

R E S O L U T I O N

WHEREAS, Plaza Towers LLC et al is the owner of a 33.94-acre parcel of land known as Parcel A, Tax Map 42, Grid A-1, said property being in the Second Election District of Prince George's County, Maryland, and being zoned Multifamily High Density Residential (R-10), One-Family Triple-Attached Residential (R-20), and Transit District Overlay(T-D-O); and

WHEREAS, on December 6, 2017, Marvin R. Blumberg Company filed an application for approval of a Preliminary Plan of Subdivision for 331 lots and 38 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-17007 for Landy Property, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 29, 2018, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on March 29, 2018, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-010-2017, and APPROVED Preliminary Plan of Subdivision 4-17007 for 331 lots and 38 parcels, including a Variation from Section 24-122(a) for the width of public utility easements, with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the applicant shall revise the PPS to:
 - a. Show public utility easements a minimum of five feet wide along the northernmost street in the development that runs east to west, bisecting the property (spine road).
 - b. Show the limits of the proposed floodplain.
2. Total development within the subject property shall be limited to uses which generate no more than 325 AM and 402 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new determination of adequacy of transportation facilities.

3. With the exception of Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. With the exception of Parcel 1, at the time of detailed site plan, the type and siting of the facilities shall be determined, including appropriate triggers for construction.
4. With the exception of Parcel 1, prior to submission of final plats, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed recreational facilities agreements (RFAs) to the Development Review Division (DRD) for their approval. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
5. Prior to signature approval of the preliminary plan of subdivision, in conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, the plans shall be revised to include the following:
 - a. An eight-foot-wide sidewalk and seven-foot-wide landscape strip along the subject site's entire frontage of Northwest Drive, unless modified by DPIE.
 - b. An eight-foot-wide sidewalk and seven-foot-wide landscape strip along the subject site's entire frontage of Dean Drive, unless modified by DPIE.
 - c. An eight-foot-wide shared-use sidepath (or wide sidewalk) along the subject site's entire frontage of Belcrest Road, unless modified by DPIE.
 - d. A ten-foot-wide multi-use path along the north side of the subject site's main internal road from Belcrest Road to Dean Drive.
6. With the exception of Parcel 1, prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Provide space for a bike share docking station (the vendor of the bike share must be approved by the Prince George's County Department of Public Works and Transportation (DPW&T)) on the subject site to enable this form of transportation to be used by the future residents of the subject site. The conceptual location of the station should be indicated on the preliminary plan of subdivision and the final location of this docking station will be selected by the County and the applicant, based upon the requirements of the bike sharing system, and in a highly-visible, convenient, and well-lit location that is

publicly accessible. The location requires at least four hours of solar exposure per day, year-round. In the event an appropriate location cannot be located on-site that meets bike share siting criteria, DPW&T will select another off-site location for the station based upon the requirements of the bike sharing system in the County, as close as possible to the subject site. The applicant shall allow DPW&T or its contractors/vendors access to the site to install, service, and maintain the bike share stations.

- b. The alignment and specifications of a trail or sidewalk connection from the subject site to Northwestern High School will be determined at the time of detailed site plan, if acceptable to both the applicant and the school.
7. With the exception of Parcel 1, at the time of detailed site plan (DSP), the applicant shall provide an exhibit that illustrates the location, limits, and details of a trail/sidewalk connection to Northwestern High School. This exhibit shall show the location of the sidewalk or trail connection, include any associated Americans with Disabilities Act (ADA) improvements or pedestrian amenities, and provide appropriate details and specification for the improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations. If it is determined, at the time of DSP, that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section 24-124.01(d), be within one-half mile walking or biking distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section 24-124.01(c). The Planning Board shall find that the substitute off-site improvements are consistent with the bicycle and pedestrian impact statement adequacy finding made at the time of preliminary plan of subdivision.
8. With the exception of Parcel 1, prior to approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall submit Phase II and Phase III archeological investigations as determined by the Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department staff, as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow The Standards and Guidelines for Archeological Investigations in Maryland and must be presented in a report following the same guidelines. The plan shall provide for:
 - a. Evaluating the resource at the Phase II level, or
 - b. Avoiding and preserving the resource in place.
9. Depending upon the significance of the archeological investigation findings (at Phase I, II, or III level), the applicant shall provide an interpretive sign for the property. The location and wording shall be subject to approval by the staff archeologist of the Historic Preservation Section prior to issuance of any building permits.

10. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated at the Maryland Archaeological Conservation Lab prior to any ground disturbance or the approval of any grading permits.
11. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Remove the 0.01-acre Preservation Area 'C' from woodland preservation. Preservation areas cannot be located over utility easements. Correct all related calculations/tabulations associated with this correction.
 - b. Identify the sanitary sewer easement on the plan, showing the recordation information, Liber 2545/folio 254.
 - c. Provide a legend on the plan.
 - d. Revise General Note 7 to replace "Developed Tier" with "Environmental Strategy Area 1."
 - e. Complete the fields in General Note 12, if applicable. If not, the note may be removed.
 - f. After the revisions are made, have the revised TCP1 signed and dated by the qualified professional who prepared it.
 - g. Show the proposed 100-year floodplain and provide a symbol in the legend that is distinct from the existing floodplain.
 - h. Identify and show all "woodland retained-not credited" and woodlands preservation within the proposed 100-year floodplain. Provide a symbol in the legend for each.
12. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-010-2017. The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-008-17), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

13. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”
14. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts or existing easements that are to remain, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
15. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
16. Prior to signature approval of the preliminary plan of subdivision (PPS) and the Type 1 tree conservation plan (TCP1), the stormwater management concept plan shall be revised, as necessary, to reflect stormwater management controls based on the proposed lotting pattern of the PPS and TCP1. No micro-bioretenion areas are permitted within proposed townhouse lots or within paving associated with proposed public alleys, streets, or sidewalks.
17. With the exception of Parcel 1, prior to approval of the detailed site plan (DSP), a revised stormwater concept plan and letter, based on the approved layout, shall be submitted and correctly reflected on the Type 2 tree conservation plan and the DSP.
18. A substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to approval of any building permits.
19. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 31834-2017 and any subsequent revisions.

20. With the exception of Parcel 1, prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Subdivision Review Section to ensure that the rights of The Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat prior to recordation.
 - b. Grant public utility easements along the public rights-of-way, as delineated on the approved preliminary plan of subdivision or as modified by the public utility companies at the time of detailed site plan.
 - c. Dedicate public rights-of-way as delineated on the approved preliminary plan of subdivision.

21. With the exception of Parcel 1, prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land as identified on the approved preliminary plan of subdivision and detailed site plan (DSP). Land to be conveyed shall be subject to the following:
 - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division, Upper Marlboro.
 - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to an HOA shall be in accordance with an approved DSP. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, in accordance with the approved DSP.
 - f. The Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.

22. With the exception of Parcel 1, prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities. The recreational facilities to be required shall be determined with the review of the detailed site plan.
23. No lots for the development of buildings shall be platted within 25 feet of the 100-year floodplain.
24. With the exception of Parcel 1, prior to approval of the detailed site plan (DSP), the applicant shall provide a color-coded utility plan that has been approved by the affected utility companies. The approved location of the public utility easements shall be shown on the DSP.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located at the northwest corner of the intersection of Belcrest Road and Toledo Terrace. The subject site is currently improved with a multifamily development and existing surface parking in the southeastern portion of the property, which is to remain. This preliminary plan of subdivision (PPS) includes Parcel A, Plaza Towers (33.94 acres), recorded in Plat Book WWW 44–63. The site is located in the Multifamily High Density Residential (R-10), One-Family Triple-Attached Residential (R-20), and Transit District Overlay (T-D-O) Zones and is subject to the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment (TDDP)*. The PPS is for 331 lots and 38 parcels for the construction of new single-family attached dwellings adjacent to the existing multifamily development, which is to remain.

