

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on July 13, 2006, regarding Detailed Site Plan DSP-03037/04 for University Town Center, Independence Two Condos, Retail and Lower Plaza, the Planning Board finds:

1. **Request:** The subject application consists of 10,100 square feet of retail, combined with residential condominium multifamily units and the lower plaza. This detailed site plan consists of the site plan, hardscape plan, landscape plan, and architectural elevations.
2. **Development Data Summary**

DSP-03037/04

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	None	Retail & Multifamily
Acreage	1.51	1.51
Number of Units	0	22
Square Footage/GFA	0	Residential: 31 000 Retail: 10,100 Total: 41,100
Floor Area Ratio		1.493

3. **Location:** The site is located in Planning Area 68, Council District 2. More specifically, it is located just east of the northeast quadrant of the intersection of Belcrest Road and East West Highway, with frontage along East West Highway, in close proximity to the Metro station.
4. **Surroundings and Uses:** University Town Center is bounded to the north by Toledo Road; to the west by Belcrest Road; to the east by Adelphi Road; and to the south by East West Highway. Along the east property line there are two existing churches and a public library that fronts on Adelphi Road.

The proposed retail and residential structure, and plaza are located east of the 16-story student housing structure, west of the proposed theater, north of Metro II and south of the Metro III building. The residential component is located above the first-floor retail component of this development.

5. **Previous Approvals:** The conceptual site plan (CSP) for Subareas 2 and 3 of the Prince George's Plaza Transit District Overlay Zone (TDOZ) was approved by the District Council on January 8, 2001. The CSP proposes a mixed-use development with a "main street" theme that includes office, retail and residential. Both subareas were reviewed as one site and combined consist of 38.62 acres in the M-X-T Zone and approximately 7.6 acres in the O-S Zone. A revision to the conceptual site plan and primary amendments to the transit district development plan for the subject property, TP-00002, were approved by the District Council on February 26, 2001.

On April 25, 2002, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-01092 for the project. The property is the subject of record plat REP 205@43 and REP 205@44 recorded March 7, 2005. The property is known as Prince George's Center Parcels M and N, Parcel O, being a resubdivision of Parcel F.

On December 11, 2003, the Prince George's County Planning Board approved DSP-03037, for a five-story underground parking garage containing 1,167 parking spaces.

DSP-03037/01, a 16-story residential student housing project with 240 four-bedroom units, was approved on March 4, 2004, by the Prince George's County Planning Board.

DSP-03037/02, a seven-story condominium and retail building project, Independence I, was approved on May 19, 2005, by the Planning Board.

DSP-03072 was approved by the Planning Board as an infrastructure plan in October of 2004 and established the main street and landscape for the development.

DSP-05041, for a 93,100-square-foot theater, 34,903 square feet of retail development, and 58,886 square feet of offices, was approved on November 17, 2005.

DSP-05084 for the Safeway, a 660 parking garage and City View Condos was approved on May 19, 2006.

6. **Design Features:** The proposal is to add 41,100 square feet of new space consisting of 10,100 square feet of retail, and 22 units of condominium residential units at University Town Center. The residential units will be located above the retail uses and will be in a building consisting of five stories. The lower plaza will provide for outdoor space. The structure will front on the lower plaza.

The architectural elevations for the building depict a high quality structure in a post-modern design. The building will provide a focal point as a unique and distinct architectural building. The retail component is anticipated to be a restaurant with outdoor seating on the plaza. The residential component consists of two layers of two-story units and a state-of-the-art green roof.

The plaza, known as Independence Plaza, is oriented to America Boulevard, the main street of University Town Center, and connects the main street to the 16-story student-housing tower by a

monumental stairway, to the upper plaza and Belcrest Road. The features of the plaza include a fountain, an art/sculpture area, portable stage, permanent terraced seating and outdoor café area. The paving design is circular and will spill over onto the main street and will tie into the movie theater site. As viewed from the upper levels of the existing office buildings and residential development, the plaza will provide character and beauty in the overall project.

