

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 May 3, 2007 regarding Detailed Site Plan DSP-02039/02 for Eastgate Shopping Center, Lot 2 – Staybridge Hotel, the Planning Board finds:

1. **Request:** The subject application requests approval of a 122-room hotel, 83,378-square-foot hotel on a pad site in an existing shopping center.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	C-S-C	C-S-C
Use(s)	Vacant	Hotel
Acreage	2.65	2.65
Lots	1	1
Building Square Footage/GFA	0	83,378
Total parking spaces	85	85
Of which handicapped spaces	5	5
Loading spaces	1	1

3. **Location:** The site is in Planning Area 70 and Council District 3. More specifically, it is located on Eastgate Drive, west of its intersection with MD 564-Lanham-Severn Road.
4. **Surroundings and Use:** The subject property is bounded to the south by vacant, residentially zoned land; to the east by Eastgate Drive; to the west and north by the existing shopping center.
5. **Previous Approvals:** The project is subject to the requirements of Preliminary Plan of Subdivision 4-01067, Detailed Site Plans DSP-02039 and DSP-02039/01. The site is also the subject of stormwater management concept 21701-2001.
6. **Design Features:** The subject site is accessed from two points on Eastgate Drive. The parcel does not share vehicular access with the other portions of the Eastgate Shopping Center to the north and west. The hotel fronts on Eastgate Drive, with parking provided primarily in front of and to the northern side of the building. A small number of spaces are located on the southern side of the building where a screened dumpster pad is located. The dumpster enclosure is proposed to be constructed of brick, concrete block and wood, though the concrete block will not be visible from

the outside. A pool and a patio are located to the rear of the building, the only intrusion into a 20-foot landscape buffer required by the *Landscape Manual*.

The architecture for the building is not an inspired architectural design, but it is well organized in its massing, utilizing five projecting gables on both its front and rear facades to create visual interest. Material choices and placement, however, including two colors of EIFS, stacked stone, and siding, are too diverse and create a confusing and disjointed appearance.

Discussions among staff and the applicant have resulted in revisions of the façade design including brick on the first floor of all four facades, with EIFS above, except for the five projecting gables on the front and rear facades. The projecting gables would be clad in brick, like the first story of the building, with the central projecting gable clad in the darker-colored stacked stone. Revised plans reflecting these revisions have not yet been received by staff. Recommended condition 2(b) below, if adopted, would accomplish revision of the elevation drawings prior to signature approval of the plans.

The building is four stories tall and measures a total of 83,378 square feet, with 21,361 square feet included on the first floor, 20,409 on the second, and 20,804 on the third and fourth stories. A freestanding, back-lit sign is included for the proposed project. Its base is specified as stacked stone to match the stacked stone utilized on the central projecting gable of the main facades of the building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-461, which governs permitted uses in commercial zones. The proposed commercial shopping center is a permitted use in the C-S-C Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-462, Regulations, regarding additional regulations for development in commercial zones.
8. **Preliminary Plan of Subdivision 4-06061:** The property is the subject of Preliminary Plan 4-06061, approved by the Planning Board on December 7, 2006. The resolution of approval, PGCPB Resolution 06-278 was adopted on January 4, 2007. The subject property was previously reviewed as Preliminary Plan of Subdivision 4-01067, but the Planning Board's conditions of approval on Preliminary Plan 4-01067 found in Resolution No. 02-26, which was approved on February 14, 2002, were superseded by PGCPB Resolution No. 06-278. Each relevant condition of that approval is indicated in bold face type below and is followed by staff's comments.

3. **An automatic fire suppression system shall be provided in all new buildings in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

Staff comment: A note on the plans, (General Note 16), states that the proposed structure shall be fully sprinklered in accordance with Article 13 of the National Fire Protection Association and all other applicable laws, ensuring that the proposed structure will be sprinklered.

4. **Development must be in accordance with the approved Stormwater Management Concept Plan 21701-2001-00.**

Staff comment: In an e-mail dated March 14, 2007, the Department of Public Works and Transportation stated that the proposed project is in conformance with approved stormwater concept 21701-2001.