Parcel A is currently developed with a multifamily building and associated recreation facilities. The PPS is for the creation of two separate development pods. The first development pod contains Parcel 1 with the existing multifamily building and associated recreation facilities. The second development pod is the townhouse development and has 331 lots and 37 parcels.

At the time of submittal of the PPS, the applicant requested a variation from Section 24-128(b)(12) for nonstandard public utility easements (PUEs) along private roads internal to the site. During the review of the PPS, and at the request of the City of Hyattsville, the proposal for the streets and alleys internal to the development was modified and they are now to be made public at the request of the City of Hyattsville. This change led to the applicant submitting an amendment for the variation request to cite Section 24-122(a) of the Subdivision Regulations for nonstandard PUEs along public roads. The subject application includes approval of a variation for nonstandard PUEs along public roads.

3. **Setting**—The property is located on Tax Map 42, Grid A-1, in Planning Area 68. The site is zoned R-10 (6.68 acres) and R-20 (27.26 acres), all within the T-D-O Zone. The neighboring property to the north is zoned One-Family Detached Residential (R-55) in a Development District Overlay (D-D-O) Zone, and is developed with Northwestern High School. The subject property is bounded by Belcrest Road to the east, Toledo Terrace to the south, Northwest Drive to the southwest, and Dean Drive to the west. Properties beyond those streets to the east, south, and southwest are zoned Mixed Use-Infill (M-U-I) in a T-D-O Zone, and are developed with surface parking beyond Belcrest Road, with multifamily dwellings beyond Toledo Terrace and vacant property beyond Northwest Drive. The property to the west is zoned R-20 in a T-D-O Zone and is developed with multifamily dwellings.

4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	R-10/T-D-O (6.68 acres) R-20/T-D-O (27.26 acres)	R-10/T-D-O (6.68 acres) R-20/T-D-O (27.26 acres)
Use(s)	Multifamily Residential/ Vacant	Multifamily Residential Single-Family Attached (Townhouse)
Acreage	33.94	33.94
Lots	0	331
Outparcels	0	0
Parcels	1	38
Dwelling Units:	R-10/ T-D-O (288 units) R-20/ T-D-O (0 units)	R-10/ T-D-O (288 multifamily units to remain) R-20/ T-D-O (331 townhouse units)
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	Yes
		Section 24-122(a)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on December 29, 2017. The variation from Section 24-128(b)(12) of the Subdivision Regulations was accepted on December 6, 2017 and heard at the SDRC meeting on December 29, 2017, as required by Section 24-113(b) of the Subdivision Regulations. Revisions to the site plan changed what was previously shown as private streets to public streets. This modification necessitated an addendum that was submitted on March 8, 2018, clarifying that the variation requested was from Section 24-122(a) of the Subdivision Regulations.

5. **Parcel 1**—The property which is the subject of this PPS is known as Parcel A (WWW 44–63) recorded in land records in 1962 containing 33.94 acres. Parcel A is currently developed with a multifamily building and associated recreation facilities as a part of the Plaza Towers multifamily development. As stated, the PPS subdivides Parcel A (WWW 44–63) into two separate development pods; one for the development of townhouses and one (proposed Parcel 1) for the existing multifamily building and associated improvements.

Parcel 1 is 9.34 acres and is located in the northwest quadrant of the intersection of Toledo Terrace and Belcrest Road and is within the T-D-O Zone in the R-10 (6.68 acres) and R-20 (2.66 acres) Zones. Parcel 1 is for the existing multifamily building and associated recreational facilities that are to remain. The multifamily building is a part of the Plaza Towers development, which was constructed in the 1960s. The existing development on Parcel 1 will not share infrastructure including access, parking, or recreational facilities with the townhouse portion of the development.

The applicant filed an analysis dated March 8, 2018 (Reed to Turnquest) regarding the parceling for the existing multifamily building. Based on the information provided, the multifamily building was legally constructed pursuant to a building permit issued in 1963 and is permitted, and is not nonconforming based on the TDDP. The analysis found that the lot will conform to the density, parking, and other development standards of the underlying zone. As configured on the PPS with the existing development, Parcel 1 can proceed to final plat without detailed site plan (DSP) approval because no new development is proposed and a DSP at this time is not required pursuant to the TDDP. Future development or improvements on Parcel 1 are subject to review under the TDDP, which could include the requirement for a DSP, as determined at the time of review.

6. **Previous Approvals**—On June 20, 1962, the Planning Board approved a final plat of subdivision for Plaza Towers, Parcel A, recorded in Plat Book 44–63, not subject to any conditions. The existing apartment building to remain was constructed in the 1960s.

Detailed Site Plan DSP-99048 was for the construction of 1,283 multifamily dwelling units, that was approved by the Planning Board on July 26, 2001, with 14 conditions, in accordance with PGCPB Resolution No. 01-164. On September 24, 2001, the District Council elected to review DSP-99048 for Landy Property and, on November 5, 2001, the District Council ordered DSP-99048 for the Landy Property remanded to the Planning Board. On December 20, 2001, the Planning Board conducted an evidentiary hearing regarding DSP-99048 for Landy Property in accordance with the Order of Remand issued by the District Council, and reapproved the application with 33 conditions.

A revision to DSP-99048/01 for Landy Property, for construction of 406 multifamily dwelling units, was approved by the District Council on October 26, 2010. A corrected order affirming the Planning Board's decision was issued on February 28, 2011. An additional revision, DSP-99048/02, was approved on August 22, 2013 by the Planning Director for minor amendments to architecture, landscaping, parking, and engineering. Since the subject PPS is a different development program than those previously approved, the conditions attached to the prior

DSP approvals are not relevant to this PPS for either the townhouse development or the existing multifamily development on the property.

7. **Community Planning**—The development is consistent with the *Plan Prince George's 2035 Approved General Plan* (General Plan), which designates this site in the Prince George's Plaza Metro Regional Transit District. Plan Prince George's 2035 designates eight regional transit districts with extensive transit and transportation infrastructure and the long-term capacity to become mixed-use, economic generators for the County. These transit districts are “high density, vibrant, and transit-rich mixed-use areas, envisioned to capture the majority of future residential and employment growth in the County” (page 106) (General Plan Growth Policy Map). “These medium- to-high-density areas are envisioned to feature high-quality urban design, incorporate a mix of complementary uses and public spaces, provide a range of transportation options, such as Metro, bus, light rail, bike and car share, and promote walkability. They will provide a range of housing options to appeal to different income levels, household types, and existing and future residents” (page 19).

The 2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment

The Prince George's Plaza TDDP reclassified the undeveloped portion of the subject property into the R-20 Zone and superimposed a T-D-O Zone. The approved land use map recommends residential high-land uses on the subject property. The development conforms to the land use recommendations of the General Plan and the Prince George's Plaza TDDP.

8. **Stormwater Management**—A Stormwater Management Concept Plan, 31834-2017, has been submitted to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for review; however, an approved plan and letter have not been received. The SWM concept plan submitted with this application shows the use of numerous micro-bioretenion areas and a retention pond. It is noted that the lotting pattern on the approved stormwater management plan differs slightly from that of the preliminary plan of subdivision, as well as the Type 1 tree conservation plan (TCP1). Specifically, micro-bioretenion areas MBR-3, MBR-5, MBR-6, MBR-7, MBR-8, MBR-9, MBR-10, MBR-12, MBR-13, MBR-15, MBR-17, and MBR-18 appear to be situated on top of proposed townhouse lots, or in conflict with paving associated with sidewalks, streets, or public alleys. All micro-bioretenion areas shall be relocated outside of all townhouse lots and removed from all paving areas associated with sidewalks, streets, and public alleys. A large area of grading associated with a depression that is characteristic of a large pond is also shown on the TCP1 across several proposed townhouse lots and two public alleys on the western corner of the site. This area is located next to the intersection of Northwest Drive with Dean Drive. The grading is inconsistent with the stormwater concept plan and PPS. This discrepancy shall be corrected on the stormwater management concept plan and TCP1 to ensure that the development will not result in on-site or downstream flooding.

