

R E S O L U T I O N

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, a public hearing was held on October 27, 2003, regarding Detailed Site Plan DSP-03036 for Prince George's Center for a commercial use, and the Planning Board approved DSP-03036 and TCPII/179/03, as stated in PGCPB Resolution No. 04-48; and

WHEREAS, the applicant appealed the Planning Board's decision to the District Council to review the Detailed Site Plan SP-03036 for Prince George's Center; and

WHEREAS, the District Council remanded the case to the Planning Board on April 25, 2005 to allow an amendment of the detailed site plan to show a revised design and a change of use on the subject property; and

WHEREAS, the Planning Board having considered evidence presented at a second public hearing on the case held on July 27, 2006 regarding Detailed Site Plan DSP-03036 for the revised design and the residential use for Post Park, the Planning Board finds:

1. **Request:** The detailed site plan consists of 396 multifamily units and 1,600 square feet of retail in the M-X-T Zone. The application includes amendment requests to the mandatory development standards.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Residential multifamily and retail
Acreage	6.80	6.80
Area within 100 year floodplain	0.06	0.06
Net tract area	6.75	6.75
Dwelling Units	0	396
Lots	1	1
Parcels	0	0
Square Footage/GFA	0	Residential-502,850 Retail-1,600 Total-504,450
Floor Area Ratio (FAR) Based on 293,937 square feet of net tract area in the M-X-T Zone	0	1.72

3. **Location:** The subject property is identified as Subarea 10A of the Prince George's Plaza Transit

District Overlay Zone. The site is located at the northeast corner of the intersection of East West Highway and Toledo Terrace.

4. **Surroundings and Use:** The property is located adjacent to the Northwest Stream Valley Park owned by M-NCPPC. To the north of the property is an existing multifamily development. To the east, across Toledo Terrace, is a check cashing facility and the Prince George's Plaza Shopping Center. To the south, across MD 410, are Home Depot and the Kiplinger Building.
5. **Previous Approvals:** The site has an approved Preliminary Plan of Subdivision, 4-03033 adopted through PGCPB Resolution No. 03-195 on October 16, 2003. That plan envisioned the site developed as a single parcel with a retail shopping center and four pad sites and was evaluated as such.

The site is also the subject of Detailed Site Plan DSP-03036, which was reviewed and approved by the Planning Board on October 27, 2003, as stated in PGCPB Resolution No. 04-48. The applicant provides the following procedural history as stated in the justification statement:

“By Resolution dated April 1, 2004, the Planning Board approved a Detailed Site Plan for Subarea 10A. At that time, Maisel-Hollins Development Company (“Maisel-Hollins”) was proposing the development of the site with six separate buildings consisting of 77,077 square feet of retail and office commercial uses, including, but not limited to a 3,000 square foot bank, a 9,597 square foot restaurant, and a 30,000 square foot office building. The decision of the Planning Board was thereafter transmitted to the District Council for a mandatory review hearing. At the request of Maisel-Hollins, the District Council remanded DSP-03036 to the Planning Board so that it could be shown as a residential community.”

The case was then remanded by the District Council back to the Planning Board. The order of remand states the following:

**REMANDED to the Planning Board, to allow amendment of the detailed site plan to show a revised design and a change of proposed use on the subject property.**

A Conceptual Site Plan, CSP-05005, was subsequently reviewed and approved by the Planning Board on March 16, 2006, and then also approved by the District Council on May 22, 2006. The conceptual site plan included a request for rezoning of the property, from the C-S-C Zone to the M-X-T Zone, and included amendments to P1, P89, P90, S62 and S8 as part of the conceptual site plan approval.

6. **Design Features:** Post Park will comprise approximately 396 multifamily units and 1,600 square feet of retail commercial uses. The architecture consists of nine buildings, eight of which surround a structured parking garage. The ninth is separate from the rest with parking located beneath the building. The style is post modern with colorful design panels that will contribute to a vibrant streetscape. The nine buildings are four stories and five stories in height. The eight buildings

attached are located along the build-to line for East West Highway and the other building will be located in the northeast corner of the site, closer to Toledo Terrace. There will be two access driveways to the proposed community. A right-in, right-out access driveway will be located on East West Highway. This driveway will lead through the main building via a “drive-under archway.” Once through the archway, vehicles will be able to access the structured parking garage. In addition to the access from East West Highway, the applicant is proposing a full access driveway on Toledo Terrace.

The eight attached buildings surround a structured parking facility. There will be a minimal amount of surface parking provided at the southeast corner of the site for use by guests, rental customers and retail customers. The applicant is proposing amenities for the community, which will include a club or community room, business center, outdoor pool, fitness center, picnic areas, and sitting areas. The retail component is on the first floor of the four-story building with residential units above.

#### **Conformance to the Conceptual Site Plan CSP-05005**

7. The detailed site plan is in general conformance to the conceptual site plan as stated in the District Council Order affirming the Planning Board’s Decision. Below are conditions of the conceptual site plan that warrant discussion and a response to each.

- 1. Upon issuance of the building permit for each residential unit, the applicant shall pay a public safety surcharge of \$2,000.00 per unit.**

Comment: This condition will be carried over to the approval of this plan.

- 2. Prior to the issuance of building permits, the applicant shall obtain approval from MD SHA and the Prince George’s County DPW&T and agree to fully fund the cost of providing the necessary geometric and signal modifications for the intersection of MD 410 and Toledo Terrace and provision of adequate left-turn storage along MD410 eastbound and Toledo Terrace northbound.**

Comment: This condition will be carried over to the approval of this plan.

- 3. Prior to certification of the detailed site plan, the applicant shall provide proof of payment of \$400 per surface parking space, as required by the Prince George’s Plaza TDDP. This fee is expressed in 1998 dollars and shall be adjusted for inflation at the time of payment. The required fee shall be paid to Prince George’s County Department of Public Works and Transportation and shall be applied toward the construction of the required transportation improvements listed in Table 4 of the Prince George’s Plaza TDDP.**

Comment: This condition will be carried over to the approval of this plan.

**4. Submission of any development plan other than as currently proposed that could generate more than 200 AM and 220 PM peak-hour vehicle trips shall require SHA and DPW&T approval of the proposed on-site circulation and access plan.**

Comment: As proposed and fully developed, the site will include approximately 396 multifamily residential units and 1,600 square feet of retail uses that would generate 160 AM and 204 PM peak-hour trips, assuming 20 percent reduction for transit use, which is less than the 200 AM and 220 PM peak-hours vehicle trip caps required by the approved CSP-05005.

**5. Prior to submission of the detailed site plan, a meeting shall be arranged by the applicant that will include staff from the Department of Environmental Resources and the Environmental Planning Section to discuss possible innovative stormwater management techniques to be implemented on site and to discuss the treatment of off-site runoff entering the subject property.**

Comment: This condition was addressed at a meeting held on March 29, 2006, with representatives of the Environmental Planning Section; the Urban Design Section; Daniel Lynch, attorney for the applicant; and Daniel Duke of Bohler Engineering. Staff of the Department of Environmental Resources was unable to attend. As a result, stormwater recycling through the use of rain barrels was added to the detailed site plan as the innovative technique to be used.

In additional information received June 28, 2006, more detail was provided to address this comment. A recommended condition is provided below that would require additional information to be provided at a later date with regard to the design of the rain barrel system.

**6. The detailed site plan shall show the locations of innovative stormwater management techniques such as bioretention, stormwater recycling, green roofs, or other techniques. The applicant shall work with the Anacostia Watershed Society, and shall show the improvements being made to the stream valley. A study of the environmental impacts shall be placed in the record.**

Comment: The innovative method to be used is a rain barrel system as in the discussion below in regard to conformance to the Development Standards P25.

The applicant held a meeting with the Anacostia Watershed Society (AWS) on May 30, 2006. According to the applicant, at that meeting AWS expressed concerns regarding the large volume of stormwater run-off from upstream sites and the deposition of trash and debris. Staff contacted AWS on June 23, 2006, to confirm this discussion and to date has not received a response with any concerns from that meeting. In the additional information provided June 28, 2006, the applicant states:

“For on-site stormwater, Post will install two (2) hydrodynamic separators to provide quality control and a detention vault to store the channel protection volume (quantity control). In addition, Post proposes to use rain barrels to beneficially reuse a portion of

the stormwater. The rain barrels will be located at downspouts that drain the roofs of the proposed structures. Runoff captured in the rain barrels will be used as irrigation water for the landscaping within the development.

“The irrigation system for the Post Park site will be an automated system that directs irrigation water to landscaping within three (3) proposed courtyards. A total of twelve (12) rain barrels will serve as reservoirs that actively feed the irrigation system and will not require manual operation. Through the utilization of rain barrels, a portion of the site’s runoff will be beneficially reused and serve as on-site recharge.”

Also on June 26, 2006, the applicant provided a statement for the record regarding the environmental impacts proposed on the site and the proposed mitigation methods. The statement includes the following:

“The existing channel running through the Post Park property receives stormwater from Prince George's Plaza and conveys it through the site. The length of the channel is approximately 900 feet and is highly eroded with significant down cutting along the banks. In addition, debris and trash is observed within the channel at its outfall from Prince George’s Plaza. The channel continues approximately 590 feet from the Post Park property line through the M-NCPPC property before its outfall into Northwest Branch of the Anacostia River (Northwest Branch).

“The Post Park project is proposing to hard pipe stormwater discharge from the areas upstream of the site and to convey the stormwater parallel to Route 410 with an outfall point on the western edge of the site. The storm piping will include directional changes and a vertical drop structure. Ultimately, the off-site flow will be discharged into a plunge pool prior to entering the reconstructed stream channel. By designing a hard pipe conveyance system with horizontal bends, vertical drops and plunge pool at its outfall, treatment of the upstream runoff will occur as a result of energy dissipation. Specifically, energy dissipation will promote sedimentation of silt and debris from the runoff. Also by hard piping the stormwater, runoff will no longer scour the existing channel reducing the sediment load transported to Northwest Branch.

“To deal with debris and trash that outfall from the reinforced concrete bypass pipe, Post Park will develop procedures to regularly inspect and remove sediment and debris from the plunge pool and channel upstream of the M-NCPPC property.