5. **A detailed site plan shall be approved prior to the approval of building permits. The site plan shall demonstrate conformance to the master plan concept for the community activity center that includes the clustering of buildings within the shopping center to promote pedestrian circulation and a focal point.**

Staff comment: Conformance to the master plan concept described above was accomplished in the approval of the detailed site plan for the Eastgate Shopping Center. The proposed hotel is on a site that is behind and separate from the shopping center itself.

6. **A Type II Tree Conservation Plan shall be approved in conjunction with detailed site plans.**

Staff comment: In their memo dated August 28, 2006, the Environmental Planning Section is recommending approval of TCPII/85/02/02 subject to conditions. If the Planning Board approves the tree conservation plan as recommended, this condition would have been fulfilled.

9. ***Landscape Manual:*** The project is subject to Sections 4.3 and 4.7 of the *Prince George's County Landscape Manual*. Staff has reviewed the submitted landscape plan and determined that all requirements have been met except with respect to a required buffer between the proposed hotel and the existing shopping center. Applicant has sought and received a favorable Alternative Compliance recommendation in AC-01050/02 that accompanies the subject application. The recommendation, if accepted, would reduce the required building setback pursuant to Section 4.7 of the *Landscape Manual*, along the common property line with the shopping center adjacent to a proposed hotel, pool building and dumpster enclosure. In compensation, both additional landscaping and a board-on-board, pressure-treated wood fence have been provided. Provided the Alternative Compliance application is approved together with the subject detailed site plan, it may be said that the proposed project conforms to the applicable requirements of the *Landscape Manual*. A recommended condition below would modify the material utilized for the fence to

non-wood, a more durable solution, consistent with the specifications of other recent cases including fences approved by the Planning Board.

10. **Woodland Conservation Ordinance:** The site is subject to the Woodland Conservation Ordinance because it has a previously approved Type I Tree Conservation Plan, TCPI/26/01. In conjunction with the subject detailed site plan, the Environmental Planning Section has reviewed and is recommending approval of, subject to conditions, Type II tree conservation plan TCPII/85/02-02 .

Therefore, it may be said that the subject project is in conformance with the requirements of the Prince George's County Woodland Conservation Ordinance.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

Historic Preservation—In comments dated July 21, 2006, the Historic Preservation Planning Section stated that the proposed project would have no effect on St. George's Chapel and Cemetery, the only historic resource in the vicinity of the subject site.

Archeological Review—In notes dated August 9, 2006, staff indicated that no archeological comment would be necessary on the subject project.

Community Planning—In a memorandum dated August 3, 2006, the Community Planning Division stated that the application is not inconsistent with the *2002 General Plan* Development Pattern policies for the Developing Tier and that the application conforms to the recommendation of the *1993 Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity* for a retail commercial use.

Transportation—In a memorandum dated December 14, 2006, the Transportation Planning Section noted that conditions 7 and 8 of the relevant preliminary plan of subdivision (4-06061) for the property relate to transportation issues and have the following requirements that are binding on the applicant, his heirs, successors, or assignees:

Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

7. (A) **At 193 and MD 564 intersection**
 - **Install a shared through/right turn lane along the westbound approach of MD 193 such that the westbound approach has dual left turn lanes, two through lanes, and a shared through/right turn lane.**

- **Install split phasing for the northbound and southbound approach of MD 564 and provide striping improvements along both approaches such that each approach has an exclusive left turn lane, a shared through/left turn lane, a through lane and an exclusive right turn lane.**

(B) Eastgate Drive (C-339R)

- **Construct the proposed Eastgate Drive (C-339R) pursuant to DPW&T specification.**

- 8. After build-out of the development contemplated by the subject application, applicant shall conduct a signal warrant study for the MD 564/site entrance intersection after build-out of the subject application occurs, and install a signal if deemed necessary.**

Subdivision—In a memorandum dated January 9, 2007, the Subdivision Section stated that the property is the subject of Preliminary Plan 4-06061, approved by the Planning Board on December 7, 2006. The resolution of approval, PGCPB Resolution 06-278 was adopted on January 4, 2007. The subject property was previously reviewed as Preliminary Plan of Subdivision 4-01067. The Planning Board's conditions of approval on Preliminary Plan 4-01067 are found in Resolution No. 02-26, which was approved on February 14, 2002. Further they stated that the Planning Board also approved DSP-02039 and their conditions of approval are found in Resolution No. 02-258(C), which was approved on December 19, 2002. Grading and building permits have been issued for the site and much of the infrastructure has been built. A revision to DSP-02039 was approved in August 2006 to revise a building footprint. A second revision to DSP-02039 is pending (this application). In closing, the Subdivision listed the conditions relevant to the subject approval (1-9). Please see Finding 8 for a more detailed review of these conditions.

