

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on April 9, 2020, regarding Detailed Site Plan DSP-06001-03 for The Commons at Addison Road Metro, the Planning Board finds:

1. **Request:** The subject application requested approval of an amendment to a detailed site plan (DSP) for a mixed-use building including 193 multifamily dwelling units and 11,000 square feet of ground-floor commercial uses. The requested amendment supersedes the previous DSPs approved for the property, except in regards to the use amendment previously granted.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-S-C/R-55/D-D-O	C-S-C/R-55/D-D-O
Use	Vacant	Multifamily residential; commercial
Acreage	2.75 C-S-C/D-D-O 0.23 R-55/D-D-O	2.75 C-S-C/D-D-O 0.23 R-55/D-D-O
Total Acreage	2.98	2.98
Parcels	2	2
Lots	1	1
Total Gross Floor Area (sq. ft.)	0	182,500

Proposed Development		
Unit Type	Approved with DSP-06001-01	Proposed with DSP-06001-03
Studio	0	10
1 Bedroom	79	123
2 Bedroom	91	60
3 Bedroom	1	0
Total	171	193
Office	37,170 sq. ft.	0 sq. ft.
Library	32,820 sq. ft.	0 sq. ft.
Retail	15,890 sq. ft.	11,000 sq. ft.

PARKING AND LOADING TABULATION

Use	Number of Spaces Required*	Number of Spaces Provided
Total Parking	300	160
Studio 10 @ 1.33/unit	14	
1BR 123 @ 1.33/unit	164	
2BR 60 @ 1.66/unit	100	
11,000 sq. ft. of retail @ 1/250 sq. ft.	22**	
Total On-site Surface Parking		122
Handicap-Accessible		2
Standard Spaces		78 (22 reserved for commercial uses)
Compact		42
Total On-site Garage Residential Parking		38
Handicap-Accessible		5
Standard Spaces		24
Compact		8
Parking and Ride Space		1***
Total Loading Spaces	3	3
Multifamily		
1 space/100 to 300 Dwelling Units	1	1
Retail (11,000 sq. ft.)		
1 space/ 2,000 – 10,000 GFA +1 space/ for 10,000 – 100,000 GFA	2	2

Note: *The 2000 *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* does not include specific requirements for the number of residential parking or loading spaces required; therefore, Sections 27-568 and 27-582 of the Zoning Ordinance serve as the requirements for the site, and the applicant requested an amendment to that requirement, as discussed in Finding 8.

**Parking site design standard S2.Q. of the Development District Overlay Zone of the 2000 *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* allows for a reduction in the required number of commercial parking spaces on a property, but not more than one half (page 177).

***The application proposed one space for the use of ride-share services, such as Uber and Lyft, that has been included in the total number of spaces provided. Due to the size of

the development, and with respect to the applicant's justification that the development has been designed to promote pedestrian-friendly, transit-oriented development near the Metro station, the Planning Board required that two spaces be provided for ride-share services, as conditioned herein.

3. **Location:** The site is located in Planning Area 75A, Council District 7. More specifically, it is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and Addison Road, across from the Addison Road Metro Station, at 6301 Central Avenue. In addition, it is noted that the property is located within the Subarea 3–Metro West (Town Commons) portion of the 2000 *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* (ARM Sector Plan and SMA).
4. **Surrounding Uses:** The subject property is bounded to the north by MD 214, with commercial land uses beyond; to the west by Zelma Avenue, with single-family detached residential uses beyond; to the south by single-family detached residential uses; and to the east by Addison Road, with the Addison Road Metro Station beyond.
5. **Previous Approvals:** Preliminary Plan of Subdivision (PPS) 4-05068 was approved by the Prince George's County Planning Board on February 9, 2006 (PGCPB Resolution No. 06-37) for Parcel A, on which the mixed-use building is proposed. Detailed Site Plan DSP-06001 was subsequently approved by the Planning Board on September 21, 2006 (PGCPB Resolution No. 06-217) for a mixed-use development to include 170 multifamily units and 22,696 square feet of commercial uses within an eight-story building. The Prince George's County District Council elected to review the case and affirmed the Planning Board decision, with additional conditions, on May 15, 2007. On June 2, 2008, the District Council approved a Revised Condition 4.m., which relates to the undergrounding of utilities.

PPS 4-08019 was approved by the Planning Board on September 25, 2008 (PGCPB Resolution No. 08-124) for Parcel 87, on which a surface parking compound is proposed by the subject DSP. DSP-06001-01 was subsequently approved by the Planning Board on April 8, 2010 (PGCPB Resolution No. 10-50) for construction of 171 multifamily units, 15,890 square feet of retail, 37,170 square feet of office, a 32,820-square-foot public library, and a freestanding, four-story parking garage. The subject application supersedes the previous DSP approvals.

In addition, the site has an approved Stormwater Management (SWM) Concept Letter, 24628-2005-03, and associated plan that is valid until February 28, 2022.

6. **Design Features:** The requested amendment to the DSP proposed a six-story, 193 multifamily dwelling unit, mixed-use building, similar to the previous approvals. However, the applicant modified the mix of uses and reconfigured the site layout which will supersede the prior approvals.

The building is oriented toward MD 214 and is located approximately 55 feet from the public right-of-way. Between the building and the street, the DSP application proposed to enhance the streetscape by including an 8-foot pedestrian sidewalk along MD 214 and a generous amount of

landscaping. Three distinct plaza and courtyard areas to serve the users of the site are proposed between the building and MD 214. Each plaza includes different paving patterns and finishes to accent the spaces and provide visual interest. The plazas include a passive recreation space with grills, landscaping, and open space for residents of the building on the western end of the frontage; a central residential entrance plaza; and an urban plaza with seat walls, benches, tables, and a public art element adjacent to the ground-floor commercial portion of the building, near the intersection of MD 214 and Addison Road.

The proposed western plaza contains a passive recreation space and landscape area that is screened from MD 214 by a 7-foot-high, decorative wood wall for privacy and to mitigate the noise from the roadway. The Planning Board notes that the design of the walls should not discourage interaction with the pedestrian environment along the street and be inviting. Therefore, the Planning Board requires that the height of this fence be reduced to a maximum of 5 feet to improve the scale of the plaza, as conditioned herein.

The application proposed a drive aisle behind the building that runs across the site from Addison Road on the east to Zelma Avenue on the west. The elevation at the rear of the site is higher than the elevation along MD 214, and a retaining wall is proposed along the southern property line to accommodate this change. The applicant proposed to finish the face of the retaining wall with a mural that will introduce art and design into this area of the site.

Parking for the site is proposed at the rear and side of the building and includes 122 surface parking spaces and 38 garage parking spaces, which are located under the building in a subsurface parking garage.

Architecture

The building is six stories and approximately 75 feet in height. The first floor of the building is proposed with ground-floor commercial retail uses on the eastern portion of the building and residential units on the western portion of the building, in addition to the main entrance and lobby. The main residential entrance to the building, which leads to the lobby space, a conference room, a lounge/media room, a clubroom, a fitness center, a multipurpose room, and men's and women's rest rooms, is further accented by a cantilevered metal canopy. Floors two through six are proposed with residential units, and a number of units include Juliet or full-size balconies.

