



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2020-147

File No. 4-20014

R E S O L U T I O N

WHEREAS, Knox MD LLC and the State of Maryland are the owners of a 0.72-acre parcel of land known as Lots 7, 8, 9, 10, 11, and 12, Block G of Lord Calvert Manor, said property being in the 21st Election District of Prince George's County, Maryland, and being zoned Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O); and

WHEREAS, on July 7, 2020, Core Campus Manager, 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 4-20014 for Hub at College Park 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 October 8, 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 October 8, 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 Preliminary Plan of Subdivision 4-20014, including a Variation from Section 24-122(a), for 1 parcel with the following conditions:

1. Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities, as designated below, in accordance with Section 24-124.01 of the Prince George's County Subdivision Regulations (Required Off-Site Facilities) have (a) full financial assurances, (b) been permitted for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate agency:
 - a. 750 linear feet of sidewalk replacement to a minimum of 5 feet along the south side of Guilford Road.
 - b. Standard crosswalk and associated ADA curb ramps crossing Lehigh Road at the proposed pedestrian bridge connecting to the existing sidewalk along the north side of Lehigh Road.

2. Prior to certification of any detailed site plan, the applicant shall illustrate the location, limits, specifications, and details of the required on-site facilities necessary to meet pedestrian and bicyclist adequacy throughout the subdivision, consistent with Section 24-124.01(f) of the Prince George's County Subdivision Regulations. These facilities shall include:
 - a. Streetscape improvements, that include exterior inverted U-style bicycle racks, long-term bicycle parking interior to the building, lighting, benches, bicycle fix-it station, and trash receptacles.
 - b. Width of the pedestrian bridge to be at least 5-foot-wide to comply with Americans with Disabilities Act standards.
3. Total development within the subject property shall be limited to uses that would generate no more than 62 AM and 81 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new PPS, with a new determination of the adequacy of transportation facilities.
4. In accordance with Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees, shall provide adequate, private on-site recreational facilities.
5. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original, executed recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of private on-site recreational facilities, for approval prior to a submission of a final record plat. Upon approval by DRD, the RFAs shall be recorded among the Prince George's County Land Records, and the Liber and folio of the RFAs shall be noted on the final plat, prior to recordation.
6. The applicant and the applicant's heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities, prior to issuance of building permits.
7. The private on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Park and Recreation Facilities Guidelines, with the submittal of the detailed site plan.
8. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.
9. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (48561-2019-0) and any subsequent revisions.

10. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Note that public utilities easements are not provided, pursuant to the Prince George's County Planning Board's approval of a Variation from Section 24-122(a) of the Prince George's County Subdivision Regulations, in accordance with the approving resolution for Preliminary Plan of Subdivision PPS 4-20014.
 - b. Demonstrate conformance with the disclosure requirements of Section 27-548.43(b)(2) of the Prince George's County Zoning Ordinance regarding the proximity of this subdivision to a general aviation airport. The applicant shall provide a note on the plat and provide a copy of the disclosure notice. The disclosure notice shall be included in all lease, rental, or purchase contracts for occupants, and the occupants shall sign an acknowledgement of receipt of the disclosure.

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 on the north side of Knox Road, approximately 200 feet east of its intersection with Guilford Drive. The property consists of 0.72 acre and is currently comprised of six lots, known as Lots 7, 8, 9, 10, 11, and 12, Block G of Lord Calvert Manor, recorded in Plat Book WWW 21, page 96. The site is within the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones, and is subject to the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (Central US 1 Corridor Sector Plan and SMA). There are currently existing residential buildings on Lots 9, 10, 11, and 12, which are to be razed. Lots 7 and 8 are currently vacant. This preliminary plan of subdivision (PPS) consolidates the properties into one parcel for mixed-used development, including 1,022 square feet of commercial use and 161 multifamily dwelling units. The development is subject to PPS approval, in accordance with Section 24-111(a) of the Prince George's County Subdivision Regulations. A detailed site plan (DSP) will be required for the development of this site, in accordance with the requirements of the underlying M-U-I/D-D-O Zones.

