP.

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site...

The development of the Tanger Outlet Center on Parcel 1, and one existing office building on Parcel 5, has satisfied this requirement. The design and type of amenities for Parcels 2 and 3 will be discussed and evaluated at the time of DSP, to ensure the visual unity of the site, as well as to accommodate people with disabilities, and should be appropriately scaled for user comfort.

(7) Grading.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...

Most of the grading for the subject site was performed with the development of the Tanger Outlet Center on Parcel 1, and one existing office building on Parcel 5. Parcels 2 and 3 are not in the vicinity of the regulated environmental features (REF). Fine grading might be needed with the development of Parcels 2 and 3, for an eating or drinking establishment, with drive-through service, and a day care for children, which will be evaluated at the time of DSP.

(8) Service Areas.

(A) Service areas should be accessible, but unobtrusive.

The subject CSP includes four parcels. Both Parcels 1 and 5 have been developed with the Tanger Outlet Center and an existing office, respectively. In addition to adding Parcel 5 to this CSP, developing Parcels 2 and 3 is another intent. This requirement will be further evaluated at the time of DSP.

(9) Public Spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.

Public spaces on Parcels 1 and 5 have been constructed with the development of the Tanger Outlet Center on Parcel 1, and the existing office on Parcel 5. The subject CSP plans to develop an eating or drinking establishment, with drive-through service, and a day care for children on Parcels 2 and 3, respectively. The submitted site plans only show the location of an outdoor play area for the day care use and do not specify any potential public space for the approved eating or drinking establishment. The need for outdoor seating for the eating or drinking establishment will be further evaluated at the time of DSP, when more details are available.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with Section 27-277.

The development of the Tanger Outlet Center on Parcel 1, and one existing office building on Parcel 5, has satisfied this requirement. The architectural design for Parcels 2 and 3 needs to be compatible with the existing buildings on-site. This will be examined at the time of DSP, when more information is available.

(11) Townhouses and Three-Story Dwellings.

This requirement is not applicable to this CSP because no townhouses or three-story units are included.

- e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval, at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b) of the prior Zoning Ordinance. The methodology in Section 27-574(b) requires that parking be computed for each use in the M-X-T Zone. At the time of DSP review, demonstration of adequacy of approved parking, including visitor parking and loading configurations, will be required for the development.
9. **Conceptual Site Plan CSP-11006:** CSP-11006 was approved by the Planning Board on January 12, 2012 (PGCPB Resolution No. 12-04(C)), subject to 15 conditions and 2 considerations. This decision was reviewed and affirmed by the Prince George's County District Council on October 16, 2012 (Zoning Ordinance No. 16-2012), subject to 14 conditions and 2 considerations. The conditions relevant to the review of this CSP are listed in **bold** text. The Planning Board's analysis of the property's conformance to the conditions follows each one, in plain text:
4. **In conformance with the 2009 Approved Countywide Master Plan of Transportation (MPOT) and the 2006 Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area, the applicant and the applicant's heirs, successors and/or assignees shall provide the following unless modified by the DPW&T:**
- a. **Provide and maintain the standard sidewalk, landscape strip, and designated bike lanes along the entire frontage of the subject site, as shown on the DPW&T plans for the Oxon Hill Road improvement project, unless modified by DPW&T.**
 - b. **In order to accommodate the designated bike lanes recommended in the MPOT, a minimum of 44 feet from the centerline shall be dedicated, unless modified by DPW&T.**

- c. **Provide appropriate pavement markings and signage for the designated bike lanes per the American Association of State Highway Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, unless modified by DPW&T.**
- d. **Provide marked crosswalks at all of the site's ingress/egress points along Oxon Hill Road.**
- e. **Pedestrian improvements shall be provided across Oxon Hill Road at Harborview Avenue and at the site's southern access point (labeled on the plans as a 60-foot right of way). Appropriate improvements will be recommended at the time of detailed site plan and may involve high visibility and contrasting crosswalks, pedestrian countdown signals, pedestrian refuges, signage, and other enhancements.**
- f. **Standard sidewalks shall be provided along one side of ingress/egress roads and the proposed loop road, unless modified by DPW&T.**
- g. **At the time of detailed site plan, consideration shall be given to providing a trail or sidewalk connection from the subject site to Abbington Place, unless it is determined there are environmental constraints that make this connection unfeasible.**
- h. **Bicycle parking shall be provided throughout the subject site. Appropriate numbers and locations will be determined at the time of detailed site plan.**

The applicable requirements have been addressed or satisfied for the Tanger Outlet Center on Parcel 1, as part of PPS 4-11028, DSP-11025, and subsequent DSP amendments. Any applicable requirements regarding the subject proposals will be evaluated at the time of subsequent PPS and DSP applications associated with the subject CSP.