“Post Park is mitigating the filling of the on-site channel by reconstructing 590 linear feet of the off-site channel. The proposed stream restoration work on M-NCPPC property will include the installation of grade control structures within the streambed and armoring along the channel bends to mitigate streambed down-cutting, shoreline erosion and flow volume conveyed within the channel. The end result of these improvements will be the restoration of the M-NCPPC property to a more natural floodplain. Runoff from larger rainfalls will flow outside the boundaries of the stream channel resulting in reduced stream

erosion, reduced sediment transport into Northwest Branch and increased diversity of wetland species.”

Comment: No additional information is required with regard to this condition.

- 7. Prior to certification of the conceptual site plan, a copy of the approved floodplain study shall be submitted and a note shall be added to the CSP stating the study number.**

Comment: As of the writing of this report, the applicant has not obtained signature approval of the conceptual site plan. The certification process allows for the orderly review and approval of plans to assure conformance with underlying regulatory tools. Therefore, staff recommends that prior to approval of the detailed site plan, the applicant must obtain signature approval of the conceptual site plan. Further, the approval of 100-year floodplain study is necessary to determine the net tract area of the site. The net tract area is the basis for density calculations. Currently, the plans indicate 0.20 acre of land within the 100-year floodplain. If the number is not accurate, then the density calculations and possibly a loss of units will have to be adjusted prior to signature approval.

- 8. Prior to certificate approval of the conceptual site plan, written authorization from the Department of Environmental Resources to allow disturbance to the floodplain shall be submitted.**

Comment: As of the writing of this report, the applicant has not obtained signature approval of the conceptual site plan. The certification process allows for the orderly review and approval of plans to assure conformance with underlying regulatory tools. Therefore, staff recommends that prior to approval of the detailed site plan, the applicant must obtain signature approval of the conceptual site plan. However, the approval of the stormwater concept letter is considered sufficient evidence to address this condition.

- 9. Prior to the issuance of any permits that impact jurisdictional 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 are in compliance with, and associated mitigation plans.**

Comment: This condition will be carried over to the approval of this plan.

- 10. At time of detailed site plan review, all outdoor activity areas shall be designated on the plans. A Phase II noise study shall be submitted with the initial plan submittal package that addresses noise mitigation for the outdoor activity areas and necessary building materials to mitigate indoor areas.**

Comment: The required studies were submitted and conditions are recommended below to ensure implementation of the study recommendations.

- 11. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45dBA (Ldn) or less.**

Comment: This condition will be carried over to the approval of this plan.

- 12. At time of review of the Type II tree conservation plan, written permission shall be obtained for any clearing and grading to be conducted off site and the verification of said permission shall be included on the TCPII.**

Comment: No clearing or grading is currently proposed on the adjacent property. As noted above, a condition has been recommended to address the approval of the stream restoration work by the Department of Parks and Recreation prior to permit issuance.

- 15. The maximum building height shall be 16 stories for all uses.**

Comment: The building height is proposed as five stories.

- 16. Three-bedroom units shall be permitted only when developed as condominiums.**

Comment: The plans propose the following breakdown of unit types for the development.

**Post Park—DSP plan unit breakdown**

<b>Unit Type</b>	<b>Number of Units</b>	<b>Percentage</b>
Studio	22	5.5
One Bedroom	169	42.7
One Bedroom + Den	5	1.3
Two Bedroom	174	43.9
Two Bedroom + Den	26	6.6
Total Apartment Homes	396	100

The plan does not reference any condominium units within this development. The applicant is proposing an amendment to the requirement above because a two bedroom with den is the equivalent of a three bedroom unit, per the definition section of the Zoning Ordinance. Therefore, the staff recommends that the plans either be revised to eliminate the two bedrooms with den unit category or delineate these units as condominium units.

- 17. The proposed architecture shall be enduring, of high quality, and distinctive.**

Comment: The plans propose a high quality building with attention to detailing. The building is distinctive in the color selection and design. The exterior finish materials of the building include vinyl siding, fiber cement panels and siding, and brick veneer. Staff recommends that the vinyl siding shown on building nine be substituted with the fiber cement siding in its entirety.

**18. Rental residential units shall provide an increase in luxury through architectural features, building construction, and added amenities to the site and units.**

Comment: This condition of the Conceptual Site plan was generated from a comparison of the other properties within the Transit District that are also zoned M-X-T. The same condition was included as a requirement for those properties where residential development was anticipated. The TDDP includes guidelines for the development of multifamily projects within the Transit District Development Plan. The applicant provides a discussion of the luxury concepts of development for this property in letter dated May 26,2006 (attached). The TDDP provides guidance for the development of multi-family properties, including the following:

**G52 All buildings with elevators should have furnished lobbies and 24-hour security systems.**

This project is not designed as a traditional multifamily project where a central lobby is proposed; instead, a sales office is integrated with the amenities within the building near the retail component of the site, which is the nearest space to a lobby design. The building is designed so that residents park in the main centrally-located parking garage and then move from the garage to the corners of the parking deck to enter the open hallways of the building, to either access their unit, or move to an elevator or directly to their unit. The staff recommends that the plan be revised to incorporate an elevator into the sales office/amenity area so renters and residents can move directly from the sales area, which is the closest concept to a lobby for this project, directly to specific floors, and so that residents can directly access the amenity area.

The other issue raised in the review of these plans is that the plan is an open hallway/breezeway design. This means that the hallways are not heated and air-conditioned. There have been numerous buildings in the county that have been approved previously with this design; one is in fact within the subject transit district. However, after lengthy discussions with the applicant, the project may be partially established as a condominium building. The staff recommends that the entire building nine and building two be changed to incorporate heated and air-conditioned hallways. Building nine is the separate, independent building and building two is the attached building closest to the pool area of the site. These are the areas of the project that the applicant is considering developing into condominium units.

**G53 Residential uses should be upscale and luxurious in building construction and amenities. For example, amenities include but are not limited to the following:**

**For the residential complex**

**Party and or community rooms with kitchen, minimum size of 3 square feet per dwelling unit.**

Comment: The community room is proposed as 1,518 square feet and includes a bar with a kitchenette. The kitchen should include a double sink, dishwasher, garbage disposal, and large-size microwave. Plans should be revised prior to signature approval to demonstrate conformance.

**A furnished lobby with a reception area for the front desk and a 24-hour answering service in each building**

Comment: The sales office should be revised to provide a front desk and a 24-hour answering service for the building.

**Fitness facilities, a minimum size of 4 square feet per dwelling unit, which include: exercise/weight equipment, sauna/steam room, dance floor for aerobic and exercise classes and/or swimming pool.**

Comment: The plans provide for a 1,624-square-foot space fitness area, which is the minimum size stated above.

**Porte-cochere at the entrance to each building.**

Comment: The design of the site is such that a port-cochere at the entrance is not possible. Residents will park in the garage. A drop-off area is proposed near the plaza area.

**Landscaped garden which may include arbors, courtyards, fountains, and custom features, such as walls, fences, and other ornament.**

Comment: The plans provide for enhanced outdoor areas as described above.

**Business center with 24-hour access and a computer with a fax/modem, a printer, a fax machine, and a copy machine.**

Comment: The plans should be revised to clearly indicate the business center.

**For each residential unit:**

**Wall-to-wall carpeting and/or hardwood floors for all rooms, except kitchen and baths.**

Comment: The plans conform to this requirement with wall-to-wall carpeting.

**9-foot interior ceilings.**

Comment: The plans propose 8-foot, 8-inch ceiling heights, which is in substantial conformance

with the requirement above.

**Crown moldings in main room.**

Comment: The plans should indicate crown molding in the living rooms.

**Kitchen with self-cleaning oven, microwave oven, garbage disposal, trash compactor, frost-free refrigerator with automatic icemaker, dishwasher, pantry cabinet and/or option for a gourmet kitchen with a grill, double oven or island counter.**

Comment: the applicant has stated that each unit will have GE appliances, garbage disposal, electric cook top range, dishwasher and microwave. Some units will have an island counter.

**Individual heating and air-conditioning system.**

Comment: The applicant has stated that each unit will have individual heating and air conditioning.

**Full-size washer and dryer.**

Comment: The applicant has stated that each unit will have a full-size stacked washer and dryer.

**Separate bathroom and bath for the master bedroom with a spa tub and separate shower.**

**8-foot sliding glass patio door.**

**6-foot-high standard windows.**

**Walk-in closets.**

Comment: All of the requirements above will be met except for the spa tub in the master bathroom. All units will have at least one walk-in closet in each bedroom.

**Gas fireplace.**

Comment: Gas fireplaces are not proposed.

**Wiring for pay/cable television and five telephone lines.**

Comment: Each unit will have at least one cable/phone/data outlet in each room.

**Individual front door lock system (the capability to unlock the building's front door from the unit electronically with an integrated telephone/speaker system.**

Comment: This system is not proposed at this time and is not feasible in light of the project's design.

**Burglar/intrusion alarm.**

Comment: No information has been provided regarding the proposed alarm system.

**Exterior balconies or sun rooms for the majority of units.**

Comment: 62% of the homes will have a true balcony.

**For units on the top floors, cathedral ceilings and skylights.**

Comment: Selected top-floor units will have a cathedral-type ceiling in the living area; however, the plan should specify how many and where.

The staff recommends that the requirements above be incorporated into conditions of approval for this case. These conditions are included, as appropriate, in the recommendation section of this report.

- 19. All surface parking lots shall be screened from view of roadways by the use of both a low, opaque wall and an evergreen hedge unless they are providing short-term parking for ten cars or fewer.**

Comment: This project does not provide for surface parking for more than ten vehicles at a time.

- 21. Prior to the approval of a detailed site plan, the following shall be demonstrated on the plan:**

- a. A minimum 8,000-square-foot plaza at the intersection of East West Highway and Toledo Terrace.**

Comment: The plans propose a plaza at the intersection of East West Highway and Toledo Terrace of 12,000 square feet.

- b. Features that contribute to the identification of the Transit District, such as flagpoles or other vertical features, signage or architectural treatment that contributes to a sense of place that one is entering the Prince George's Plaza Transit District Overlay Zone.**

Comment: The plan identifies the project through a substantial sign located within the plaza.

