

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on July 18, 2019, regarding Detailed Site Plan DSP-17048-01 for Capital Court–Clubhouse, the Planning Board finds:

1. **Request:** The application is for approval of a detailed site plan (DSP) amendment, for the construction of a two-story, 4,120-square-foot community building and recreational facility on Parcel EE, for the Capital Court townhouse development, and the revision of on-street parking in the vicinity.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	C-O	C-O
Use	Residential	Residential
Total Acreage	28.67	28.67*
Total Townhouse Units	306	306

Note: \*The DSP incorrectly states that the acreage of the DSP is 1.12 acres. The acreage for the site should be for the entirety of the DSP boundary, not just Parcel EE. Therefore, a condition has been included herein, requiring the applicant to revise the acreage of this DSP to reflect the entire development area.

OTHER DEVELOPMENT DATA

**Parking Spaces Required:**

Townhouse units (2.04 x 306 townhouse units)	<b>625*</b>
Community Building (by use)	
Office (1 space/250 sq. ft.) – 1467 sq. ft.	6
Fitness (1 space/80 sq. ft.) – 455 sq. ft.	6
Recreation (1 space/80 sq. ft.) – 757 sq. ft.	9
<b>Total Parking Required</b>	<b>646</b>

**Total Parking Provided:**

83 - 16' units (one-car garage, one driveway)	166
27 - 16' units (one-car garage)	27
125 - 20' units (two-car garage)	250
71 - 24' units (two-car garage)	142
Parallel On-Street Parking	87

**Total Parking Approved: 672**

Note: \*The number of parking spaces required for the townhomes was incorrectly calculated by the applicant and should be revised to reflect the total number of parking spaces required. A condition has been included herein, requiring the applicant to revise the number of required parking spaces.

3. **Location:** The subject site is in the southeastern quadrant of the intersection of MD 214 (Central Avenue) and the Capital Beltway (I-95/495), on the south side of MD 214, in Council District 6, and Planning Area 73.
4. **Surrounding Uses:** The overall site is bounded to the west by vacant property in the Reserved Open Space Zone, owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC), with the Capital Beltway beyond; to the north, by the public right-of-way of MD 214, with vacant and commercially-developed land in the Mixed Use-Infill and Development District Overlay Zones beyond; to the northeast by the public right-of-way of Harry S Truman Drive, with vacant land in the Planned Industrial/Employment Park Zone beyond; to the southeast, by the public rights-of-way of Capital Lane and Capital Court, with the Largo-Kettering Public Library in the Commercial Office (C-O) Zone beyond; and to the south, by the public right-of-way of Prince Place, with the Phyllis E. Williams Elementary School in the One-Family Detached Residential Zone, and vacant land in the Multifamily Low Density Residential Zone beyond. The specific location of this amendment is Parcels EE and portions of HH, which includes private streets. It is centrally located within the overall Capital Court development, and in the southwest quadrant of the intersection of Phoenix Drive and Capital Lane.
5. **Previous Approvals:** This property was part of a larger parcel, which was the subject of Preliminary Plan of Subdivision (PPS) 4-86201, approved by the Prince George's County Planning Board on January 29, 1987. Detailed Site Plan DSP-04046 for the subject property was approved by the District Council on May 9, 2005, for a church with 4,150 seats, as well as Alternative Compliance AC-05008, for relief from Section 4.3 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Construction commenced on this church in approximately 2006, but was never completed. The 2004 *Approved Sector Plan and Sectional Map Amendment for the Morgan Boulevard and Largo Town Center Metro Areas* retained the subject property in the C-O Zone.