- 5. **Prior to Planning Board approval of the associated preliminary plan, the applicant shall submit a limited Phase III archeology work plan for 18PR692 that is designed to recover data from the following archeological and cultural deposits and features: the midden, the slave/tenant house, the main house, the possible garden/gardener's quarters, and the dairy building and area around it. The Phase III work plan shall be approved through a revision to HAWP #14-11.**

A Phase III archeology work plan for Site 18PR692 was submitted prior to approval of CSP-11006. Therefore, this condition was satisfied. Even though Parcel 5 has not yet been the subject of a PPS, the site has been developed with an office building. A Phase I archaeological survey is not required for Parcel 5. In addition, the parcels that are the subject of this application do not contain, and are not adjacent to, any designated Prince George's County historic sites or resources.

7. **Prior to final plat, the applicant shall establish a perpetual conservation easement around archeological site 18PR809. The associated TCP II shall be revised to show the location of the archeological site and a note shall be added to the plat indicating that any ground disturbance within the easement area must be reviewed and approved by Historic Preservation staff.**

This archaeological conservation easement has been established and is shown on the plat recorded in Plat Book MMB 237 Plat No. 68. The plat states that any ground disturbance within the easement area must be reviewed and approved by Historic Preservation Section staff. The conservation easement is also shown on the TCP1 submitted with the subject application, though its boundaries are not clearly labeled.

8. **Prior to any ground disturbance or the approval of any grading permits, the applicant shall:**
- a. **Provide a final report detailing the Phase II and Phase III investigations at sites 18PR692 and 18PR809 and ensure that all artifacts are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to Historic Preservation staff.**
 - b. **Install a super-silt fence around the boundaries of archeological site 18PR809 and provide proof of that installation and its placement to Historic Preservation staff for review and approval. The fencing shall remain in place until all construction activities within the Salubria Center property are completed.**

This condition was satisfied prior to grading permits for the development of the Tanger Outlet Center. In addition, the Salubria Historic Site (80-002) was deleted from the inventory on January 4, 2012, and all conditions related to the historic site and its environmental setting are no longer operable.

12. **Prior to the 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.**

This condition was met at the time the impacts were permitted. The subject CSP does not anticipate any additional impacts to those previously approved with CSP-11006.

13. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area (PMA), except for approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

This condition was met at the time of final plat acceptance. The conservation easement, previously established on Parcel 1, is shown on the plat recorded in Plat Book MMB 237 Plat No. 68. This easement is also shown on the TCP1 submitted with the subject application.

10. **Preliminary Plan of Subdivision 4-11028:** PPS_4-11028 was approved by the Planning Board on April 12, 2012 (PGCPB Resolution No. 12-26(C)), subject to 18 conditions. The conditions relevant to the review of this CSP are listed in **bold** text. The Planning Board’s analysis of the property’s conformance to the conditions follows each one, in plain text:

3. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-014-11/01). The following note shall be placed on the Final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-014-11 or most recent revision), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

This condition was satisfied with PPS 4-11028. However, the applicant submitted a new TCP1 with this CSP amendment (TCP1-021-2023). The previously approved plat needs to be revised to satisfy this condition, which will be evaluated at the time of a new PPS.

4. **Prior to the 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.**

This condition was met at the time the impacts were permitted. The subject CSP does not anticipate any additional impacts to those previously approved with CSP-11006.

5. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area (PMA), except for approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

This condition was met at the time of final plat acceptance. The conservation easement, previously established on Parcel 1, is shown on the plat recorded in Plat Book MMB 237 Plat No. 68. This easement is also shown on the TCP1 submitted with the subject application.