9. **Use Conversion**—The total development included in this PPS is 331 single-family attached dwelling units in the R-20 and T-D-O Zones and an existing multifamily development in the R-10, R-20, and T-D-O Zones. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval, that revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits.
10. **Public Utility Easement**—Section 24-122(a) of the Subdivision Regulations requires that, when utility easements are required by a public company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on existing public rights-of-way; Belcrest Road to the east, Toledo Terrace to the south, Northwest Drive to the southwest, and Dean Drive to the west. The required PUEs have been provided along the frontage of the site abutting the existing public rights-of-way. Public streets and alleys are to serve the development within the site, and the applicant has requested approval of a variation from Section 24-122(a) of the Subdivision Regulations to provide an alternate width for PUEs along the public streets, as discussed further.

11. **Variation**—Section 24-122(a) requires the following:

Section 24-122. - Public facilities requirements.

- (a) **When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.**

The subject PPS has some PUEs, all internal to the development, five feet wide, rather than the required 10 feet, which is required above. The applicant has requested a variation from this requirement, and it was approved based on the findings below. Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of a variation request:

Section 24-113. - Variations.

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the**

effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The development will have PUEs, except they will not all be 10 feet wide. Along the site's frontage on Belcrest Road, Toledo Terrace, Northwest Drive, and Dean Drive, 10-foot-wide PUEs were approved. Internal to the site, where new public rights-of-way are planned, five-foot-wide and 10-foot-wide PUEs are proposed. The utilities will be underground and closely coordinated among various approving agencies and public utility companies; therefore, the public safety, health, or welfare will not be detrimentally affected by the granting of this variation.

- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

Along the site's existing public street frontage, 10-foot-wide PUEs are proposed. Internal to the site, a combination of five- and 10-foot-wide PUEs are proposed. These internal PUEs are an adequate width to supply utilities to the proposed lots. The property is located in an urban area with many multifamily apartment buildings located nearby. In order to maintain a high-density buildout and to satisfy the living demand in the area, the townhouse lot design incorporated smaller-width PUEs. This tactic maximizes density on-site to match demand, while not hindering utility connections to the proposed lots. These conditions create an environment that is unique to the property and generally not applicable to other properties. Thus, the engineering solutions to the placement of development infrastructure and associated easement must also be unique.

- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

The variation to Section 24-122(a) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. This PPS and variation request for the width of PUEs was referred to the Potomac Power and Electric Company (PEPCO), the Washington Suburban Sanitary Commission (WSSC), Washington Gas, and Comcast. A response from PEPCO, Washington Gas, and Comcast was not received. The response from WSSC did not comment on the variation request. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The site is surrounded by existing roads; Belcrest Road, Toledo Terrace, Northwest Drive, and Dean Drive, and development on all sides. Along the site's frontage on these existing roads, there will be 10-foot-wide PUEs. Internal to the site, new public rights-of-way will have a combination of five- and 10-foot-wide PUEs. If 10-foot-wide PUEs were proposed throughout the site, lot density would decrease, thus deeming the site undevelopable by the applicant. If the strict letter of these regulations is carried out, it would again impose another limitation to this development and hardship to the applicant by reducing the development density envisioned by the General Plan and TDDP.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is zoned R-10 and R-20 and no multifamily dwellings are proposed; therefore, this provision does not apply.

The Planning Board finds that the site is unique to the surrounding properties, that the variation request is supported by the required findings, and that approval of the applicant's request will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to guide development according to the General Plan, the TDDP, and their amendments.

Therefore, the Planning Board approves the variation from Section 24-122(a) of the Subdivision Regulations for the width of PUEs.

12. **Parks and Recreation**—The PPS has been reviewed for conformance with the requirements of the Prince George's Plaza TDDP, the Land Preservation and Recreation Program for Prince George's County, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the Subdivision Regulations, as they pertain to public parks and recreational facilities and are applicable to the review of a PPS.

The subject property is comprised of 6.68 acres of R-10-zoned land and 2.66 acres of R-20-zoned land improved with a multifamily building, recreational facilities, and associated parking, and 24.6 acres of R-20-zoned land that is vacant, for a total of 33.94 acres. The purpose of this PPS

application is to establish a 331-unit residential townhouse development on the vacant R-20-zoned portion of the property.

As a multifamily residential building has already been developed on the 9.34-acre R-10 and R-20-zoned parcel, it is exempt from the mandatory dedication of parkland requirement per Section 24-134(a)(3)(C) of the Subdivision Regulations. Therefore, the total requirement for this property, 15 percent of the remaining 24.6 acres of R-20-zoned parcels and lots, results in 3.69 acres of required mandatory dedication parkland pursuant to Section 24-134(a)(3)(D).

A DSP for this property, DSP-99048 (PGCPB Resolution No. 01-164), was approved on December 20, 2001. The following conditions in **bold** are applicable to the subject application and the plain text provides findings on the PPS conformance.

- 1. The Developer shall donate 4 acres of off-site land to the Commission for use as public parkland. The donated land shall be located on the northwest section of Parcel 102 (Tax Map 32, Grid F-4) as shown on attached Exhibit B and known as the Clay Property. The parkland will be an addition to the University Hills Community Park. The balance of the Clay Property shall be exempt from mandatory dedication requirements when the property is subdivided.**
- 2. The Developer shall dedicate 0.8027 acre adjacent to the Prince George's Plaza Community Center, known as P/O of Parcel 67 on Tax Map 42, Grid A-1, as shown on attached Exhibit A.**

The applicant donated four acres of off-site public parkland known as the Clay Property (Parcel 185, Tax Map 32, Grid F-4), per Condition 1. An additional 0.8027 acre was dedicated by the applicant, adjacent to and north of the Prince George's Plaza Community Center (Parcel 203, Tax Map 42, Grid A-1). Part of the total 4.8027 acres previously dedicated, 1.2653 acres, was credited as meeting the mandatory parkland dedication requirement for the Clay property. The remaining 3.5374 acres is used to meet the mandatory parkland dedication requirement for the PPS. Therefore, the applicant has met a portion of the mandatory dedication of parkland per Section 24-134(a)(3)(D) due to credit for previous dedication. The Landy Property has met 95.8 percent of the required dedication through the previous donation, and 4.2 percent is outstanding. The applicant will have private recreational facilities within the development for the remainder of the requirement.

The Prince George's Plaza TDDP shows a floating community park on this property, as well as a greenway/linear park with a hard-surface multi-use trail through the property from Dean Drive to Belcrest Road. The applicant proposes a 20,000-square-foot open play area, a natural woodland preservation area, a preschool age playground (tot lot), and three sitting areas within the development. In addition, but excluded from the remaining mandatory dedication of parkland requirement calculations, the applicant is proposing a paved eight-foot master plan trail along the main spine road through the community, which is discussed further in the Trails finding.

The Planning Board has determined that the private recreational facilities proposed within the residential development, as well as the mandatory dedication parkland previously dedicated by the applicant, meets the mandatory dedication of parkland requirement. The Planning Board approves the provisions of the previously dedicated parkland exemption (3.5374 acres) and private on-site recreational facilities in order to meet the requirements of Section 24-134 of the Subdivision Regulations. The private on-site recreational facilities required shall be calculated at 4.2 percent of the value of private on-site recreational facilities for the total number of dwelling units proposed.

13. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the TDDP in order to implement planned trails, bikeways, and pedestrian improvements. Toledo Terrace, which is south of the site, is designated as a shared roadway.

Master Plan Compliance

The TDDP and MPOT identify four master plan trail/bikeway issues that impact the subject site:

- Bikeway signage along Dean Drive
- Bikeway signage along Northwest Drive
- A shared-use sidepath along Belcrest Road
- A hard-surface trail through the site from Belcrest Road to Dean Drive.

Bicycle signage is recommended along both Northwest Drive and Dean Drive. Consistent with the TDDP, it is recommended that the streetscape along Belcrest Road be improved with a shared-use path. The internal master plan trail is shown on the submitted plans as a shared-use path along the north side of the main internal road.

Currently, there are no sidewalks along the site's frontages of either Northwest Drive or Dean Drive. The TDDP includes a standard for these roads, which includes an eight-foot-wide sidewalk and a seven-foot-wide tree panel.

The Transportation and Mobility section of the TDDP includes a strategy for a connection to Northwestern High School. Strategy TM7.4 is copied below.

STRATEGY TM7.4: Create a formal bicycle/ pedestrian connection between the Neighborhood Edge and the southern part of Northwestern High School campus to improve connectivity for students and teachers between the high school and residences, the Mall at Prince Georges, and the Metro station.

The applicant's bicycle and pedestrian impact statement (BPIS) proposes a pedestrian connection from the subject site to the school. The Planning Board supports this connection, which will fulfill the TDDP strategy. An exhibit of the pedestrian connection showing the location, limits, and details of the connection shall be provided at the time of DSP for review and comments from Prince George's County Public Schools (PGCPS).

The MPOT also contains a section on Complete Streets, which provides guidance on accommodating all modes of transportation as new roads are constructed or frontage improvements are made. It also includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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

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

Internal sidewalks are shown along both sides of all internal roads. Streetscape improvements are recommended along Dean Drive, Northwest Drive, and Belcrest Road, unless modified by DPIE or DPW&T.

Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements

Due to the location of the subject site within the Prince George's Plaza Metro Center, the application is subject to County Council Bill CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) of the Subdivision Regulations includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

County Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the cost cap is determined pursuant to Section 24-124.01(c):

The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.

A total of 331 single-family attached dwelling units have been approved with this PPS. Based on Section 24-124.01(c) of the Subdivision Regulations and the 331 residential units approved, the cost cap for the site is \$99,300.

Section 24-124.01 of the Subdivision Regulations also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required per Section 24-124.01(d):

- (d) **Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**
- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - 2. installing or improving streetlights;**
 - 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
 - 4. providing sidewalks or designated walkways through large expanses of surface parking;**
 - 5. installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
 - 6. installing street trees.**

A scoping meeting was held with the applicant on May 1, 2017. The requirements and provisions of Section 24-124.01 of the Subdivision Regulations and the Transportation Review Guidelines, Part 2, 2013 were discussed, and several possible alternatives for off-site improvements were identified. Possible improvements identified at this time included missing sidewalks and bus shelters along Northwest Drive, bike share, and bicycle pavement markings along Belcrest Road or Toledo Terrace.

The required BPIS was submitted in January 2018. The BPIS includes two recommended improvements: a bike share station and a pedestrian connection to the adjacent school site. Discussions with the Department of Public Works and Transportation (DPW&T), indicated that the subject site is an appropriate location for bike share. DPW&T currently has funding to implement bike share in the vicinity of the site, with installation anticipated for Phase 1 in the spring of 2018. A location at the subject site will complement the improvements already planned by the County and connect the subject site to the regional bike share network. The connection to Northwestern High School will provide direct pedestrian access for students from the subject site to the school property. The connection will also accommodate pedestrians from the surrounding

community who wish to use the outdoor track for running or walking. Staff has started coordinating with Prince George's County Public School (PGCPS) on this connection and recommends that a BPIS exhibit for the connection be provided with the DSP for the review and approval of PGCPS.

Demonstrated Nexus Between the Subject Application and the Off-Site Improvements

Section 24-124.01(c) of the Subdivision Regulations requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities. This section is copied below, and the demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized below.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

Demonstrated Nexus Finding

The installation of a bike share station will improve the connection to the Washington Metropolitan Area Transit Authority (WMATA) Metro Station, the Prince George's Plaza shopping center, and the surrounding community. It will also provide the future residents of the site access to the regional bike share system. The pedestrian connection to Northwestern High School will allow future students to access the school site directly from the property.

Finding of Adequate Bicycle and Pedestrian Facilities

County Council Bill CB-2-2012 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. Council Bill CB-2-2012 is applicable to a PPS within designated centers and corridors. The subject application is located within the designated Prince George's Plaza Metro Center, as depicted on the Adequate Public Facility Review Map of the General Plan. County Council Bill CB-2-2012 also included specific guidance on the criteria for determining adequacy, as well as what steps could be taken if inadequacies need to be addressed.

As amended by County Council Bill CB-2-2012, Section 24-124.01(b)(1) and (2) of the Subdivision Regulations includes the following criteria for determining adequacy:

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will**

be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.

- 1. The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
 - a. the degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**
 - b. the presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).**

The installation of a pedestrian connection to Northwestern High School will allow future students to walk directly to the school from the subject property. The internal sidewalk network is sufficient, with sidewalks provided along both sides of all internal roads and a master plan trail extending through the site from Belcrest Road to Dean Drive. Furthermore, frontage improvements will bring Dean Drive, Northwest Drive, and Belcrest Road into conformance with the latest recommendations of the TDDP.

- 2. The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
 - a. The degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
 - b. The presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**

- c. **The degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**
- d. **The availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

The installation of the bike share station will provide access to bicycles, allowing non-motorized connections to the WMATA Metro Station, the Prince George's Plaza shopping center, and the surrounding neighborhood. It will also encourage non-motorized transportation near a Metro station and connect the future residents of the subject site with the regional bike share network.

14. **Transportation**—The subject property is located north of Toledo Terrace, between Northwest Drive and Belcrest Road, in Hyattsville and would be accessed from driveways along Dean Drive, Northwest Drive, and Belcrest Road. The applicant is proposing 331 single-family attached units.

The application is supported with a Traffic Impact Analysis (TIA) dated April 2017, as the trip generation for the site is projected to exceed 50 trips in either peak hour. The TIA was based on the construction of 363 residential townhouse units, the analysis for this PPS is for a 341-unit townhouse development. Ultimately, the PPS approved 331 lot units; however, the analysis is consistent with a 341-unit townhouse development, as the reduced proposal is not significant to change the outcome of the analysis.

Based on the initially proposed 341 townhouse units, the trips were computed as 325 (65 in, 260 out) AM peak trips and 402 (254 in, 138 out) PM peak trips. The study assumed a trip distribution of 30 percent to/from the north on Adelphi Road, and 70 percent to the south, towards MD 410 (East-West Highway). A Transit-Oriented Development (TOD) credit was given to this property because it is located within the transit district boundary.

The rates used are consistent with the "Transportation Review Guidelines" (Guidelines). This trip generation will be used for the analysis and for formulating the trip cap for the site. The table below summarizes the trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site:

Trip Generation Summary, 4-17007, Landy Property									
		Unit	AM Peak Hour			PM Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Proposed	Townhouse	341	48	191	239	177	96	273	2,728
TOD Credit	10% TOD Credit		-5	-19	-24	-18	-9	-27	-273
Total Trips Utilized in Analysis			43	172	215	159	87	246	2,455

The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 410 and Toledo Terrace (signalized)
- Toledo Terrace and Northwest Drive (unsignalized)
- Toledo Terrace and Belcrest Road (unsignalized)
- Belcrest Road and site access (unsignalized)
- Belcrest Road and Adelphi Road (signalized)
- Northwest Drive and site access (unsignalized)
- Belcrest Road and Toledo Road (signalized)
- MD 410 and Belcrest Road (signalized)

This boundary is consistent with the plans recommended in the Prince George’s Plaza TDDP.