The architectural design of the multifamily building is contemporary, with a generally flat roof, and is finished with a mix of materials including brick, concrete panels, glass, and metal. Three shades of red brick on the building face are proposed in textured and smooth horizontal bands, in combination with vertical bands of concrete panels, which are proposed in varied shades of gray. Emphasis has been given to the variety of materials used on the façades through different volumes, massing, architectural design elements, and finish materials. Blue canvas canopies are proposed on the northern and eastern elevations, directly above the oversized steel and tempered glass windows, and help break up the horizontal mass of the building.

Signage

Multiple sign areas are proposed on the building and the canopies for the individual retail tenants, in addition to signage for the multifamily building that is proposed above the main entrance to the building and on a blade sign on the northern and eastern building elevations.

The sign areas vary and measure approximately 6 to 70 square feet and bear the tenant's name and logo for the various retail locations and multifamily building. The applicant has provided sign illustrations and locations for the signs on the façades of the structure. The Planning Board finds signage for this application is acceptable. The Board notes that some of the retail sign examples appear to be internally illuminated. The standards stated in the Development District Overlay (D-D-O) Zone do not specifically prohibit internally illuminated signs, but recommend that signs be externally illuminated. However, the Planning Board approves of the proposed modern style of internally illuminated signs.

A signage schedule of the individual signs showing the square footage was included for the multifamily building, but did not include the future commercial tenants. Instead, examples of the signage proposed for the commercial tenants show blade, building-mounted, channel-letter, and canopy signs. The sign examples propose high-quality attractive sign alternatives, enhance the architectural character of the building, and create a sense of place encouraging the creation of a mixed-use development in proximity to the Addison Road Metro Station. The signage examples also proposed sign standards and limit the square footage of the individual retail signs to 31.5 square feet each. The signage schedule only includes the proposed freestanding and building-mounted signage for the multifamily building and the Planning Board finds that the signage schedule should also include the future commercial tenant signage for clarification. This revised schedule should include a note stating that the proposed and allowed signage area is equal to, or less than, what is allowed by Section 27-613 of the Prince George's County Zoning Ordinance, as is required by the D-D-O Zone standards (page 221). In addition, it is noted that the signage schedule provided with the DSP application includes wayfinding signage, such as parking and directional signage. This type of signage does not count toward the total amount of signage allowed and should be removed from the schedule.

Therefore, conditions requiring the applicant to revise the signage schedule have been included in this approval.

One six-foot-tall, double-faced, freestanding sign is proposed along Addison Road, near the entrance to the site. The sign is constructed of aluminum and mounted on a brick veneer base. The sign includes back-lit, gold leaf lettering on a black background. The Planning Board finds the 11-foot-wide sign, including landscaping at its base for seasonal interest, meets the requirements of the D-D-O Zone, with the exception of the illumination, which is not allowed in the Zone. However, as described below, the Planning Board approves an amendment to the Development Design Standards to allow the sign's illumination.

Lighting

The DSP application proposed to integrate building-mounted, pole-mounted, and other accent lighting, such as bollards, sconces, and other architectural lighting, throughout the site. The

Planning Board finds the submitted photometric plan shows adequate lighting for users on-site and is sufficient for illuminating site access, drive aisles, building entryways, and walking paths. However, the Board notes that the details of the proposed lighting have not been included in the application and should be provided for clarification. Therefore, a condition has been included requiring the applicant to provide the details and specifications for the various types of proposed building-mounted and site lighting, and clearly label their locations throughout the site.

Loading and Trash Facilities

Loading spaces are proposed on the site, one for the multifamily building and two for the commercial retail uses. These loading spaces are located on the southeast portion of the site, at the rear of the building. The three loading spaces proposed with this application meet the required number of spaces and are appropriately screened from the public rights-of-way by the building. Trash facilities will be located internal to the building.

COMPLIANCE WITH EVALUATION CRITERIA

- 7. 2000 Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity and the standards of the Development District Overlay (D-D-O) Zone:** The subject property is located within the Subarea 3—Metro West (Town Commons) portion of the D-D-O Zone implemented by the ARM Sector Plan and SMA. An amendment to the D-D-O Zone use table allowing dwelling units above the first floor of a building containing commercial uses, four or more stories in height, was approved by the Planning Board with DSP-06001, in accordance with Section 27-548.26(b)(1)(B) of the Zoning Ordinance. An amendment, DSP-06001-01, was approved by the Planning Board and, in both cases, the District Council affirmed the Planning Board's approval of the amendment to the list of allowed uses to permit dwelling units above the first floor of a building containing commercial uses.

The dwelling unit mix in this DSP application is different from previous approved DSPs but the use remains the same. Dwelling units are proposed above the first floor within the portion of the building containing commercial uses and the building is more than four stories in height. The previously approved amendment to the use table for the subject property continues to apply to this application (DSP-06001-03).

At the Planning Board hearing, the applicant's representative verbally requested an amendment to the use table to allow for residential units on all floors of a building with commercial uses that is more than four stories in height. After considering the case presented by the applicant and an opponent, the Planning Board recommended to the District Council DISAPPROVAL of the applicant's requested amendment because it believed residential units on the first floor were not appropriate at this location. The Board then adopted a subsequent motion recommending the use table be amended to allow for dwelling units on the second floor and above and to allow for a building height of up to ten stories.

Requests to Amend Development District Standards—The submitted application and statement of justification (SOJ) indicate the need to deviate from a number of development

district standards, in order to accomplish the proposed development on the subject property. In accordance with Section 27-548.25(c) of the Zoning Ordinance, if the applicant so requests, the Planning Board may apply development standards which differ from the approved development district standards. These alternate standards may be approved if they can be found to benefit the development and the development district and will not substantially impair implementation of the master plan, master plan amendment, or sector plan. These alternate standard requests are discussed, as follows (all page numbers reference the ARM Sector plan):

- a. **S1. Vehicular Circulation/Access, Standard C (page 174): Vehicular entrance drives shall permit safe and clear pedestrian crossings. Sidewalk material should continue across driveway aprons.**

The applicant did not provide a justification for this amendment and the Planning Board finds that the application is not in conformance with this standard noting that the DSP application proposes crosswalk markings, which are limited to striping only at the drive aisle intersections on the site. The Planning Board requires the plans be revised to provide raised crosswalks that include a material change at all drive aisle intersections and all internal pedestrian crossings on-site. Therefore, the Planning Board **disapproves** this amendment request.

- b. **S3. Building Siting and Setbacks, Standard C (page 180): A front build-to line between 10 and 15 feet from the right-of-way line shall be established for office, retail/commercial and institutional buildings which front onto MD 214 and Addison Road.**

The proposed mixed-use building does not meet the build-to line setbacks and the applicant proposed a varied setback of 12 to 60 feet from the right-of way. According to the applicant, this is required because of the zone of influence established by the adjacent underground Metro tunnel requiring a larger setback from MD 214 and Addison Road. At the Planning Board hearing, there was a discussion about the building placement and why the building face was not brought up to the Metro tracks line of influence, or the right-of-way of Addison Road. However, the Planning Board finds that given the site constraints in combination with the improvements proposed along Central Avenue, and the possibility of future development on Parcel 87 adjacent to Addison Road, that the amendment will benefit the proposed development, development district, and will not substantially impair implementation of the ARM Sector plan. Therefore, the Planning Board **approves** this amendment request.