7. The base floor area ratio (FAR) for the 38.63 acres of land within the M-X-T Zone as approved per Conceptual Site Plan CSP-00024 is 0.40, consistent with Section 27-548(a)(1). Previously approved bonus incentives for the property, based on previously approved detailed site plans, include the following:

- Open Arcade—0.099
- Enclosed Pedestrian Space—0.056
- Theater—0.221
- Residential—1.000
- Rooftop Activities—0.007
- Outdoor Plaza—0.133
- Total Bonus Incentives Earned—1.515

The following bonus incentives are proposed with this application:

Outdoor Plaza:	21,700 square feet x 8=173,600 square feet of building area.
Rooftop activities: (DSP-03037/05)	The applicant requests that the Planning Board approve bonus incentives for the addition of a swimming pool added to the roof of the student-tower building as shown as approved in DSP-03037/05.
Rooftop activities (DSP-03037/04)	The applicant further requests approval of a variance to receive additional bonus incentives for the provision of a green roof on the top of the residential building of Independence II.

The applicant provides the following justification in letter dated June 26, 2006 in order to justify the request to allow the provision of a green roof top to count toward bonus incentives for the project:

“As you know, I represent University Town Center, applicant for the above-referenced revision to the Detailed Site Plan for a building known as Independence Two. My client is proposing that a substantial amount of the rooftop area on this building be planted as a ‘Green Roof’. Specifically, of the total roof area of 9,235 square feet, approximately 4,000 square feet, or 43.31 %, is proposed to be a “green roof”.

“Within the Zoning Ordinance, Sec. 27-545 discusses an “Optional method of development” for the M-X-T Zone, allowing greater densities for the provision of certain bonus incentives. Sec. 27-

545(b)(5), entitled “Rooftop activities,” states as follows:

‘(A) One (1) gross square foot shall be permitted to be added to the gross floor area for the building for each one (1) square foot of landscaped rooftop provided. The area shall be accessible to the public and shall contain observation and sitting areas.

‘(B) One (1) gross square foot shall be permitted to be added to the gross floor area of the building for each one (1) square foot of restaurant with outdoor seating, or for each one (1) square foot of outdoor recreational facilities, provided on the rooftop.’

“The M-X-T Zone was created in the 1980s, and the section relating to bonus incentives has not changed at all since then. The concept of green roofs, however, is relatively recent, as a result of a greater focus upon building in a more environmentally sensitive manner. According to the website for the Penn State Center for Green Roof Research, among the benefits of a green roof are as follows: reduction of city “heat island effect”; reduction of carbon dioxide impact; reduction of summer air conditioning costs; reduction of winter heat demand; increasing the roof life by two to three times; removal of nitrogen pollution in rain; neutralizing acid rain effect; reduction of noise; reduction of stormwater runoff; and providing songbird habitats.

“While this concept is clearly one which is worthy of encouragement, the above-described description of “Rooftop activities” as a bonus incentive within the M-X-T Zone requires that they “be accessible to the public” and “contain observation and sitting areas.” While the proposed green roof will not be accessible to the public or contain observation or sitting areas, we respectfully submit that this relatively recent development should be considered a similar incentive for which additional density is granted, and we thus respectfully request a variance from Sec. 27-545(b)(5)(A), allowing a bonus incentive of one (1) gross square foot to be added to the gross floor area of the building for the entire 4,000 square feet of green roof proposed upon this building.