- 22. At the time of application for the detailed site plan, the applicant shall specify the total number of proposed dwelling units in the residential portion of the planned**

**development. A fee shall be established based on the following formula:**

**Step 1:  $(N \times P) / 500 = M$**

**Step 2:  $M \times S = \text{Value of facilities}$**

**Where:**

**N = Number of units in project**

**P = Population per dwelling unit by Planning Area**

**M = Multiplier**

**S = Standard value of facilities for population of 500**

Comment: Using the formula above, DPR staff determined that the value of the recreational facilities to be provided in the subject subdivision should be \$365,168.

- 23. The applicant shall provide a combination of both public and private recreational facilities as determined appropriate at the time of review of the Detailed Site Plan:**
- a. Provide on-site outdoor recreational facilities in accordance with the standards outlined in the Park and Recreation Facilities Guidelines and shall allocate appropriate and developable areas for the private recreational facilities.**
  - b. The applicant shall contribute to the M-NCPPC, Department of Parks and Recreation for the renovation of the Prince George's Plaza Community Center or development of the University Hills Community Park located to the northeast of the subject property.**

Comment: The applicant proposes on-site recreational facilities including a swimming pool, courtyard connections, indoor fitness center, outdoor grills, picnic tables, and swings. The staff suggests a monetary contribution toward renovation of the Prince George's Plaza Community Center or development of the University Hills Community Park located to the northeast of subject property

- 24. The amount of the applicant contribution to M-NCPPC and the value of the on-site and off site recreational facilities package shall be determined by DPR at the time of Detailed Site Plan.**

Comment: Department of Parks and Recreation and Urban Design staff calculated the value of the outdoor on-site recreational facilities in the amount of \$228,622 and the monetary contribution to MNCPPC in the amount of \$136,550.

- 25. The fee shall be paid prior to issuance of the first building permit and shall be used for renovation of the Prince George's Plaza Community Center or development of the University Hills Community Park located to the northeast of the subject**

**property.**

Comment: The applicant should make a monetary contribution in the amount of \$136,550. This condition shall be carried over to the approval of this plan.

**26. Prior to the approval of the Detailed Site Plan, the following concerns of the City of Hyattsville, as stated in their February 15, 2006 letter, shall be addressed:**

- **Change the design to make a stronger visual statement at the east and west corners of the East West Highway elevation.**
- **Increase the building height (above 4 stories) and massing with the goal of achieving a more densely built, compact environment on the site.**
- **Ensure the construction meets the current DDP for Prince George's Plaza Transit District and that there is a greater diversity of mixed use such as office space.**
- **Install a count down crossing light at the Toledo Drive intersection.**
- **Add a quality "Arts" component (in consultation with the City).**
- **Have a significant percentage of condominiums (ideally all condos).**
- **Provide a bus shelter at a safe location from the intersection and roadway.**
- **Comply with the County and Army Corps of Engineers requirements for storm water management and impact on streams.**

Comment: The City of Hyattsville provided the following comments in the review of the detailed site plan in their letter dated June 12, 2006 (Mayor Gardiner to Chairman Parker):

"The City of Hyattsville has worked closely with Post Properties regarding the proposed multifamily project at the corner of East West Highway and Toledo Terrace. Representatives from Post have met with the City's Planning Committee and have presented plans to the City Council, as well as discussed the project with staff and the Mayor.

"We are pleased that this quality developer has chosen the City of Hyattsville for its first project in Prince George's County. The City is very supportive of the proposal overall and pleased with many of the changes that have been presented by Post. The Council has a few recommendations that we hope both Post and M-NCPPC will support to further improve the project.

- “1. Provide a double bus shelter, designed in a style compatible with the Post Park development, at or near the current bus stop location on East West Highway. The bus shelter should not have advertising. The Council recognizes that this request must be done in collaboration with SHA and WMATA, and the details may not be agreed upon until after the project is approved.
- “2. Design the signage above the retail space and at the intersection of East West Highway and Toledo Road to be artistically and structurally compatible with the high quality and urban style of the development.
- “3. Provide significant arts amenities on site, and in particular in the plaza area near the corner of East West Highway and Toledo Road.

“We appreciate M-NCPPC’s consideration of our comments, and we look forward to the approval and completion of this new project.”

Comment: The staff has included the conditions above in the recommendation section of this report.

**Conformance to Preliminary Plan 4-03033:**

8. The detailed site plan is in general conformance to the preliminary plan of subdivision. Preliminary Plan 4-03033 was approved subject to several environmental conditions contained in PGCPB Resolution No. 03-195. Below are conditions of the preliminary plan that warrant discussion and a response to each.

- 5. The subject property shall provide stormwater management through the use of both traditional methods and innovative technologies such as green roofs, storage of stormwater for reuse, alternative paving surfaces and bioretention.**

Comment: This site has a stormwater management concept approval letter and concept plan (461-2002-03) which was reapproved on October 2, 2005, and expires on October 2, 2008, which supersedes prior approvals. The concept plan shows an underground stormwater management facility (Stormceptors) located under the structured parking. The detailed site plan shows the use of a rain barrel system that will be connected to the irrigation system, resulting in the recycling of stormwater for irrigation use.

- 6. The off-site woodland conservation mitigation for the subject property shall be provided within the Anacostia River watershed.**

Comment: Note 7 on the TCPII indicates that this condition will be complied with, although an off-site mitigation location has not yet been identified. Compliance to this condition will be determined prior to the issuance of grading permits for the subject property.

Recommended Condition: Prior to the issuance of any permit, evidence that the required off-site mitigation for required woodland conservation shall be submitted to the Environmental Planning Section and the TCPII shall be revised to state the location and the associated TCPII number. The off-site mitigation areas shall be located in the Anacostia River watershed.

**7. The submission package for the Detailed Site Plan shall include a copy of the signed Jurisdictional Determination.**

Comment: This condition was not addressed in the submittal package for the DSP and has not been subsequently addressed. It is possible that a signed jurisdictional determination was not provided because, in years past, the Army Corps of Engineers did not always sign the plans.

Recommended Condition: Prior to certification of the detailed site plan, a copy of the signed jurisdictional determination shall be submitted or other evidence of approval of the jurisdictional determination shall be provided. Any affected plans shall be revised to reflect the jurisdictional determination prior to certification.

**8. Prior to the issuance of any permits which impact jurisdictional 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.**

Comment: This condition will be addressed prior to the issuance of grading permits.

**9. The reforestation on the property to the north shall consist of the planting of one- and two-inch caliper trees at stocking levels that meet the Woodland Conservation Ordinance requirements. This reforestation shall not be counted toward meeting the ordinance requirements for the subject property.**

Comment: No clearing and grading on the property located to the north and west is proposed on the revised TCPII. A revision to the TCPII will be required if future grading is proposed in these areas.

**10. The landscape plan associated with the Detailed Site Plan shall show all the innovative stormwater management techniques to be constructed and shall contain all necessary details to ensure proper installation and inspection.**

Comment: The landscape plan associated with the detailed site plan does not show the methods to be used to meet the stormwater management requirements. A recommended condition provided above addresses the need for more detailed information.

**11. At time of Detailed Site Plan, a Type II Tree Conservation Plan shall be approved.**

Comment: A revision to Type II tree conservation plan (TCPII/179/03-01) was submitted with the review package in conformance with this condition. See Finding 34 for a discussion of conformance to the Woodland Conservation Ordinance.

**Required Findings for a Conceptual Site Plan in the Transit District Overlay Zone as Stated in the Transit District Development Plan**

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

The applicant has requested modifications from the development standards for this project. The Planning Board and District Council approved amendments to P1, P89, P90, S62, and S8 with Conceptual Site Plan CSP-05005. The detailed site plan does not meet all of the development standards and the applicant requests further amendments to the development standards. The following provides a discussion of the requirements, including amendment requests and a response from staff:

**P3 No signs shall be located on a penthouse, chimney or other architectural accessory and/or decorative building features.**

**P4 No part of any sign shall extend above or beyond the perimeter of the building wall or roof.**

Comment: The applicant is proposing to install three identification signs on the canopy located on the southeast corner of the main building. P3 states, in part, that signs shall not be located on architectural accessories or decorative building features; two of the signs are located on the canopy over the first floor retail area. P4 states that the signs may not project beyond the face of the building, which these sign do, located on the projection of the canopy. However, one of the design goals of Post Park (as well as the TDDP) is to create a very urban feel for development in the transit district. The applicant believes that this proposed signage further enhances the urban impression of this community as well as the transit district. The applicant, therefore, requests an amendment to P3 of the TDDP to allow this signage. The proposed signage amendment to allow the signing to extend beyond the wall of the building does not undermine the requirements of the TDDP.

**P6 Unless otherwise noted, the term “parking” as used in these requirements, shall refer only to surface parking. Parking provided in or below a structure that is used, built or redeveloped for a use or uses approved under the provisions of this plan shall be considered surface parking as used in these requirements. *Unless stated otherwise in this plan, all existing County requirements relating to parking and loading as required by Subtitle 27, Part 11, of the Prince George’s County Zoning Ordinance shall be applicable. (emphasis added)***

Comment: The proposed development as shown on the detailed site plan complies with the Parking and Loading regulations with two exceptions. As indicated below, the

applicant is requesting an amendment to these standards relative to (1) the location of the secondary loading space and associated access and (2) the size of the standard parking spaces located in the structured parking garages. The specific nature of each of these requests is addressed below:

The applicant provides the following in their justification statement:

“As indicated above, 554 out of 564 parking spaces proposed in conjunction with this community will be located in the two fully screened structured parking garages. In light of this, the proposed development is providing surface parking well below the Preferred Parking Cap for residential development. With regard to P6, the applicant is requesting an amendment relative to the location of the required loading facility and the size of the parking spaces being provided in the parking structures.

“The amendment relative to the size of the parking spaces, to reduce the size of spaces from the required 9 ½ by 19 feet in size to 9 by 19 in size, is being requested to allow the provision of a greater number of parking spaces in the structured parking garage than could otherwise be accommodated. It is the applicant’s intention to provide parking at a rate of approximately 1 space per bedroom. This can be accomplished in two ways; decrease the width of the standard parking spaces or increase the number of levels in the parking structure. The applicant designed the building in a manner that fully screens the parking structure. An increase in the height of the parking structure to accommodate the additional parking spaces could compromise the building design.