Subsequently, a portion of the above referenced property (36.42 acres) became the subject of PPS 4-16031, which was approved by the Planning Board on June 15, 2017 (PGCPB Resolution No. 17-82). A DSP for infrastructure (DSP-16041), for 307 single-family attached homes (townhouses) and a multifamily project, which included the location and design of roadways, the lot layout for the townhouse development, on-street parking, landscaping, utility location, fencing, and sidewalks, was approved by the Planning Board on June 22, 2017 (PGCPB Resolution No. 17-86). In addition, AC-05008-01 was approved for relief from Section 4.10 of the Landscape Manual. DSP-17048, for the first phase of the Capital Court project, included 306 single-family attached townhouses, architecture, and recreational facilities, and was approved by the Planning Board on May 10, 2018 (PGCPB Resolution No. 18-30). Final plats were approved for the townhouse project and multifamily parcel on November 14, 2017.

The site is also the subject of approved Stormwater Management (SWM) Concept Plan 60156-2016, which was approved on March 6, 2017 and is valid through March 6, 2020. It is noted that this SWM concept plan is being revised and is currently under review.

6. **Design Features:** The applicant proposes to develop a two-story, 4,120-square-foot community building and recreational facility on Parcel EE, and provide additional parallel parking on Phoenix Drive and Capital Lane. The community building is served by a series of primary and secondary roadways and a sidewalk network, which provide a grid-like circulation pattern within the townhouse development. The 24 on-street parking spaces on Phoenix Drive and Capital Lane will be adequate to serve the community building. The community building will feature a kitchen, a community room, a patio, a sitting area, a fitness center, and amenities for the residents of Capital Court. The community building also features a separate community space on the second story, with a separate entrance located on the northern elevation facing Capital Lane. The Planning Board noted that a single sidewalk provides access to the building and is shown at the entrance to the community building, however, one is not provided to the entrance of the community space located on the second story. Per Section 27-461(b), Footnote 65(G), of the Prince George's County Zoning Ordinance, separate accesses must be provided for each floor. Therefore, a condition has been included in this resolution, requiring the applicant to revise the site plan and architecture to provide a separate access to the second story of the building.

**Recreational Facilities:** The PPS requirement for mandatory parkland dedication was met through land that was previously dedicated to M-NCPPC, to the west of the subject property. The recreational facilities on the site were approved with DSP-17048, and the recreational facilities on Parcel EE, adjacent to the community building, are being slightly reconfigured and revised with this application. The recreational facilities included in the subject DSP include a combined preschool-age (2–5) playground, a school-age (5–12) playground, and the community building. The details of the revised playground facility and a revised recreational facilities spreadsheet are included with this DSP, and the Planning Board found them acceptable. The timing of the construction established with DSP-17048, for the community building and combined playground facility on Parcel EE, will not change with this application.

**Architecture:** The community building is rectangular and includes a multi-tiered roofline, with the front of the facility facing Capital Lane. The approved building is 30 feet tall and includes two stories. The building has been designed to incorporate a variety of materials, including cement siding, glass panels, stone veneer, metal accents, and ample fenestration on all sides. The overall design of the building creates a clean and contemporary design, which will complement the surrounding townhomes.

**Lighting:** The site lighting was approved with DSP-16041 and no additional lighting is proposed with this application. The Planning Board required that additional lighting be provided to illuminate the front of the building, the surrounding walkways, and parking areas near the community building. This light will provide patrons with a bright, safe atmosphere and should not cause a glare onto adjoining properties. Therefore, a condition has been included in this resolution, requiring the applicant to provide additional lighting on the community building and property, and provide the supporting details and specifications.

**Signage:** Signage was approved with DSP-17048 showing the name of the community and will not change with this application. The building elevations submitted with this DSP show two building-mounted signs on the community building, on the north and west elevations. Details, dimensions, and area schedule for these approved signs have not been provided with the DSP, as required. Therefore, conditions have been included herein, requiring the applicant to provide signage area schedules, dimensions, and details for the proposed building-mounted signage.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the C-O Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject DSP is in conformance with Section 27-461, Uses Permitted in Commercial Zones, pursuant to Footnote 65; and Sections 27-453, 27-462, 27-283 and 27-274 of the Zoning Ordinance. The amendment to the subject DSP for architecture and the construction of the community building will not alter the previous findings regarding conformance, as found in PGCPB Resolution Nos. 17-86 and 18-30.
  - b. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance, and contained in Section 27-274. For instance, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers. The community building and recreational amenities contribute to an attractive, coordinated development that is appropriately scaled for user comfort. The public spaces approved with this application are well-designed and are accessible to the residents and community.