- c. **B1. Height, Scale and Massing, Standard I (page 205): Proposed buildings shall be between one and four stories in total height within the town center.**

The proposed building exceeds the maximum height of four stories, as is limited by the D-D-O Zone. The Planning Board finds the applicant's proposed six-story building is not inconsistent with prior approvals for the site and conforms to the D-D-O Zone's objective to encourage a vertical mix of uses and the creation of residential uses above ground-

floor retail along the main street of the Town Commons, Addison Road, and MD 214 (pages 90, 166-168). The Planning Board also finds that the project will revitalize the town center with new, upscale residential and commercial development that will lead to new business and increased densities near the Metro station, in accordance with the Plan Prince George's 2035 Approved General Plan (Plan 2035). Therefore, the Planning Board finds the requested amendment will benefit the proposed development and development district and will not substantially impair implementation of the ARM Sector plan, and notes that the height of the building should not be limited to six stories. Instead, the Board finds the height of the building could be increased to at least 10 stories to provide increased density near the Addison Road Metro. Therefore, the Planning Board **approves** this amendment request.

- d. **B7. Signs, Standard H (page 220): Signs that are externally lit are recommended and should be directed to illuminate the sign face only. Sign faces that are internally lit are not recommended. Individual letters or characters should be lit instead of the entire sign face.**

The applicant did not provide a justification for this amendment; however, the Planning Board does not have an objection to the proposed back-lit letters for the freestanding signage showing the name of the development. Other examples of signage for the future commercial tenants offer a variety of signage options, including illuminated box-panel and channel-letter signs. The Planning Board requires, however, that the future signage for the commercial tenants be externally illuminated or back-lit letter signage, consistent with the freestanding signage. The Planning Board, therefore, finds that the requested amendment will not substantially impair implementation of the ARM Sector Plan and **approves** this amendment request.

8. **Prince George's County Zoning Ordinance:** The subject site plan has been reviewed for conformance with the applicable requirements of the Commercial Shopping Center (C-S-C), One-Family Detached Residential (R-55), and D-D-O Zones and the site design guidelines. The following discussion is offered regarding these requirements:
- a. The project is subject to the applicable requirements of the Zoning Ordinance for the C-S-C and R-55 Zones, which are not superseded by the D-D-O Zone.
 - b. The applicant has proposed a site plan, in accordance with Section 27-283 (Site design guidelines) of the Zoning Ordinance, that further cross-references the same guidelines as stated in Section 27-274 of the Zoning Ordinance, specifically in regard to parking, loading, internal circulation, service areas, and lighting.
 - c. The ARM Sector Plan and SMA does not have specific requirements for the number of residential parking spaces. Therefore, Section 27-568 of the Zoning Ordinance serves as the requirement; 278 spaces are required. The DSP proposes only 138 parking spaces to support the residential use. Section 27-548.25(e), for the D-D-O Zone, specifically states:

- (e) **If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.**

The applicant sought a departure for the number of parking spaces. While the commercial parking being provided on the site meets the development district standard, the applicant requested an approximate 50 percent reduction (a waiver of 140 parking spaces) in required residential parking.

The applicant asserted that one of the primary goals of the ARM Sector Plan is to promote transit-oriented development near the Addison Road Metro Station. In stating this, the applicant noted that the site is directly across the site from the Addison Road Metrorail Station, and the Sector Plan emphasizes that transit-oriented development serves the pedestrian users, not the automobile. The applicant stated that this development, as proposed, is one step in realizing the Sector Plan concept of minimizing automobile impacts, and creating a walkable neighborhood while affording pedestrians and Metrorail users more convenience.

The applicant stated that the proposed DSP mitigates parking issues and incentivizes the use of transit and other modes of transportation, including the following:

- a. Offering residents signing a one-year lease, a Washington Metropolitan Area Transit Authority (WMATA) SmartTrip card worth up to \$200 per year for each year (up to five years) that they are residents of the complex.
- b. Proposing graduated pricing for onsite parking.
- c. Including wide sidewalks to facilitate pedestrian movement along Central Avenue, and a planting strip, thereby creating an improved edge. The 12-foot-wide sidewalk, as proffered by the applicant, along Central Avenue will further connect this site to the rest of the community.
- d. Proposing a five-foot wide sidewalk along the subject site's entire frontage of Zelma Avenue.
- e. Proposing a dedicated shared-ride location (serving Uber, Lyft, and other ride-sharing services) with signage. The provision of a shared-ride location will provide a safe and defined location for utilization of such services, encourage ride-sharing drivers to be more readily available to residents and visitors, and prevent the blockage of traffic flow along Central Avenue for all users.
- f. Proposing the installation of 48 bicycle spaces within the garage along with an additional 26 bicycle spaces at the rear of the building. These spaces will be augmented with a bicycle repair station for the use of residents and visitors and

the establishment of a cycling club for residents of the building and the general community.

The Planning Board analyzed approved parking ratios for several Prince George's County projects, as well as projects in Montgomery County, as compared to the applicant's proposal. The Board finds that the parking ratio (the number of parking spaces provided divided by the number of residential units) is lower than any projects that have been recently constructed in Prince George's County but given the location and the proffers for amenities and incentives provided by the applicant, the Board supports the 50 percent reduction in residential parking required for this site under Section 27-568 that is provided by parking under the building and by smaller separate surface parking compounds on the site.

With the proximity of an adjacent residential area, parking reductions should also be consistent with the needs of the future residents of the site under review with consideration for the parking and loading needs of adjacent residential areas. While this is not a requirement for reducing parking within the D-D-O Zone, the Board finds that the amenities and incentives proposed by the applicant will address the issue of parking in nearby neighborhoods.

Finally, the Board finds the proposed DSP's reduction in parking will encourage pedestrian mobility and promote transit-oriented development near the Metro station. The reduction in the number of parking spaces will also decrease the total amount of asphalt surface area on the site as will the layout of the proposed parking into multiple locations. In addition, the Board finds that the size of the parking spaces and their relationship to the multifamily building conform to all of the applicable D-D-O Zone standards and meet the intent of the D-D-O Zone. Therefore, the Planning Board approves this departure for a reduction in the number of parking spaces.

9. **Preliminary Plan of Subdivision 4-05068:** PPS 4-05068 was approved by the Planning Board on February 9, 2006 (PGCPB Resolution No. 06-37) for Parcel A, on which the main mixed-use building is proposed, subject to 18 conditions. The Board finds the following conditions are applicable to the review of this application and are being addressed as follows:

2. **In conjunction with the detailed site plan, a Type II tree conservation plan shall be approved, if required.**

A Type2 tree conservation plan (TCP2) has been submitted with this application and is approved, with conditions, as discussed in Finding 14.

3. **Development of this site shall be in conformance with the Stormwater Management Concept Plan, #24628-2005-00, and any subsequent revisions.**

The site has an approved revised SWM Concept Letter, 24628-2005-03, which is in conformance with the site's design.

5. **A Phase II noise study shall be prepared and included in the submission package for the detailed site plan (DSP). It shall contain specific building material recommendations to ensure that the interior noise levels are 45 dBA Ldn or less. The DSP shall locate any outdoor activity areas and the noise study shall address how noise levels have been mitigated to 65 dBA Ldn or less for these areas. The DSP shall address, if it is determined appropriate, the issue of possible ground vibration from the Metro tunnel located in the northeast corner of the site.**

A Phase II traffic noise analysis, prepared by Acoustics 2 Acoustical Consultants, dated December 2, 2019, was submitted with this DSP application. Results from the study reflected noise impacts in excess of 65 dBA Ldn along MD 214, and show the location of the unmitigated 70 and 65 dBA Ldn noise contours related to MD 214 and Addison Road. The location of the combined noise contour for these roadways is shown on the DSP and TCP2.