“One of the guidelines of the TDDP is to design parking structures as an integral component of the overall site. The applicant believes that this guideline has been addressed in the current design for the community. Some of the challenges in developing the subject property are a direct result of the numerous site constraints, including, but not limited to the topography of the property. The applicant has designed a building that steps down with the change in topography and continuously screens the parking structure from surrounding properties. As previously indicated, if the applicant is required to provide the required number of standard size parking spaces, it would have to increase the height of the parking structure and impact the ability to screen the structure behind the building.

“The applicant is also requesting an amendment to P6 to address the location of the loading spaces. Section 27-579 of the Zoning Ordinance prohibits loading spaces and vehicular entrances thereto from being located within 50 feet of any Residential Zone. The proposed secondary loading spaces for Post Park will be located approximately 26 feet from the adjoining residential property. The access to these secondary spaces will be via the full access drive to the community located along Toledo Terrace. Although the proposed loading spaces and associated access will be located within 10 feet of the adjoining residential property line, they will be more than 200 feet from the multifamily structures located on that property. The loading spaces will be screened and not visible from the neighboring property, and given the distance and screening, there will be no

impact on the health, safety and welfare of the residents of the adjoining property.”

Comment: The reduction of the width of parking spaces from 9 1/2 x 19 to 9 x 19 for the purpose of allowing one parking space per bedroom is minor and reasonable. The location of the loading space to the adjacent multifamily units is also supported by staff because the existing multifamily units are far removed from the proposed loading space. The Prince George's Plaza TDOZ promotes dense urban development to maximize development within walking distance of the Metro. Since parts of the area were developed as a more suburban concept, the request to allow the loading space within 50 feet of the adjoining residential property is a consequence of retrofitting suburban development with urban development and the request can be accommodated in this instance, providing that an effort to screen the loading space from the adjoining residential property is properly executed with the use of landscaping on the subject or adjacent property.

**P25 Any development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bioretention or other innovative water quantity or quality methods shall be used where deemed appropriate.**

The subject property has a stormwater management concept approval letter; SCD 461-2002-03, dated October 2, 2005. The concept includes the use of underground facilities for water quantity and a storm filter device for water quality. Neither of these methods is considered bioretention or innovative techniques.

Additional information received June 28, 2006, provides a description of the innovative method to be used to meet this requirement: rain barrels and rainwater recycling. Details regarding how the rain barrels will be tied into the irrigation system were not provided and will not be available until the time of permit issuance.

Recommended Condition: Prior to issuance of any permits, a detailed plan delineating the design of the rain barrel system and their integration into the automated irrigation system shall be provided.

**P28 Any new development or reconstruction of existing development shall be in conformance with the Prince George's County Floodplain Ordinance.**

A floodplain study was not submitted with this application. The plans note the existence of the FEMA floodplain mapping, which does not meet the requirement for a floodplain study because the FEMA floodplain delineations are based on existing conditions and do not account for the development of the other properties in the floodplain. Because the Department of Environmental Services will be reviewing the plan for conformance with the Stormwater Management Ordinance, they will also review for conformance with the Floodplain Ordinance at that time. No additional information with regard to the floodplain ordinance is required at this time.

**P29 No development within the 100-year floodplain shall be permitted without the express written consent of the Prince George's County Department of Environmental Resources.**

The stormwater concept approval letter from DER states conditions under which development may proceed on the subject property. The conditions refer to the 100-year floodplain and the requirements for the proposed construction. This approval is considered sufficient evidence that DER is aware of the floodplain and the required compensation. No additional information is required at this time.

**P32 If impacts to nontidal wetlands are proposed, a State Water Quality Certification pursuant to Section 401 of the Clean Water Act shall be required form the Maryland Department of the Environment.**

Comment: It does not appear that nontidal wetlands exist on the subject property; however, it is clear that waters of the U.S. exist and that permits will be required for impacts.

Recommended Condition: Prior to the issuance of any permits that impact jurisdictional 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 the associated mitigation plans.

**P33 Each Preliminary Plat, Conceptual and/or Detailed Site Plan shall show a 65 dBA (Ldn) noise contour based upon average daily traffic volumes at LOS E. Upon plan submittal, the Natural Resources Division shall determine if a noise study is required based on the delineation of the noise contour.**

**P34 If it is determined by the Natural Resources Division that a noise study is required, it shall be reviewed and approved by the Natural Resources Division prior to approval of any Preliminary Plat of Subdivision, Conceptual and/or Detailed Site Plan. The study shall use traffic volumes at LOS E and include examination of appropriate mitigation techniques and the use of acoustical design techniques. Furthermore, a typical cross-section profile of noise emission from the road to the nearest habitable structure is required.**

The subject property abuts East West Highway (MD 410), an arterial roadway that is a source of noise levels above the state standards. A Phase I noise study entitled "Traffic Noise Analysis: 3310 Toledo Terrace" prepared by the Polysonics Corporation and dated September 12, 2005, was submitted with the conceptual site plan and stamped as received on January 13, 2006. The study was subsequently revised, and staff is in agreement with the findings. The study determined that all outdoor recreational activity areas needed to be positioned outside the 65 dBA Ldn noise impact zone, or noise mitigation measures would be required. Some shielding effects will be provided by the buildings located closest to the noise sources. The study also found that some of the living units proposed would be impacted by future unmitigated upper floor noise levels exceeding 65 dBA Ldn, but that acceptable interior noise level requirements could be achieved with modified windows, doors, and wall construction as necessary. All living units located outside of the unmitigated 65 dBA Ldn upper floor noise impact zone can achieve acceptable noise levels

with normal construction practices. The revised DSP shows the location of the unmitigated 65 dBA Ldn.

A Phase II noise study entitled “Noise Barrier Design: 3310 Toledo Terrace,” dated April 5, 2006, was prepared by Polysonics Corporation, and was submitted on May 12, 2006. The result of this study indicated that the future unmitigated 65-dBA Ldn noise levels would potentially impact the proposed courtyards. Accounting for the significant shielding to outdoor areas provided by the proposed buildings, it was determined that a short noise barrier was necessary on Courtyard 4 to achieve the required 65 dBA Ldn noise level. An approximately six-foot-high noise barrier, which maintains a top of wall elevation of 84 feet, will reduce the mitigated noise level in Courtyard 4 (Between Buildings 3 and 7) to below 65 dBA Ldn. Neither the DSP nor the TCPII show the location of the proposed noise barrier or the mitigated first floor noise contour.

Indoor noise mitigation measures are proposed to be provided through the use of specific building materials that meet standards above the usual building materials used in residential construction. At time of building permit issuance, certification from an engineer with expertise in this area is necessary to ensure that the interior noise levels are 45 dBA Ldn or less. A building shell analysis for 3310 Toledo Terrace, prepared by Polysonics Corporation and dated April 11, 2006, was submitted on May 12, 2006. The future exterior traffic noise levels were evaluated at the facades of different buildings, and it was determined that Buildings 1, 3 and 7 will be impacted by noise levels higher than 65 dBA Ldn at their facades closest to MD 410. The results of the analysis indicated that for the facades impacted by noise levels higher than 65 dBA Ldn, STC 30 windows and doors are needed to ensure that the interior noise requirement of 45 dBA Ldn can be achieved. At the two corners of Building 7 and east corner of Building 1, where the walls will use fiber cement panels, STC 34 windows are necessary to achieve the interior noise requirement. In all other areas, STC 27 windows and doors are sufficient to meet 45 dBA Ldn interior noise levels.

Recommended Condition: Prior to certificate approval of the detailed site plan, the detailed site plan and Type II tree conservation plan shall be revised to show the following:

- a. The noise barrier for Courtyard 4 in accordance with the recommendations of the Phase II noise barrier design study shall be provided. With regard to its design and materials, the appearance of the wall shall be evaluated by the Urban Design Review Section for design compatibility with the project.
- b. The location of the mitigated 65 dBA Ldn first floor noise contour shall be shown on the plans.

Recommended Condition: Prior to certification of the detailed site plan, the plans shall be revised to include the recommendations of the “Building Shell Analysis for 3301 Toledo Terrace” with regard to the location of required noise mitigation measures in order to meet interior noise requirements. Specifically, the location of STC 34 and STC 30 windows and doors on Buildings 1, 3, and 7 shall be identified.

Recommended Condition: Prior to the approval of building permits for Buildings 1, 3 and 7, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells have been designed to reduce interior noise levels to 45dBA (Ldn) or less.

**P90 The existing trees within the 100-year floodplain shall be preserved.**

This mandatory requirement does not allow for any clearing of woodland within the limits of the 100-year floodplain. The plan as submitted proposes impacts to an area of 100-year floodplain as currently delineated.

In a letter dated January 12, 2006, the applicant requested an amendment to this development standard as part of the CSP review process. Authorization from the Department of Environmental Resources to fill the 100-year floodplain on-site is required. Because the area of 100-year floodplain on the site is within an area that will need to be disturbed for conformance with the stormwater management requirements for both on-site and off-site runoff, the disturbance of the 100-year floodplain on-site is recommended for approval. The District Council approved an amendment to this requirement as part of the conceptual site plan approval.

Comment: Staff recommends approval of the amendment to this mandatory requirement to allow for the construction of the required stormwater management facilities on-site.

**P91 The preservation of existing woodland on Subarea 10B is required.**

The tree conservation plan submitted does not currently show any clearing or grading on the property to the west, known as Subarea 10B.

Because the adjacent property is owned by the Department of Parks and Recreation, and as such is not subject to the TDDP, an amendment to this development standard is not required. However, the applicant has proposed mitigation on the publicly owned land for the proposed disturbance to regulated environmental features proposed on-site. The mitigation is to take the form of stream restoration to restore impacts to the stream from previous stormwater run-off and to ensure that the future development, combined with the existing stormwater run-off, does not continue to erode the stream channel on land owned by the Department of Parks and Recreation. At this time the final design of the stream restoration has not been completed. When the design is complete, the TCPII for the subject property must be revised to show the clearing and grading associated with the restoration work as off-site impacts from the subject development.