8. **Preliminary Plan of Subdivision 4-16031:** PPS 4-16031 was approved by the Planning Board on June 15, 2017 (PGCPB Resolution No. 17-82) for the development and created 308 lots and 32 parcels, subject to 15 conditions. The site layout included in the subject DSP is consistent with that evaluated with the PPS for the townhouse development. The 15 conditions relevant to the subject application were evaluated at the time of application for DSP-16041, and none of those conditions are applicable to this DSP amendment.
9. **Detailed Site Plan DSP-16041:** DSP-16041 was approved by the Planning Board on June 22, 2017 (PGCPB Resolution No. 17-86) and was subject to three conditions, of which only one condition is relevant to the subject application, as follows:
  2. **At the time of a full-scale detailed site plan, on-site active recreational facilities shall be included.**

The playground behind the clubhouse is being revised with this DSP amendment, however, it is still acceptable in terms of size and details. No other on-site recreational facilities are affected with this amendment.
10. **Detailed Site Plan DSP-17048:** DSP-17048 was approved by the Planning Board on May 10, 2018 (PGCPB Resolution No. 18-30) subject to three conditions, none of which are relevant to the subject application. The subject application is an amendment to this DSP, and the applicant has incorrectly included labels with the DSP that state, “not part of this DSP,” and this label should be removed from the appropriate sheets of the DSP set because this amendment includes the entire boundary of DSP-17048. Therefore, a condition has been included in this resolution, to remove the “not part of this DSP” label from the appropriate sheets.
11. **2010 Prince George’s County Landscape Manual:** The residential development is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. The subject DSP does not substantially change the findings of conformance made for the subject development with previous approvals, DSP-16041 and AC-05008-02. The landscaping approved with this DSP revises some of the placement of the landscaping approved with prior approvals, but the applicant has indicated that the overall quantities have not changed. The subject application has only redistributed specific plant material. It is unclear how the revised plant material relates to these prior approvals because the plant list on the DSP only quantifies the landscape material provided around the community building. Therefore, a condition has been included in this resolution, requiring the applicant to provide an exhibit showing conformance of the subject application to prior landscape approvals, with respect to the overall quantities and location requirements.
12. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This site 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 contains more than 10,000 square feet of existing woodland. A Type II Tree Conservation Plan, TCPII-159-04-01,

was approved in conjunction with DSP-16041, and is not revised with this application. The subject DSP does not change the findings of conformance made with the previous approval in relation to the WCO.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance. The subject DSP does not change the findings of conformance made with DSP-16041, in relation to the Tree Canopy Coverage Ordinance.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:
  - a. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 12, 2019 (Umeozulu to Bishop), which indicated that *Plan Prince George's 2035 Approved General Plan* or master plan conformance, is not required for this application.
  - b. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 12, 2019 (Burton to Bishop), which noted that there were no transportation-related issues for the subject application. Access and circulation patterns are consistent with prior approvals and, from the standpoint of transportation, it is determined that the plan is acceptable.
  - c. **Subdivision Review**—The Planning Board adopted, herein by reference, a memorandum dated June 24, 2019 (Turnquest to Bishop), which noted that a lot line adjustment is pending acceptance for a resubdivision of Plat 9 for Parcels CC and GG; this plat reflects a lot line adjustment that will result in Parcels LL and KK. Parcel KK is to be conveyed to the homeowners association, and Parcel LL (13,939 square feet) is to be conveyed to Washington Gas, as part of a necessary utility infrastructure project. The final plat approval is likely to precede this DSP amendment. Therefore, prior to certification of the DSP, the lot line adjustment should be reflected on the plans, if at that time the final plat is approved. The Planning Board noted that the conveyance out of the subdivision of Parcel KK is subject to M-NCPPC approval, as stated in the declaration of covenants for de-annexation of homeowners association common open space. That approval is inherent in this finding, as part of the DSP amendment. Minor technical revisions are required, which have been included as conditions in this resolution.
  - d. **Permits**—The Planning Board adopted, herein by reference, a memorandum dated June 21, 2019 (Jacobs to Bishop), which offered an analysis of the DSP's conformance with permit-related issues that have either been addressed through revisions to the plans, or are included as conditions in this resolution.