Based on the review of the DSP, the outdoor activity areas proposed in the plaza spaces in front of the building will be impacted. The location of these spaces is intended to activate the streetscape, interact with the pedestrian experience, and engage the public realm; therefore, the noise impact in these areas cannot be avoided. The Planning Board is requiring the applicant use additional noise mitigation techniques, such as additional landscaping and short walls or other noise mitigation techniques, to define the space and assist in the mitigation of noise in these outdoor areas.

Noise impacts, with regard to interior noise, are proposed by the applicant to be addressed through the use of architectural materials and will be sufficient to reduce interior noise levels to 45 dBA Ldn or less, as required.

The Board also requires the applicant submit a certification by a professional engineer, with competency in acoustical analysis, to the Maryland-National Capital Park and Planning Commission (M-NCPPC), and a note shall be added to the building permit stating that "the affected building shells of this structure has been designed to reduce interior noise levels to 45 dBA Ldn or less" at the time of building permit.

6. **At time of DSP review, the DSP shall show the locations and design of all bioretention and/or infiltration facilities for stormwater management and all associated landscaping shall be shown on the landscape plan.**

SWM Concept Plan 24628-2005-03 states that water quality and quantity control is required to be provided with retention and infiltration. The approved SWM concept plan shows this requirement will be met with an underground SWM facility that will store and filter stormwater runoff. The facility is located in the southwest corner of the site. In addition, the project is required to provide a SWM fee of \$13,920, in lieu of providing additional on-site quality and quantity control measures.

9. **The applicant, his heirs, successors and/or assignees shall make a monetary contribution (determined at the time of detailed site plan) to the M-NCPPC Department of Parks and Recreation for the development of the Rollins Avenue Neighborhood Park, for the fulfillment of the mandatory dedication of parkland requirements. The timing for the payment of the monetary contribution shall be established at the time of review of the DSP.**

At the time of review of DSP-06001, the Prince George's County Department of Parks and Recreation (DPR) indicated that the applicant's contribution should be \$57,138 for development of the Rollins Avenue neighborhood park, to be contributed prior to approval of any building permit. This issue remains applicable and a condition is included in this approval requiring the applicant to provide the contribution prior to issuance of the building permit.

10. **In conformance with the adopted and approved Addison Road Metro Town Center and vicinity sector plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. **Provide a minimum eight-foot-wide sidewalk along the subject site's entire road frontage of MD 214, unless modified by SHA.**
- b. **Provide a minimum eight-foot-wide sidewalk along the subject site's entire road frontage of Addison Road, unless modified by DPW&T.**
- c. **Provide a standard sidewalk along the subject site's entire road frontage of Zelma Avenue, unless modified by DPW&T.**

The submitted plans showed sidewalks of the required widths along the appropriate road frontages. Specifically, the plans showed an 8-foot-wide sidewalk along the subject site's entire frontage of MD 214 and Addison Road, that are separated from the curb by a 5-foot-wide landscape strip. In addition, the plan proposed a 5-foot-wide sidewalk and landscape strip along the subject site's entire road frontage of Zelma Avenue, as required. These improvements are subject to modification by the operating agencies at the time of permitting.

12. **The applicant, his heirs, successors and/or assignees shall submit three original Recreational Facilities Agreements (RFA) to DRD for construction of private recreational facilities, for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the county Land Records.**

This requirement was initially fulfilled prior to the approval of the final plat for Parcel A. However, the currently proposed private on-site recreational facilities are significantly different from those originally approved and listed in the RFA. The RFA on record at Liber 31088 Folio 315 will require revision, at the time of final plat, to reflect the recreational facilities to be approved with this DSP.

17. The following access and circulation issues shall be addressed at the time of detailed site plan:

a. The elimination of the direct access to the parking garage from Zelma Avenue.

Direct access to the underground parking garage is not proposed from Zelma Avenue and an above-ground parking garage is no longer proposed.

b. The provision of limited access to Addison Road, which prohibits any left turn to and from the site.

Driveway access onto Addison Road, a master plan arterial, was allowed with the approval of PPS 4-05068, pursuant to a variation from Section 24-121(a)(3) of the Subdivision Regulations. However, that variation limited access to right-in/right-out only. The proposed plan shows an access driveway accommodating right turns in and out of the site and a northbound left-turn access into the site from Addison Road. In support of the design, the applicant filed a request for reconsideration of the PPS to amend the left-turn restriction. At a hearing on April 9, 2020, the Planning Board reconsidered the PPS and approved the left-turn access.

Revisions to the median or other aspects of the road design are right-of-way improvements, which are under the review of the operating agency and outside the scope of this DSP. A condition is included in this approval requiring the access to be shown in accordance with the PPS, unless modified.

18. Total development within the subject property under this preliminary plan shall be limited to 162 residences (21 three bedroom units, 113 two bedroom units, and 28 one bedroom units), and 24,500 gross square feet of retail commercial uses, or other mix of commercial and residential uses that generate no more than 163 AM and 226 PM peak hour vehicle trips. Any development beyond the AM and PM peak hour trips noted herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

This condition establishes an overall trip cap for the subject property of 163 AM and 226 PM peak-hour trips. The subject proposal generates 145 AM and 182 PM peak-hour trips as noted in the table below, which complies with the established trip cap.

Trip Generation Summary: DSP-06001-03: Commons at Addison Road								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Residential	193	Residences	27	108	135	100	54	154
Commercial/Retail	11,000	square feet	6	4	10	20	22	42
Less Pass-By (34 percent PM)			0	0	0	-7	-7	-14
Net Trips for Proposed Commercial/Retail			6	4	10	13	15	28
Total Trips for DSP-06001-03			33	112	145	113	69	182
Trip Cap: PPS 4-05068/4-08019					163			226

10. **Preliminary Plan of Subdivision 4-08019:** PPS 4-08019 was approved by the Planning Board on September 25, 2008 (PGCPB Resolution No. 08-124), subject to five conditions, for existing Parcel 87, on which a surface parking lot is proposed. The Board finds the conditions are applicable to the review of this application and are being addressed as follows:

1. **Development of this site shall be in conformance with the Stormwater Management Concept Plan, No. 24628-2005-01 and any subsequent revisions.**

As discussed in Finding 9, the site has an approved revised SWM Concept Letter, 24628-2005-03, and it is in conformance with the site's design.

2. **Total development within the subject property shall be limited to construction of a parking garage which is projected to generate zero AM and zero PM vehicle trips. The proposed parking facility is to serve the required parking needs (Part 11) for the Commons at Addison Road Development Preliminary Plan of Subdivision (4-05068) only. Any other use of the proposed parking structure or any additional development on this site shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities. Direct access from Parcel B to Addison Road is denied without the approval of a variation to Section 24-121 of the Subdivision Regulations.**

This condition requires that any parking shown within this parcel be ancillary to the uses within PPS 4-05068. The proposed DSP shows surface parking on this area, and it serves the uses within the overall site. No other uses are proposed within the area of PPS 4-08019, and no direct access from this parcel to Addison Road is reflected on the plan; all access to this parking compound is from the interior driveway.