Trails—In a memorandum dated January 30, 2007 the senior trails planner stated that the Adopted and Approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan designates Eastgate Drive (formerly Forbes Boulevard) as a master plan trail corridor. This trail has been constructed on the site immediately to the east of the subject site. The trail has been constructed as an eight-foot wide, concrete sidewalk on the south side of Eastgate Boulevard. Further, he stated that prior approvals for the subject application required the construction of the trail along Eastgate Drive at the time of road construction. In closing, the trails planner recommended that the trail be continued along the portion of Eastgate Drive being provided as part of the subject application, and that the master plan trail (or wide sidewalk) should be provided along the southern side of Eastgate Drive, while a standard sidewalk should be provided along the north side, consistent with the already constructed segment of the road. Conditions implementing these suggested conditions have been included in the recommendation section of this report.

Permits—In a memorandum dated August 8, 2006, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Environmental Planning—In a memorandum dated February 26, 2007, the Environmental Planning Section offered the following:

The approval of Preliminary Plan 4-01067 included 11 conditions, three of which dealt with environmental planning-related issues that were to be addressed during subsequent reviews. These three environmental conditions were all addressed at the time of the initial review of DSP-02039 in 2002. Planning Board Resolution No. 02-238 C contains five conditions, none of which are environmental in nature. It should be noted the Environmental Planning Section's review of DSP-02039 found the TCPII to conform to the proposed DSP.

Environmental Review

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

1. The site is subject to the Woodland Conservation Ordinance because it has a previously approved Type I Tree Conservation Plan, TCPI/26/01.

The subject 19.95-acre site previously contained 6.85 acres of existing woodland and has a Woodland Conservation Threshold (WCT) of 1.46 acres. The site has 10.20 acres of 100-year floodplain associated with it of which, 7.00 acres is wooded. The site's woodland conservation requirement is 6.04 acres. This requirement was met with 0.16 acres of on-site preservation, 0.89 acres of reforestation and 5.00 acres of off-site mitigation on another property.

Because of the pending revisions to the TCPI and the TCPII in the respective –01 revisions to these plans and the proper order of approvals, both –01 revisions should be signed prior to certificate approval of DSP-02039/02 and TCPII/85/02-02.

The current TCPII worksheet shows no proposed additional clearing for this –02 revision. However, to ensure the TCPII reflects the accurate as-built situation in relation to Lot 2, revisions to sheets 1 and 4 of 5 of TCPII/85/02 are necessary. Sheet 1 is the plan's cover sheet and it should show, along with sheet 4, the proposed hotel footprint and off-street parking. Sheet 4 also does not show the proposed limits of disturbance (LOD) in relation to Lot 2. The LOD should be shown on the current plan as it is shown on TCPI/26/01-01. Provide the current M-NCPPC TCPII signature approval block on the sheets in this revision and type in the name of the Environmental Planning staff person who originally signed the plan and type in the date of the approval.

After these revisions have been made, have the qualified professional who prepared the plan sign and date it.

Staff has included conditions suggested by the Environmental Planning Section in the Recommendation section of this report.

Department of Environmental Resources (DER)—In comments dated August 10, 2006, DER stated that their office had not yet approved a stormwater concept for this project yet. A condition below would ensure that the subject plan is in accordance with the requirements of an approved concept plan.

Prince George's County Fire Department—In a memorandum dated August 10, 2006, the Prince George's County Fire Department offered comment on accessibility to fire apparatus, private road design and the location and performance of fire hydrants.