“Within the context of the criteria for granting variances, set forth Sec. 27-230 of the Zoning Ordinance, I suggest the following analysis: (1) this property is zoned M-X-T, with a TDOZ overlay. The whole concept of the transit district overlay zone is grounded in an environmental philosophy, encouraging the use of mass transit over automobiles, to not only reduce our dependence upon nonrenewable fuel sources, but also to reduce the amount of pollution in the air. For the reasons stated above, the planting of a green roof is entirely consistent with this philosophy, and I respectfully suggest that the fact that the Zoning Ordinance has not been updated with regard to bonus incentives for the M-X-T zone, since that zone came into being about twenty years ago, constitutes an extraordinary situation or condition to justify this variance request; (2) the strict application of the Ordinance will result in peculiar and unusual practical difficulties to the property owner, in that the expense of planting a green roof is not likely to be economically feasible without the grant of the requested bonus incentives, which, again, would appear to be contrary to the intent of the

Ordinance in this regard; and (3) the grant of this variance will certainly not impair the intent, purpose or integrity of the Master Plan, or, in this case, the TDDP for Prince George’s Plaza; to the contrary, we suggest that it will actually support the purposes of those Plans.

“For all the above-stated reasons, I respectfully request that the bonus incentives set forth in Sec. 27-545(b)(5)(A) be applied to the green roof upon Independence Two, the building that is the subject of this DSP.”

Comment: The staff agrees with the applicant’s justification for the approval of bonus incentives for the provision of a green roof for the subject application.

The following table provides the floor area ratio calculations for the project as a whole:

Total Subareas 2 and 3	
Gross floor area square footage	Residential: 756,330
	Office: 1,523,636
	Retail: 232,854
Total gross floor area square footage	2,512,820
Total FAR proposed	1.493 FAR
Bonus incentives awarded	1.628 FAR
Existing development prior to M-X-T	0.735 FAR
FAR allowed	2.363 FAR

Based on 38.62 acres in the M-X-T Zone

Required findings for a detailed site plan in the Transit District Overlay Zone (TDOZ) as stated in the Transit District Development Plan

- 8. **The Transit District Site Plan is in strict conformance with any Mandatory Development Requirements of the Transit District Development Plan;**

AMENDMENT REQUESTS

The District Council approved several primary amendments (P1, P44, P46, P48, P50, P52, P53, P54, P58 and P59) and adopted the Planning Board’s findings concerning mandatory requirements P34, P55, S28, S33, S34, S35 and S36 to the Transit District Development Plan (TDDP), which allows the development of Subareas 2 and 3 to proceed as stipulated by those amendments. The Urban Design staff has determined that the detailed site plan is in strict conformance with all mandatory development requirements as amended by the District Council.

- 9. **The following mandatory development requirements warrant discussion in the review of this detailed site plan application.**

P57 All amenities which are bonus incentives as defined in Section 27-545(b) shall include a construction phasing schedule. Construction phases shall be determined at the time of the conceptual site plan or detailed site plan approval.

The applicant provides the following discussion of this item in a letter dated June 20, 2006:

“An amendment was not requested for this item as the intent of the applicant is that the construction of Independence Plaza, the green roof, and pool, all of which has been required to be awarded as bonus incentives for this application, will all be constructed in one phase and are scheduled to be completed with the construction of Independence Two and the Movie Theater for one large grand opening of the entire block in the fall of 2007.”

(S16)—A performance bond, letter of credit or other suitable financial guarantee shall be required.

Comment: A bond will be required by the Department of Environmental Resources prior to the issuance of permits for the plaza.

S31—At the time of the detailed site plan, the number of trash cans and locations shall be shown on the plan. Trash receptacles should be placed in strategic locations to prevent litter from accumulating in and around the proposed development.

Comment: The plans should be revised prior to signature approval to indicate the location of trash receptacles throughout the site.