7. **Development of this site shall be in conformance with Stormwater Management Concept Plan 40537-2003-02, and any subsequent revisions.**

The applicant submitted an unapproved SWM Concept Plan (24991-2023-SDC) with the subject CSP. The application's SWM features include existing infiltration trenches and micro-bioretenion facilities. This concept plan is currently under review by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). An approved SWM concept plan will be required at the time of a subsequent development application.

8. **At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall provide the following:**
- a. **Dedication of a ten-foot-wide public utility easement (PUE) along the public right-of-way as delineated on the approved preliminary plan of subdivision.**
 - b. **Dedication of the right-of-way along Oxon Hill Road as reflect in the county Capital Improvement Program (CIP) project for Oxon Hill Road, OR provide the liber/folio of the recorded deed for the right-of-way dedication executed by the CIP project for Oxon Hill Road.**
 - c. **A note to state that direct vehicular access to Indian Head Highway (MD 210) is denied.**
 - d. **A note that access is authorized for Parcels 3 through 8 pursuant to Section 24-128(b)(15) of the Subdivision Regulations and provide the liber/folio of the easement agreement on the final plat.**

This condition was satisfied when the final plat for Parcels 1, 2 and 3 were approved. Specifically, Condition 8.c. was noted in Plat Book MMB 237 Plat No. 68, as required. In addition, Condition 8.d. was no longer applicable because Parcels 3–8 were consolidated into Parcel 1, and an access easement was not necessary. Dedication for public utility easement right-of-way and vehicular access will be further evaluated at the time of PPS.

- 9. The conversion to residential that requires a revision to approved Conceptual Site Plan CSP-11006 shall require a new preliminary plan, if determined necessary at the time of the revised conceptual site plan.**

This condition is not applicable to the subject CSP because it does not include any residential units.

- 10. In conformance with the 2009 Approved Countywide Master Plan of Transportation (MPOT), the 2006 Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area, and approved CSP-11006 (PGCPB Resolution No. 12-04), the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, and reflect the same on the detailed site plan, unless modified by the Department of Public Works and Transportation (DPW&T):**

- a. Provide and maintain the standard sidewalk, landscape strip, and designated bike lanes along the entire frontage of the subject site, as shown on DPW&T's plans for the Oxon Hill Road improvement project.**
- b. Provide appropriate pavement markings and signage for the designated bike lanes per the American Association of State Highway Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, as shown on DPW&T's plans for the Oxon Hill Road improvement project.**
- c. Provide marked crosswalks at all of the site's ingress/egress points along Oxon Hill Road as shown on DPW&T's plans for the Oxon Hill Road improvement project.**
- d. Pedestrian improvements shall be provided across Oxon Hill Road at Harborview Avenue. Appropriate improvements will be recommended at the time of detailed site plan and may involve high-visibility and contrasting crosswalks, pedestrian countdown signals, pedestrian refuges, signage, and other enhancements as shown on the State Highway Administration Oxon Hill Road Phase 2 Plans.**
- e. Pedestrian improvements shall be provided across at the site's northern access point (labeled on the plans as a 60-foot right of-way). Appropriate improvements will be recommended at the time of detailed site plan and may involve high-visibility and contrasting crosswalks, pedestrian**

countdown signals, pedestrian refuges, signage, and other enhancements, as approved by State Highway Administration.

- f. Standard sidewalks shall be provided along one side of ingress/egress roads and the proposed loop road.**
- g. Consideration shall be given to providing a trail or sidewalk connection from the subject site to Abbington Place, unless it is determined there are environmental constraints that make this connection unfeasible.**
- h. Bicycle parking shall be provided throughout the subject site. Appropriate numbers and locations will be determined at the time of detailed site plan.**
- i. Show the pedestrian walkway required in Condition 1d of CSP-11006 (PGCPB Resolution No. 12-04).**

The applicable requirements have been addressed or satisfied for the Tanger Outlet Center on Parcel 1, as part of PPS 4-11028, DSP-11025, and subsequent DSP amendments. Any applicable requirements will be evaluated at the time of subsequent PPS and DSP applications associated with the subject CSP.

- 18. Total development within the subject property shall be limited to equivalent development which generates no more than 460 AM peak hour, 969 PM peak hour, and 1,289 Saturday peak-hour vehicle trips in consideration of the pass-by travel assumed. Any development generating a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The subject CSP is within the established trip cap. A detailed discussion regarding trip generation is addressed in the Transportation Planning Section's referral comments, in Finding 14 below.