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. Knox Road abuts the property to the south. No PUEs currently exist on the subject property and none are included with this application. A variation to remove the requirement is discussed further.

3. **Setting**— The subject property is located on Tax Map 33 in Grid C3, in Planning Area 66, and is zoned M-U-I within a D-D-O Zone. To the south of the property is Knox Road, and beyond is property also in the M-U-I Zone, developed with multifamily dwellings; abutting the property to

the north is Lehigh Road, a private road that is part of the University of Maryland College Park Campus; and to the east and west are multifamily dwellings in the M-U-I Zone. Abutting properties to the east, west, and south are also in the D-D-O Zone.

4. **Development Data Summary**—The following information relates to the subject PPS and the approved development.

	EXISTING	APPROVED
Zone	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Multifamily Residential	Multifamily (161 dwelling units) Commercial (1,022 sq. ft.)
Acreage	0.72	0.72
Lots	6	0
Parcels	0	1
Outparcels	0	0
Dwelling Units	12	161
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 at the Subdivision and Development Review Committee meeting on July 27, 2020, along with a variation from Section 24-122(a), in accordance with Section 24-113 of the Subdivision Regulations.

5. **Previous Approvals**—A final plat was approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) on November 13, 1952. The existing development on Lots 9, 10, 11, and 12 were certified as a nonconforming use in 2017, as per CNU-24976-2015, CNU-24977-2015, CNU-24978-2015, and CNU-24979-2015, after having been issued electrical permits in error for 3-unit apartment buildings.
6. **Community Planning**—The subject site is within the area of the sector plan, which retained the subject property in the M-U-I/D-D-O Zones. Conformance with the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and the sector plan are evaluated, as follows:

Plan 2035

The subject property falls within the University of Maryland (UMD) East and UMD Center Local Centers and the designated Employment Area. These local centers, classified as Campus Centers, are focal points for development because of their access to transit (future Purple Line) and major highways (Plan 2035, page 19). The desired development for Campus Centers is mid- and low-rise apartments, condos, townhouses, and small-lot single family residential at a density of 10–15 dwelling units per acre. The desired Federal Aviation Regulations (FAR) for new development is 0.5-3 (Plan 2035, Center Classification, page 108).

Employment Areas have the highest concentration of economic activity in the County's targeted industry clusters and is where Plan 2035 recommends supporting business growth, concentrating new business development near transit where possible, improving transportation access and connectivity, and creating opportunities for synergies (Plan 2035, page 19).

This PPS aligns with the growth policy of Local Centers and Employment Areas of Plan 2035 by concentrating residential and commercial development near transit centers and existing industry clusters.

Sector Plan

The sector plan recommends mixed-use commercial land use on the subject property. The subject property is in downtown College Park, and within the Walkable Node character area of the sector plan. Walkable Nodes "spaced about a half mile to one mile apart along the corridor serve as excellent transit and multimodal stops and encourage pedestrians to congregate at appropriate retail and employment areas" (page 53). Walkable Node Policy 1 recommends development of "a series of pedestrian-friendly, transit-oriented, mixed-use walkable nodes at appropriate locations along the Central US 1 Corridor" (page 65). Applicable strategies to achieve this policy include:

- a. Providing generous sidewalks along US 1 and all side streets in the walkable nodes, with a width between 15 to 20 feet along US 1 and 6 to 10 feet on the side streets.
- b. Ensuring a vertical mix of uses in the walkable nodes. The ground floor of buildings should be designed to look like storefronts, with windows and primary entrances facing the street. Retail and service uses should be provided on the ground floor.
- c. Concentrating office and residential uses above the ground floor.
- d. Locating service uses, such as loading facilities and trash collection, to alleys or secondary streets.