4. **Prior to approval of the final plat the applicant and the applicants heirs, successors and/or assignees shall obtain approval of a revision to Detailed Site Plan DSP-06001 (PGCPB Resolution No. 06-217) to incorporate Parcel A and the accessory parking garage proposed on Parcel B into one development site.**

The proposed DSP fulfills this condition.

5. **In conformance with the Approved Addison Road Metro Town Center and Vicinity Sector Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. **Provide an eight-foot wide sidewalk along the subject site's entire road frontage of Addison Road, unless modified by DPW&T.**

An 8-foot-wide sidewalk is shown along the subject site's entire road frontage of Addison Road.

11. **Detailed Site Plan DSP-06001:** DSP-06001 was approved by the Planning Board on September 21, 2006 (PGCPB Resolution No. 06-217) for a mixed-use development to include 170 multifamily units and 22,696 square feet of commercial uses within one, eight-story building. The District Council elected to review the case and affirmed the Planning Board decision, with additional conditions, on May 15, 2007. The additional conditions required the addition of library and office uses and an increase in the building height, up to 10 stories. The Board finds the following conditions are applicable to the review of this application and are being addressed as follows:

5. **All mechanical equipment and dumpsters shall be screened from public view and rights-of-way, with an appropriate buffer consisting of plantings, walls, or fences in compliance with the screening requirements of the Landscape Manual.**

Mechanical equipment is appropriately screened from the public rights-of-way. Specifically, the proposed transformers on Zelma Avenue are screened from the right-of-way with a wall, fence, and plantings. In addition, it is noted that the dumpsters are located within the building, and the loading areas are adequately screened from MD 214 and Addison Road by the building.

6. **Prior to the approval of any building permit, the applicant shall provide evidence of a contribution to the M-NCPPC Department of Parks and Recreation in the amount of \$57,138 for the development of the neighborhood park.**

The applicant has agreed to provide this contribution to DPR, as stated in Finding 9.

7. **In conformance with the Adopted and Approved Addison Road Metro Town Center and Vicinity Sector Plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:**

- a. **Construct the eight-foot-wide sidewalk along the subject site's entire frontage of Central Avenue (MD 214). This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip.**
- b. **Construct the five-foot-wide sidewalk along the subject site's entire frontage of Zelma A venue. This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip.**

The submitted plans are in conformance with the conditions noted above.

12. **Detailed Site Plan DSP-06001-01:** DSP-06001-01 was approved by the Planning Board on April 8, 2010 (PGCPB Resolution No. 10-50) for a mixed-use development with 171 dwelling units, 37,170 square feet of office space, a 32,820-square-foot library, 15,890 square feet of retail, a freestanding parking structure, and an indoor pool (natatorium) building. The District Council elected to review the case and affirmed the Planning Board decision, with additional conditions, on October 4, 2010. The Final Council Order includes 13 conditions of approval. The Board finds the following conditions are applicable to the review of this application and are being addressed as follows:

2. **A new final plat for Parcel A (Preliminary Plan 4-05068) shall be approved in accordance with Section 24-108 of the Subdivision Regulations. This plat in conjunction with the prospective final plat for Parcel B (Preliminary Plan 4-08019), shall both carry the following note:**

The combined proposed development on Parcel A (4-05068) and Parcel B (4-08019) shall be limited to uses generating no more than 163 AM and 226 PM peak hour trips. Any further development on either parcel that generates a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities, for that development generating the additional impact.

This condition of approval is still valid and has been carried forward with DSP-06001-03, with modifications. The intent of the above condition was to consolidate the parcels, which are proposed to have a unified development scheme and access from Parcel A. The consolidation of Parcels A and B, however, does not alter the PPS approvals for their respective land areas. Therefore, their respective trips caps will continue to apply. This final plat shall be required prior to issuance of any building permits and as conditioned herein.

3. **A final plat for Lot 5 of Block B shall be approved with the following note:**

"Development on Lot 5 of Block B is limited to a cumulative 5,000 square feet of gross floor area pursuant to Section 24-111(c). At such time that

development should exceed this maximum, then a preliminary plan of subdivision shall be required.”

This condition of approval is still valid and has been carried forward with DSP-06001-03, with modifications. The facts remain the same, as was evaluated with DSP-06001-01, regarding development of Lot 5, and a new final plat will establish the lot's proposed right-of-way dedication and 10-foot wide public utility easement, as shown on the subject DSP. This final plat shall be required prior to issuance of any building permits, as conditioned herein.

4. **The application for the building permit for Parcel A shall contain a certification, to be submitted to The Maryland-National Capital Park and Planning Commission (M-NCPPC), prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.**

This condition of approval is still valid and has been carried forward with DSP-06001-03.

5. **Prior to the issuance of any building permit, the applicant shall:**
 - a. **Provide evidence that the proposed disturbances to WMATA-owned land have been approved by WMATA.**

This condition of approval is still valid, and the applicant has reached out to and will continue to coordinate with WMATA to limit any proposed disturbance to WMATA-owned property.

- b. **Provide evidence of a contribution for the benefit of the Prince George's County Memorial Library System, in the amount of \$57,138, for the development of the library on the subject property.**

When the District Council reviewed DSP-06001-01, this condition was modified to require the contribution for the benefit of the Prince George's County Memorial Library System. However, the library is no longer being proposed with the current application, and a monetary contribution to DPR is required to meet mandatory dedication of parkland requirements, as conditioned herein.

6. **The applicant shall place underground all on-site utility lines and facilities, for utilities that serve the subject property and the proposed project. Utility lines and facilities off site need not be underground, but the applicant shall participate in an underground utilities fund at Central Avenue (MD 214) and Addison Road, if one is created, to study or implement the underground placement of utilities in this vicinity. Funding contributions by the applicant shall not exceed \$10,000.**

This condition of approval is still valid and has been carried forward with DSP-06001-03. The applicant has indicated that all on-site utility lines and facilities serving the subject property will be placed underground, and is conditioned to revise the DSP to show conformance to this condition.

7. **All residential portions of the building shall be accessed only by an electronic security card system.**

A general note showing conformance to this condition has been added to the plan.

8. **The applicant shall construct the eight-foot-wide sidewalk along the subject's entire frontage of Central Avenue (MD 214), unless modified by SHA. This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip, if right-of-way is available, unless modified by SHA.**

9. **The applicant shall construct the eight-foot-wide sidewalk along the subject site's entire road frontage of Addison Road, unless modified by DPW&T.**

10. **The applicant shall construct the five-foot-wide sidewalk along the subject site's entire frontage of Zelma Avenue, unless modified by DPW&T. This sidewalk shall be separated from the curb by a five-foot-wide grass planting strip.**

The proposed DSP shows conformance to the three conditions above.

12. **The fitness center, aerobics room, business center, media center, and lounge/billiards room shall be completed prior to the completion of the 123rd dwelling unit. Prior to issuance of the final Use and Occupancy Permit for the 171st dwelling unit, the applicant shall have completed the indoor pool building (natatorium).**

The application is proposing a fitness center, an aerobics room, a business center, a media center, and a lounge, in conformance to this condition, and is no longer proposing a pool with this DSP. The pool has been replaced by a series of outdoor amenity and plaza spaces featuring decorative finishes and other site elements along MD 214. No timing of construction is necessary for these facilities, as they are not provided in fulfillment of the mandatory dedication of parkland requirement.