Recommended Condition: Prior to issuance of the grading permit for the subject property, the final stream restoration plan for Subarea 10B shall be approved by the Department of Parks and Recreation and the TCPII for the subject property shall be revised to include the off-site clearing and grading as off-site impacts. The revised TCPII may be approved by the Planning Director or designee.

**S22 All parking structures shall provide a minimum of 5 percent of the total parking surface area in green space. The green space shall be planted with shade trees and shrubs. Tree planter boxes shall contain a minimum of 500 cubic feet of soil per tree, provide drainage and have an irrigation system.**

The applicant provided the following request at the Planning Board hearing:

“This is practically infeasible because the size of the required planter box to provide 500 cubic feet of soil would be 10' long x 10' wide x 5' high. Further, 500 cubic feet of common loam earth in a perfectly dry condition weighs 72 to 92 pounds per cubic foot. When wet, it weighs 104 to 120 pounds per cubic foot. (Source: Kidder-Parker Architects' and Builders Handbook) For structural design purposes, it must be assumed to be wet. The total weight of each planter would be 500 cu. ft. x 120 lbs/cu. ft. = 60,000 lbs. For structural design purposes, each planter would therefore weigh 30 tons.

“In addition to the matter of structural infeasibility, the purpose of placing planters on the top of the parking structure where no one would see the planters is questionable. Were the top of the parking structure at grade and therefore visible from surrounding buildings, it might be justified if the size of the planter box could be substantially smaller. At Post Park, the design of the community is such that the top of the garage is above the top floor of the highest residential level. The only people who could see the planters would be those few people who park on the top level of the parking garage. The garage is substantially hidden from view by the roof. The same roof lines that screen the garage would also screen the planters from any adjoining properties.”

Comment: The staff and the Planning Board agreed with the applicant in regard to the request above and approved the amendment as requested.

**S33 Afforestation of at least 10 percent of the gross tract shall be required on all properties within the Prince George's Plaza Transit District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia Watershed in Prince George's County, with priority given to riparian zones and nontidal wetlands, particularly within the Northwest Branch sub-watershed.**

This site is subject to the requirements of the Woodland Conservation Ordinance so this requirement does not apply. However, the mandatory development requirements suggest that the retention and creation of woodlands in the Anacostia watershed are important. The Type II tree conservation plan contains the following note: “All off-site mitigation shall be provided within the Anacostia watershed.” The Type II tree conservation plan as submitted is in conformance with the approved Type I tree conservation plan. No additional information is required with respect to this mandatory requirement.

10. **The Transit District Site Plan is consistent with, and reflects the guidelines and criteria contained in the Transit District Development Plan;**

In regard to the site development, the transit district detailed site plan is not consistent with the guidelines and criteria contained in the transit district development plan, as demonstrated above in the discussion of the conceptual site plan, Condition 18. The following guidelines for the development of the plaza also warrant discussion and are provided below below:

**G17. The level of the plaza should not be more than 3 feet above or 3 feet below the curb level of the nearest adjoining street in order to promote visibility and security.**

The level of the plaza is elevation 96. The elevation of the adjacent curb varies from 90 to 96. The average height of the plaza above the adjacent curb is less than 3 feet. The plaza is level to maintain the accessibility of the plaza in accordance with ADA. Waiver of the above requested.

**G19. A minimum plaza distance to building height ratio of 2:1 should be provided.**

The plaza is 123 feet and 5 inches wide. The building is 60 feet and 4 ½ inches high. The resulting ratio is 2.04:1, which exceeds the 2:1 ratio in the guidelines.

**G23. A majority of the total building frontage of the plaza should be allocated for retail service establishments, including at least one food establishment (preferably a café with outdoor seating).**

The retail frontage on the plaza is 53 linear feet. The other frontage is 30 feet and 2 inches. Therefore the percentage of retail frontage is 63.7 percent.

**G28. Plaza seating should be provided at the rate of 1 linear foot of seating per 3 linear feet of plaza perimeter area. A variety of seating options should be provided including benches, seating steps, planters, seat walls, table seating and grassy seating areas. Seating associated with cafes is not included. For the benefit of handicapped persons a minimum of 5 percent of the required seating shall have backs.**

The perimeter of the plaza is 494 feet and 3 inches. At a ratio of 1 linear foot of seating per 3 linear feet of perimeter, a total of 164 linear feet of seating must be provided. The 5 percent of seating required to have backs for the benefit of handicapped persons is met by the benches which provide 78 percent of the seating with backs. However, only 91 linear feet of seating is provided; therefore, the staff is recommending that the plaza be designed to include additional seating to meet the requirement above.

**G31. In general, a plaza should have one shade tree required for ever 1,000 square feet, or fraction thereof, of urban plaza area. However, alternative methods can be used to provide shade, such as trellis, structures and awnings.**

The total area of the plaza is 12,000 sf. As shown on Sheet L 2.01, there are 12 shade trees provided.

**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 of 3 to 4 feet and be planted either with gratings flush to grade, or in a planting bed with a continuous area of at least 75 square feet exclusive of bounding wall.**

The size of the plaza trees is shown on Sheet L 2.03 and the plant list on Sheet L 2.05 as being 4 inch caliper. The planting beds for the trees exceed the 75 sf in the guidelines. The trees are located in the ground, providing an adequate amount of soil for the trees. See Sheet L 1.09a.

**G34. All landscaping materials should have an automated irrigation system.**

The plaza area is irrigated through an automated irrigation system. Please see Note 2 on Sheet SK(L)-5. However, an irrigation plan should be submitted with the building permits for this case.

**G37. Plaza areas over 10,000 square feet should provide a permanent stage location which may also function as a seating area when not used as a stage.**

A temporary stage location is provided in the parking bay of the drop-off area. See Sheet SK(L)-5. An waiver is requested to allow a temporary stage in lieu of a permanent one.

**G38. The use of public art and water features as a focal point is encouraged.**

According to the applicant, the City of Hyattsville Planning Commission recommended, a detailed monument sign identifying the district will be provided in the plaza. However, in a letter dated June 12, 2006, the city recommends a condition in addition to the signage, requiring significant art amenities, particularly in the plaza area. A condition is recommended to the Planning Board to revise the plaza to include art sculpture and a water feature.

11. **The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone and applicable regulations of the underlying zones;**

#### **Section 27-545**

The base floor area ratio (FAR) for the 6.75 acres of net tract area is 0.40, consistent with Section 27-548(a)(1). As an incentive in the M-X-T Zone, a bonus density is permitted where 20 or more dwelling units are provided, which allows for additional gross floor area equal to a FAR of 1.0, per Section 27-545(b)(4)(A), for a total of 1.40 FAR permitted or 411,512 square feet of floor area. The applicant is proposing 1.72 FAR, claiming bonus density in accordance with Section 27-545(b)(5) of the Zoning Ordinance. That section allows an increase through the optional method of development for uses, improvements and amenities that are provided by the developer. The applicant proposes a plaza at the corner of East West Highway. The size of the plaza is 12,000 square feet; however, the area proposed by the applicant for a plaza includes lawn areas, which should be converted to hardscape. If converted to hardscape, then the application is eligible for bonus income. This will result in an increase in 96,000 square feet of floor area for the

development, for a total of 507,512 square feet of development. The application proposes 504,450 square feet of development.

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 application has been designed so that the buildings front along the streetscape, rather than exposing large expanses of parking in front of the buildings, a goal conducive to promoting the primacy of pedestrians over automobiles. In this way the use of a plaza in the design enhances the pedestrian experience. The pedestrian circulation should be improved with the plaza shown at the intersection of East West Highway and Toledo Terrace in order to invite pedestrians to use the retail use at that corner.

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.**

This architecture for this site is visually distinctive and will provide an interesting appearance to the oncoming traffic as it enters the transit district.

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

At the time of final build-out, the subarea will provide high quality and distinctive architecture, retail shopping, an outdoor plaza, 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. The detailed site plan promotes the effective and optimum use of transit and other major transportation systems.

15. **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. The TDDP site plan will further ensure that new development will be physically and visually integrated with existing adjacent development. Because of the magnitude of the proposed development, it also has the potential to catalyze adjacent community improvement and rejuvenation.

16. **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 area by providing a pleasing outdoor environment for those who work in and visit the area.

17. **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;**

Subarea 10A is proposed to be developed with a mix of uses in such a way that the small amount of retail will contribute to a stable environment by not providing substantial competition for the adjacent Prince George's Plaza shopping center. The proposed residential use will enhance the existing selection of residential development and will enhance the quality and contribute to the transit district.

18. **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 proposed to be developed as one phase of development. The applicant has stated that they expect to pull all the building permits at one time.

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

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

#### **M-X-T Zone Required Findings**

20. **The proposed development is in conformance with the purposes and other provisions of this Division.**

Comment: This detailed site plan for Post Park is in conformance with the requirements of Part 10, Division 2, of the Zoning Ordinance.

21. **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.**

Comment: Post Park has been designed to create a unique, urban appearance that is complementary to other development in the transit district. For example, the commercial component of the community will be located in the southeast corner of the main building. This location was chosen in order to enhance the urban nature of the development, establish a lively street presence, and create a transition between the primary residential use of the community and the commercial uses

located across Toledo Terrace and East West Highway from the site. Furthermore, pedestrian connections, as required under the TDDP, will be provided. These connections have been designed in accordance with S6 and will help physically integrate this community into the existing development in the transit district.

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

Comment: It is the applicant's desire to design Post Park in a manner that is not only distinctive but also complements the existing and proposed development in the transit district. The applicant has designed a community that creates a gateway into the transit district from the west as recommended by the TDDP. The architectural elevations submitted in conjunction with the detailed site plan demonstrate that the applicant has accomplished these goals. Post Park will be a landmark building in the transit district. Its distinct architectural design will set it apart from other development in the transit district and create the gateway set forth in the TDDP. Although the architecture of Post Park will be distinctive, the community will be visually integrated with the balance of development in the transit district through compliance with the TDDP requirements such as the build-to line and street frontage improvements.

23. **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.**

Comment: The applicant is proposing 1,600 square feet of commercial uses for this community. The applicant believes that this amount of commercial space can be supported by the residents of Post Park. The location of this commercial space along East West Highway provides visibility, a lively street presence, and therefore, the ability to attract customers from outside the community. The applicant is providing surface parking in the southeast corner of the site for customers of this commercial space. The applicant believes that the provision of parking at this location will enhance the overall viability of future commercial uses within the community.