Department of Public Works and Transportation (DPW&T)—In a memorandum dated August 23, 2006, DPW&T stated the following:

- The parcel is located along Eastgate Drive, approximately 350 feet west of its intersection with Lanham Severn Road (MD 564). Eastgate Drive is a county-maintained collector roadway. Frontage improvements and right-of-way dedication in accordance with DPW&T's collector roadway standards are required.
- Eastgate Drive is to be extended along the entire property frontage to include curb and gutter, sidewalk, street lights, street trees and a closed drainage system.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance. DPW&T's Specifications and Standards and the Americans with Disabilities Act.
- Conformance with street tree and street lighting standards is required.
- All storm drainage systems and facilities are to be in accordance with DPW&T's and the Department of Environmental Resources' requirements.
- Existing utilities may require relocation and/or adjustment. Coordination with the various utility companies is required.
- A soils investigation report that includes subsurface exploration and geotechnical engineering evaluation for public streets is required.

Please note that DPW&T failed to provide information regarding the proposed project's conformance with an approved stormwater management plan and that DPW&T's requirements are enforced through their separate permitting process. A recommended condition below would

require evidence of conformance with an approved stormwater management concept plan prior to signature approval of the plans.

Washington Suburban Sanitary Commission (WSSC)—In a memorandum dated August 10, 2006, WSSC stated that a water and sewer extension would be required and that the applicant should submit an onsite plan review package. Additionally, WSSC noted that the subject site showed different ownership from Parcel B and therefore would not be allowed to tie into the shopping center onsite system as each property must have its own connection. WSSC advised that the engineer for the project submit a Hydraulic Planning Analysis package to them to begin the System Extension Permit process to extend water and sewer mains to the property.

Maryland State Highway Administration (SHA)—In a letter dated March 20, 2007, SHA stated that they had no objection to Detailed Site Plan DSP-02039/02 approval as submitted. Further, SHA staff noted that the applicant has proffered roadway improvements along westbound MD 193 and in the southbound and northbound directions of MD 564 consistent with the recommendation made in their December 21, 2006 letter.

12. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCP/II/85/02-02) and APPROVED Alternative Compliance No. AC-01050/02, and further APPROVED Detailed Site Plan DSP-02039/02 for the above-described land, subject to the following conditions:

1. In conformance with the Adopted and Approved Glenn Dale-Lanham-Seabrook and Vicinity Master Plan and DSP-02039, the applicant and the applicant's heirs, successors, and/or assigns shall construct a multi-use, Class II trail along the subject property's entire portion of the south side of Eastgate Boulevard at the time of road construction and sidewalk along the north side of Eastgate Drive, unless modified by the Department of Public Works and Transportation.
2. Prior to signature approval of the plans, the following revisions shall be made to the plans or additional materials submitted as specified:
 - a. The detail graphic for the dumpster enclosure shall be revised to indicate brick as the only externally visible construction material except for the gates which shall utilize wood.
 - b. Elevation drawings shall be revised to utilize EIFS and brick on the façades with brick at the base of the building (first story), extending vertically to the roofline on the front and

rear facades on all of the projecting gables of the front, on the sides and on the rear façade, except the central projecting gable on both the front and rear facades which shall utilize stacked stone in accordance with approved exhibits 1a-d and 2a-e.

- c. Applicant shall furnish staff with appropriate evidence from DPW&T that the subject detailed site plan is in conformance with the applicable approved stormwater concept plan.
 - d. Applicant shall provide a sheet in the plans including the entire Eastgate Shopping Center that was the subject of the original detailed site plan and shall label it "Overall Detailed Site Plan."
 - e. Plans for the proposed fence shall be revised to indicate an aluminum or other attractive non-wood material. Final design of said fence is to be approved by the Urban Design Section as designee of the Planning Board.
3. Prior to signature approval of the -02 revision of the TCPII, the pending revisions to the TCPI shall be signed.
 4. Prior to certificate approval of DSP-02039/02, the TCPII shall be revised as follows:
 - a. Show on sheets one and four of five the proposed hotel footprint and off-street parking.
 - b. On sheet four show the proposed limits of disturbance (LOD) in relation to Lot 2 as shown on TCPI/26/01-01.
 - c. Provide the current M-NCPPC TCPII signature approval block on the sheets in this revision and type in the name of the Environmental Planning staff person who originally signed the plan and type in the date of approval.
 - d. After these revisions have been made, have the qualified professional who prepared the plan sign and date it.

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.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Parker voting in favor of the motion, and with Commissioner Clark abstaining at its regular meeting held on Thursday, May 3, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of May 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:RG:bjjs