13. **Conditions 4.m., 5, 6, 10.a., 10.f., 10.g., 10.i., 10.j., and 10.k. of the District Council's Order of Approval for Detailed Site Plan DSP-06001 remain valid and are applicable to the subject application.**

These conditions are discussed as follows:

4. **Prior to certification of the detailed site plan, the following revisions shall be made**

- m. **The applicant shall place underground all on-site utility lines and facilities, for utilities that serve the subject property and the proposed project. Utility lines and facilities off site need not be underground, but the applicant shall participate in an underground utilities fund at Central Avenue and Addison Road, if one is created, to study or implement the underground placement of utilities in this vicinity. Funding contributions by the applicant shall not exceed \$10,000.**

This condition remains valid and has been carried forward in the subject application.

- 5. **All mechanical equipment and dumpsters shall be screened from public view and rights-of-way, with an appropriate buffer consisting of plantings, walls, or fences in compliance with the screening requirements of the Landscape Manual.**

Mechanical equipment is appropriately screened, as discussed in Finding 11 above.

- 6. **Prior to the approval of any building permit, the applicant shall provide evidence of a contribution for the benefit of the Prince George's County Memorial Library System, in the amount of \$57,138, for the development of the library on the subject property.**

This issue is discussed in Finding 11 above.

- 10. **Prior to signature approval, the applicant shall make the following revisions to the plans. (This condition shall be controlling, to the extent that it may be inconsistent with any provision in conditions 1-9.)**

- a. **Building height may not exceed 10 stories. The top two floors shall be constructed as two-story condominiums.**

The proposed building is six stories high and approximately 75 feet tall, meeting the requirement for height. Market conditions have changed since the approval of DSP-06001-01, and the DSP proposes the top two floors of the building as single-story apartments, instead of two-story condominiums.

- f. **There shall be one or more security persons on the premises at all times.**

- g. **There shall be round-the-clock CCTV camera coverage, at all building entrances and exits.**
- i. **Before 9:00 a.m. and after 8:00 p.m., the building shall be accessed only by an electronic security card system.**

These conditions remain valid and have been included on the plans as General Notes 2, 3, and 5.

- j. **A six-foot wrought iron fence shall be constructed around the perimeter of the property.**

A 42-inch-high, decorative, estate-style aluminum fence is shown proposed on top of a 30-inch-high brick wall, totaling 6 feet in height, on the Zelma Avenue and Addison Road frontages, in accordance with this condition. A metal 6-foot-high fence is proposed along the southern property line of the site on Parcels B and 87, between the parking lot and the adjacent single-family detached residential properties.

- k. **There shall be at least 300 parking spaces, provided in a parking structure.**

A separate parking structure is no longer being proposed. In addition, it is noted that the development proposed by the applicant has been reduced and no longer requires the same number of parking spaces. The proposed parking for the application is being provided in parking under the building, and in surface parking lots.

13. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) for Section 4.1, Residential Requirements; Section 4.2, Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The Planning Board finds that the required plantings and schedules are provided, in conformance with the Landscape Manual, as modified by the D-D-O Zone standard.
14. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the 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 2 Tree Conservation Plan, TCP2-013-2019, was submitted with the DSP application. A woodland conservation exemption letter was previously submitted with earlier applications because the site contained less than 10,000 square feet of woodland. A review of a full natural resources inventory (NRI) in 2015

confirmed that continued woodland generation on the site resulted in 1.26 acres of woodlands. As such, a full TCP2 is required.

Based on the TCP2 submitted with this application, the Planning Board finds the woodland conservation worksheet must be revised to show the approved on-site existing woodland. The worksheet lists the site as having 2.98 acres of woodlands; however, the approved NRI shows the site to contain 1.26 acres. Based on calculations, the total woodland conservation requirement will be approximately 1.58 acres. The TCP2 proposes to meet the requirement with the woodland conservation fee-in-lieu. Once corrected, the use of off-site mitigation must be used to meet any requirement that cannot be met on-site. With conditions included herein, the Planning Board finds the proposed TCP2 is in conformance with the woodland conservation requirements.

15. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that propose more than 5,000 square feet of disturbance. Properties zoned C-S-C are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy; properties zoned R-55 are required to provide 15 percent. The overall site measures 2.98 acres and requires 13,482 square feet of TCC. The site plan appears to provide the appropriate amount of TCC, as required, but it has not provided the appropriate schedule demonstrating conformance. Therefore, a condition has been included in this approval requiring that the applicant revise the site plan, as necessary, and provide a Tree Canopy Coverage schedule demonstrating conformance with Section 25-128 of the Prince George's County Code.
16. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation and Archeological Review**— The Planning Board adopts, herein by reference, a memorandum dated December 11, 2019 (Stabler to Bishop), which stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, or known archeological sites.
 - b. **Community Planning**— The Planning Board adopts, herein by reference, a memorandum dated December 24, 2019 (Li to Bishop), which provided a discussion of the requested D-D-O Zone development district amendments to the standards that is incorporated into the findings above.
 - c. **Transportation Planning**— The Planning Board adopts, herein by reference, a memorandum dated March 23, 2020 (Masog to Bishop), which offered an analysis of the site design, a discussion of the previous conditions of approval, and an analysis of the reduction in the number of required parking spaces, that has been incorporated into the findings above.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a detailed site plan, as described in the Zoning Ordinance, as conditioned herein.

- d. **Subdivision Review**— The Planning Board adopts, herein by reference, a memorandum dated December 26, 2019 (Diaz-Campbell to Bishop), which offered comments relative to the subject application and noted that a final plat of subdivision should be filed by the applicant to include Parcel A and Parcel B (Parcel 87). It is the Planning Board's determination that a plat of consolidation would provide the best avenue for all parties to mutually agree to the eventual execution of the development plan. In addition, it was noted that a certified copy of PPS 4-08019 is not on record. The applicant should either provide a certified copy or submit a copy of the approved plan for certification. The DSP is found to be in substantial conformance with Subtitle 24 of the County Code, subject to minor technical conditions, which have been included in this approval.
- e. **Trails**— The Planning Board adopts, herein by reference, a memorandum dated December 24, 2019 (Shaffer to Hurlbutt), which analyzed the DSP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the conditions of prior approvals that have been incorporated into the findings above, and noted that the subject property has existing sidewalks along the frontage of MD 214 and sidewalks are proposed along the frontage of Addison Road and Zelma Avenue. In addition, it was noted that planned bike lanes will be constructed along Addison Road and MD 214. The network of sidewalks included in the proposed DSP appear to adequately serve the subject site.

The *Approved Subregion 4 Master Plan and Sectional Map Amendment* and the *Central Avenue-Metro Blue Line Corridor TOD Implementation Mobility Study* recommend the Central Avenue Connector Trail (CACT) along MD 214 in the vicinity of the subject site, including the frontage of the property. Design work for the CACT has continued since the adoption of the master plan. Thirty percent design plans have been completed for the frontage of the site, which appear to be compatible with the improvements proposed on-site. The Planning Board requires the CACT be incorporated into the DSP necessitating changes include widening the sidewalk/trail from 8 feet wide to 12 feet wide as agreed to by the applicant to accommodate the construction of the CACT. The revisions will require a slight modification to the layout and an exhibit has been provided to illustrate the required changes. A condition has been included herein, to require the applicant to construct the 12-foot-wide trail along the frontage of the property on Central Avenue, in accordance with the applicant's exhibit.