24. **If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases.**

Comment: The occupancy of the community will be phased as construction of each building is completed.

25. **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity with the development.**

Comment: The pedestrian system of Post Park has been designed in accordance with the requirements of the TDDP. Pedestrian connections are being proposed between the internal pedestrian network and the pedestrian zones located along East West Highway and Toledo Terrace.

26. **On the detailed site plan, in areas of 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 types and textures of materials, landscaping and screening, street furniture and lighting (natural and artificial).**

Comment: As indicated above, Post Park will comply with or exceed the requirements of the TDDP as to landscaping, screening, street furniture and lighting. In addition, and as demonstrated on the detailed site plan, the applicant has provided a number of pedestrian gathering places in the community. Tables and chairs will be provided in front of the commercial component of the community. Sitting areas are being provided within the courtyards and an outdoor pool and activity area is being provided. Each amenity has been designed in a manner that is sensitive to the requirements of the transit district, the urban nature of this community, and the adjoining land uses. For example, a number of sitting areas are located so as to take advantage the adjacent park. These sitting areas will allow residents to enjoy the natural beauty of this park from the community.

27. **Conformance to the *Landscape Manual***—The plan is in general conformance to the *Landscape Manual*. The plan is subject to section 4.1 Residential Planting Requirements. The plans generally reflect conformance, however, the plans should substitute more shade trees for ornamental trees in order to provide for long-lasting trees and trees of a size ultimately complementing the massiveness of the structure.

#### **Referrals**

28. **The Parks Department**—The applicant proposes stream restoration along the Northwest Branch on adjacent parkland. DPR staff has reviewed the stream restoration plan and agree with the concept of the plan. Prior to grading permit, the applicant shall provide to DPR, for review and approval, the final stream restoration plans on adjacent park property. The applicant shall enter into a right-of-entry agreement with the Department of Parks and Recreation for any disturbance to the park property. DPR staff recommends a five-year monitoring period on the stream restoration work on park property. A performance bond should be required prior to the issuance of grading permit.

DPR staff believes that the combination of the private recreational facilities on-site and the contribution of \$136,547 for the renovation of the Prince George's Plaza Community Center or development of the University Hills Community Park will adequately address the requirements of the CSP-05005 as they pertain to public parks and recreation. In addition, stream restoration on park property should be subject to recommended conditions below.

29. **The Transportation Planning Section** has reviewed the above referenced detailed site plan. The subject property is known as Subarea 10A in the approved Prince George's Plaza Transit District Development Plan (PG-TDDP) and was originally zoned C-S-C. Since residential development cannot be accommodated with the C-S-C zoning, the applicant requested in the companion CSP-

05005 that the subject property be rezoned from C-S-C to the M-X-T Zone. On May 22, 2006, the Prince George's District Council approved the Prince George's County Planning Board decision (PGCPB Resolution No.06-42) and approved to rezone the entire property from C-S-C to M-X-T and found the rezoning conforms with the purposes and recommendations of the Prince George's Plaza Transit District.

The proposed detailed site plan is for development of 396 multifamily residential (201 one-bedroom and 195 two-bedroom) units and 1,600 gross square feet of commercial retail. For the development, the applicant is proposing to construct in addition to two loading areas, 582 parking spaces, of which 553 spaces will be constructed as "structured parking." For the Prince George's Plaza Transit District, "structured parking" is defined as any parking that are incorporated within a building with two or more stories, even if the entire building is not proposed as parking. For such cases, any enclosed parking space that is constructed below, at-grade, or above ground is also considered as "structure parking."

The site is proposed to have two access driveways. A right-in, right-out access driveway is proposed along East West Highway, approximately 300 feet west of Toledo Terrace. A full access driveway is to be located along Toledo Terrace, about 200 feet north of the East West Highway intersection. Although this is not an ideal location, it is the most desirable location as it is located at northern most property frontage along Toledo Terrace.

The approved Prince George's Plaza Transit District Development Plan (TDDP) guides the use and development of all properties within its boundaries. The findings and recommendations outlined below are based upon a staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the mandatory development requirements and guidelines outlined in the TDDP.

During the preparation of the TDDP, staff performed an analysis of all road facilities in the vicinity of the TDOZ. This analysis was based on establishment of a transit districtwide cap on the number of additional parking spaces (preferred and premium) that can be constructed or provided in the transit district to accommodate any new development. Pursuant to this concept, the plan recommends implementing a system of developer contributions to ensure adequacy of the transportation facilities, based on the number of additional surface parking spaces, as long as the authorized total surface parking limits and their attendant, respective, parking ratios (Tables 5 and 6 of the TDDP) are not exceeded. The collected fee will be applied toward the required number of transportation improvements totaling \$1,562,000, as summarized in Table 4 of the TDDP. These improvements are needed to ensure that the critical roadways and intersections in the transit district will remain adequate and will be operating at or above Level of Service E, as required by the plan. Among the most consequential of these are:

- a. Establishment of a transit districtwide cap on the number of additional surface parking spaces (3,000 Preferred, plus 1,000 Premium) that can be constructed or provided in the transit district to accommodate any new development.

- b. Implementation of a system of developer contributions is based on the number of preferred and premium surface parking spaces attributed to each development project. The contributions are intended to recover sufficient funding to defray some of the cost of the transportation improvements as summarized in Table 4 of the TDDP and are needed to ensure that the critical roadways and intersections in the transit district remain at or above the stated LOS.
- c. Retaining a mandatory transportation demand management district (TDMD). The TDMD was established by the 1992 TDDP plan to ensure optimum utilization of trip reduction measures (TRMs) to combine, or divert to transit , as many peak-hour SOV trips as possible and to capitalize on the existing transit system in the district. The TDMD will continue to have boundaries that are coterminous with the transit district. As of this writing, the Prince George's Plaza TDMD has not been legally established under the TDMD Ordinance (now Subtitle 20A, Division 2 of the County Code) enacted in 1993.
- d. Developing an annual TDMD operations fee based on the total number of parking spaces (surface and structured) that each property owner maintains.
- e. TDMD requires the preparation of an annual transit district transportation and parking operations analysis that would determine whether or not the LOS E has been maintained, and to determine additional trip reduction, transportation, and parking management measures that are required to restore LOS E. The predecessor of the current TDDP, the 1992 PG-TDDP, also recommended the reauthorization of the Prince George's Plaza Transportation Management Association.

#### **Status of Surface Parking in the Transit District**

Pursuant to the Planning Board's previous approvals of Detailed Site Plans in the Transit District, the remaining available Preferred and Premium surface parking for the Transit District and each class of land use are reduced to the following values:

	RESIDENTIAL		OFFICE/RESCH		RETAIL		TOTAL	
	PREF.	PREM	PREF.	PREM	PREF.	PREM	PREF.	PREM
TDDP Caps	920	310	1,170	390	910	300	3,000	1,000
Subarea 1	(178)							
Subarea 4					(121)			
Subarea 6					(72)			
Subarea 9					(321)			
Subarea 10A								
Unallocated	742	310	1,170	390	396	300	2,308	1,000

The surface parking allocations shown above and for Parcel 10-A reflects the proposed parking schedule needed for the proposed detailed site plan. It is also important to note that these parking figures show only approved surface parking spaces. Pursuant to MDR P6, it is not necessary to account for the number of parking spaces that will be constructed as structured parking in each subarea.

**Conceptual and Detailed Site Plans Findings**

- a. The PG-TDDP identifies the subject property as part of the Subarea 10A of the transit district. There are 15 subareas in the transit district, two of which are designated as open-space and will remain undeveloped. The proposed site consists of approximately 6.80 acres of land in the CSC Zone. The property is located on the northwest quadrant of the East West Highway (MD410) and Toledo Terrace intersection.
- b. As proposed and fully developed, the site will include approximately 396 multifamily residential units and 1,600 square feet of retail uses that would generate 160 AM and 204 PM peak-hour trips, assuming 20 percent reduction for transit use, which is less than the 200 AM and 220 PM peak-hour vehicle trip caps required by the approved CSP-05005200.
- c. The applicant is proposing to construct a total of 582 parking spaces, of which staff has determined only 31 (including the two loading areas) would be defined as new surface parking spaces. This is significantly less than the maximum allowable preferred surface parking as recommended by the TDD. For the proposed 31 surface parking spaces, the total amount of the applicant’s cash contribution will be \$12,400 (\$400.00 per surface space x 31 surface parking spaces). Considering the applicant’s intent for these surface parking spaces as stated in the justification statement, the approval of the proposed plan with 31 surface parking spaces will reduce the available preferred surface parking for

residential and retail uses. Therefore, with the approval of these plans as submitted, the revised unallocated preferred and premium surface-parking caps would be changed to:

	RESIDENTIAL		OFFICE/RESCH		RETAIL		TOTAL	
	PREF.	PREM	PREF.	PREM	PREF.	PREM	PREF.	PREM
TDDPs	920	310	1,170	390	910	300	3,000	1,000
Unallocated	731	310	1,170	390	378	300	2,277	1,000

- d. For the proposed development levels and the number of projected peak-hour trips, on-site vehicular and pedestrian circulation patterns appear to be acceptable. While, the proposed geometric modifications for the intersection of East West Highway (MD 410) and Toledo Terrace appears to reflect concerns raised by SHA and DPW&T, the applicant has not provided staff with proof of approval from these two operating agencies. As result it is recommended that prior to the signature approval of the proposed plan, the applicant provides staff with sufficient information that demonstrates a workable and acceptable intersection modifications, and left-turn storage lanes along both MD 410 eastbound and Toledo Terrace northbound that meet the MD-SHA, and the Prince George’s County DPW&T standards.