10. **The transit district site plan is consistent with, and reflects the guidelines and criteria contained in the transit district development plan;**

(G19)—Minimum plaza distance to building height ratio 2:1

The applicant provides the following justification in regard to waiving this requirement in the justification statement dated May 18, 2006:

“A slight waiver of this guideline for the building height ratio is requested. Independence One is approximately 112 feet high and Independence Two is approximately 76 feet high. A 2:1 ratio would require the plaza to be approximately 152 feet by 224 feet in size. The main plaza area from Independence Two to the curb of the America Boulevard drop-off area is 140 feet and from Independence Two to the sidewalk of Freedom Way is 155 feet. A waiver of this guideline to a plaza ratio of 1.8:1 east of Independence Two and 1.4:1 south of Independence One is requested. The limits of the plaza have been defined by the limits of the DSP application or top of the garage; however, one’s perception of the place will spill over to America Boulevard and Freedom Way giving a larger perception than the technical ratios provided.”

Comment: The staff recommends that the Planning Board waive the site design guideline for the reasons stated above by the applicant.

(G28)—Plaza seating should be at the rate of one linear foot of seating per three linear feet of plaza perimeter area. Minimum of 5 percent of required seating shall have backs for the handicapped.

The applicant provides the following justification in regard to this requirement in the letter dated June 20, 2006:

“Plaza seating has been provided at the rate of 1 LF of seating per 3 LF of plaza perimeter. The variety of seating includes benches, seating steps, seat walls and grassy seating areas. The calculations for these guidelines are as follows:

Perimeter of Plaza (140 x 155 LF) = 590 LF

$590/3 = 197$ LF of seating required

Seating provided:

Benches— $40 \pm$ LF

Seating steps in terraced seating area— $250 \pm$ LF

Grassy areas in rings of plaza focal area— $150 \pm$

Total provided = $440 \pm$ LF.”

(G31)—The plaza should have 1 shade tree per every 1,000 Square Feet of plaza area.

The applicant provides the following justification in regard to waiving this requirement in the justification statement dated May 18, 2006:

“The applicant requests the Planning Board to apply a different standard to this guideline in order to keep the area flexible to accommodate large gatherings and a variety of uses. With a 21,700 SF main plaza and 5,500 SF linear plaza, a minimum of 27 shade trees would be required. Approximately 23 trees have been provided. The applicant requests that the Board reduce this requirement to that shown on the plan.”

Comment: Staff does not agree with the applicant’s proposal and recommends that the required 27 trees be planted. The applicant has not asked to allow for the change in the type....

(G32)—Plaza trees should be a minimum size of 4 inches in caliper at the time of installation. They shall be planted in at least 700 cubic feet of soil per tree with a depth of soil 3 to 4 feet and be planted either with gratings flush to grade, or in a planting with a continuous area of at least 75 square feet exclusive of bounding wall.

(G33)—Planting beds soil depth of at least 2 feet for groundcovers, three feet for shrubs.

The applicant provides the following justification in regard to waiving this requirement in the justification statement dated May 18, 2006:

“The applicant requests the same finding applied at time of approval of the Residential Tower and the upper plaza area be applied to this application for the same reason: ‘because the planters

are located on top of the four-story garage. The standards for a typical plaza cannot be applied in this case. These plantings are very similar to a rooftop planting and cannot be the size that would be expected in a plaza built on garage. The reduction in plant size is appropriate considering the depth of the planting soils is approximately one-half of normal depth.’ (P. 4 Resolution PGCPB No. 04-23). The applicant continues the design proposal for 1 ½ inch and 2-inch caliper trees within the lower plaza as well as the upper plaza.”

Comment: Staff concurs with the applicant’s request to provide trees at a minimum of 1 ½ inch to 2 inch caliper. Staff can concur with the applicant’s requests above and finds that the waiver will not significantly impair the integrity of the TDDP.

-(G34)—All landscaping should have automated irrigation system.

The applicant provides the following justification in regard to waiving this requirement in the justification statement dated May 18, 2006:

“Irrigation cannot be provided on top of a garage; however, the applicant has on-site maintenance staff that will ensure the watering of the trees within the plaza. The applicant requests the Planning Board to replace this requirement with an on-site maintenance program.”