- 11. 2010 Prince George's County Landscape Manual:** This development, located in the prior M-X-T Zone, will be subject to the requirements of the Landscape Manual, at the time of DSP. Specifically, the site is subject to Section 4.2, Requirements from Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements. The submitted CSP shows the approximate locations of the various landscape buffers on the plan. Conformance with the requirements of the Landscape Manual will be further evaluated at the time of DSP.
- 12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat 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 existing woodland. A tree conservation plan, in accordance with the current regulations, is required with future development applications.

The woodland conservation threshold for this 50.04-acre property is 15 percent of the net tract area, or 7.24 acres. The previous tree conservation plans for the application area met the woodland conservation requirement with on-site preservation (3.23 acres) and off-site woodland credits (10.28 acres).

This application includes no woodland clearing and only adds Parcel 5. This increase in the net track area will increase the woodland conservation requirement from the previous tree conservation plans. The applicant has provided a statement of justification on why the woodland requirement cannot be met on-site, indicating that there are no on-site woodland preservation or reforestation planting opportunities. This revision shows the woodland conservation requirement will now be met using an additional 5.32 acres of off-site woodland credits.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned IE are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is 50.04 acres and the required TCC is 5.004 acres. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of DSP.
14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows and incorporated herein by reference:
 - a. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated February 15, 2024 (Stabler, Smith, and Chisholm to Huang). The Historic Preservation Section noted that the subject property was surveyed for archaeological resources in 1990 and 1996. No archaeological sites were identified on the property. The site has since been graded and developed. No additional archaeological investigations are recommended. In addition, the parcels that are the subject of this application do not contain, and are not adjacent to, any designated Prince George's County historic sites or resources.
 - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated January 30, 2024 (Mekonnen to Huang). The Community Planning Division noted that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 2 of the prior Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated February 14, 2024 (Patrick to Huang). The Transportation Planning Section provided comments on this CSP, as follows:

Master Plan Roads

This CSP application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the sector plan. The subject site is adjacent to two master plan roadways which include Oxon Hill Road and MD 210. Oxon Hill Road is a master plan collector roadway with a minimum right-of-way of 80 feet. MD 210 is a master plan

freeway with a variable right-of-way. Dedication has previously occurred, and the right-of-way shown on the plans is consistent with prior approvals. No additional right-of-way is required with this application.

Master Plan Pedestrian and Bike Facilities

The MPOT recommends the following facilities:

- Bike lanes: Oxon Hill Road
- Side path: MD 210

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 *AASHTO Guide for the Development of Bicycle Facilities*.

The sector plan also recommends the following policy and strategy (page 76):

Policy 3: Provide adequate pedestrian and bicycle linkages to schools, parks, and recreation areas, commercial areas, and employment centers.

Strategies: Provide wide sidewalks in locations with high pedestrian activity.

Master plan pedestrian facilities have been evaluated with the various DSP revisions to the subject site. The conditions of CSP-11006 have been addressed above. Bicycle and pedestrian improvements will be evaluated with each subsequent DSP application for master plan conformance.

Although this subject CSP is not required to comply with Section 27-546(d)(9) of the prior Zoning Ordinance, the applicant submitted a traffic statement to address the trips associated with this CSP. Transportation staff met with the applicant to further revise the traffic statement, to demonstrate conformance with the established trip cap, as follows:

Trip Generation Summary, A-9882-C: PPS 4-11028 Salubria Center Plus 6710 Oxon Hill Road								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Approved Development: Salubria Center								
Hotel	100	rooms	35	30	65	45	35	80
General Office	100,000	square feet	180	20	200	35	150	185
Retail/Factory Outlet	400,000	square feet	196	72	268	431	485	916
Less internal trips			-17	-16	-33	-28	-47	-75
Less pass-by for retail	15 percent		-30	-10	-40	-65	-72	-137
Total Approved Pursuant to PPS 4-11028			364	96	460	418	551	969
Approved Development: 6710 Oxon Hill Road								
General Office	55,872	square feet	101	11	112	20	84	104
Medical Office	60,412	square feet	139	33	172	72	157	229
Total Proposed by DSP-88069-05			240	44	284	92	241	333
Total Trips for Uses Rezoned by A-9882-C (Salubria Center Plus 6710 Oxon Hill Road)			604	140	744	510	792	1,302
Number of Vehicle Trips Produced: At full build out			AM Plus PM					2,046
Number of Vehicle Trips Produced Per Trip Cap on A-9882-C			AM Plus PM					1,925