However, these improvements cannot be conditioned with this DSP, as the trail is located within the right-of-way of MD 214 and is under the jurisdiction of the Maryland State Highway Administration (SHA), who will enforce necessary frontage improvements. The Planning Board's approval of the DSP, therefore, is subject to conditions for trail/sidewalk improvements that have been addressed through revisions or are included in this approval.

- f. **Prince George's County Department of Parks and Recreation (DPR)**— The Planning Board adopts, herein by reference, a memorandum dated December 23, 2019 (Zyla to Bishop), which provided an analysis of the DSP's conformance with the previous conditions of approval, which have been incorporated into the findings above.
- g. **Permits**— The Planning Board adopts, herein by reference, a memorandum dated September 27, 2019 (Bartlett to Bishop), which offered numerous permit-related comments. The Planning Board finds that these issues have either been addressed through revisions to the plans or have been included as conditions in this approval.
- h. **Environmental Planning**— The Planning Board adopts, herein by reference, a memorandum dated January 24, 2020 (Schneider to Bishop), which provided an analysis of the DSP's conformance with all applicable environmental conditions attached to previous approvals and a discussion of the DSP's conformance with the WCO, which has been included into the findings above. Additional comments are summarized, as follows:

Specimen Trees

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

The site contains seven specimen trees on-site with the ratings of good (1, 2, 3, and 6) and fair (4, 5, and 8). One specimen tree (7) is located off-site, but within close proximity to the site's boundary. Specimen Tree 7 is in fair condition. The current design proposes to remove the seven on-site specimen trees (1, 2, 3, 4, 5, 6, and 8) for development of the buildings and associated infrastructure.

A variance from Section 25-122(b)(1)(G) was submitted with this DSP for removal of the site's seven existing specimen trees. An SOJ was submitted on January 8, 2020 and addresses the required findings of Section 25-119(d) of the WCO for all seven specimen trees as a group. The findings of approval are discussed, as follows:

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

The site is adjacent to the Addison Road Metro Local Transit Center, and Plan 2035 recommends medium- to medium-high residential development for the subject property, with limited commercial uses. This site has existing topography with an 18-foot grade change that makes it very difficult to keep existing vegetation when grading this site. Also, the two site access points limit development to certain areas of the property. To effectively develop the site with

the appropriate mix of uses, the necessary right-of-way and infrastructure improvements, and the grading necessary to effectively develop the site, the subject specimen trees must be removed.

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

The site is recommended for a high level of development to meet the needs of the adjacent Metro station. The removal of the specimen trees and the proposed development of the site is in keeping with Plan 2035 and similar projects within the area.

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

Based on the various site constraints, the granting of this variance will allow the project to be developed in a functional and efficient manner.

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

This request is not based on conditions or circumstances which are solely the result of actions by the applicant. The removal of the specimen trees is primarily due to the grading required to develop the site, due to the existing contours of the site.

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

This request is based on the nature of the existing site and the distribution of the existing specimen trees. The removal of the specimen trees is primarily due to the grading required to develop the site. This request is not based on a condition relating to land or a building use on a neighboring property.

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

The proposed development will not adversely affect water quality because the review of the project is subject to the requirements of the Prince George's County Soil Conservation District and approval of a stormwater concept plan by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

The Planning Board determines the required findings of Section 25-119(d) have been adequately addressed for the removal of seven specimen trees (1, 2, 3, 4, 5, 6, and 8).

Stormwater Management

Approved SWM Concept Plan 24628-2005-03 was submitted with the subject application, which includes an underground storage facility, and requires an SWM fee of \$13,920.00 for on-site attenuation/quality control measures.

The Planning Board approves DSP-06001-03 and TCP2-013-2019 subject to conditions concerning stormwater management that are included in this approval.

- i. **Prince George's County Fire/EMS Department**— The Planning Board adopts, herein by reference, a memorandum dated April 18, 2019 (Reilly to Bishop), in which the Fire/EMS Department offered comments on the subject application, which have been addressed through revisions to the plans or have been included as conditions in this approval.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**— The Planning Board adopts, herein by reference, a memorandum dated June 7, 2019 (Giles to Bishop), in which DPIE offered comments on the subject application and noted that the proposed site plan is consistent with approved SWM Concept Plan 24628-2005-03, dated February 28, 2019, and other comments related to this application will be addressed during their separate permitting process.
- k. **Prince George's County Police Department**—The Police Department did not provide comments on the application.
- l. **Prince George's County Health Department**— The Planning Board adopts, herein by reference, a memorandum dated December 9, 2019 (Johnson to Bishop), in which the Environmental Engineering, Policy Program, of the Health Department offered comments on the subject application that have been provided to the applicant and are included as conditions herein, as appropriate.
- m. **Washington Metropolitan Area Transit Authority (WMATA)**—WMATA did not provide comments on the application.
- n. **Maryland State Highway Administration (SHA)**— The Planning Board adopts, herein by reference, a memorandum dated December 19, 2019 (Woodroffe to Bishop), in which SHA indicated that this application is not required to construct the improvements on MD 214, but SHA has concerns with how the applicant plans to construct widening on Addison Road without impacts to the SHA right-of-way. These concerns have been provided to the applicant and will be addressed at the time of permitting.
- o. **Towns of Seat Pleasant, Capitol Heights, and Fairmont Heights**—These municipalities did not provide comments on the application.
- p. **Public Utilities**—The Potomac Electric Power Company (PEPCO) and Verizon did not provide comments on the application.

17. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the Planning Board finds the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
18. As there are no regulated environmental features located on the subject property, the Planning Board determines the required finding, pursuant to Section 27-285(b)(4) of the Zoning Ordinance, that the regulated environmental features have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, is not applicable.
19. **Planning Board Hearing:** At the public hearing, on April 9, 2020, the Planning Board heard testimony and reviewed documentation, and multiple exhibits, which are incorporated into the record for this application. The testimony and documentation expressed concerns that the application and the Board's hearing procedures did not meet the requirements of the law. Specific issues included the building's setback, the surface parking lot on Parcel 87, undergrounding of utilities, safe pedestrian crossings at intersections, roadway improvements around and in the vicinity of the property, and the belief that the site requires a new preliminary plan of subdivision.

Parties were afforded notice, permitted unlimited time to testify and cross examine witnesses, and the Planning Board otherwise complied with all applicable procedures. M-NCPPC planning staff and Legal Counsel addressed questions raised in the testimony and documentation including clarification on the regulations applicable to the subject application, and those that are not applicable, as further explained in a memorandum from Counsel to the Board dated April 7, 2020 and incorporated into the record. In addition, the attorney for the applicant provided supporting exhibits and clarification to questions related to the application and addressed questions about the application including operational issues related to the development.