- e. **Trails Review**—The Planning Board adopted, herein by reference, a memorandum dated June 18, 2019 (Shaffer to Bishop), which noted that no master plan trails impact the subject site. The submitted site plan generally complies with the master plan, and it was noted that there are no conditions of prior approvals related to bicycle and pedestrian facilities. The clubhouse and outdoor play area are served by the sidewalk network approved within the larger development. This network includes six-foot-wide sidewalks along both sides of Phoenix Drive and Capital Lane, which serve the subject site. The Americans with Disabilities Act access appears to be provided to both the clubhouse and tot lot. The trail issues have either been addressed through revisions to the plans or through conditions included in this resolution.
  - f. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department did not provide any comments on the subject application.
  - g. **Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopted, herein by reference, a memorandum dated June 6, 2019 (Giles to Bishop), in which DPIE offered comments on the subject application and referenced their memorandum dated April 9, 2018, which addressed the prior DSP approval. Comments related to this application will be addressed during their separate permitting process.
  - h. **Prince George’s County Police Department**—The Police Department did not provide any comments on the subject application.
  - i. **Prince George’s County Health Department**—The Health Department did not provide comments on the subject application.
15. As required by Section 27-285(b)(3) of the Zoning Ordinance, this DSP satisfies the applicable site design guidelines as contained in Section 27-274, as stated in Finding 7(b).
16. As required by Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

**The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The preservation of environmental features was found with the approval of DSP-16041 and TCP2-159-04-01, and continues to be found with the subject application. Therefore, the Planning Board noted that the environmental features have been regulated or preserved and/or restored to the fullest extent possible.

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 Detailed Site Plan DSP-17048-01 for the above described land, subject to the following condition:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP), as follows or provide the specified documentation:
  - a. Provide a bike rack accommodating a minimum of five bicycles at a location convenient to the entrance of the community building.
  - b. Provide additional building-mounted and site lighting on the community building property.
  - c. Provide the details, specifications, and a revised photometric plan including all lighting.
  - d. Provide the details, specifications, and signage area schedule for the proposed building-mounted signage.
  - e. Revise the architecture and site plan to provide a separate access to the second story of the community building.
  - f. Revise the parking and loading schedule to correctly reflect the number of required spaces.
  - g. Provide an exhibit showing conformance of the subject application to the prior landscape approvals, with respect to the overall quantities and location requirements.
  - h. Revise the acreage of this DSP to be consistent with the boundary of Detailed Site Plan DSP-17048.
  - i. Remove the "not part of this DSP" label from the appropriate sheets of the DSP.
  - j. Add the dimensions of the community building to the DSP, pursuant to Section 27-254(c)(1)(C) of the Prince George's County Zoning Ordinance.
  - k. Include all previous DSP approvals on the approval sheet.
  - l. Revise General Note 2 to list the overall area of the DSP and the area of revision pertaining to Detailed Site Plan DSP-17048-01.
  - m. Delete General Note 21, to remove the previous recording reference.
  - n. Revise General Note 22 to include the previous approvals of Preliminary Plan of Subdivision 4-16031 and Vacation Petition V-17007.



- o. Delete General Note 26, which references a right-of-way vacation (V-05007) located on a different site.
- p. Reflect the lot line adjustment between Parcels CC and GG, which result in Parcels LL (homeowners association) and KK (homeowners association) on the DSP, if approved (Final Plat of Subdivision 5-19048).

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, July 18, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of July 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

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