The table above shows that, with the prior approvals, the subject site would exceed the trip cap established in A-9882-C, if all approved uses were constructed. The existing office building located at 6710 Oxon Hill Road (on Parcel 5) is not within the boundary of PPS 4-11028, but must be evaluated as part of this application. The purpose of the current application is to incorporate the office at 6710 Oxon Hill Road (Parcel 5) and 4-11028, which all share the common boundary established with A-9882-C.

CSP-11006-01 will be evaluated for trip cap conformance based on the following uses:

- 55,872 square feet of general office and 60,412 square feet of medical/professional office located in the existing office building at 6710 Oxon Hill Road, evaluated under DSP-88069-05.
- 400,000 square feet of factory outlet, which includes the existing Tanger Outlet, in addition to the approved eating or drinking establishment on Parcel 2, adjacent to the office building at 6710 Oxon Hill Road, on Parcel 5.

- 10,000 square feet for an approved day care center for children to be located on Parcel 3, adjacent to the office building at 6710 Oxon Hill Road, on Parcel 5.

It should be noted that a hotel is no longer included within the subject site and has been removed from the current analysis. In addition, the general office evaluated in 4-11028 was never constructed. The table below summarizes the uses approved with CSP-11006-01.

Trip Generation Summary, CSP-11006-01								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Approved Development: Salubria Center								
Day Care	10,000	square feet	58	52	110	52	59	111
Less pass-by for Day Care	65 percent		-38	-34	-72	-34	-38	-72
Retail/Factory Outlet	400,000	square feet	196	72	268	431	485	916
Less internal trips			-17	-16	-33	-28	-47	-75
Less pass-by for retail	15 percent		-30	-10	-40	-65	-72	-137
Total Approved Pursuant to PPS 4-11028			169	64	233	356	387	743
Approved Development: 6710 Oxon Hill Road								
General Office	55,872	square feet	101	11	112	20	84	104
Medical Office	60,412	square feet	139	33	172	72	157	229
Total Proposed by DSP-88069-05			240	44	284	92	241	333
Total Trips for Uses Rezoned by A-9882-C (Salubria Center Plus 6710 Oxon Hill Road)			409	108	517	448	628	1,076
Number of Vehicle Trips Produced: At full build out			AM Plus PM				1,593	
Number of Vehicle Trips Produced Per Trip Cap on A-9882-C			AM Plus PM				1,925	

Based on the results from the table above, the subject CSP application fits within the approved trip cap.

As previously mentioned, CSP-11006-01 includes the overall area that was approved in A-9882-C and DSP-88069. The current proposal for development within this boundary includes the existing 116,284-square-foot office building (55,872 square feet of general office and 60,412 square feet of medical office) at 6710 Oxon Hill Drive on Parcel 5, the approved 10,000 square feet for a day care use on Parcel 3, and up to 400,000 square feet of factory outlet on Parcels 1 and 2.

Transportation staff met with the applicant's traffic consultant on February 1, 2024, to address concerns about the approved uses that were not consistent with prior applications. During the meeting, Transportation staff were made aware that the factory outlet was not fully constructed to its ultimate approval of 400,000 square feet. The factory outlet currently consists of 383,931 square feet, of which 380,676 square feet are retail use and 3,255 square feet are office use. The eating or drinking establishment on Parcel 2 approves approximately 3,000 square feet. Therefore, the total approved and constructed square footage for the factory outlet is 386,931 square feet and does not exceed the approved 400,000 square feet of retail.

As a means of ensuring trip cap compliance with the ZMA, future site plans for development within the boundaries of A-9882-C shall be required to demonstrate conformance with the trip cap associated with A-9882-C. This conformance shall fully consider the uses as built or approved on each site.