#### Transportation Staff Analysis and Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed development does not conform to the circulation requirements of the Prince George’s Plaza transit district development plan. However, if the plan is to be approved, we recommend the following conditions:

- a. Prior to the certification of the detailed site plan, the applicant shall obtain from the MD SHA and the Prince George’s County DPW&T the approval and agree to fully fund the cost of providing the necessary geometric and signal modifications for the intersection of MD 410 and Toledo Terrace and provision of adequate left-turn storage along MD 410 eastbound and Toledo Terrace northbound.
- b. Prior to the certification of the detailed site plan, the applicant shall provide proof of payment for a total of \$12,400, the required fee for the provision of 34 surface parking spaces. This fee is expressed in 1998 dollars and shall be adjusted for inflation at the time of payment. The required fee shall be paid to Prince George’s County Department of Public Works and Transportation and shall be applied toward the construction of the required transportation improvements listed in Table 4 of the PG Plaza TDDP.
- c. The proposed on-site circulation and access configuration are acceptable for the proposed development. Submission of any other development plan that could generate more than

200 AM and 220 PM peak-hour vehicle trips shall require SHA and DPW&T approval of the proposed on-site circulation and access plan.

30. **The State Highway Administration (SHA)** has reviewed the proposed plans. Based on the information provided, SHA has no objection to the approval of the plan. Prior to the issuance of any building permits, coordination with SHA is necessary because improvements within the state right-of-way are subject to the rules and regulations of SHA.
31. **The Transportation Planning Division** has reviewed the application and provides the following analysis regarding provisions for pedestrians and bicyclists. The subject site is within Subareas 10A of the Adopted and Approved Prince George's Plaza Transit District Development Plan (TDDP). This plan recommends pedestrian and bicycle zones along both Toledo Terrace Road and East-West Highway, as part of other streetscape improvements (TDDP, Figure 8). In addition, several site design guidelines and mandatory development requirements apply to the subject application.

**S1—All proposed development/redevelopment shall have a primary pedestrian walkway system that coincides with the street system and provides connection directly to the Metro station. In addition, the secondary and tertiary pedestrian systems shall provide efficient pedestrian circulation and inner-block connections through parks, plazas, and green areas.**

**S2—Walkways through parking lots, other than those linking buildings and parking lots, shall, wherever possible, be avoided.**

**S4—All proposed development shall have direct, safe pedestrian links provided between the transit district uses, the primary walkway system and ultimately to the Metro station.**

**S5—All primary and secondary pedestrian routes shall be constructed using special paving materials.**

**S8—All property frontages shall be improved in accordance with Figures 7, 8 and 9 in order to create a visually continuous and unified streetscape.**

Figure 8 requires a 20-foot pedestrian zone along Toledo Terrace, including a minimum 12-foot wide sidewalk. Designated bike lanes are recommended within the roadway.

Figure 8 requires a 40-foot pedestrian zone along East-West Highway including a wide sidewalk. Designated bike lanes are recommended within the roadway.

**S30—All new retail development shall provide four bicycle racks per 10,000 gross square feet of floor space with each rack holding a minimum of two bicycles.**

**P20—Developers shall provide continuous sidewalks along all frontages of their property on public rights-of-way in the transit district.**

**G1—All pedestrian walkways should be designed to minimize vehicular/pedestrian conflicts.**

**G2—Pedestrian link(s) should be barrier-free.**

**G48—Whenever possible, bicycle parking facilities should be located near building entrances but should not be located so as to conflict with major pedestrian circulation routes.**

**G49—In subareas with structured parking garages, a separate bicycle parking area should be provided.**

An extensive network of wide sidewalks, standards sidewalks, paths and walkways are incorporated into the submitted detailed site plan. Eight-foot wide sidewalks are reflected along the subject site's frontages of both East-West Highway and Toledo Terrace Road. Walkways are incorporated into the proposed courtyards, and leading to and between the buildings. Marked crosswalks are also shown along East West Highway across the main entrance road, at Toledo Terrace Road and East West Highway, and between Buildings #1 and #2. Staff supports these crosswalks, as well as the provision of the pedestrian refuges (proposed concrete islands) as indicated on the site plan. Pedestrian refuges are important to pedestrian safety as they provide pedestrians with a safe place to stand if they cannot complete the entire crossing at once.

Mandatory Development Requirement S30 of the TDDP recommends that four bicycle racks be provided for every 10,000 gross square feet of retail development with each rack holding a minimum of two bicycles. While only 1,600 square feet of retail is being proposed, the TDDP does encourage the provision of bicycle racks in all new construction or major renovations, including office, retail, and house development (TDDP, page 81). Site design guideline G49 recommends that "in subareas with structured parking garages, a separate bicycle parking area shall be provided". Although no specific guidelines are included for the amount of bicycle parking for residential development, staff recommends the provision of bicycle rack(s) accommodating a minimum of 20 bicycles within the structured parking. The location(s) of these racks should be indicated on the approved DSP. The Washington Area Bicycle Association recommends "Inverted-U" bicycle racks as they provide maximum security for bicycles by allowing the frame (and not just a tire) to be secured to the rack, and they also keep the bicycles in an upright position, unlike most racks in which rows of bicycles can fall over. Many cyclists with expensive bicycles are hesitant to use racks where the entire frame cannot be secured.

Mandatory Development Requirement P20 requires that developers provide continuous sidewalks along all frontages of their property on public rights-of-way in the transit district. The sidewalk network shown on the detailed site plan is comprehensive and appears to accommodate all logical connections. The sidewalks will provide pedestrian access within the site and to the nearby Metro. Staff recommends one additional sidewalk connection from the wide sidewalk on East West Highway to the walkways in Courtyard 4 between Building 3 and Building 7.

The TDDP also recommends designated bike lanes along Toledo Terrace Road. If required by DPW&T, appropriate pavement markings and signage are recommended to designate these bike lanes along the subject property's frontage of Toledo Terrace Road. Otherwise, these bike lanes may have to be designated during a DPW&T resurfacing or restriping project.

An objective the TDDP is that roadways be designed or constructed (or renovated) to accommodate bicyclists. One method of accomplishing this is with widened curb lanes, as noted on page 80 of the TDDP. SHA is recommending the provision of space in MD 410 to accommodate cyclists, which is consistent with this objective.

In conformance with the Adopted and Approved Prince George's Plaza Transit District Development Plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:

- a. In conformance with Mandatory Development Requirement P1, provide an eight-foot wide sidewalk along the subject property's entire road frontage of East-West Highway (MD 410).
- b. In conformance with Mandatory Development Requirement P1, provide an eight-foot wide sidewalk along the subject property's entire road frontage of Toledo Terrace Road.
- c. In keeping with Site Design Guideline G49, bicycle racks accommodating a minimum of 20 bicycles shall be provided within the structured parking.
- d. Provide a sidewalk connection from the wide sidewalk along East West Highway to the walkways in Courtyard 4.
- e. All sidewalk facilities should be designed to be ADA compatible, with ramps and curb cuts at all roads and parking lots.

Comment: The first two conditions above are shown on the site plan, therefore a condition to require the eight foot sidewalks is not necessary. The third condition above will be added to the recommendation Section. The fourth condition will not be added because a connection is inappropriate into the private recreational area of the residents. The fifth condition will also be added to the recommendation section of the report.

32. **The Historic Preservation Section**—A Phase I archeological survey is not recommended by the Planning Department on the above-referenced property. Section 106 review may require archeological survey for state or federal agencies, however.
33. **The Department of Environmental Resources** stated that the site plan is consistent with approved Stormwater Concept 461-2002-03.

34. **The Environmental Planning Section** has reviewed the revised detailed site plan and Type II tree conservation plan, DSP-03036 and TCPII/179/03-01, stamped as received by the Environmental Planning Section on June 12, 2006, a Phase II noise study which was stamped as received on May 12, 2006, and additional information that was received June 28, 2006. This case was remanded by the District Council to the Planning Board, with companion case Conceptual Site Plan CSP-05005 to allow amendment of the detailed site plan to show a revised design and a change of proposed uses on the subject property. The Environmental Planning Section recommends approval of the revised Detailed Site Plan, DSP-03036, and the Type II Tree Conservation Plan, TCPII/179/03-01. The Environmental Planning Section previously reviewed this site in 2003 for approval of a Preliminary Plan of Subdivision, 4-03033 (PGCPB Resolution No. 03-195), Detailed Site Plan DSP-03036 (PGCPB Resolution No. 04-08), and Conceptual Site Plan CSP-05005. CSP-05005 is a companion case to the current DSP. On May 22, 2006, the District Council affirmed the decision of the Planning Board decision on CSP-05005, and approved the rezoning of the subject property from the C-S-C/TDP Zone to the M-X-T/TDO Zone, with modifications to the Prince George's Plaza transit district development plan. The current detailed site plan was then remanded by the District Council to allow a different configuration of buildings and uses than the previous approval. The subject property is located in the Prince Georges Plaza Transit District Overlay Zone. The current application is for 396 multifamily residential units and 1,600 square feet of retail/commercial use.

This 6.81-acre property in the M-X-TC Zone is located in the northwest quadrant of the East West Highway intersection with Toledo Terrace. Approximately 85 percent of this site has existing forest cover. Streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. East West Highway has been identified as a transportation-related noise generator. The soil found to occur according to the Prince George's County Soil Survey is Sunnyside urban land complex, which has no significant limitations with respect to the development of this property. According to available information, Marlboro clay is not found to occur on this property. According to GIS information obtained from the Maryland Department of Natural Resources, Natural Heritage Program there are no rare, threatened, or endangered species found to occur in the vicinity. There are no designated scenic and historic roads in the vicinity. This property is located in the Northwest Branch watershed of the Anacostia River Basin and in the Developed Tier as reflected in the adopted General Plan.

- a. A detailed forest stand delineation (FSD), stamped as received November 1, 2005, was found to be in compliance with the requirements of the Woodland Conservation Ordinance during the review of the TCPI, except for a minor discrepancy with regard to the amount of existing woodland on-site. The FSD states that the existing woodland on-site is 6.05 acres. The TCPI states it is 6.09 acres.

Recommended Condition: Prior to certificate approval of the DSP, the FSD, TCPI and/or TCPII shall be revised to show a consistent quantity of existing woodlands on all plans.

- b. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved tree conservation plan

(TCPI/40/2003 and TCPII/139/03) for the site. A revised Type II tree conservation plan (TCPII/179/03-01), stamped as received on June 12, 2006, requires revisions to be in conformance with the requirements of the Woodland Conservation Ordinance and of the TDOZ.