The application is supported by a TIA dated April 2017 using counts dated March 2017. The study was provided by the applicant and referred to the Maryland State Highway Administration (SHA), Department of Public Works and Transportation (DPW&T), and the Department of Permitting, Inspections and Enforcement (DPIE). Comments from both SHA and the County have been received and are addressed in the analysis. The findings outlined below are based upon a review of these materials and analyses conducted consistent with the “Guidelines”.

Existing Traffic

The subject property is located within Transportation Service Area (TSA) 1, as defined in the General Plan. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level of service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one

approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The following critical intersection, interchanges, and links identified above, when analyzed with existing traffic using counts taken in March 2017 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS/CLV, PM)	
	MD 410 and Toledo Terrace	1,068	1,264	B
Toledo Terrace and Northwest Drive*	Delays < 50s			
Belcrest Road and Toledo Terrace*	Delays < 50s		706	A
Belcrest Road and site access*	N/A		N/A	
Belcrest Road and Adelphi Road	739	946	A	A
Northwest Drive and site access*	N/A		N/A	
Belcrest Road and Toledo Road	545	907	A	A
MD 410 and Belcrest Road	1,005	1,208	B	C
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

Background Traffic

None of the critical intersections identified above are programmed for improvements with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George’s County “Capital Improvement Program.” Background traffic has been developed for the study area using an approved, but unbuilt, development within the study area. A 0.5 percent annual growth rate for a period of six years has been assumed.

The background has been checked, and one background development in the area has been identified and factored into the analysis. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS/CLV, PM)	
	MD 410 and Toledo Terrace	1,143	1,323	B
Toledo Terrace and Northwest Drive*	Delays < 50s			
Belcrest Road and Toledo Terrace*	Delays < 50s		765	A
Belcrest Road and site access*	N/A		N/A	
Belcrest Road and Adelphi Road	795	991	A	A
Northwest Drive and site access*	N/A		N/A	
Belcrest Road and Toledo Road	569	962	A	A
MD 410 and Belcrest Road	1,120	1,388	B	D
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

Total Traffic

The following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Guidelines", including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS/CLV, PM)	
	MD 410 and Toledo Terrace	1,200	1,387	C
Toledo Terrace and Northwest Drive*	Delays < 50s			
Belcrest Road and Toledo Terrace*	668	777	A	A
Belcrest Road and site access*	Delays < 50s		N/A	
Belcrest Road and Adelphi Road	822	1,005	A	B
Northwest Drive and site access*	Delays < 50s		N/A	
Belcrest Road and Toledo Road	614	985	A	A
MD 410 and Belcrest Road	1,155	1,406	C	D
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

All intersections within the study area operate acceptably under total traffic in both peak hours. A trip cap consistent with the trip generation assumed for this site, 325 AM and 402 PM peak-hour vehicle trips, is required.

Access and circulation are acceptable, as the area around the site is largely developed.

Master Plan, Right-of-Way Dedication

The property is located within the designated Prince George’s Plaza Transit District as identified in the TDDP. The site is adjacent to Belcrest Road, a master plan collector facility, and Toledo Terrace, a master plan primary facility. Both roadways are dedicated to the master plan requirements (50 feet from centerline and 35 feet from centerline, respectively); therefore, no further right-of-way dedication is required of this plan.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision as required, in accordance with Section 24-124 of the Subdivision Regulations.

- 15. **Schools**—The following evaluation for impact on school facilities is based on a review of the residential uses proposed.

This PPS was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and Prince George’s County Council Resolution CR-23-2003, and concluded the following:

**Impact on Affected Public School Clusters
 Single-family Attached Units**

Affected School Clusters	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	331 DU	331 DU	331 DU
Pupil Yield Factor	0.145	0.076	0.108
Subdivision Enrollment	48	25	36
Actual Enrollment in 2017	20,310	5,371	9,405
Total Enrollment	20,358	5,396	9,441
State Rated Capacity	16,907	4,342	8,494
Percent Capacity	120%	124%	111%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I-95/495 (Capital Beltway) and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation, and the current amounts are \$9,317 and \$ 15,972 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved T-D-O Zone; or where there is no approved T-D-O Zone within one-quarter mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the 2010 *Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment*. The bill also established an exemption for studio or efficiency apartments that are located within County urban centers and corridors, as defined in Section 27A-106 of the Prince George's County Code; within an approved T-D-O Zone; or where there is no approved T-D-O Zone, then within one-quarter mile of a metro station. This act is in effect from October 1, 2013 through September 30, 2018.

16. **Fire and Rescue**—This PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) of the Subdivision Regulations. The response time standard established by Section 24-122.01(e) is a maximum of seven minutes travel time from the first due station.

The proposed project is served by Hyattsville Fire/EMS, Company 801, which is located at 6200 Belcrest Road. Deputy Fire Chief Dennis C. Wood, Emergency Services Command of the Prince George's County Fire/EMS Department, stated in writing that, as of December 8, 2017, the project is within a seven-minute travel time from the first due station.

The Fire Chief, as of May 15, 2016, has outlined the adequacy of personnel and equipment pursuant to Section 24-122.01(e).

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed near the subject site.

17. **Police Facilities**—The following evaluation for impact on police facilities is based on a review of the residential uses proposed.

The subject property is in Police District I, Hyattsville. The response time standards established by Section 24-122.01(e) of the Subdivision Regulations is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The PPS was accepted for processing by the Planning Department on December 6, 2017. Based on the most recent available information provided by the Police Department as of December 2015, the police response time standard of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met.

18. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System. The property is within Tier 1 under the Sustainable Growth Act and will, therefore, be served by public systems.

19. **Historic**—The subject property comprises 33.94 acres located at the northwest corner of the intersection of Belcrest Road and Toledo Terrace in Hyattsville, Maryland. A tributary of the Northeast Branch of the Anacostia River is located just to the west of, and outside of, the subject property. There are six archeological sites located within one mile of the property. Three sites date to the prehistoric period and three sites date to the nineteenth and twentieth centuries.

One prehistoric Archeological Site 18PR81, a prehistoric lithic scatter, was previously identified in the north-central portion of the subject property. The probability of finding additional prehistoric archeological resources within the subject property is high.

There are eight historic sites (65-008 Green Hill, 65-013 Green Hill Overseer's House, 65-105 Rizzo House, 66-029-05 Bloomfield/Deakins House, 66-035-06 Morrill Hall, 66-035-07 Calvert House, 68-001 Ash Hill/Hitching Post Hill, and 68-076 Paxton House) located within one mile of the subject property.

The subject property was part of the Christian Heurich dairy farm, known as Bellevue. During the late nineteenth and first half of the twentieth century, Heurich was the most prominent brewer in Washington, DC. The parcels comprising the subject property were from land patented as Lonehead and Jackson's Necessity. When Christian Heurich died at the age of 102 in 1945, he was buried in a mausoleum on the Bellevue farm in the area where the Giant Food Store is now located, at 3501 East-West Highway in Hyattsville. The mausoleum was moved to the Rock Creek Cemetery in 1951 when the land was sold for development.

A Phase I identification archeological survey was conducted on the subject property in November 2017 and January 2018. One prehistoric Archeological Site, 18PR81, was previously identified on the subject property in 1972 during a construction project by a local avocational archeologist and not by a professional archeological survey. The site form notes that prehistoric artifacts were found eroding out of edges of the hill during construction of a parking lot and in erosion gullies near the top of the hill. The site apparently also extended onto the tract to the north of the subject property where Northwestern High School was built in the 1950s. Numerous prehistoric sites have been identified along the Northwest Branch.

