

Case No. SP-02001

Applicant: Taylor Development
& Land Company

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 03-214, to approve a conceptual site plan for commercial office, retail commercial, hotel and multi-family residential uses on property described as approximately 22.70 acres of land in the M-X-T Zone, located on the southwest quadrant of the intersection of MD 410 and Belcrest Road, Hyattsville, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose findings and conclusions are hereby adopted as the findings of fact and conclusions of law of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. In addition to the information required for each Detailed Site Plan, the applicant, his heirs, successors, and/or assignees shall submit a parking demand analysis which reflects appropriate reduction for shared parking between the existing and proposed uses. A parking demand analysis shall not be required for any Detailed Site Plan relating to the standalone residential units.
2. Prior to certification of the conceptual site plan, the applicant, his heirs, successors, and/or assignees shall submit a detailed on-site transportation study for the entire site of this conceptual site plan, which shall include traffic projections for all access points. This information will be used to determine the adequacy of the site access points. A copy of an access approval letter from SHA and DPW&T shall be provided prior to the approval of a Detailed Site Plan.
3. The minimum building height for the standalone residential apartments shall be four to five stories (with the exception of the two three-story apartment buildings identified on the conceptual site plan adjacent to the northernmost Belcrest Road

access driveway). Lofts shall be provided in some of the four to five story units to give the appearance of six stories in some locations, particularly along Belcrest Road. The building height for the two standalone residential apartment buildings (which may include live-work opportunities) referenced above may be three stories if at the time of Detailed Site Plan approval, the Planning Board finds that these three story units will be designed so as to be compatible with other proposed development on-site from the standpoint of size, massing and architectural treatment, and that they will promote safe and convenient residential living opportunities and promote safe and efficient pedestrian movement throughout the site.

4. Retail stores, including “big box” retail, shall have their entrances fronting on East-West Highway and/or the open-air urban plaza unless otherwise approved at the time of Detailed Site Plan approval.
5. A 40-foot-wide pedestrian zone, including a 40-foot build-to line, shall be provided along East-West Highway, in accordance with P-1 and S-8 of the TDDP unless otherwise approved at the time of Detailed Site Plan approval.
6. Any parking structure visible from East-West Highway shall be designed to incorporate techniques and architectural treatments which cause the structure to blend harmoniously with retail, office or residential structures along East-West Highway. It is the intent of this condition to mitigate the visual impact of any such parking structure.
7. An urban plaza, with a park-like setting, shall be provided at the base of the existing Metro overpass in accordance with page 73 of the TDDP. The plaza shall be designed to be in conformance with the Site Design Guidelines on pages 36-38 of the TDDP to the extent practicable. A covered walkway should be provided in the form of a gallery, awnings or an arcade (open-sided) from the Metro overpass to Metro station.
8. A 45-foot-wide vegetative buffer, consisting of existing trees to be preserved and substantial evergreen and ornamental plantings to supplement the buffer and increase the visual barrier, shall be provided along the south property line. Building setbacks from the property line shall be a minimum of 65 feet, except for one leg of the proposed residential structure that may be 45 feet from the property line. Any proposed office or associated parking structure must meet the required 100-foot-wide buffer requirement of page 70 of the TDDP.
9. A minimum 25-foot-wide landscaped buffer shall be provided between the proposed stormwater management facility in the southeast corner of the site and the southern property line.

10. The stormwater management facility for the residential development shall be designed as an amenity for the residents and shall include attractive landscaping.
11. A maximum of eight percent of apartment units may be three-bedroom apartment units.
12. At the time of Detailed Site Plan review for the retail and residential in Phase II, the applicant shall consider providing residential above the retail along East-West Highway and sleeves of retail in front of the proposed big box retail lining East-West Highway.
13. The proposed one-story detached retail space shown on the conceptual site plan along Belcrest Center Road immediately north of the northernmost Belcrest Center Road access driveway may be permitted and may be developed as a restaurant if, at the time of Detailed Site Plan approval, the Planning Board finds that this one-story structure has been designed so as to incorporate architectural treatments and techniques which cause this structure to blend harmoniously with other proposed surrounding on-site improvements, promotes concepts of a transit-oriented development, and provides for safe and efficient vehicular and pedestrian circulation. Fast-food restaurants shall not be permitted.
14. A fee-in-lieu of parkland dedication shall be determined at the time of Preliminary Plan, based on the following:
 - a. At the time of application for the Preliminary Plan, the applicant shall specify the total number of proposed dwelling units in the residential portion of the planned development.
 - b. A fee shall be established at the time of Preliminary Plan based on the following formula:

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

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

Where:

N = Number of units in project

M = Multiplier

S = Standard value of facilities for population of 500.

P = Population per dwelling unit will be based on estimates of average household size by Planning Area, generated by the Research Section of the Department of Planning. Variations may be allowed if approved by Urban Design Section and Park Planning and Development staff considering information provided by the applicant and reviewed and approved by the Research Section.

- c. The fee shall be determined by DPR upon request by the developer. The request shall be submitted two weeks prior to building permit for each residential structure in Subarea V.
 - d. The fee shall be paid prior to building permit for each residential structure and shall be used for renovation of the Prince George's Plaza Community Center or development of the University Hills Community Park located to the northwest of the transit district.
15. Prior to certification of the Conceptual Site Plan, a copy of the approved Stormwater Management Concept Letter and Plan shall be submitted.
16. At time of Detailed Site Plan review, the DSP shall show the location of trash cans throughout the site and shall contain the following note: "All storm drain inlets shall be stenciled with the words "Do Not Dump, Chesapeake Bay Drainage."
17. Prior to certification of the Conceptual Site Plan, the Site Plan shall be revised to show the location of the 65 dBA noise contour either based on the 65 dBA Ldn determined by staff, or based on a Phase I Noise Study approved by the Environmental Planning Section. The location of the 65 dBA Ldn noise contour shall be shown on all subsequent plans.
18. If residential uses are proposed within the 65 dBA Ldn noise contour, the buildings and layout shall be designed to meet the State noise standards. The Detailed Site Plan shall be evaluated to ensure that this condition is met.
19. Prior to certification of the Conceptual Site Plan, the Type I Tree Conservation Plan shall be revised as follows:
- a. Show only notes and details associated with a TCPI.
 - b. Revise the limit of disturbance to allow for the preservation of the specimen tree. No more than 25 percent of the critical root zone shall be shown to be impacted.
 - c. Have the revised plan signed and dated by the qualified professional who prepared the plan.
20. The design and function (including turning movements), of the access driveway to serve the Giant Food property which is proposed to intersect the westernmost access driveway to the subject property from East-West Highway, shall be finally determined at the time of the approval of the first Detailed Site Plan for any use other than the standalone residential.

Ordered this 9th day of February, 2004, by the following vote:

In Favor: Council Members Knotts, Bland, Dean, Dernoga, Exum, Harrington, Hendershot,
Peters and Shapiro

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Tony Knotts, Chairman

ATTEST:

Redis C. Floyd,
Clerk of the Council