Comment: Staff can concur with the applicant’s request and finds that the waiver will not significantly impair the integrity of the TDDP, if the vegetation can be healthily accommodated using a private maintenance plan for the watering of plaza trees. Of primary concern is that the plaza be an inviting landscaped amenity and not a barren dead zone. The staff suggests that an on-site maintenance program be developed and enforced by the applicant.

(G35)—Plaza should be equipped with 115 and 200-volt outlets.

The applicant provides the following justification in regard to waiving this requirement in the letter dated June 20, 2006:

“The plaza will be equipped with electrical outlets.”

Comment: The plan should be revised prior to signature approval to indicate the location of the 115 and 200-volt outlets.

-(G37)—Plaza areas above 10,000 Square feet should provide a permanent stage.

The applicant provides the following justification in regard to waiving this requirement in the justification statement dated May 18, 2006:

“The applicant requests the Planning Board approval the use of a temporary stage that can be set up for specific events rather than a permanent fixture. In this way, the flexibility of the space can be maintained for a variety of activities and the design of the center focal point/fountain can

function at all times an event is not taking place. The fountain would be turned off and covered with a temporary stage for specific events.”

Comment: Staff can concur with the applicant’s request and finds that the waiver will not significantly impair the integrity of the TDDP since terraced seating provided at one edge of the plaza is a structural element of the plaza. The terraced seating in and of itself predisposes to performance arts in the open part of the plaza that it overlooks as a stage. Thus, a physical stage is not particularly necessary.

(G38)—Encouraged use of public art and water feature

The applicant provides the following justification in regard to waiving this requirement in the justification statement dated May 18, 2006:

“A water feature around a permanent art feature/sculpture are proposed as the focal point for Independence Plaza.”

Comment: The plans should be revised prior to signature approval to include the details and specifications of the water feature and the permanent art feature.

The transit district site plan will be consistent with and reflect the guidelines and criteria contained in the transit district development plan (except as noted above) when the conditions of approval below are met. All applicable mandatory requirements from the approved transit district development plan for this site have been addressed in previous submittals.

11. The transit district site plan meets all of the requirements of the transit district overlay zone and applicable regulations of the underlying zones;

The detailed site plan generally meets all the requirements of the transit district overlay zone, and the applicable requirements of the M-X-T Zone.

12. The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the transit district overlay zone;

The proposed design plans of the mixed use retail and residential building are respectful of both proposed and existing uses and have taken into consideration quality architectural design, site design (including the green roof design), and circulation, both pedestrian and vehicular, except as noted in other sections of this report. However, if the conditions of approval are adopted, staff finds that the subject application meets the purposes of the Transit District Overlay Zone.

13. Each structure and use, in the manner proposed, is compatible with other structures in the transit district and with existing and proposed adjacent development.

Staff has reviewed the subject application in relation to existing and proposed development within the transit district overlay zone. Four office buildings, including the newly opened Center for Disease Control (CDC) building, and a freestanding parking garage exist in Subarea 3. Two substantial residential projects (one of which is under construction, the 16-story student housing building), a theater, retail components, and office components have been approved. Staff is of the opinion that this application is compatible with structures and uses that are either existing or proposed within the transit district overlay zone.

14. **In addition to the findings above, the following is required for detailed site plans:**
 - a. **The Planning Board shall find that the detailed site plan is in general conformance with the approved conceptual site plan.**

The proposed application will be in conformance with the conceptual site plan upon approval of the recommended conditions.

Required findings for detailed site plans in the M-X-T Zone

15. **The proposed development is in conformance with the purposes and other provisions of this division;**

At the time of final buildout, the subarea will provide high quality and distinctive architecture, retail shopping, restaurants, a movie theater, a museum, an outdoor skating rink, and an animated streetscape with plazas, street trees, planters and special paving that will be in conformance with the purposes and provisions of the M-X-T Zone. The proposed project will enhance the economic status of the county and provide an expanding source of desirable living opportunities for students at the University of Maryland. The detailed site plan promotes the effective and optimum use of transit and other major transportation systems.