The eastern portion of the Landy property was extensively disturbed by the excavation of the hill, likely for a third apartment building. Construction of amenities, including tennis courts and a pool for the Plaza Tower Apartments, has also impacted part of the project area. In 2016, most of the trees on the property were cut down and some were mulched on-site, leaving large mounds of wood chips. A high point in the central part of the property was left relatively undisturbed and was the only portion of the site that was surveyed for archeological resources.

A total of 51 shovel test pits (STPs) were excavated at 15-meter intervals to determine if cultural deposits were present and to attempt to locate prehistoric site 18PR81. Eleven additional STPs were placed on a hilltop in the northwestern corner of the property to determine if Site 18PR81 extended into that area. A total of 23 of the 62 STPs contained Native American artifacts, falling

partly within the recorded boundaries of the site and extending west about 75 meters. The site was truncated on the east by the pit excavated for the anticipated third apartment building tower. Overall, the site measures approximately 165 meters east-west by 45 meters north-south, or 1.8 acres.

Only one artifact, an isolated quartzite flake, was recovered from the 11 STPs excavated in the northwestern area. This indicates that the focus of Site 18PR81 does not extend into this area, and additional cultural resources are not likely to be present.

A surface scatter of early twentieth century historical artifacts was noted northwest of the extant swimming pool, and several historic artifacts were found in two STPs. There were not enough artifacts over a large enough area to constitute an archeological site. A total of 115 historical artifacts were recovered from two STPs.

A total of 153 prehistoric artifacts were recovered from the STP survey from the A or A^p soil horizons, or from the interface of A/B soils. The recovered lithic assemblage comprised primarily quartzite flakes, a small number of quartz flakes, one rhyolite flake, one fragment of a possible quartzite Savannah River broad spear-type projectile point base, and a quartzite preform. No prehistoric ceramics were noted. The site is interpreted as a repeated use campsite that was most likely occupied during the Late Archaic period (5,000–3,000 BP).

Based on the results of the Phase I survey, a concentration of prehistoric artifacts, likely dating to the Late Archaic period, were identified on a high point in the central portion of the Landy Property. Aerial photographs show that this area remained largely wooded and undisturbed during the twentieth century. The prehistoric artifacts were recovered from intact cultural layers and could provide significant information on the prehistoric occupation of the area to the west of the Northwest Branch. The report does not provide a recommendation in the conclusion for Phase II investigations, although it is noted earlier in the report. A small concentration of late nineteenth to early twentieth century artifacts was also identified in the western part of the area subjected to shovel testing. Several house sites are shown in historic USGS maps of the area, and this artifact scatter is possibly associated with one of these structures. Historic documents also indicate that Arundel Smith and his family resided on a 152-acre farm that includes the study area. The artifact scatter may be related to the Smith family's occupation of the site or, in the case of the twentieth century artifacts, to a tenant on the Christian Heurich dairy farm.

The Planning Board approves this PPS, with conditions, for further archeological investigations to be performed on the subject site.

20. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan Number	Authority	Status	Action Date	Resolution Number
DSP-99048	TCPII/97/00	Planning Board	Approved	12/20/2001	No. 01-164
NRI-016-10	NA	Staff	Approved	11/01/2010	NA
DSP-99048-01	TCPII/97/00-01	District Council	Approved	02/28/2011	NA
DSP-99048-02	NA	Planning Director	Approved	8/22/2013	NA
NRI-016-10-01	NA	Staff	Approved	11/22/2017	NA
4-17007	TCPI-010-2017	Planning Board	Pending	Pending	Pending

Grandfathering

The project is subject to the requirements of Subtitle 24 (Subdivision), Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance) that became effective on September 1, 2010 because this is a new PPS application.

Site Description

This 33.94-acre site is located on the northwestern quadrant formed by the intersection of Toledo Terrace with Belcrest Road and is split-zoned in the R-10 and R-20 Zones in a T-D-O Zone. One existing building and an existing parking lot are located on the southeastern section of the property, while most of the remaining property has been recently cleared in accordance with Forest Harvest Permit No. 38451-2016, and is currently open space. Only a small amount of woodlands currently exists on-site along the periphery of the western and northern boundaries of the site. A review of the available information identified regulated environmental features, such as areas of steep slopes, 100-year floodplain, streams, associated buffers, and primary management area (PMA) that exist on-site. No wetlands or associated buffers were identified on-site. This site is located in the Lower Northeast Branch of the Anacostia River watershed. According to available information, no Marlboro clay exists on-site; however, Christiana complexes are mapped on the property. This site is not within a sensitive species protection review area based on a review of the SSPRA GIS layer prepared by the Heritage and Wildlife Service, Maryland Department of Natural Resources. According to PGAtlas, forest interior dwelling species (FIDS) habitat does not exist on-site.

Plan Prince George’s 2035 Approved General Plan (2014)

Prior to submittal of the current application, a new General Plan was adopted by the District Council. The site is now located within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by the General Plan.

Countywide Green Infrastructure Plan (2017)

This PPS conforms to the 2017 Countywide Green Infrastructure Plan which was approved with the adoption of the Resource Conservation Plan: A Countywide Functional Master Plan (CR-11-2017) on March 7, 2017. According to the approved Countywide Green Infrastructure Plan, the site contains one Regulated Area along the eastern boundary of the property, while much of the remaining site is a designated Evaluation Area.

The following policies and strategies in bold are applicable to the subject application. The text in **bold** is the text from the master plan and the plain text provides findings on the PPS conformance.

POLICY 1: Preserve, enhance and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1** Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:
 - a.** Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.
 - b.** Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.
 - c.** Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.
 - d.** Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.
 - e.** Coordinating implementation between County agencies, with adjoining jurisdictions and municipalities, and other regional green infrastructure efforts.
 - f.** Targeting land acquisition and ecological restoration activities within state-designated priority waterways such as stronghold watersheds and Tier II waters.
- 1.2** Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored and protected.
 - a.** Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.

b. Prioritize use of public funds to preserve, enhance, connect, restore and protect critical ecological systems.

One regulated area within the Green Infrastructure Plan associated with a stream and associated floodplain exists along the eastern boundary of the site. The area designated as an evaluation area has recently been harvested for timber and is currently cleared. Proposed impacts to the regulated area are discussed in more detail in the Stormwater Management and Preservation of Regulated Environmental Features/Primary Management Area sections.

According to the Maryland Department of Natural Resources' Sensitive Species Review layer, the site is not located within a Sensitive Species Review area. No additional information is required at this time.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**
- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

Most of the Network Gaps have been previously harvested and cleared on the subject site. Impacts are discussed in the Environmental Review section of this report. At this time, mitigation is not recommended.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**

- a. **Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced or new roads are constructed.**
- b. **Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer they must be designed to minimize clearing and grading and to use low impact surfaces.**

No transportation impacts are within the stream or stream buffer with this development. Sidewalks and roadways are within the 100-year floodplain. The impacts have been evaluated and have been found acceptable.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 **Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

Conservation easements are required for the subject application, because areas on-site are identified within the primary management area (PMA), that are proposed to remain unimpacted for retention. The areas of on-site woodland preservation will be required to be placed in Woodland and Wildlife Habitat Conservation Easements.

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 **Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 **Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

An approved stormwater management (SWM) concept letter and plan, in conformance with the current County Code, will be required by DPIE. The Site/Road Plan Review Division will review the project for conformance with the current provisions of the County Code that addresses the state regulations.