Recommended Condition: Prior to certificate approval of the detailed site plan, the Type II tree conservation plan shall be revised as follows:

- i. Clearly label the proposed retaining walls with top-of-wall and bottom-of-wall elevations and revise the limits of disturbance to provide sufficient space for a construction zone on both sides of the wall (a minimum of 15 feet on each side);
  - ii. Remove the general note that states: "Consideration may be given for off-site grading on M-NCPPC parkland adjacent areas during time of Planning Board Resolution on TCPII";
  - iii. Remove the general note that refers to reforestation on properties to the north as clearing is no longer shown on the plan;
  - iv. Clarify the amount of existing woodland to either be 6.05 acres as stated on the FSD or 6.09 acres as stated on the TCPI;
  - v. Revise the woodland conservation worksheet to reflect all required revisions to the plan;
  - vi. Have the revised plan signed and dated by the qualified professional who prepared the plan.
- c. A stormwater management concept approval letter (CSD 461-2002-03), dated October 2, 2005, and the associated plans were submitted with the review application. The requirements for the stormwater management will be met through technical review by the Department of Environmental Resources. No further action is required at this time with regard to the stormwater management.
- d. The site contains a regulated stream that is proposed to be removed in order to construct the proposed development. Usually, the Planning Board does not approve impacts to streams that are not necessary for the construction of a development. In this case, the site is virtually undevelopable unless the stream is removed. In order to mitigate the impacts associated with the development, the applicant has proffered to restore the downstream portions of the stream and stabilize it to ensure that the stormwater runoff from the upstream site and the runoff from the proposed development do not continue to degrade the downstream system. Conceptual plans have been discussed in meetings with staff from the Department of Parks and Recreation and the Planning Department; however, final plans have not been submitted to date. It should be noted that the stream restoration

is a direct result of the on-site impacts and is considered a requirement of the proposed development.

The timing of the stream restoration work is critical because it must be staged with the on-site development due to the steep grades and lack of direct access to the park property. The conditions recommended below are intended to address these concerns.

Recommended Condition: Prior to the issuance of the grading permit for the subject property, a copy of the Soil Conservation District approval erosion and sediment control plan shall be submitted that provides a sequence of construction that includes the installation of the stream restoration work prior to the construction of buildings 7 and 8.

Recommended Condition: Prior to the issuance of the building permits for buildings 7 and 8, the stream restoration work on the property owned by the Department of Parks and Recreation shall be completed by the applicant.

35. The application was sent to the Town of University Park; however, as of the writing of this report, no comments have been received by this office

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/179/03-01) and APPROVED Detailed Site Plan DSP-03036 and further APPROVED the amendments to P3, P4, P6, and S22 for Post Park, subject to the following conditions:

1. Upon issuance of the building permit for each residential unit, the applicant shall pay a public safety surcharge of \$2,000.00 per unit.
2. Prior to the issuance of building permits, the applicant shall obtain approval from MD SHA and the Prince George's County DPW&T and agree to fully fund the cost of providing the necessary geometric and signal modifications for the intersection of MD 410 and Toledo Terrace and provision of adequate left-turn storage along MD410 eastbound and Toledo Terrace northbound.
3. Prior to certification of the detailed site plan, the applicant shall provide proof of payment of \$400 per surface parking space, as required by the Prince George's Plaza TDDP. This fee is expressed in 1998 dollars and shall be adjusted for inflation at the time of payment. The required fee shall be paid to Prince George's County Department of Public Works and Transportation and shall be applied toward the construction of the required transportation improvements listed in Table 4 of the Prince George's Plaza TDDP.
4. Prior to issuance of any permits, a detailed plan delineating the design of the rain barrel system and its integration into the automated irrigation system shall be provided.

5. Prior to signature approval, a copy of the approved floodplain study shall be submitted and the area of the floodplain shall be verified with the density calculations shown on the plan.
6. Prior to the issuance of any permits that impact jurisdictional 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 the associated mitigation plans.
7. Prior to certificate approval of the detailed site plan, the detailed site plan and Type II tree conservation plan shall be revised to show the location of the mitigated 65 dBA Ldn first floor noise contour on the plans.
8. Prior to certification of the detailed site plan, the plans shall be revised to include the recommendations of the "Building Shell Analysis for 3301 Toledo Terrace" with regard to the location of required noise mitigation measures in order to meet interior noise requirements. Specifically, the location of STC 34 and STC 30 windows and doors on Buildings 1, 3, and 7 shall be identified.
9. Prior to the approval of building permits for Buildings 1, 3 and 7, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells have been designed to reduce interior noise levels to 45dBA (Ldn) or less.
10. Prior to issuance of the grading permit for the subject property, the final stream restoration plan for Subarea 10B shall be approved by the Department of Parks and Recreation and the TCPII for the subject property shall be revised to include the off-site clearing and grading as off-site impacts. The revised TCPII may be approved by the Planning Director or designee.
11. Prior to the issuance of any permit, evidence that the required off-site mitigation for required woodland conservation shall be submitted to the Environmental Planning Section and the TCP II shall be revised to state the location and the associated TCP II number. Market conditions permitting, the off-site mitigation area(s) shall be located in the Anacostia River watershed. The use of mitigation area(s) not in the Anacostia River Watershed will be reviewed for approval by the Environmental Planning Section.
12. Prior to certificate approval of the DSP, the FSD, TCPI and/or TCPII shall be revised to show a consistent quantity of existing woodlands on all plans.
13. Prior to certificate approval of the detailed site plan, the Type II Tree Conservation Plan shall be revised as follows:
  - a. Clearly label the proposed retaining walls with top-of-wall and bottom-of-wall elevations and revise the limits of disturbance to provide sufficient space for a construction zone on both sides of the wall (a minimum of 15 feet on each side);

- b. Remove the general notes that states: "Consideration may be given for off-site grading on M-NCPPC parkland adjacent areas during time of Planning Board Resolution on TCPII";
  - c. Remove the general note that refers to reforestation on properties to the north as clearing is no longer shown on the plan;
  - d. Clarify the amount of existing woodland to either be 6.05 acres as stated on the FSD or 6.09 acres as stated on the TCPI;
  - e. Revise the woodland conservation worksheet to reflect all required revisions to the plan;
  - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
14. Prior to the issuance of the grading permit for the subject property, a copy of the Soil Conservation District approved erosion and sediment control plan shall be submitted that provides a sequence of construction that includes the installation of the stream restoration work prior to the construction of buildings 7 and 8.
15. Prior to the issuance of the building permits for buildings 7 and 8, the stream restoration work on the property owned by the Department of Parks and Recreation shall be completed by the applicant.
16. Prior to signature approval of the plans the following revision shall be made:
- a. The plans shall be redesigned to incorporate additional hardscape to justify the size as 12,000 square feet.
  - b. The proposed estate fencing shall be shown on the plans and the details and specifications shall also be shown.
  - c. The seating of the plaza area shall be increased to be in conformance with G28.
  - d. The landscape plan shall be revised to show the screening of the loading space adjacent to Toledo Terrace.
  - e. The landscape plan shall be revised to substitute shade trees where ornamental trees have been shown.
17. Prior to the approval of permits for construction of the plaza, an irrigation plan shall be submitted with the permit package.

18. Prior to issuance of the first building permit, the applicant shall make a payment of \$136,550 to the M-NCPPC Department of Parks and Recreation for the renovation of the Prince George's Plaza Community Center or development of the University Hills Community Park.
19. Prior to grading permit, the applicant shall provide to DPR, for review and approval, the final stream restoration plans on adjacent park property.
20. The applicant shall enter into a right-of-entry agreement with the Department of Parks and Recreation for the stream restoration on park property. This agreement shall include a provision of a five-year monitoring period on the stream restoration work.
21. A performance bond shall be required prior to the issuance of grading permit.
22. Prior to signature approval of the architectural elevations and floor plans, the following revisions shall be made:
  - a. The kitchenette in the community room shall include a bar with double sink, dishwasher, garbage disposal and large-size built-in microwave.
  - b. An elevator shall be provided in the clubhouse to service the floors above.
  - c. The sales office should be revised to include a front desk and 24-hour answering service for the building.
  - d. At a minimum, Buildings Two and Nine shall have enclosed conditioned corridors.
  - e. The business area shall be revised to add fax/modem(s), printer(s), and copy machine(s).
  - f. The plans shall indicate crown molding in the living rooms for all units.
  - g. The flooring of the open corridor design shall be stained and sealed concrete with accent patterns and colors at the corridor intersections, the elevator access points and in breezeway sitting areas.
  - h. The breezeway sitting areas shall provide for permanent, high-quality bench design.
  - i. The ceilings of the open corridor design shall be smooth drywall with recessed lighting, fans, and dropped accent panels.
  - j. The walls of the open corridor design shall be textured painted drywall with chair rail and baseboard or wainscot.
  - k. The plans shall be revised to eliminate the two bedroom with den units unless they are located within a condominium area of the site.

- l. The plan shall be revised as needed to clearly indicate the units with cathedral-type ceilings.
  - m. The exterior vinyl siding shown on building nine shall be substituted with the fiber cement siding in its entirety.
23. In keeping with Site Design Guideline G49, bicycle racks accommodating a minimum of 20 bicycles shall be provided within the structured parking.
24. All sidewalk facilities should be designed to be ADA compatible, with ramps and curb cuts at all roads and parking lots.
25. Provide a double bus shelter, designed in a style compatible with the Post Park development, at or near the current bus stop location on East West Highway, unless required to be relocated by SHA and/or WMATA. The bus shelter should not have advertising. This shall be done in collaboration with the SHA and WMATA.
26. Design the signage above the retail space and at the intersection of East West Highway and Toledo Road to be artistically and structurally compatible with the high quality and urban style of the development.
27. Prior to signature approval of the plan, the applicant shall revise the plans to show the location of significant arts amenities on the site and in particular in the plaza area near the corner of East West Highway and Toledo Terrace. The design of the arts amenities, which may include but not be limited to such items as a water feature and sculpture, shall be approved by the Urban Design Staff prior to the issuance of building permits.
28. Prior to signature approval of the detailed site plan, the applicant must obtain approval of the conceptual site plan.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, July 27, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of September 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SL:bjjs