16. **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 project will have an outward orientation with new paving, street furniture, landscaping, lighting, and public spaces. As this project continues to develop, other requirements of the TDDP will further ensure that new development will be physically and visually integrated with existing adjacent development. Because of the magnitude of the overall proposed development, it also has the potential to catalyze adjacent community improvement and rejuvenation.

17. **The proposed development is compatible with existing and proposed development in the vicinity;**

The subject application will provide a pleasing streetscape along the future plaza that will complement and enhance the character of the area and promote ridership of transit facilities. The proposed improvements will also upgrade the existing buildings by providing a pleasing outdoor environment for those who work in and visit the area.

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

Subareas 2 and 3 are already developed with four office buildings and associated surface parking that provide for a significant employment base that will help to contribute to a stable environment. The proposed addition of the subject site will enhance the existing and proposed development of a theater, retail and restaurants, and continuation of the outdoor plaza will enhance the quality and contribute to the transit district.

19. **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 application is a phase that follows the development of the Center for Disease Control office building, the 16-story residential development, the approval of the four-story underground garage, the seven-story condominium project, known as Independence One, the Safeway and City View Condos and the third parking garage for the development. This project is anticipated to be followed by the future development of the plaza, building number two and the main street, which includes a variety of uses as described above. Even with all of the above, the development of the subject property has been designed as a self-sufficient entity that is not dependent on future development to be a significant contributing factor to the overall site.

20. **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

This project is pedestrian friendly. It will connect into existing streets and promote convenient access to the Metro station and surrounding subareas.

21. **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).**

The subject plans indicate that the retail development along the proposed plaza has been specifically designed for the human experience. Pedestrians will experience a pleasing streetscape within the plaza; the shop windows and canopies will give the existing and future development a pleasing human scale.

22. Section 4.7, Table II, of the *Landscape Manual* states that for mixed-use developments on a single lot (in this case the lot being the entire M-X-T-zoned property), the impact category for the use nearest a property line shall determine the buffering requirements for that yard. In this case, the entire detailed site plan is within the interior of the site.
23. This plan is subject to conditions of approval that are generated from previously approved plans, including the Conceptual site plans CSP-00024 and CSP-00024/01. The following applies to the review of this plan:

CSP-00024

15. **For each detailed site plan, the applicant, his heirs, successors, and/or assigns shall submit a parking demand analysis which reflects appropriate reduction for shared parking between the existing and proposed uses.**

The applicant submitted a parking-demand analysis. As of the writing of this report the Transportation Planning Section has not provided comments on this issue.

24. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. The Environmental Planning Section has reviewed the above referenced revised detailed site plan for the Boulevard at Prince George's Metro Center, DSP-03037/04. The Environmental Planning Section recommends approval of the revised Detailed Site Plan (DSP-03037-04) with no conditions.

The Environmental Planning Section previously reviewed this site in 2001 as a Preliminary Plan of Subdivision (4-01092), and subsequently as a Detailed Site Plan (DSP-03037) which has since been revised at staff level twice. This application seeks the approval of a revised detailed site plan for the revision to a portion of DSP-03037/02, for infrastructure design of a portion of America Boulevard. The subject property is located in the M-X-T Zone within the Prince George's Plaza Transit District Overlay Zone. The subject property has an approved Conceptual Storm Drain Plan, CSD #11247-2004-00, dated April 13, 2004. This site has an approved Type II Tree Conservation Plan (TCPII/15/01), which proposes to meet all woodland conservation requirements off-site at TCPII/129/99.

The subject property is located in the southeast quadrant of the intersection of Belcrest Road and Toledo Road with frontages on both roads. A review of the information available indicates that Marlboro clay, steep and severe slopes, 100-year floodplain, wetlands, or streams are not found to occur on this property. The site is located in the Northeast Branch watershed, which is a tributary to the Anacostia River Basin. The soils found to occur on this property according to the Prince George's County Soil Survey are in the Christiana series. This series does not pose major problems for development.