After considering the entire record including presentations of M-NCPPC staff, the Technical Staff Report, the case presented by the applicant, all testimony and submitted documentation, and applicable law, the Planning Board determines the application meets the requirements of law and approves the DSP application pursuant to the findings contained in this Resolution embodying the Board's final decision.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopts the findings contained herein and APPROVES Type 2 Tree Conservation Plan TCP2-013-2019, and further APPROVES Detailed Site Plan DSP-06001-03 for the above described land, subject to the following conditions:

- A. APPROVE the alternative development district standards, as follows:
1. **S3. Building Siting and Setbacks, Standard C (page 180):** To allow the build-to line from MD 214 (Central Avenue) and Addison Road to be 15 to 65 feet from the right-of-way.
 2. **B1. Height, Scale and Massing, Standard I (page 205):** To allow the construction of a six-story building within the town center.
 3. **B7. Signs, Standard E (page 220):** To allow back-lit letters for the proposed freestanding signage.
- B. DISAPPROVE the alternative development district standard, as follows:
1. **S1. Vehicular Circulation/Access, Standard C (page 174):** To permit sidewalk materials not to continue across driveways and allow only striping of crosswalk locations on-site.
- C. APPROVE Detailed Site Plan DSP-06001-03 and Type 2 Tree Conservation Plan TCP2-013-2019, including a departure in the number of residential parking spaces and a variance for the removal of seven specimen trees, for The Commons at Addison Road Metro, subject to the following conditions:
1. Prior to certification of this detailed site plan (DSP), the applicant shall:
 - a. Provide a signage area schedule, removing the proposed wayfinding signage, and demonstrate that the proposed signage area is equal to, or less than, what is permitted by Section 27-613 of the Prince George's County Zoning Ordinance.
 - b. Revise the notes to reflect the conditions of approval that have been revised, as a result of this DSP approval.
 - c. Revise the site plan to show all on-site utility lines and facilities, for utilities that serve the subject property and the proposed project, as being placed underground. Utility lines and facilities off-site need not be underground, but the applicant shall participate in an underground utilities fund at MD 214 (Central Avenue) and Addison Road, if one is created, to study or implement the underground placement of utilities in this vicinity. Funding contributions by the applicant shall not exceed \$10,000.
 - d. Provide the details and specifications for the various types of proposed building-mounted and site lighting, and clearly label their locations throughout the site.
 - e. Provide a minimum of two parking spaces for ride-share services.

- f. Revise the Type 2 tree conservation plan, as follows:
- (1) Revise the Woodland Conservation Worksheet to show the correct existing woodland acreage, per the approved natural resources inventory, the corrected requirement, and to show the use of off-site woodland conservation credits for any requirement not met on-site.
 - (2) Revise the legend to identify the “starred” symbol.
 - (3) Add the standard Subtitle 25 variance note under the Specimen Tree Table or the Woodland Conservation Worksheet, identifying with specificity the variance decision consistent with the decision of the Planning Board:

“NOTE: This plan is in accordance with the following variance(s) from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE) for the removal of the following specified specimen trees (Section 25- 122(b)(1)(G)): (Identify the specific trees to be removed).”
 - (4) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- g. Revise the median and left-turn lane within the Addison Road right-of-way, in accordance with Preliminary Plan of Subdivision 4-05068, Condition 17.b., unless modified.
- h. Provide additional landscaping, knee walls, or other noise mitigation techniques to define the outdoor plaza spaces between the building and MD 214 (Central Avenue) and reduce noise impacts.
- i. Reduce the height of the decorative wood fence surrounding the westernmost plaza, north of the building, to a maximum of 5 feet high.
- j. Provide a fire department connection within 200 feet of the front and sides of the building that is visible from the street.
- k. Relocate the built-in gas grills in the passive recreation space, north of the building, to be 30 feet from the structure, in accordance with the Prince George’s County Fire Code.
- l. Add the following general notes:
- (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties.

Conformance to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, is required.

- (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code, is required.
 - m. Provide raised crosswalks, including a material change, at all drive aisle intersections and all pedestrian crossings within the site.
 - n. Provide a Tree Canopy Coverage schedule showing conformance with Section 25-128 of the Prince George's County Code, indicating that this requirement is being met on-site.
 - o. Revise the site plan, in accordance with applicant's exhibit, to construct a 12-foot-wide sidewalk along the MD 214 frontage of the property.
 - p. Revise the architectural elevations to remove the below-grade parking.
 - q. Provide five-foot-wide sidewalks along the subject site's entire frontage of Zelma Avenue.
 - r. Add a dedicated shared-ride location (serving Uber, Lyft, and other ride-sharing services) with signage.
 - s. Provide the locations for 48 bicycle spaces within the garage and an additional 26 bicycle spaces at the rear of the building,
 - t. Provide the location of and details for a bicycle repair station on site for the use of residents and visitors.
2. Prior to approval of a final plat, pursuant to Preliminary Plan of Subdivision (PPS) 4-08019, a signature-approved copy of PPS 4-08019 shall be submitted to the Subdivision and Zoning Section of the Development Review Division, or a copy shall be submitted for signature approval.
 3. Prior to approval of a new final plat for Parcel A, the applicant shall:
 - a. Label denial of access to and from Addison Road for any left-turn movements, unless a reconsideration of the preliminary plan of subdivision is approved, and the denial of access to Addison Road shall be labeled along the frontage of the land area included in Preliminary Plan of Subdivision 4-08019 (Parcel B).

- b. Submit an amended private recreational facilities agreement, to be reviewed and approved by the Development Review Division and recorded among the Land Records of Prince George's County. The Liber and folio of the amended RFA shall be shown on the final plat prior to recordation.
4. In consideration of the proffers made as a means of reducing the parking provided onsite, at the time of building permit, the applicant shall provide details of the proposed ongoing trip reduction activities:
 - a. The proposed offer to residents signing a one-year lease within the residential complex a Washington Metropolitan Area Transit Authority SmarTrip card worth up to \$200 per year for each year (up to five years) that they remain residents.
 - b. The proposed pricing for onsite parking.
 - c. The proposed establishment of a cycling club for residents of the building and the general community.
5. Prior to approval of any building permits, the applicant shall:
 - a. Provide evidence of a contribution to the Prince George's County Department of Parks and Recreation in the amount of \$57,138 for development of the Rollins Avenue neighborhood park, in fulfillment of mandatory dedication of parkland requirements.
 - b. Submit an approved final plat for Lot 5 of Block B that includes the following note:

"Development on Lot 5 of Block B is limited to a cumulative 5,000 square feet of gross floor area pursuant to Section 24-111(c). At such time that development should exceed this maximum, then a preliminary plan of subdivision shall be required."
 - c. Submit a certification by a professional engineer, with competency in acoustical analysis, using the certification template. The certification shall state that interior noise levels shall be reduced through the proposed building materials to 45 dBA Ldn or less for the portions of the residential units within the unmitigated 65 dBA Ldn or higher noise impact area.
 - d. Submit a final plat that consolidates the entirety of the land areas that comprise Preliminary Plans of Subdivision (PPS) 4-05068 and 4-08019 for approval. The plat shall be filed in accordance with PPS 4-08019 and incorporate Parcel A from PPS 4-05068, in accordance with Section 24-108 of the Subdivision Regulations.

Notes shall be added to the final plat that clearly delineate the underlying approvals and their applicability to each of the land areas.

6. Prior to issuance of the final certificate of occupancy for the building, the applicant shall complete all private recreational facilities and have them inspected by the Maryland-National Capital Park and Planning Commission.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey and Hewlett voting in favor of the motion, and with Commissioners Doerner and Geraldo voting in opposition at its regular meeting held on Thursday, April 9, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of April 2020.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: April 24, 2020