POLICY 7: Preserve, enhance, connect, restore and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Planting of native species on-site is encouraged and will be further reviewed at the time of DSP.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**
- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

Clearing of woodland is proposed with the subject application. Green space is encouraged within the proposed development and will be further reviewed at the time of DSP.

POLICY 12: Provide adequate protection and screening from noise and vibration.

- 12.2 Ensure new development is designed so that dwellings or other places where people sleep are located outside designated noise corridors. Alternatively, mitigation in the form of earthen berms, plant materials, fencing, or building construction methods and materials may be used.**

The noise regulation is evaluated for properties which are adjacent to arterial or higher classification roadways and rail transits within 300 feet. The subject site is not within 300 feet of any arterial or higher classification roadway or rail transit.

Area Master Plan Conformance

The site is located within the Neighborhood Edge of the Prince George's Plaza TDDP. In the Approved TDDP and TDOZ, the Natural Environment section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **bold** is from the master plan and the plain text provides findings on plan conformance.

Policy NE1: Manage stormwater volumes through a combination of measures to reduce impacts on receiving streams and downstream properties.

Policy NE2: Restore and improve water quality in the Northwest and Lower Northeast Branch watersheds.

This project will have to meet water quality and quantity requirements in accordance with an approved stormwater management concept plan to be approved by the Site/Road Plan Review Division of the Department of Permitting, Inspections and Enforcement (DPIE).

Stormwater Management Concept Plan 31834-2017 has been submitted to DPIE for review. The Site/Road Plan Review Division will review the project for conformance with the current provisions of the County Code, which addresses the state regulations.

Policy NE3: Increase tree canopy coverage and reduce the amount of connected impervious surfaces within the Transit District.

Since the subject site is located within a T-D-O Zone, the tree canopy coverage (TCC) requirements for the subject site should be met through the provision of trees on-site and other trees preserved by a property owner, or provided to comply with other transit district standards and guidelines (page 247 of the TDDP). Final compliance with the T-D-O Zone TCC requirement will be judged at the time of DSP.

Policy NE4: Encourage the integration of green building techniques into all building designs to help reduce overall energy and water consumption.

The use of green building techniques and energy conservation techniques should be used, as appropriate. The use of alternative energy sources such as solar, wind, and hydrogen power is encouraged.

Policy NE5: Address adverse impacts of transportation-related noise.

The noise regulation is evaluated for properties which are adjacent to arterial or higher classification roadways and rail transits within 300 feet. The subject site is not within 300 feet of any arterial or higher classification roadway or rail transit.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe the changes, the date made, and by whom.

Natural Resource Inventory

A signed NRI (NRI-016-2010-01), which included a detailed forest stand delineation (FSD), was submitted with the application. This NRI expires on November 22, 2022. According to the NRI, this site contains 23.02 acres of existing woodlands and 33 specimen trees. Much of this forest and 24 of the specimen trees have subsequently been harvested per Forest Harvest Permit 38451-2016 due to safety concerns by County police. Regulated environmental features, including steep slopes, 100-year floodplain, streams, and associated buffers inclusive of the primary management area (PMA) exist on-site. The NRI indicates that no forest interior dwelling species (FIDS) habitat is located on-site and that the site is not within a Sensitive Species Protection Review Area based on a review of the SSPRA GIS layer prepared by the Heritage and Wildlife Service, Maryland Department of Natural Resources (MDNR).

Woodland Conservation

This site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-010-2017) was submitted with this preliminary plan of subdivision application.

This site is previously associated with an unimplemented Detailed Site Plan (DSP-99048-02) and Type II Tree Conservation Plan TCP1I-97-00-01. The site is split-zoned R-10 and R-20 and has a woodland conservation threshold of 20 percent or 6.40 acres. According to the worksheet, the cumulative woodland conservation requirement, based on the total proposed clearing of 19.56 acres of woodlands outside of the floodplain and 1.56 acres of woodlands inside of the floodplain for this project, is 14.68 acres. The TCP1 proposes to meet this requirement with 1.53 acres of on-site preservation and 14.95 acres of off-site woodland conservation credits.

Although the TCP1 worksheet indicates that 0.33 acre of woodland preservation is being proposed within the 100-year floodplain, these woodlands are shown entirely as woodland retained not-credited on the plan. The worksheet must reflect all existing features and proposed impacts

based on the existing 100-year floodplain. All clearing must be based on the existing 100-year floodplain. Woodlands being retained within and outside of the 100-year floodplain must be based on the proposed 100-year floodplain boundary, and the TCP1 plan and worksheet must be revised to reflect this.

Specimen Trees

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

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

A Subtitle 25 Variance Application and a statement of justification in support of a variance for the removal of 24 specimen trees located on-site was submitted with this application, but was deemed unnecessary as the trees have already been removed in accordance with Forest Harvest Permit No. 38451-2016. As such, the variance request was withdrawn by the applicant on February 21, 2018. No further information is required regarding the removal of specimen trees at this time.

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

The site contains regulated environmental features. According to the TCP1, impacts to the PMA/stream buffer and the 100-year floodplain are proposed for stormwater management. A statement of justification has been received for the proposed impacts to the PMA, inclusive of the stream buffer and floodplain. It is noted that the applicant had requested variations to

Sections 24-129(b) and 24-130(b)(5) for the impacts; however, a statement of justification is required in accordance with the Environmental Technical Manual. As such, the variation requests were withdrawn on February 21, 2018 and March 8, 2018, respectively.

Statement of Justification

The eastern portion of the subject property is in the watershed of Wells Run. Accordingly, DPIE is requiring that the development provide 100-year stormwater management. Additionally, DPIE is requiring either that the twin 48-inch culverts or the hydrological conditions in the watershed be improved so that the 100-year flow will not spill over Belcrest Road. With the fulfillment of these requirements, the headwater pool above the culverts will be appropriately lowered, the culvert inadequacy cured, and the extent of 100-year floodplain reduced accordingly. The proposed reduction in the 100-year floodplain is reflected on the approved stormwater management concept plan. Finally, DPIE is requiring that the improvements to cure the culvert inadequacy will not result in an increase in existing flows downstream of Belcrest Road, in addition to any stormwater management requirement for the project area above Belcrest Road.

Section 27-124.01(a) provides that, “the one hundred (100) year floodplain is that, which is delineated on a County comprehensive watershed management study approved by the County Stormwater Management Task Force. Where specific flood protection measures recommended in adopted County Watershed Plans are included in an adopted County Capital Improvements Program (CIP) for planning, design, and construction, the floodplain limits shall be amended to reflect these measures. At a minimum, floodplain limits are those which are delineated or revised by the Federal Emergency Management Agency.” The subject development is immediately upstream from the upper limit of a comprehensive watershed management study, which shows the extent of 100-year floodplain terminating below Belcrest Road and not affecting the subject property.

The subject development proposal includes flood protection measures in the form of an expanded stormwater management pond, with an independent discharge under Belcrest Road. The operation of this pond will act to meet the 100-year management requirement for post-development conditions and, together with the construction of a relief inlet, will reduce the discharge to the existing culverts so that the 100-year storm will no longer overtop Belcrest Road. The pond will further act to reduce the post-development 100-year storm discharge into Wells Run from the sum of the site flows and the discharge from the existing culverts by 1.0 percent below the existing condition; thereby, providing positive mitigation to existing downstream flooding conditions, while also curing the culvert inadequacy. These flood protection measures will have the effect of altering the floodplain limits, and the intent of the subject request is to have the development respect the extent of the primary management area, as defined by those amended limits, with the exception of the small area of disturbance required for the installation of the relief inlet and its associated piping. The limits of the amended floodplain should be shown on the PPS and no lots for residential development shall be platted within 25 feet of the floodplain in accordance with Section 24-129 of the Subdivision Regulations. This may require that lots within the existing floodplain area be platted subsequent to the SWM measures that would reduce the floodplain limits.

