THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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PGCPB No. 2020-111

File No. DSP-87050-13

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 June 18, 2020, regarding Detailed Site Plan DSP-87050-13 for The Shops at Oxford, Phase 2, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) is for construction of 8,247 square feet of commercial retail space, including a drive-through service, on Units 2 and 5 within Constellation Centre.

2. **Development Data Summary:**

	EXISTING	**APPROVED**
Zone	C-S-C	C-S-C
Use	Commercial Retail, Multifamily	Commercial Retail, Multifamily
Gross tract area of this DSP (acreage)	24.95	24.95
Number of Multifamily Units	187	187
Gross Floor Area (sq. ft.)		
Multifamily Building	200,380	200,380
Bank	3,180	3,180
Building supply store	105,488	105,488
Garden center	28,467	28,467
PetSmart	26,932	26,932
Day care center	8,024	8,024
Commercial/Retail (Approved with DSP-87050-12)	16,000	16,000
Commercial/Retail with drive through (Proposed)	0	8,247
Total Gross Floor Area (GFA)	**388,471**	**396,718**

PARKING AND LOADING SCHEDULE

Uses	REQUIRED	PROVIDED
Multifamily Residential (187 units) @ 2 spaces/ unit + 0.5 per additional bedroom	401	420
Existing Bank (3,180 sq. ft.) @ 1 space/250 sq. ft. for the first 2,000 sq. ft. + 1 space/400 sq. ft. over 2,000 GFA	11	54
Existing PetSmart (26,932 sq. ft) @ 1 space/150 sq. ft. for the first 3,000 + 1 space/ 200 sq. ft. over 3,000 GFA	140	126
Existing Garden Center (28,467 sq. ft.) @ 1 space/ 150 sq. ft. + 1 space/ 1,000 sq. ft. for the outdoor sales/ display area	29	28
Existing Building supply store (105,488 sq. ft.) @ 1 space/500 sq. ft.	211	523
Existing Day Care Center (128 children) @ 1 space /8 children	16	16
Commercial/Retail (16,000 sq. ft) @ 1 space / 250 sq. ft. approved with DSP-87050-12*	68	70
Proposed Commercial/Retail Unit 5 (6,042 sq. ft.) @ 1 space / 250 sq. ft.*	25	26
Proposed Commercial/Retail (2,205 sq. ft.) @ 1 space /250 sq. ft.*	9	15
Total	**910 Spaces**	**1,278 Spaces**
Standard Parking Spaces		808**
Compact Parking Spaces		393**
Handicap-Accessible Parking Spaces (ADA)	29	34**
Loading Spaces	10	11

Notes: * If tenant mix changes in the future, the parking requirements may change.

** A parking schedule has been provided for the entire development including the development of the buildings on Units 2 and 5. However, it is noted that this parking schedule is calculated incorrectly for condominium unit 2 and does not include the total number of parking spaces proposed with this application correctly and is conditioned to be revised.

3. **Location:** The subject DSP is located on the north side of MD 414 (Oxon Hill Road) at its intersection with I-95/I-495 (Capital Beltway), approximately 1,000 feet west of the intersection with St. Barnabas Road in Planning Area 76B, Council District 8.

4. **Surrounding Uses:** The site is bounded to the north by I-95/I-495 and residential single-family homes in the One-Family Detached Residential Zone beyond; to the south by Oxon Hill Road, with commercial uses beyond in the Commercial Office and Commercial Shopping Center (C-S-C) Zones; to the east by retail commercial uses (PetSmart and Home Depot) in the

C-S-C Zone and the interchange for the I-95/I-495 exit ramp beyond; and to the west by commercial uses in the C-S-C Zone.

5. **Previous Approvals:** On July 24, 1984, the Prince George's County District Council adopted the Subregion VII Sectional Map Amendment via Council Resolution CR-100-1984 to rezone the entire Rivertowne Commons subdivision (containing Parcels A, B, and C) from the General Commercial, Existing Zone to the C-S-C Zone. During the District Council's review of the proposal, representatives of the property owner submitted a Declaration of Covenants, recorded at Liber 6032, folio 759, and an agreement recorded at Liber 6036, folio 785, concerning development on the property. These require that the property be developed as a mixed-use area and comply with certain landscaping and design guidelines. The District Council appeared to have concurred with the concept and design guidelines contained in the covenants and incorporated them in their approval. To ensure that the District Council's concerns were addressed in subsequent site plan review procedures, the covenant was attached as a condition of approval of Preliminary Plan of Subdivision (PPS) 4-84080, with similar notes made on the final subdivision plat. The property was recorded as Final Plat NLP 122 @ 10 with three notes.

   On August 2, 1984, the Prince George's County Planning Board approved PPS 4-84080, subject to three conditions. On August 18, 1987, the Planning Board approved DSP-87050, subject to four conditions (PGCPB Resolution No. 87-298). The DSP was subsequently amended 12 times for a variety of reasons, and a summary of all prior approvals is discussed in Finding 9 of this report. In addition, it is noted that the site has an approved Stormwater Management (SWM) Concept Plan, 3206-2019-00, that is in conformance with the current Prince George's County Code and valid until April 17, 2022.

6. **Design Features:** The subject site is part of the larger Constellation Center mixed-use development. The application is for the development of Condominium Units 2 and 5, which are located in the middle and western portions of the site. These units are currently vacant and propose the construction of a total of 8,247 square feet of commercial retail space in two buildings, including a drive-through service.

   The sites are accessed from Oxon Hill Road via a common element area access drive, which bisects the site. Unit 2 is located on the north of this drive in the middle of the site and proposes one access point from it, with parking located off the drive aisle near the entrance to the building. A one-way egress drive, which extends from the drive through, circles the building and intersects with the access drive. Unit 5 is located south and west of the common element area access drive on the west side of the site. This site proposes two ingress and egress points, one from the common element area access drive, and one from the existing bank parking lot south of the site on Unit 6. The site provides parking in front of the proposed building near the entrance and a drive through circling the building on the north and east sides.

   Architecture: The architectural design of the proposed buildings is complementary to the multifamily residential building approved with DSP-87050-11, and consistent with the commercial architecture approved with DSP-87050-12. The proposed buildings feature a contemporary architectural design and a consistent storefront window display height across the

fronts of the buildings, providing uniformity along the building faces. Emphasis is placed on the façades of the buildings illustrating the individual tenants through the application of different colors, building massing, architectural design elements, and finish materials such as brick, glass, aluminum, steel, and accents of wood-grained aluminum siding. In addition, it is noted that the Dunkin' and Baskin Robbins building proposed on Unit 2 includes accents of pink and orange on the façade, consistent with the marketing and branding of the tenant. The Planning Board finds that additional architectural treatments be added to the building proposed on Unit 5, particularly on the east side facing the common element area access drive. The additional treatments could include faux windows, canopies, brick insets, or vertical banding and will break up the façade, providing architectural interest along the central corridor of the development. Conditions are included herein requiring these modifications.

Signage: The proposed building-mounted signage located on Condominium Unit 5 is externally lit channel letters. These building-mounted signs are located on all elevations and are proposed above the entrance to the individual tenant locations on the building's south, north, and west façades, and along the drive through proposed on the eastern side of the building. The proposed building-mounted signage located on Condominium Unit 2 is internally lit individual letters that are located on the south, east, and west elevations and are proposed above the main entrance to the building and the drive through. The DSP does not provide locations or details for the menu boards and signs associated with the drive-through portions of the uses. In addition, the sign table for Unit 5 is unclear in demonstrating conformance to Section 27-613 of the Zoning Ordinance, as it says only 268 square feet of signage is allowed, but 397 is proposed. Therefore, conditions are included herein requiring these issues to be revised.

The DSP labels a freestanding sign on-site on Unit 5 at the southern boundary of the site. However, no detail was provided, and it is unclear if this conforms to the Zoning Ordinance. If this is still proposed, a detail should be provided and conformance to the Zoning Ordinance demonstrated, as conditioned herein.

Lighting: The light fixtures proposed are consistent with the prior application and include on-site pole-mounted lighting in the parking lots, as well as wall-mounted lighting on the proposed buildings. The proposed lighting will not cause glare or light to bleed onto adjoining properties and is proposed to include full cut-off luminaires.

Loading and trash facilities:
Two loading spaces are proposed, as required for the commercial buildings, and are located on the eastern side of the building, adjacent to the common element area access drive on Unit 5, and at the rear of the site on Unit 2, directly adjacent to the parking area for the Home Depot on Unit 3. These facilities are adequately screened, and details of the enclosures have been provided, as required.

Trash facilities are proposed at each building with dumpster enclosures. A section of the wall enclosure has been provided, and based on the site plan and elevations submitted it appears that the enclosures propose gates to enclose the facilities. However, it is unclear how these facilities are wholly enclosed and are recommended to be constructed in a material similar to the building.

Details showing these dumpster enclosures are required to demonstrate that these facilities will be adequately screened and conditions requiring these details have been included herein.

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-S-C Zone and the site plan design guidelines of the Zoning Ordinance, as follows:

   a. The proposed commercial retail uses are permitted in the C-S-C Zone, per Section 27-461(b) of the Zoning Ordinance.

   b. The DSP shows a site layout that is consistent with the requirements of Section 27-462(b) of the Zoning Ordinance and meets the specific regulations for development in commercial zones relating to setbacks.

   c. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers; grading will be minimized to avoid clearing, to the extent practicable, and all disturbed areas will be restored; and the architecture proposed for the building is constructed of durable, low-maintenance materials and employs a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials.

8. **Preliminary Plan of Subdivision 4-84080 and Final Plat NLP 122 @ 10:** PPS 4-84080, which contains Parcels A, B, and C, was approved by the Planning Board on August 2, 1984 (PGCPB Resolution No. 84-232), subject to three conditions. The PPS was recorded in Plat Book NLP 122 @ 10 in 1985. The three PPS conditions were translated into three final plat notes. Note 2 of the final plat notes is applicable to this DSP, as follows:

   2. Subject to site plan approval by the Prince Georges County Planning Board to consider existing covenants that direct the development of the property prior to the issuance of building permits.

   A Declaration of Covenants was recorded in Liber 6032, folio 759, on January 8, 1985 and has eight statements, four of which are applicable to the review of this application, and are listed, as follows:

   1. No integrated shopping center, if built upon the property, shall contain in excess of 400,000 square feet of Gross Leasable Area (GLA). Gross Leasable Area shall mean the total floor area designed for owner or tenant leasehold occupancy and exclusive use, including basements, and upper floors, if any, expressed in square feet measured from center lines of joint partitions and

exteriors of outside walls, excluding sidewalks, common areas, walkways, non-retail mezzanines, green space, planting areas, storage areas outdoor display areas, and other areas not subject to leasehold rental. In addition, at least 25 acres of the property shall be utilized as a mixed-use area which shall, at full development, include office-type and employment uses and may include all uses permitted in the Commercial Office (C-O) Zone as defined by Section 23-375 of the Prince George's County Code as well as hotels, theatres and restaurant uses (and ancillary uses thereto), and;

The subject property is approximately 25 acres in size, is zoned C-S-C, and meets the requirements of this zone; therefore, this condition is not applicable, in part. However, it is noted that the current application is proposing a mix of retail uses that are not in excess of 400,000 square feet of gross leasable area. Conformance with the original analysis, with regards to the trip capacity established by the PPS, was analyzed by the Planning Board and is embodied in a memorandum dated May 15, 2020 (Burton to Bishop).

While the initial PPS never established a trip cap, the approval of DSP-87050-12, pursuant to PGCPB Resolution No. 18-17, referenced an implied trip cap of 860 AM and 2,247 PM peak-hour trips. The table below indicates how the proposed application, and previous approvals, compare to the trip cap. The conclusion is that the overall development will generate 281 AM and 669 PM peak-hour trips, well below the trip cap established with DSP-87050-12.

Previous Approvals	Peak-Hour Trips	
	AM	PM
Implied Trip Cap (DSP-87050-12)	**860**	**2,247**
Trips used to-date (previous approvals)	278	652
Proposed new (pending) trips	3	17
Total overall trips	**281**	**669**

2. **Screening shall be provided along the tract's boundary common with the Capital Beltway (I-95). The type and extent of screening shall be based upon reasonable requirements necessary to serve the purpose and may consist of berms or landscaping or a combination of both, and;**

The current DSP application is not adjacent to, nor modifies, the existing screening provided along the property's common boundary with I-95/I-495.

3. **Any structure visible from the Capital Beltway will be constructed to appear architecturally, where reasonable, as "facing" the Beltway in order to minimize views of loading and waste collection areas from the Capital Beltway, and;**

The current DSP application is located on Condominium Units 2 and 5, which are not adjacent to, nor visible from, I-95/I-495. Therefore, this condition does not apply to this application.

4. **All loading docks shall be carefully and adequately screened. The determination of the location, type and extent of screening shall be based upon reasonable requirements necessary to serve the purpose.**

   The loading and waste collection areas have been screened, in accordance with Section 4.4 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual); therefore, this requirement has been met.

9. **Detailed Site Plan DSP-87050 and its amendments:** DSP-87050 was approved by the Planning Board on July 9, 1987 and amended seven times by the Planning Board and four times by the Planning Director for specific units and uses in the overall development. The Planning Board conditions that warrant discussion are as follows:

   Detailed Site Plan DSP-87050—The DSP was approved by the Planning Board on July 9, 1987 for offices, a hotel, a bank, a future restaurant, and other future development, with two conditions, as follows:

   1. **Revisions to the detailed site plan for Rivertowne Commons to show the upgraded access drive shall be approved prior to the issuance of building permits for Office Building 2.**

   2. **The applicant, and the applicant's successors or assignees, shall provide for a six-foot-wide concrete sidewalk on the north side of Oxon Hill Road within a right-of-way as part of the required road improvements.**

   The development of Office Building 2 did not move forward, so those improvements were not triggered. The property frontage on Oxon Hill Road was improved with a 6-foot-wide sidewalk. The relevant conditions of DSP-87050 have been met.

   Detailed Site Plan DSP-87050-01—This amendment was approved by the Planning Board on March 27, 1994, and included a Home Depot building supply retail outlet, garden center, and future retail building. DSP-87050-01 was approved with the following condition:

   1. **Prior to certificate of approval, the plan shall be revised as follows or the indicated information shall be supplied:**

      a. **Indicate the height of any proposed entrance canopy**

b. **Provide screening per Section 4.4 of the 2010 *Prince George's County Landscape Manual* for all mechanical equipment and meters and all loading spaces.**

c. **Provide evidence that the applicant consulted with the Fire Department regarding the need for a fire lane in front of the Home Depot building and revise the plan to provide such a lane, if necessary**

All conditions attached to DSP-87050-01 were specifically related to the Home Depot portion of the site and do not apply to the subject DSP amendment. These conditions were met with the completion of the Home Depot store.

Detailed Site Plan DSP-87050-05: DSP-87050-05 was approved by the Planning Board on May 16, 1996, to include a freestanding day care center on the site plan, with one condition of approval.

1. **Prior to certification of approval, the following modifications or revisions shall be made to the Detailed Site Plan:**

   a. **A substantial shade structure shall be shown in the outdoor play area, and appropriate construction details for the structure shall be provided.**

   b. **The number of parking spaces in the parking tabulation and the day care tabulation shall be corrected to reflect the information in Finding 1.**

This condition is specific to the freestanding day care center and has been met.

Detailed Site Plan DSP-87050-06: DSP-87050-06 was approved by the Planning Board on January 23, 1997, to include a freestanding PetSmart retail store on the site, with a condition to show split-face block to the top of the building on all façades. This condition was met with the completion of the PetSmart store.

Detailed Site Plan DSP-87050-07: DSP-87050-07 was approved by the Planning Board on January 28, 1999, to add a kindergarten program to the existing day care center, with one condition. This condition was to revise the site plan to show a 4-foot-high fence or wall around the outdoor play area. This condition is specific to the day care center and, does not apply to the subject application.

Detailed Site Plan DSP-87050-09: DSP-87050-09 was approved by the Planning Board on April 15, 2004, and affirmed by the District Council on September 27, 2004, to add a 49,327-square-foot office building next to the existing bank, subject to two conditions. The -09 improvements were not constructed, and this DSP approval has since expired.

Detailed Site Plan DSP-87050-10: DSP-87050-10 was assigned a number, but the application was not pursued.

Detailed Site Plan DSP-87050-11: DSP-87050-11 was approved by the Planning Board on October 5, 2017, for the conversion of an existing 10-story, 215,705-square-foot, general office building to 187 multifamily residential units subject to two conditions of approval that were specifically related to the conversion of the multifamily development. These do not apply to the development proposed in the subject application. In addition, it is noted that these conditions have been satisfied and were met with the conversion of the building.

Detailed Site Plan DSP-87050-12: DSP-87050-12 was approved by the Planning Board with conditions on March 8, 2018 (PGCPB Resolution No. 18-17), for construction of 16,000 square feet of commercial retail uses, within the existing parking area of Constellation Centre, and is currently under construction. The two conditions of approval were specifically related to the commercial development on Unit 7 and do not apply to the development proposed in the subject application.

10. **2010 Prince George's County Landscape Manual:** The subject DSP is subject to the requirements of the Landscape Manual because it involves the construction of new buildings. Specifically, the proposed commercial development is subject to Section 4.2, Requirements for 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 required plantings and schedules are provided, in conformance with the Landscape Manual and are acceptable.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance, even though the gross tract area is more than 40,000 square feet, because it contains less than 10,000 square feet of woodland and does not have a previously approved tree conservation plan. Therefore, it was determined that a tree conservation plan is not required for this application. A Woodland Conservation Exemption Letter (S-052-2020) was issued for this property on May 12, 2020 and will be valid through on May 12, 2022. No regulated environmental features will be impacted with this application because the subject property does not include any of these features. The project has a previously approved Natural Resources Inventory Equivalency Letter, NRI-077-2017, which was issued on May 30, 2017.

12. **Prince George's County Tree Canopy Coverage Ordinance:** The site is subject to the Tree Canopy Coverage Ordinance, which requires that, based on the C-S-C-zoning of the site, 10 percent of the site be covered in tree canopy. This application is part of an overall site area which measures 24.95 acres. However, the tree canopy coverage (TCC) requirement should be based on the limit of disturbance for this application, as stated in Section 25-128(c) of the County Code. Separate TCC schedules for Units 2 and 5 have been provided and demonstrate conformance to these requirements through the provision of new plantings on the subject property. However, the trees listed in the schedule and plant list are not all shown on the landscape plan. Therefore, a condition is included herein requiring the plans to be consistent.

13. **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. **Transportation Planning**— The Planning Board adopted, herein by reference, a memorandum dated May 15, 2020 (Burton to Bishop), which stated that the subject application has a long history and has been the subject of many development review applications beginning with an approved PPS 4-84080 in August 1984 and a DSP-87050 in July 1987 and provided an analysis of the previous conditions, which has been incorporated into Finding 8 above. It was noted that the site is located between two master-planned roadways, and no additional right-of-way will be required. It was determined that this plan is acceptable and meets the findings required for a DSP.

b. **Trails**— The Planning Board adopted, herein by reference, a memorandum dated May 18, 2020 (Ryan to Bishop), which provided an analysis of the subject property for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* to provide the appropriate pedestrian and bicyclist transportation recommendations. It was noted that the submitted plans propose new crosswalks at vehicle entry points, as well as the restriping of existing crosswalks, which will improve pedestrian facilities within the development. In addition, the plans show an existing sidewalk along the north side of the access road, a sidewalk connection between Unit 5 and 6, and inverted U-style bicycle racks at locations convenient to the entrance of both buildings.

The Planning Board determined that it is desirable to include a secondary sidewalk on the south side of the access drive, but found the applicant's justification that a sidewalk along the south side of the east-west access road and fronting the north and east side of Unit 5 is not feasible, because it would require the removal of street trees and streetlights and that not including this sidewalk on the south side of the east-west access road will not detract substantially from the utility of the proposed development.

The Planning Board did not agree with the applicant that other pedestrian improvements were not needed and determined that multiple other sidewalk and pedestrian improvements should be provided, unless prohibited or modified by the Condo Association or the Department of Permitting, Inspections and Enforcement with written correspondence as follows:

> Include a sidewalk between Unit 5 and Unit 6 that is extended to the west along the north-south access road, with a standard crosswalk crossing the southernmost vehicular entrance to Unit 5.
>
> Show a standard, 5-foot-wide sidewalk along the north-south access road directly west of Unit 5 that connects to the recommended extended sidewalk between Units 5 and 6 with a standard crosswalk crossing the southernmost driveway

entrance to Unit 5 connecting to the pedestrian ramp that is at the end of the sidewalk on the north side of the access road.

Should written correspondence be provided prohibiting or modifying and of the proposed sidewalks, the applicant and the applicant's heirs, successors, and/or assigns, shall provide pedestrian wayfinding signage at the intersection of the east-west and north-south access roads and at all of the pedestrian connections with the east-west access road to allow for safe passage and accessibility through the site.

Provide a standard crosswalk crossing the east-west access road, north of Unit 5, and connecting to the pedestrian ramp that is at the end of the sidewalk on the north side of the access road.

The Planning Board requires the additional sidewalks and crosswalks to provide better connectivity to the front of Unit 5 and in the interior of the development to provide a safe and convenient pedestrian space for visitors and employees of the proposed development that choose to walk between the businesses on site or park in the parallel parking spaces along the north-south access road. Conditions requiring these improvements have been included in this approval, as appropriate.

c. **Permit Review**— The Planning Board adopted, herein by reference, a memorandum dated May 14, 2020 (Bartlett to Bishop), which provided permit review comments on the subject application and the Planning Board notes that these have been either been addressed by revisions to the plans, or are included as conditions in this approval.

d. **Historic Preservation**— The Planning Board adopted, herein by reference, a memorandum dated April 20, 2020 (Stabler to Bishop), staff noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. There are no Prince George's County historic sites or resources on or adjacent to the subject property. This proposal will not impact any historic sites, historic resources, or known archeological sites.

e. **Community Planning**—In a memorandum dated May 14, 2020 (Lester to Bishop), incorporated herein by reference, the Community Planning Division provided an analysis of the application's conformance to the master plan and Plan Prince George's 2035 General Plan and indicated that, pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this DSP.

f. **Environmental Planning**— The Planning Board adopted, herein by reference, a memorandum dated May 18, 2020 (Schneider to Bishop), which provided an analysis of the application and noted the site is the subject of an approved SWM Concept Plan 3206-2019-00, which is valid until April 17, 2022. The plan shows the use of seven

micro-bioretention facilities for the project areas. The approved concept plan is consistent with the DSP.

g. **Prince George's County Health Department**— The Planning Board adopted, herein by reference, a memorandum dated April 16, 2020 (Adepoju to Bishop), in which the Health Department offered health impact assessment of the proposed development and offered numerous conditions that have been addressed or are included as conditions in this report.

h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide any comments on the subject application.

i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide any comments on the subject application.

j. **Prince George's County Police Department**— The Planning Board adopted, herein by reference, a memorandum dated April 30, 2020 (Contic to Bishop), in which the Police Department provided comments regarding facilities on-site that have been addressed through revisions to the plans.

k. **Maryland State Highway Administration (SHA)**— The Planning Board adopted, herein by reference, an email dated May 15, 2020 (Woodruff to Bishop), in which SHA indicated that they did not have any comments on the subject application at this time.

l. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board adopted, herein by reference, a memorandum dated April 16, 2020 (Hall to Bishop), in which WSSC offered an analysis of the proposed development and indicated that they do not have any critical comments at this time.

m. **Verizon**—Verizon did not provide any comments on the subject application.

n. **Potomac Electric Power Company (PEPCO)**— PEPCO did not provide any comments on the subject application.

14. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP 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.

15. Section 27-285(b)(4) requires a DSP demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible. The subject site does not contain regulated environmental features. Therefore, it can be found that regulated environmental features have been 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-87050-13 for the above described land, subject to the following conditions:

1. Prior to certification of the detailed site plan, the applicant shall make revisions or provide information, as follows:

    a. Provide locations and details for all menu boards and signs associated with the drive-through portions of the uses.

    b. Provide a sign table for Unit 5 to demonstrate conformance with Section 27-613 of the Prince George's County Zoning Ordinance. The sign schedule should provide building and sign dimensions, including the square footage proposed on-site.

    c. Revise the parking and loading schedule for Condo Unit 2 to identify the correct number of parking spaces proposed for the development showing the size and type of each space.

    d. Provide additional architectural treatments on the east façade of the building on Unit 5, facing the common element area access drive, to include two ten-foot-wide vertical banding in the darker brick color, consistent with Applicant's Exhibit B.

    e. Clarify if a freestanding sign is proposed on Unit 5. If it is, provide details and demonstrate conformance to Section 27-614 of the Prince George's County Zoning Ordinance.

    f. Provide details showing the access gate for the dumpster enclosure on Unit 5, demonstrating how the front of the dumpster will be adequately screened.

    g. Provide the following general notes:

        (1) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.

        (2) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

    h. Provide a standard, 5-foot-wide sidewalk along the north-south access road fronting Unit 5, along the entire width of the parcel, unless prohibited or modified by the Condo Association or the Department of Permitting, Inspections, and Enforcement with written correspondence. Should written correspondence be provided prohibiting or modifying the

sidewalk, the applicant and the applicant's heirs, successors, and/or assigns, shall provide pedestrian wayfinding signage at the intersection of the east-west and north-south access roads and at all of the pedestrian connections with the east-west access road.

i. Provide an extension of the 6-foot-wide sidewalk between Units 5 and 6 to connect to the north-south access road directly west of Unit 5, unless prohibited or modified by the Condo Association or the Department of Permitting, Inspections, and Enforcement with written correspondence.

j. Provide a standard crosswalk crossing the southernmost driveway entrance of Unit 5, unless prohibited or modified by the Condo Association or the Department of Permitting, Inspections, and Enforcement with written correspondence.

k. Provide a standard crosswalk crossing the east-west access road, north of Unit 5, connecting to the pedestrian ramp on the north sidewalk along the east-west access road, unless prohibited or modified by the Condo Association or the Department of Permitting, Inspections, and Enforcement with written correspondence.

l. Revise the landscape plan such that the number of trees shown on the plan matches the plant list and Tree Canopy Coverage schedule.

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, June 18, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of July 2020.

Elizabeth M. Hewlett
Chairman

Jessica Jones

By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY
David S. Warner /s/
M-NCPPC Legal Department
Date: June 26, 2020