- d. **Subdivision Review**—The Planning Board has reviewed and adopts the memorandum dated February 12, 2024 (Diaz-Campbell to Huang). The Subdivision Review Section noted that Parcels 1, 2, and 3 are subject to PPS 4-11028. Ultimately, only three parcels were platted, as the land area south of Tanger Boulevard was platted as one parcel (Parcel 1) instead of six parcels. Parcel 5 is not subject to any prior PPS. Parcel 1 is anticipated to remain subject to 4-11028. PPS 4-23013 is currently in pre-acceptance and is planned to cover Parcels 2, 3, and 5, as well as the existing and approved development on these parcels. This new PPS is required to allow a change in the boundaries between Parcels 2, 3, and 5 and evaluate new and existing development on these parcels for adequate public facilities. Parcels 2 and 3 are subject to a prior PPS but Parcel 5 is not, and therefore any further development of Parcel 5 is subject to the restrictions of Section 24-107 of the prior Prince George's County Subdivision Regulations, according to Note 5 on the plat recorded in Plat Book ME 254 page 71. These restrictions on development do not allow for a lot line adjustment between the parcels without a PPS. Additional comments include the following:
- (1) Parcels 1–3 have an automatic certificate of adequacy (ADQ) associated with PPS 4-11028, pursuant to Section 24-4503 of the Subdivision Regulations. The automatic ADQ became effective April 1, 2022, and is valid until April 1, 2034, subject to the expiration provisions of Section 24-4503(c). Parcel 5 does not have any associated ADQ.
 - (2) The plats for Parcels 1-3 contain notes giving restrictions on development, however, these notes are not relevant to the review of the subject CSP amendment.
 - (3) The plat for Parcel 5 was recorded for the convenience of the property owner and does not have an underlying PPS. Note 5 on the plat states that any further development on the parcel may require a new PPS.

- (4) A new final plat(s) will be required for the land area of Parcels 2, 3, and 5 following the approval of PPS 4-23013 before any building permits may be approved.
- (5) It is noted that Plat Book ME 254 plat no. 71 is a plat establishing ownership parcels on Parcel 5 (pursuant to Section 24-108(a)(7) of the prior Subdivision Regulations). This plat designates the parent Parcel 5 as being originally recorded as Parcel 4 in Plat Book ME 254 plat no. 4.
- (6) At the time of PPS 4-11028, Parcels 2 and 3 were planned to have both frontage on and direct vehicular access to a public right-of-way. However, based on the circulation shown on the subject CSP, the approved eating/drinking establishment and day care are not planned to have direct access to a public right-of-way, but are planned to access Tanger Boulevard via an existing driveway located on abutting Parcel 5, the site of the existing office building. The plan submitted for pre-acceptance review of PPS 4-23013 shows adjustments between the lot lines of Parcels 2, 3, and 5 to ensure that the eating/drinking establishment, the day care, and the office building each have their own new parcel. However, this CSP plan only indicates direct access to a public right-of-way for the office building parcel, and not the other parcels. With PPS 4-23013, all parcels will either need both frontage on and direct access to a public street, or else need to meet an exemption from public right-of-way access as allowed by Section 24-128(b) of the prior Subdivision Regulations. The applicant stated in their response to Subdivision and Development Review Committee comments that they will seek an exemption pursuant to Section 24-128(b)(9) of the prior Subdivision Regulations, which allows access via a private easement if direct access to a public street should be denied due to hazardous traffic conditions.

- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated February 12, 2023 (Schneider to Huang). The Environmental Planning Section provided comments on the subject application, as follows:

Natural Resources Inventory Plan/Existing Features

The approved NRI-049-2023 was submitted with the application. The site contains REFs and primary management areas (PMAs) from two on-site stream systems, floodplain, non-tidal wetland, and associated stream and wetland buffers. The NRI indicates that prior to on-site development, the site contained four forest stands, labeled as Stand 1 through Stand 4, with 53 specimen trees identified on-site. After the site has been developed, the application area contains two forest stands, labeled as Stand 2 and Stand 3, with 15 specimen trees. The submitted TCP1 and CSP show all required information correctly, in conformance with the NRI.

Specimen Trees

Section 25-122(b)(1)(G) of the Prince George's County Code 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 [Environmental] Technical Manual." However, the Code is not inflexible.

The authorizing legislation of Prince George's County's WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in Prince George's County's WCO are set forth in Section 25-119(d) of the County Code. Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

A variance to remove 38 of the 53 on-site specimen trees was approved with PPS-4-11028, leaving 15 specimen trees remaining on-site. No specimen trees are requested for removal with this application.

Preservation of Regulated Environmental Features/Primary Management Area

Section 27-273(e)(15) of the prior Zoning Ordinance requires that CSP applications include "A statement of justification describing how the proposed design preserves and restores the regulated environmental features to the fullest extent possible."

This site does contain REFs that are required to be preserved and/or restored to the fullest extent possible under Section 27-273(e)(15). This proposal fully preserves all on-site REFs.

The CSP application does not include any additional PMA impacts to those previously approved with the CSP-11006. The previously approved impacts (Impacts A and B) were for two SWM outfall areas totaling 0.16 acre.

Soils

Section 24-131(a) of the prior Subdivision Regulations states "The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes."

According to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, soils present include Beltsville-Urban land complex, Croom gravelly sandy loam, Croom-Urban land complex, Grosstown-Urban land complex, Sassafras-Croom, Urban land-Beltsville complex, and Woodstown sandy loam. Marlboro and Christiana clays are not found to occur on this property.

Stormwater Management

The application area is located within an existing commercial and office center. SWM for this development was previously approved with various development review applications. This new CSP application area requires an updated SWM concept.

An unapproved SWM Concept Plan (24991-2023-SDC) was submitted with the subject application. This concept plan is currently under review by DPIE. The application's SWM features include existing infiltration trenches and micro-bioretenention facilities. No further information is required regarding SWM with this application.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated February 13, 2024 (Thompson to Huang). DPR expressed that they are not in opposition to the approved development. However, this development is in proximity to the Oxon Hill Manor Historic Site (80-001). DPR recommends that the landscape buffer along the corner of Oxon Hill Road and Tanger Boulevard should exceed the requirements, which will be further evaluated at the time of DSP.
 - g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated January 18, 2024 (Giles to Huang). DPIE noted that the applicant needs to coordinate with the Maryland State Highway Administration (SHA) regarding state roads fronting the subject property, along Oxon Hill Road and MD 210, and indicated that all improvements to county roads will be addressed through DPIE's separate permitting process.
 - h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject application.
 - i. **Prince George's County Police Department**—The Police Department did not offer comments on this application.
 - j. **Prince George's County Health Department**—The Health Department did not offer comments on the subject application.
 - k. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject application.
 - l. **City of Forest Heights**—The subject property is located within a quarter mile of the geographical boundary of the City of Forest Heights. The CSP application was referred to the City for review and comments on January 10, 2024. The City did not offer comments on the subject application.
15. **Community Feedback:** The Planning Board did not receive any inquiries from the community regarding the subject CSP.

16. Based on the foregoing, and as required by Section 27-276(b)(1) of the prior Zoning Ordinance, the CSP, approved with the proposed condition below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
17. Section 27-276(b)(2) of the prior Zoning Ordinance does not apply to this CSP because it is not for a mixed-use planned community.
18. Section 27-276(b)(3) of the prior Zoning Ordinance does not apply to this CSP because it is not for a regional urban community.
19. As required by Section 27-276(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a CSP is as follows:
 - (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

No additional impacts to PMAs or REFs are included in this amendment.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 1 Tree Conservation Plan TCP1-014-11-01, and further APPROVED Conceptual Site Plan CSP-11006-01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
 - a. In General Note 7, revise "Institution (day care)" to "Institution/Education (day care)".
 - b. Delineate the previous Prince George's County Historic Site (80-002) and its 2.7-acre environmental setting on the plans
 - c. Label the contour of the 65 dBA noise limit on the plans.
 - d. Label the parking location for the day care use on the plans
 - e. On the CSP and the Type 1 tree conservation plan, enlarge the property line bearing and distance labels for better visibility, ensuring that the labels are not significantly smaller than other labels on the plan drawing.

- f. On the Type 1 tree conservation plan, include line tables corresponding to the numbered bearings and distances given for the primary management area conservation easement and the archaeological site conservation easement. These line tables shall be consistent with the line tables given for these easements in Plat Book MMB 237 Plat No. 68.

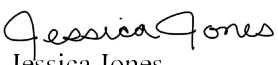
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, April 11, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of May 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:TH:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: April 17, 2024