Analysis of Impacts

Based on the statement of justification, the applicant requested a total of two impacts described below:

Impact 1

The first impact is for the improvements associated with the development to permanently occupy 1.35 acres of the area of existing 100-year floodplain and the associated expanded stream buffer which are between the existing extent of the 100-year headwater pool caused by the culvert inadequacy and the extent of the headwater pool after the watershed improvements. This area includes nine proposed townhouse units, paving for circulation, sidewalks, and associated utilities. This area will no longer be within the 100-year floodplain and PMA once the proposed stormwater management improvements are implemented on-site.

Impact 2

The second impact is for disturbance to the 60-foot-wide minimum stream buffer, the pond outfall is proposed to discharge underneath Belcrest Road, and the sanitary sewer connection will pass around the proposed floodplain extent. A temporary impact of 820 square feet is proposed to the 60-foot-wide minimum stream buffer for the installation of a relief inlet.

PMA Impacts 1 and 2 are approved with this PPS.

Based on the level of design information currently available, with conditions, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance (LOD) shown on the impact exhibits and the TCP.

Soils

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include Beltsville silt loam (5–10 percent slopes), Beltsville-Urban land complex (0–5 percent slopes), Beltsville-Urban land complex (5–15 percent slopes), Christian-Downer complex (10–15 percent slopes), Christiana-Downer-Urban land complex (5–15 percent slopes), Issue-Urban land complex occasionally flooded, Russett-Christiana-Urban land complex (0–5 percent slopes), and Urban land-Russett-Christiana complex (0–5 percent slopes).

According to available information, no Marlboro clay exists on-site; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. According to Section 24-131, Unsafe land, of the Subdivision Regulations, the Planning Board shall restrict or prohibit land found to be unsafe for development because of natural conditions, such as unstable soils and high watertable. A geotechnical report detailing the presence of Christiana clay and proposed remedial actions to correct or alleviate the unsafe soil condition was submitted with this application. Such proposals are required to be referred to the County

Department of Permitting, Inspections and Enforcement (DPIE) for a determination of whether the measures proposed are sufficient to protect the health and safety of future residents. On January 25, 2018, DPIE indicated in an e-mail that soil borings did not reveal any clayey soils down to a depth of 33 feet and that none of the borings indicated highly-plastic soils. DPIE concluded that the infiltration rates were mostly good, and will not be requiring a slope stability analysis or full geotechnical report at this stage.

21. **Urban Design**—The subject PPS subdivides a 33.94-acre property known as Landy Property into 331 single-family attached lots and 38 parcels. The property is split-zoned R-10 and R-20 with a T-D-O Zone superimposed on it. The R-10-zoned portion has been developed with an existing high-rise multifamily building, which will remain and the R-20-zoned portion will be developed with 331 townhouses of various lot sizes. The site is located in the northwest corner of the intersection of Toledo Terrace and Belcrest Road, with frontages on Toledo Terrace, Belcrest Road, Northwest Drive, and Dean Drive, within the “Neighborhood Edge” character area of the Prince George’s Plaza Transit District Development Plan (TDDP) area. There is also another high-rise condominium building known as “The Seville Building” located to the south of the proposed townhouses on a separate parcel.

Conformance with the Zoning Ordinance and the Transit District Overlay (T-D-O) Zone Standards of the 2016 Approved Prince George’s Plaza Transit District Development Plan (TDDP)

In accordance with the 2016 Approved Prince George’s Plaza TDDP, the T-D-O Zone standards replace comparable standards and regulations required by the Zoning Ordinance. Wherever a conflict between the Prince George’s TDDP and the Prince George’s County Zoning Ordinance or the 2010 *Prince George’s Landscape Manual* occurs, the TDDP shall prevail. For development standards not covered by the Prince George’s Plaza TDDP, the Zoning Ordinance or Landscape Manual shall serve as the requirements, as stated in Section 27-548.04 of the Zoning Ordinance. The proposed development of 331 townhouses, which will be subject to detailed site plan approval, will be further reviewed for conformance with the T-D-O Zone standards at that time.

The T-D-O Zone standards that are relevant to the review of this PPS are as follows:

An administrative technical correction to Table 50 (page 334) was approved by the Planning Director on February 15, 2018. This correction amended the table to permit townhouses in the R-20/T-D-O Zone.

The maximum density in the R-20/T-D-O Zone is 16.33 dwelling units per acre. The R-20-zoned portion of the property has approximately 23 acres and the proposed density of the development application is calculated at 14.83 dwelling units per acre.

The T-D-O Zone standards in Table 42 (page 211) have specific requirements for building orientation and minimum frontage zone depth for development fronting on the existing public street system, including Belcrest Road, Toledo Terrace, Northwest Drive, and Dean Drive. The applicant will be required to address the requirements at the time of DSP.

Northwest Drive and Dean Drive have been identified as Neighborhood Edge A Street (page 271) and are subject to the design standards and guidelines in the TDDP. No residential driveways are permitted to directly connect to those two roadways. The townhouses are planned to front on the roadways and be accessed through the internal access alleys or private streets, and the PPS shows conformance with this requirement.

Conformance with the 2010 Prince George's County Landscape Manual

The T-D-O Zone standards have one part under the title "Landscape" specifically discussing the applicability of each section of the Landscape Manual within the TDDP area. For those landscaping standards not covered by the TDDP, the Landscape Manual should serve as the requirement (page 194). It should be noted that Section 4.7, Buffering Incompatible Uses, does not apply to the TDDP. This project's conformance with the applicable landscape standards will be reviewed at the time of DSP.

Other Urban Design Issues

The PPS shows on-street parallel parking along all major internal roadways. Additional parking is necessary, given that the development is not located within walking distance of the Prince George's Plaza Metro Station. However, the parking space width is only seven feet, which is one foot narrower than the width of a normal parallel parking space in the County's Zoning Ordinance, and is the size for compact parallel spaces. Since the streets are proposed to be maintained by the City of Hyattsville, the Urban Design Section will defer this issue to the City and will further review it at the time of DSP.

The PPS shows that the existing pool serving the existing multifamily building on the R-10-zoned property will remain. Given that the location of the proposed townhouses is so close to the pool and multifamily parking lot, there is a concern about possible conflicts. Issues such as, but not limited to, access, fencing, noise, lighting, and screening along the entire common boundary area between the existing multifamily development and the proposed townhouses, especially in the area of the existing pool and parking lot, will be reviewed at the time of DSP.

22. **City of Hyattsville**—The City of Hyattsville provided the following comments, which are included as conditions of approval:

- The Capital Bikeshare station and the land that it is located on should be dedicated to public use. This ensures that the station is on fully public land and is accessible to DPW&T to make necessary repairs or changes to the site as needed. Though it cannot be mandated, the applicant should consider folding a Capital Bikeshare membership into the fees/services provided by the homeowner's association as a form of transportation-demand management on-site;

- The applicant’s Stormwater Management Concept Plan meet all requirements conditioned by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE);
- The roads, sidewalks, and alleys within the development shall be dedicated to public use, designed and constructed to the adopted Prince George’s County Department of Public Works and Transportation (DPW&T) “Urban Street Standards” 100.28, 100.31, 100.37, and 600.21, and upon certification of the plans by the City and the County, and the completion of the construction, the roads, sidewalks and alleys shall be inspected by the City of Hyattsville, and, if acceptable, be publicly maintained by the City of Hyattsville;
- The applicant shall demonstrate a “good faith” effort to establish a pedestrian connection from the subject property to Northwestern High School. At the time of Detailed Site Plan, the applicant shall provide an exhibit to fund and provide an access easement for consideration by PGCPB.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Bailey and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, March 29, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 26th day of April 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator