

CORRECTED RESOLUTION

WHEREAS, New County Hotel, LLC is the owner of a 2.11-acre parcel of land that includes Lots 1-35 and 39-44, Block 20, and Lots 8-16, Block 26, and a portion of Knox Road (previously Charleston Avenue), which is recorded as Kropp's Addition to College Park, said property being in the 21st Election District of Prince George's County, Maryland, and is within the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones; and

WHEREAS, on August 28, 2019, New County Hotel, LLC filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-18027 for College Park Marriott was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on January 23, 2020, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended approval of the application with conditions; and

WHEREAS, on January 23, 2020, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED a Variance from Section: 24-122(a) and further APPROVED Preliminary Plan of Subdivision 4-4-18027 for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:
 - a. Provide documentation from the City of College Park, to allow a substandard right-of-way along Lehigh Road. In lieu of such documentation, show dedication of 10 feet along the frontage of Lehigh Road, or other dedication as otherwise required by the City.
 - b. Expand the public use easement over the internal driveway, extending from the intersection of Campus Drive and River Road to Lehigh Road, to cover the pedestrian access area.
2. Prior to signature approval of the preliminary plan of subdivision, the applicant shall provide an approved stormwater concept plan and letter, and an approved floodplain waiver from the Prince George's County Department of Permitting, Inspections and Enforcement.

3. Prior to acceptance of the detailed site plan, the following information shall be provided:
 - a. An exhibit that illustrates the location, limits, specifications and details of the off-site sidewalk and Americans with Disabilities Act improvements, consistent with Section 24-124.01(f) and the cost cap in Section 24-124.01(c).
 - b. Demonstrate compliance with the Transit District Development Plan streetscape standards.
4. Prior to final plat approval, the applicant shall vacate the existing unimproved Knox Road right-of-way with consent from the City of College Park.
5. Prior to approval of any building permit, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that one or more of the following required adequate pedestrian and bikeway facilities as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations and the cost cap in Part (c), have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Construct off-site sidewalks and Americans with Disabilities Act improvements along Old Calvert Road and Edmonston Road, as illustrated on the bicycle pedestrian impact statement plan, or
 - b. One or more of the following options may be selected as an alternative improvement(s), in coordination with the City of College Park, if it is demonstrated to meet the requirements of Section 24-124.01 at the time of detailed site plan:
 - (1) Continue the existing sidewalk from the bus stop at the intersection of 50th Avenue and Campus Drive to the hotel site.
 - (2) Provide a bus shelter at the 50th Avenue/Campus Drive bus stop.
 - (3) Construct a sidewalk from the Campus Drive/Riverside Avenue intersection on the west side of Riverside Avenue to Old Calvert Road.
6. Total development shall be limited to uses that would generate no more than 49 AM and 52 PM peak-hour vehicle trips. Any development generating an impact greater than what is identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
7. A substantial revision to the mix of uses on the subject property that significantly affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, or any residential

development, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

8. Development of this site shall be in conformance with the approved stormwater management concept plan and any subsequent revisions.
9. Prior to approval, the final plat of subdivision shall include:
 - a. The granting of public utility easements along all public rights-of-way in accordance with the approved preliminary plan of subdivision.
 - b. A note indicating a variation from Section 24-122(a) of the Subdivision Regulations is approved by the Prince George's County Planning Board for the width of the public utility easements along the public rights-of-way, pursuant to the approved Preliminary Plan of Subdivision 4-18027.
10. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall submit draft public access easement agreements for the on-site driveway, extending opposite River Road, and along Lehigh Road, in accordance with the approved preliminary plan of subdivision. The easement agreements shall be to the benefit of the City of College Park, be approved by the Maryland-National Capital Park and Planning Commission, Subdivision and Zoning Section, and be fully executed. The easement shall be recorded in the Prince George's County Land Records and the Liber/folio of the easement shall be indicated on the final plat, prior to recordation.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**– The subject property is located in the northwest quadrant of the intersection of Campus Drive and Corporal Frank S. Scott Drive. The property consists of 2.11 acres and is within the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones, and is subject to the 2015 *Approved College Park-Riverdale Park Transit District Development Plan (TDDP)*. This preliminary plan of subdivision (PPS) includes Lots 1–35 and 39–44, Block 20, and Lots 8-16, Block 26, and a portion of Knox Road (previously Charleston Avenue), which is recorded as Kropp's Addition to College Park in Plat Book 1-72. This site is currently developed with a surface parking lot.

The application provides one parcel for 123,395 square feet of lodging and commercial development. The development is subject to a PPS, in accordance with Section 24-107 of the Subdivision Regulations.

Section 24-122(a) of the Subdivision Regulations requires that a 10-foot-wide public utility easement (PUE) be provided along public rights-of-way. The applicant requested approval of a variation to allow a five-foot-wide PUE along Lehigh Road, Campus Drive and Corporal Frank S. Scott Drive which are all public roads abutting the site. The variation is approved, as discussed further.

3. **Setting**— The property is located on Tax Map 33 in Grid E-4, in Planning Area 66, is zoned M-U-I/T-D-O. The subject site is irregularly shaped and is bounded by Lehigh Road to the north, Corporal Frank S. Scott Drive to the east, and Campus Drive to the south and west. Beyond the abutting public roads, the subject site is surrounded to the north by light industrial uses, to the west by the College Park Metro Station, to the east by the Tennis Center at College Park, and to the south by the commercial offices, all within the M-U-I/T-D-O zones.
1. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Parking	Mixed-Use (Hotel and Commercial)
Acreage	2.11	2.11
Lots	50	0
Parcels	0	1
Dwelling Units	0	0
Variance	No	No
Variation	No	Yes Section 24-122(a)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on September 20, 2019. The requested variation from Section 24-122(a) was accepted on August 28, 2019, and heard at the SDRC meeting on September 20, 2019, as required by Section 24-113(b) of the Subdivision Regulations.

2. **Previous Approvals**—The property was platted in May of 1909 as Lots 1-35 and 39-44, Block 20, Lots 8-16, Block 26, and a portion of Knox Road (previously Charleston Avenue) of Kropp's Addition to College Park recorded in Plat Book BDS 1-72.

The subject property was rezoned from the Rural Residential Zone to the Light Industrial (I-1) Zone with the *1989 Langley Park – College Park – Greenbelt Approved Master Plan and Adopted Sectional Map Amendment*.

The subject property was rezoned from I-1 to the Mixed Use-Transportation Oriented (M-X-T) Zone through the 1990 *SMA for Planning Areas 66, 67, 68*.

The subject property was rezoned from M-X-T to M-U-I through the 1997 *Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone and Zoning Map Amendment (Prince George's District Council CR-057-1997)*. The 1997 TDDP also established the T-D-O zone over this property.

The 2015 TDDP retained the M-U-I/T-D-O zoning on the subject property.

3. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan* (Plan 2035) locates this site in the College Park/UM Metro/M Square Purple Line Regional Transit District. Plan 2035 recommends directing the majority of future employment and residential growth in Prince George's County to the Regional Transit Districts. "These medium- to high-density areas are envisioned to feature high-quality urban design, a mix of complementary uses and public spaces, a range of transportation options- such as Metro, bus, light rail, bike and car share, and promote walkability" (page 19). In addition, this application falls within a designated Employment Area. "Plan 2035 recommends continuing to support business growth in these areas, concentrating new business development near transit where possible, improving transportation access and connectivity, and creating opportunities for synergies" (page 19).

The development aligns with the vision of the General Plan, as it directs future employment near transit.

Master Plan

The TDDP recommends Mixed-Use Predominately Residential land use for the subject property and envisions the continuation of River Road through the site, which would have retail frontage. It is not the intent of the TDDP to preclude other uses on the property recommended for mixed-use development, however, predominately residential uses with ground-floor retail are desired (page 47).

The T-D-O Zone is superimposed over the Transit District Development Plan. The T-D-O Zone permits hotels in M-U-I zones (page 250).

Aviation/Military Installation Overlay (M-I-O) Zone

This application is located within Aviation Policy Area (APA) 6. Section 27-548.38 of the Zoning Ordinance (a) states that: For an individual property, APA regulations are the same as in the property's underlying zone, except as stated in this Subdivision. Section 27-548.38(b)(4) which states: In APA-4 and APA-6, development densities and intensities are the same as in the underlying zone.

Section 27-548.39(b) states: In APA-4, APA-5, or APA-6, every application shall demonstrate compliance with height restrictions in this Subdivision.

Section 27-548.42(b) states: In APA-4 and APA-6, no building permit may be approved for a structure higher than 50 feet unless the applicant demonstrates compliance with Federal Aviation Regulations (FAR) Part 77. Prior to signature approval of the detailed site plan (DSP), the

applicant shall complete a Federal Aviation Administration Form 7460-1 and submit it to the Maryland Aviation Administration (MAA), and subsequently provide evidence that the project complies with FAR 77. If the MAA identifies an issue, then the plan shall be revised to reduce or eliminate any perceived obstruction identified by MAA.

4. **Stormwater Management**—In accordance with Section 24-120(8) of the Subdivision Regulations, a stormwater management (SWM) concept plan was submitted with this application along with a receipt from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) showing that the plan has been submitted to them for review and approval; however, it has not yet been approved.

The draft SWM concept plan shows the use of storm drain connections. Given that the entire site is located in the floodplain, a floodplain waiver approval from DPIE will be required and as part of that approval, compensatory floodplain storage within the watershed must be demonstrated.

The applicant has submitted a memorandum dated October 24, 2019, signed by both the Prince George's County Department of Parks and Recreation (DPR) and the developer, outlining the terms for required improvements to the Maryland-National Capital Park and Planning Commission (M-NCPPC) property for a Compensatory Floodplain Storage Easement Agreement, and Maintenance Agreement for impact to M-NCPPC property as a result of the development of this site. In this letter, M-NCPPC agrees to allow the developer the use of approximately 115,050 square feet (2.64 acres) of M-NCPPC property, shown on Exhibit A of this letter for the compensatory floodplain storage necessary for the development of the project. There are six terms of improvement and three procedural requirements listed in this letter.

Regardless of the final design that is chosen, in accordance with Section 24-130 of the Subdivision Regulations, development must be in accordance with an approved SWM concept plan to ensure that on-site or downstream flooding do not occur. Submittal of an approved SWM concept plan and approval letter, and an approved floodplain waiver, will be required prior to signature approval of the PPS.

5. **Parks and Recreation**—Per Section 24-134 (a) of the Prince George's County Zoning Ordinance, this subdivision application is exempt from the mandatory dedication of parkland requirement because it is a non-residential use.

DPR requested the opportunity to review the future DSP for this project, to ensure design input into the SWM facilities on the western edge of the site, that are proposed to be designed with a park-like setting that will be maintained by the applicant. Design compatibility and uniformity within this redevelopment area should showcase the College Park Airport and College Park Aviation Museum. In addition, the TDDP references coordination with DPR to ensure that the relationship between any proposed redevelopment and the College Park Junior Tennis Champions Center, College Park Aviation Museum and College Park Airport is strengthened and enhanced. Strategies include interpretative and wayfinding signage, lighting and streetscape improvements.

6. **Trails**—This PPS is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2015 *College Park-Riverdale Park Transit District Development Plan*. Due to the site's location within the College Park Metro Center, this PPS is subject to Section 24-124.01 of the Subdivision Regulations, and the Transportation Review Guidelines, Part 2. A bicycle and pedestrian impact statement (BPIS) scoping meeting was held with the applicant on January 16, 2019 and identified appropriate off-site improvements. Based on the 123,396 square feet of commercial/retail space proposed, the cost cap for the application is \$43,188.60 per Section 24-124.01(c).

Master Plan Conformance

One master plan trail impacts the subject property with a wide sidewalk and pedestrian zone recommended along Campus Drive (formerly Paint Branch Parkway). The TDDP Transit District Standards includes the streetscape requirements for Campus Drive (formerly Paint Branch Parkway).

The MPOT includes Complete Street policies that reinforce the need for sidewalks as part of new developments as frontage improvements are made, or new roads constructed.

Policy 1:

Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2:

All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Review of the On-Site Pedestrian Network

Consistent with the policies of the MPOT, sidewalks are required along all road frontages and both sides of the internal roads. The submitted road sections include standard or wide sidewalks along both sides of Lehigh Road and the access drive consistent with the Complete Street policies and TDDP standards. Sidewalk access to building entrances and through large expanses of surface parking are also appropriate. Internal sidewalk access and bicycle parking will be evaluated in more detail at the time of DSP. Compliance with the TDDP street section (see exhibit above) for Campus Drive shall be demonstrated at the time of DSP.

Review of the Proposed Off-Site Improvements:

The applicant has proffered sidewalk improvements that will connect the subject site and surrounding residential communities with the recreation facilities at Paint Branch Parkway Park. These improvements are supported by the City of College Park and agreed to by DPR. Possible design revisions may be made at the time of DSP. A BPIS exhibit was submitted as part of this application, showing the proffered improvements.

The sidewalk retrofit and pedestrian crossing upgrades proffered by the applicant are appropriate off-site improvements per Section 24-124.01(d). The on- and off-site sidewalks approved with the subject application will improve Americans with Disabilities Act (ADA) accessibility and pedestrian access to the existing M-NCPPC parkland for both the future users of the subject site and the surrounding community. It will also provide greater connectivity to the existing single-family housing along Edmonston Road from the subject site.

Demonstrated Nexus Finding:

The off-site sidewalk upgrades proffered by the applicant will improve both ADA and pedestrian access to the Paint Branch Parkway Park for the future residents of the subject site. The site is within the 0.5 mile walking distance of the College Park Metro Station and the improvements will accommodate multi-modal access in the transit district and will directly benefit the residents of the site and surrounding communities by providing a more accessible and pedestrian-friendly environment to the existing M-NCPPC parkland, to Metro, and between nearby residential communities.

Finding of Adequate Bicycle and Pedestrian Facilities:

Based on the requirements and criteria contained in Section 24-124.01, the sidewalks proposed by the applicant on-site, and the sidewalk improvements proffered off-site, the bicycle and pedestrian facilities are adequate to serve the subject property. The sidewalk improvements will accommodate safe pedestrian access from the subject site to existing M-NCPPC parkland and provide pedestrian access from the subject site to the residential communities off Edmonston Road. The off-site improvements proffered are within the specified cost cap in Section 24-124.01(c) and improves the sidewalk network consistent with the guidance of Section 24-124.01(d).

7. **Transportation**—Transportation findings related to adequacy are made with this application, along with any determinations related to dedication, access, and general subdivision layout. A July 2019 traffic impact study (TIS) was submitted and accepted as part of this PPS.

The subject property is located within Transportation Service Area 1, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level of Service E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections a three-part process is employed:
(a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds; (c) if delay

exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed:
(a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Analysis of Traffic Impacts

The table below summarizes trip generation in each peak hour that is used for the analysis and for formulating the trip cap for the site:

Trip Generation Summary, 4-18027 College Park Marriot							
Land Use	Use Quantity	AM Peak Hour			PM Peak Hour		
		In	Out	Tot	In	Out	Tot
All-Suites Hotel	165 rooms	30	26	56	28	31	59
Retail	8,000 square feet	0	0	0	0	0	0
Less 12% Metro Ridership Reduction		-4	-3	-7	-3	-4	-7
Total Trip Cap for Proposed Use		26	23	49	25	27	52

The TIS treats the retail component of the project as ancillary and serving the hotel guests. The use considered is the all-suites hotel use in the Trip Generation Manual (Institute of Transportation Engineers), and this use includes a restaurant/lounge on the ground floor for use by guests. The transportation staff agreed upon these assumptions during scoping.

The traffic generated by the PPS would impact the following intersections, interchanges, or links in the transportation system:

- Campus Drive/River Road (signalized)
- Campus Drive/Corporal Frank Scott Drive (signalized)
- Lehigh Road/Corporal Frank Scott Drive (unsignalized)
- Lehigh Road/Future River Road (unsignalized)
- Lehigh Road/Site North Access (unsignalized)
- Corporal Frank Scott Drive/Site East Access (unsignalized)

The following tables represent results of the analyses of critical intersections under existing, background and total traffic conditions:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Campus Drive/River Road	659	699	A	A
Campus Drive/Corporal Frank Scott Drive	818	727	A	A
Lehigh Road/Corporal Frank Scott Drive	8.4*	10.3*	--	--
Lehigh Road/Future River Road	Future	--	--	--
Lehigh Road/Site North Access	Future	--	--	--
Corporal Frank Scott Drive/Site East Access	Future	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines", delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program." Background traffic has been developed for the study area using a listing of six approved developments in the area. A 1.0 percent annual growth rate for a period of two years has been assumed. A second analysis was done to evaluate the impact of background developments. The analysis revealed the following results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Campus Drive/River Road	806	978	A	A
Campus Drive/Corporal Frank Scott Drive	887	822	A	A
Lehigh Road/Corporal Frank Scott Drive	8.4*	10.3*	--	--
Lehigh Road/Future River Road	Future	--	--	--
Lehigh Road/Site North Access	Future	--	--	--
Corporal Frank Scott Drive/Site East Access	Future	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines", delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines, Part 1" including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Campus Drive/River Road	828	995	A	A
Campus Drive/Corporal Frank Scott Drive	910	834	A	A
Lehigh Road/Corporal Frank Scott Drive	8.5*	9.3*	--	--
Lehigh Road/Future River Road	8.4*	8.5*	--	--
Lehigh Road/Site North Access	8.5*	8.7*	--	--
Corporal Frank Scott Drive/Site East Access	8.8*	9.3*	--	--
*In analyzing two-way stop-controlled intersections, a three-step procedure is employed in which the greatest average delay in seconds for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume is computed and compared to the approved standards. According to the "Guidelines," all three tests must fail in order to require a signal warrant study.				

Under future conditions, both signalized intersections are operating at acceptable levels of service as defined by the Guidelines. The unsignalized intersections do not exceed 50 seconds of minor street delay in total traffic conditions during morning and evening peak hours. Therefore, all intersections are determined to be adequate. A trip cap consistent with the trip generation assumed for the site, 49 AM and 52 PM peak-hour vehicle trips, is approved consistent with the analysis.

Master Plan Roads

Campus Drive is listed in the MPOT as a master plan collector facility, with a right-of-way of 80 to 100 feet and four lanes. Right-of-way has been previously dedicated. Therefore, no additional dedication is required.

Site Access Evaluation

Site access will be provided via two full access points. The northern access is shown along Lehigh Road and the eastern access point connects to Corporal Frank Scott Drive. The development also includes an extension of River Road through the site to Lehigh Road. The TDDP illustrates the extension of River Road to Lehigh Road, but does not explicitly list River Road as a proposed roadway facility. The Planning Board approves the extension of River Road through the site to Lehigh Road, which is included as a driveway through the site. A public use easement shall be provided over the driveway and would better facilitate access and connectivity between areas north of Campus Drive and the College Park transit station. Access and circulation are acceptable.

Knox Road is a dedicated, but unbuilt roadway that crosses the southern side of the subject property. The proposed development will completely subsume that portion of Knox Road. Therefore, the applicant should seek vacation of Knox Road between Corporal Frank S. Scott Drive and Campus Drive prior to final plat, pursuant to this PPS. Given that this section of

Knox Road serves no properties other than those covered by the subject application, in the Planning Board supports a vacation of this section of Knox Road.

Lehigh Road along the frontage of the site has a substandard right-of-way of 30 feet. The applicant shall provide documentation from the City of College Park to allow a substandard right-of-way along Lehigh Road. In lieu of such documentation, the plan shall reflect dedication of 10 feet along the frontage of Lehigh Road, or dedication as otherwise required by the City.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, as required in accordance with Section 24-124 of the Subdivision Regulations.

8. **Schools**—This PPS has been reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Council Resolution CR-23-2003, and it is concluded that the commercial property is exempt from a review for schools because it is a non-residential use.
9. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated September 27, 2019 (Hancock to Simon), incorporated by reference herein.
10. **Use Conversion**—The total development included in this PPS is for 115,396 square feet of lodging and 8,000 square feet of commercial/retail development in the M-U-I/T-D-O Zones. Residential development has not been analyzed as part of this PPS. If a substantial revision to the mix of uses on the subject property is proposed that substantially affects the Subtitle 24 adequacy findings, as set forth in a resolution of approval, or if any residential development is proposed, that revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits.
11. **Public Utility Easement (PUE)**—Section 24-122(a) requires that, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on the public rights-of-way of Campus Drive, Corporal Frank S. Scott Drive, and Lehigh Road. The applicant requested approval of a Variation from Section 24-122(a), to allow for a reduction in the standard width of PUEs along public roads.

Variation—Section 24-113 requires the following:

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the**

purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

The applicant requested a reduction in the standard width of PUEs along public roads, from the required 10-foot width to their proposed 5-foot width. The subject site abuts public roadways along all of its boundaries. The applicant has stated that spatial site limitations create hardships that prevent the dedication of the full 10-foot PUE width.

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The decrease in PUE width will not be detrimental to the public safety, health, or welfare, or injurious to other property. Surrounding properties and the subject site were previously platted and developed without the provision of a PUE. Providing a 5-foot-wide PUE along the abutting roadways will improve the opportunity for locating public utilities in the area. Since the site is surrounded by roadways on all sides, there are also varied opportunities for placement of the public utilities, which will be coordinated with the utility companies at the site plan and permitting stages.

- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The site is located in the College Park-Riverdale Park TDDP, which encourages redevelopment in an urban-scale. The required 10-foot utility easements present challenges for the development to achieve the urban-scale, streetscape enhancement, and build-to lines set forth in the TDDP with the spatial limitations that a full-size utility easement would normally require. As the TDDP promotes the negotiations with utility providers to compromise on the width of utility easements to allow for urban-scale redevelopment (TDDP, page 199), the decrease in easement width for this site would allow the applicant to put forward a site plan that honors both the spirit and intent of the TDDP to redevelop the area in a strategic manner and shepherd the urban vision that is set forth for the College Park Aviation Village. These conditions are unique to the property and generally not applicable to other properties.

- (3) **The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

The variation from Section 24-122(a) is unique to, and under the sole authority of, the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation. This PPS and variation request for the location of PUEs was referred to the Washington Suburban Sanitary Commission (WSSC), Verizon, Southern Maryland Electric Cooperative (SMECO), Potomac Electric Power Company (PEPCO)/Baltimore Gas and Electric (BGE), and AT&T. No response was received from WSSC, Verizon, PEPCO/BGE/SMECO, or Comcast. The response from AT&T did not comment on the variation request.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The site is surrounded by existing public roads and existing development on all sides. It has an irregular shape that provides three street frontages. The physical and spatial constraints presented by this site limits the ability for the applicant to put forth a site plan that observes the standard requirements for PUE width, while honoring the spirit and intent of the TDDP's streetscape standards and build-to line thresholds. The need for contiguous public utility service location is acknowledged and the 5-foot-wide PUEs will accommodate the necessary utilities. If the strict letter of these regulations is carried out, a particular hardship to the owner would result, as the requiring of the PUE would be detrimental to the applicant's proposal by limiting the developable area and would be inconsistent with the design intent of the TDDP.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This is not applicable because the site is zoned M-U-I and T-D-O.

The Planning Board finds that the site is unique to the surrounding properties, and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to guide development according to Plan 2035 and the TDDP.

Therefore, the variation from Section 24-122(a) to decrease the width for a the required PUE from 10 feet to 5 feet, on all three sides of the development site that front on public roads, is approved.

12. **Historic**—The property is near the Old Town College Park Historic District (66-042-00) and the College Park Airport Historic Site (66-004) but is not adjacent. The 1938 aerial photograph indicates that a north-south runway associated with the College Park Airport (66-004) extended through the subject property. By 1965, the north-south runway was abandoned, and the northwest-southeast oriented runways continued in use. At the time of DSP, the applicant shall take into account the height of the proposed hotel and its potential impact on the operation of the College Park Airport. The applicant shall also provide a viewshed study at the time of DSP to illustrate the visibility of the proposed new construction from the College Park Airport Historic Site.

The applicant shall adhere to the policies and strategies outlined in the TDDP. The subject property is located in the College Park Aviation Village. Policy 1 is to create a mixed-use, predominantly residential, neighborhood north of Paint Branch Parkway. Policy 2 is to promote, strengthen, and preserve the existing College Park Aviation Museum and College Park Airport as historic anchors and regional destinations.

Several prehistoric archeological sites have been identified in the vicinity of the subject property. The prehistoric sites are located near Paint Branch. A Phase I archeological survey was conducted in 1987, along the right-of-way of Lehigh Road, which runs along the north side of the subject property, and no archeological resources were identified. Aerial photographs indicate most of the subject property was graded in the 1980s for installation of a parking lot. Due to prior disturbance of the site, a Phase I archeology survey is not recommended. Adverse effects of any proposed construction on the College Park Airport and Old Town College Park Historic District will be evaluated at the time of DSP.

13. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
N/A	NRI-170-2018	Staff	Approved	12/05/2018	N/A
N/A	S-160-2018	Staff	Approved	11/06/2018	N/A
4-18027	Exempt	Planning Board	Pending	Pending	Pending

Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 that came into effect on September 1, 2010 because the application is for a new PPS.

Master Plan Conformance

Conformance with Plan 2035

The site is located within Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. This site is within the College Park/UM Metro/M Square Purple Line general plan center. According to Plan 2035, such centers are areas targeted for development and redevelopment. These are areas of the County where the economic benefits of development help the entire County prosper by representing a unique opportunity to attract economic development, capitalize on investments in mass transit facilities, and provide opportunities for mixed-use, and transit-oriented development.

Conformance with the Area Master Plan

The Area Master Plan for this area is the 2015 *Approved College Park-Riverdale Park Transit District Development Plan (TDDP)*. The site falls within the College Park Aviation Village Transit District Neighborhood. Within the TDDP there are goals, policies, and strategies. The following policies and strategies have been determined to be applicable to the current project. The text in **BOLD** is the text from the TDDP and the plain text provides comments on plan conformance.

Transit District Neighborhood Recommendations—College Park Aviation Village

Policy 1: Implement specific environmental improvements to preserve, protect, and enhance surface and groundwater features and restore lost ecological functions to the extent possible.

This site is mapped as an Anacostia River Watershed Retrofit Plan Candidate Stormwater Retrofit Site. The Anacostia River Watershed Retrofit Plan Candidate Stormwater Retrofit Site addresses actions or activities to be taken as part of a comprehensive effort to protect the Anacostia River and its tributaries from further deterioration and restore the ecosystem to the greatest extent possible. A SWM concept plan currently under review with the Site/Road Plan Review Division of DPIE was submitted with this application. DPIE will review the project for conformance with the current provisions of the Prince George's County Code, which addresses the state regulations.

Environmental Infrastructure Section—Area-wide Recommendations

Policy 1: Restore and enhance water quality and ecological functions in the Lower Northeast Branch stream system as part of the development of the district and to support Anacostia River Watershed Restoration Plan efforts to improve water quality in the Anacostia River.

The SWM concept plan currently under review with the Site/Road Plan Review Division of DPIE was submitted with this application. DPIE will review the project for conformance with the current provisions of the County Code, which addresses the state regulations.

Policy 2: Improve air and water quality and stream habitat conditions in the Lower Northeast Branch Stream System.

Promotion of green friendly transportation and water quality practices that could improve air and water quality and offsite stream habitat conditions is encouraged by incorporating links to existing hiker/biker trails offsite, providing bike share facilities, charge stations for electrical cars, green roofs, and bio-methods.

Policy 3: Support community health and wellness recommendations and regional efforts to improve air quality by helping to reduce contributing sources of pollutants that cause ground level ozone or create local air pollution.

Policy 4: Minimize the impacts of noise on Forest Interior Dwelling Species (FIDS) in the vicinity and on residential uses within the transit district.

No forest interior dwelling species habitat is associated within or immediately surrounding the site. However, standard construction noise requirements are enforced by DPIE through the permitting process.

Policy 5: Reduce overall sky glow, glaze from light fixtures, and spillover of light to adjacent properties including the FIDS habitat within the Anacostia River Stream Valley east of the Research Core.

The use of alternative lighting technologies is encouraged so that light intrusion onto adjacent properties is minimized. Full cut-off optic light fixtures should be used. The Development Review Division of the M-NCPPC will evaluate the lighting plan in conjunction with architectural and landscape architectural standards at the time of DSP.

Countywide Green Infrastructure Plan

The site is within the designated network of the Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan (May 2017) and is entirely mapped within a Regulated Area associated with an existing regulated 100-year floodplain.

The site was cleared, graded, and developed prior to the enactment of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). While the proposed development will impact regulated environmental features, these features are located within the limits of previous disturbance and are not currently wooded.

The Green Infrastructure elements mapped on the subject site will be impacted; however, the overall site has been graded under previous approvals and the design of the site meets the zoning requirements and the intent of the growth pattern established in Plan 2035.

Environmental Review

Natural Resources Inventory/Existing Conditions

The site has an approved Natural Resources Inventory Plan (NRI-170-2018), which correctly shows the existing conditions of the property. No specimen or historic trees are associated with this site. The entire site is mapped within regulated environmental features, which include 100-year floodplain, and primary management area (PMA).

Woodland Conservation

The site is exempt from the provisions of the WCO because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan approvals. A standard letter of exemption from the WCO was issued for this site (S-16-2018), which expires on November 6, 2020. No additional information is required regarding woodland conservation.

Preservation of Regulated Environmental Features/Primary Management Area

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5). The on-site regulated environmental feature includes the 100-year floodplain.

Section 24-130(b)(5) state: "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

A letter of justification for the impacts was date stamped as received on September 26, 2019. This property is entirely within the 100-year floodplain. This feature comprises the entire PMA on the subject property, in accordance with the Subdivision Regulations.

The letter requests the validation of 2.11 acres of on-site existing impacts to the PMA for the removal of an existing parking lot and construction of a new multistory building and parking lot for hotel and retail use. An additional 0.35 acre of off-site impacts along the surrounding rights-of-way are also needed for utilities and road improvements.

An exhibit was submitted along with the letter showing that the proposed use is for the general redevelopment of the site including all associated infrastructure. Given that the site is already developed and because the redevelopment will require SWM approval with the required floodplain controls, thus improving water quality over what exists on-site and meeting the objectives of the Anacostia River Watershed Partnership, the Planning Board approves this impact and finds the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the plans submitted.

A floodplain waiver will be required by DPIE prior to permit.

Soils

The predominant soils found to occur, according to the US Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Codorus-Hatboro-Urban land complex (0-2 percent slopes), and Zekiah-Urban land complex (0-2 percent slopes). No unsafe soils containing Marlboro clay or Christiana complexes have been identified on-site. The County may require a soils report in conformance with Council Bill CB-94-2004 during future phases of development.

14. Urban Design—This application is reviewed for conformance with the requirements of the Zoning Ordinance and T-D-O Zone Standards of the TDDP as follows:

1. In accordance with the *Approved 2015 College Park-Riverdale Park Transit District Development Plan* (TDDP), the T-D-O Zone standards replace comparable standards and regulations required by the Prince George's County Zoning Ordinance. Wherever a conflict between the TDDP and the Zoning Ordinance or the 2010 *Prince George's County Landscape Manual* (Landscape Manual) occurs, the TDDP shall prevail. For development standards not covered by the TDDP, the Zoning Ordinance or Landscape Manual shall serve as the requirements. The development will be subject to DSP approval, at which time conformance with applicable T-D-O Zone standards will be analyzed. The T-D-O Zone standards that are relevant to the review of this PPS are contained within the TDDP beginning on page 193, with the College Park Aviation Village Neighborhood standards contained on page 202. There is no previously approved DSP governing this site.
2. This site is subject to Section 27-548.42 Height Requirements in APA-6. No building permit may be approved for a structure higher than 50 feet unless the applicant

demonstrates compliance with Federal Aviation Regulations (FAR) Part 77. This will be evaluated at the time of DSP review.

Conformance with the 2010 Prince George's County Landscape Manual

3. For those landscaping standards not covered by the TDDP, the Landscape Manual should serve as the requirement (TDDP, page 187). Specifically, Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements may apply to the development of this site. Conformance with the requirements of those sections will be evaluated at the time of DSP.

Tree Canopy Coverage Ordinance

4. Section 25-127(b)(1)(I) of the Tree Canopy Coverage Ordinance states that properties subject to tree canopy coverage requirements contained in an approved T-D-O Zone are exempt from the tree canopy coverage requirements. Tree canopy coverage requirements for the College Park-Riverdale Park T-D-O Zone shall be met through the provision of street and on-site trees provided to comply with other T-D-O Zone Standards and guidelines (Streetscape, Amenities, and Tree Zone, Pages 226-228). Compliance with T-D-O Zone tree canopy coverage requirements will be further evaluated at the time of DSP.
15. **City of College Park**—The City of College Park City Council convened on November 12, 2019 and reviewed the subject PPS. A letter pursuant to that meeting (Schum to Hewlett) was provided, and the City of College Park recommended approval of this PPS and variation with three conditions, which have either been incorporated as conditions of this approval, or have been determined as not required for the approval of the subject PPS. The City's recommended conditions are quoted below, with comments provided immediately following:
- "1. Prior to signature approval of the Preliminary Plan of Subdivision (PPS), the plan shall be revised to:
 - a. Show a public access easement to the City of College Park along the south side of Lehigh Road for a five-inch sidewalk."

The applicant is currently showing 5-foot-wide access easements along Lehigh Road for sidewalks as part of the road cross sections shown on the PPS. The easement recordation shall be required at the time of final plat.
 - "b. Show a public access easement to the City of College Park along the proposed private road for vehicular and pedestrian access."
- The provision of an on-site public access easement, giving vehicles and pedestrians legal access across the property, is a way to accomplish the intent of

the TDDP in regard to the extension of River Road. The applicant has provided a cross section for this on-site driveway, which connects Campus Drive to Lehigh Road, showing a public use easement over the vehicular access. However, the public use easement shall be extended over the pedestrian access as well.

- "2. Prior to approval of a final plat, the applicant shall vacate the existing unimproved Knox Road right-of-way with the consent of the City."

A condition of approval regarding the vacation of Knox Road has been included as a condition of this approval.

- "3. At the time of DSP acceptance:

- a. Provide an exhibit that illustrates the location, limits, and details of the BPIS improvements. The City's preferences, listed in order of priority, are:
 - i. Continue the existing sidewalk from the bus stop at the intersection of 50th Avenue and Campus Drive to the hotel site.
 - ii. Provide a bus shelter at the 50th Avenue/Campus Drive bus stop.
 - iii. Construct a sidewalk from the Campus Drive/Riverside Avenue intersection on the west side of Riverside Avenue to Old Calvert Road.
 - iv. Construct a path along the north side of Old Calvert Road to Edmonston Road within the Calvert Road Park."

The applicant has proposed BPIS improvements focused on priority IV, and the proposed improvements are just under the cost cap. The location and limits of the BPIS improvements were provided as an exhibit submitted as part of this application package. The off-site sidewalk upgrades proffered by the applicant will improve both ADA and pedestrian access to the Paint Branch Parkway Park for the future residents of the subject site. The site is within the 0.5 mile walking distance of the College Park Metro Station and the improvements will accommodate multi-modal access in the transit district and will directly benefit the residents of the site and surrounding communities by providing a more accessible and pedestrian-friendly environment to the existing M-NCPPC parkland, to Metro, and between residential communities.

Cost estimates and details for improvements listed as i.-iii. have not been provided and, therefore, have not been analyzed as part of this application. Given the proposed BPIS improvement (iv.) is close to the cost cap, it is likely that any other improvement would exceed the cost cap. Any other improvement selected would need to demonstrate that its construction could be accomplished within the

provision outlined by Section 24-124.01. A condition of approval of this application allows this to be demonstrated at the time of DSP.

- "b. Provide a viewshed study to illustrate the visibility of the proposed new construction from the College Park Airport Historic Site."

Visibility from the College Park Airport Historic Site will be evaluated at the time of DSP review, when buildings are proposed.

- "c. Provide proof of compliance with Aviation Policy Area (APA-6) restrictions (no obstruction over 198-feet Above Mean Sea Level-AMSL)."

Section 27-548.42(b) provides that no building permit may be approved for a structure higher than fifty (50) feet unless the applicant demonstrates compliance with FAR Part 77. This requirement will be further evaluated at the time of DSP, when buildings are proposed.

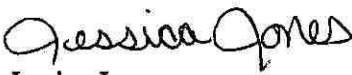
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 23, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of February 2020.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:DS:nz

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPO Legal Department

Date 3/3/20