There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources - Natural Heritage Program. No historic or scenic roads are affected by this proposal. East-West Highway and Belcrest Road are noise generators; however, the noise levels are low enough not to adversely impact the commercial use proposed. The proposed use is not anticipated to be a noise generator. This property is in the Developed Tier as delineated on the approved 2002 General Plan.

TRANSIT DISTRICT OVERLAY ZONE ENVIRONMENTAL MANDATORY REQUIREMENTS.

The property was the subject of Detailed Site Plan DSP-03037, Prince George's County Planning Board Resolution No. 03-254, and was approved on November 20, 2003. All previous approval conditions in the resolution have been addressed. All applicable mandatory requirements from the approved Transit District Development Plan for this site have been addressed in previous submittals.

Environmental Review

This subject property is located in Subarea 3, which is exempt from the Woodland Conservation and Tree Preservation Ordinance. This site is subject to a 10 percent afforestation requirement for the gross tract area due to a mandatory requirement of the TDOZ. The applicant has addressed this requirement through a note on the plan submitted which states: "Tree Conservation Requirements: 10 percent of the 13.85 acre net tract area (1.39 acres) will be provided for in a woodland conservation easement off-site." The DSP-03037/02 as submitted is in conformance with the approved Type II Tree Conservation Plan (TCPII/15/01). Required off-site easements for this site have been previously secured. No additional information is required with respect to the Tree Conservation Plan.

A copy of the Stormwater Management Concept Approval Letter (11247-2004-00) dated April 13, 2004 was submitted with the review packaged. The requirements for stormwater management will be met through subsequent reviews by the Department of Environmental Resources. No further information is required with regard to stormwater management.

- b. In a memorandum dated January 27, 2006, the Community Planning Division offered the following:

This application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier and Regional Center. The site is within the Developed Tier and the core area of the Regional Center for the Prince George's Plaza Metro Station. The vision for a center is mixed residential and nonresidential uses at moderate- to high-densities and intensities, with a strong emphasis on transit-oriented development. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

The detailed site plan also conforms to the 1998 *Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone* goals and mandatory development requirements, amended by TP-00002.

- c. The Transportation Planning Section is in the process of renewing the plans as of the writing of this report.
 - d. In a memorandum dated May 29, 2006, from the Maryland State Highway Administration, the following comments were offered:

This office completed a review of the site plan and support documentation. We defer to DPW&T in the matter of Detailed Site Plan DSP-03037/04 as submitted.
 - e. The DPW&T has been sent a referral but has not responded as of the writing of this report.
 - f. The detailed site plan was referred to the City of Hyattsville, but as of the writing of this report, the staff has not received their comments on this detailed site plan
 - g. The detailed site plan was referred to the Town of University Park, but as of the writing of this report, the staff has not received their comments on this detailed site plan
 - h. The Department of Parks and Recreation had no comments regarding the proposed development.
 - i. The Department of Environmental Resources found that the site plan is consistent with the approved Stormwater Concept Approval #8328349-2000.
25. The detailed site plan represents a 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.
26. The detailed site plan is in conformance with the conceptual site plan, CSP-00024.

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 Detailed Site Plan DSP-03037/04 and further approved variance request to Section 27-545(b)(5) subject to the following conditions:

1. Prior to certification of the detailed site plan, the following revisions or information shall be supplied:
 - a. The plans shall be revised to indicate the location of trash receptacles throughout the site.
 - b. The plan shall be revised to indicate the location of the exterior electrical outlets.

2. Prior to installation of public art and the water feature to be located within the lower plaza, the artwork and details and specifications of the water feature shall be reviewed by the Planning Board or its designee.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Eley, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, July 13, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of July 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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