Aviation Policy Area 6 (APA 6)

This PPS is located under the traffic pattern for a small general aviation airport (College Park Airport). This area is subject to Aviation Policy Area (APA) regulations, Sections 27-548.32 through 27-548.48 of the Prince George's County Zoning Ordinance. Specifically, the subject property is located in APA 6. The APA regulations contain height restrictions in Section 27-548.42 and purchaser notification requirements for property sales in Section 27-548.43 that are relevant to the evaluation of this PPS. No building permit may be approved for a structure higher than 50 feet in APA 6, unless the applicant demonstrates compliance with Federal Aviation Regulations (FAR) Part 77. Because this PPS is not approving building location or architecture, including the height of buildings, the applicant shall provide a letter from the Federal Aviation Administration stating that the development does not pose any hazard to air navigation, prior to certification of the DSP. The final plat shall note the site's

proximity to a general aviation airport, in accordance with the notification requirements of Section 27-548.43.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this PPS conforms to the sector plan.

7. **Stormwater Management/Unsafe Soils**—A Stormwater Management (SWM) Concept Plan (48561-2019-0) and letter approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on April 13, 2020 was submitted with this PPS. The applicant's proposal includes seven micro-bioretenment structures and one underground storage vault.

Development of the site shall conform with the SWM concept approval, and any subsequent revisions, to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the sector plan, the Land Preservation and Recreational Program for Prince George's County, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the Prince George's County Subdivision Regulations (Subtitle 24) as they pertain to public parks and recreational facilities. As per Section 24-134(a)(1) of the Subdivision Regulations, mandatory dedication of parkland applies to the residential portion of this PPS. Based on the density of the residential portion of the subdivision, 0.11 acre of mandatory dedication of parkland would be required to M-NCPPC for public parks. However, the mandatory dedication of parkland is not recommended due to the size and location of the parcel, which is not contiguous to any existing parkland. As per Section 24-135 of the Subdivision Regulations, the Prince George's County Planning Board may approve a fee-in-lieu of parkland dedication or private on-site recreational facilities.

The subject property is not adjacent to any existing M-NCPPC-owned property or parks. Parks in the surrounding area include University Hills Park (approximately 1 mile to the west), and Calvert Park (approximately 1 mile to the southeast). The mandatory dedication requirement is to be met by providing on-site recreational facilities, in accordance with Section 24-135(b). The applicant has provided a description of private recreational facilities to be provided on-site that will be available for future residents. These onsite facilities will include a fitness center, yoga/multipurpose room, hot tub area, and roof-top terrace.

The on-site recreational facilities were approved by the Planning Board, finding that the facilities will be superior, or equivalent to those that would have been provided under the provisions of mandatory dedication. Further, the facilities shall be properly developed and maintained to the benefit of future residents through covenants, or a recreational facilities agreement, with this instrument being legally binding upon the subdivider and his heirs, successors, and/or assignees. The recreational facilities are equivalent or superior to those that would be provided under provision of mandatory dedication of parkland. The details of the private recreational facilities will be reviewed by the Urban Design Section and approved by the Planning Board with the DSP.

9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the sector plan to provide the appropriate pedestrian and bicycle transportation recommendations. The subject site is in the Central US 1 Corridor and the UMD East and UMD Center General Plan Centers and is subject to Section 24-124.01 of the Subdivision Regulations.

Existing Conditions, Sidewalks and Bike Infrastructure

The subject property has existing sidewalks along its southern frontage of Knox Road, which is an existing MPOT shared roadway. Lehigh Road, directly to the north, is a planned shared roadway. There are existing bike lanes along both sides of Knox Road.

Review of Proposed On-Site Improvements

The submitted plans include the 5-foot-wide sidewalk along the property frontage and a pedestrian bridge connecting the north side of the property to Lehigh Road. The PPS does not include blocks over 750 feet long and therefore does not need to provide additional walkway facilities and mid-block crossing facilities, pursuant to Section 24-121(a)(9).

Review of Connectivity to Adjacent / Nearby Properties

The subject site is adjacent to residential areas and the University of Maryland connected via sidewalk along both sides of Knox Road, shared roadway pavement markings along the south side of Knox Road, and a striped bicycle lane along the north side of Knox Road. The subject PPS includes a pedestrian bridge connection from the proposed building to Lehigh Road. The width of the pedestrian bridge must be at least 5-feet-wide to comply with Americans with Disabilities Act (ADA) standards.

Review of Master Plan Transportation Conformance

This development case is subject to MPOT. The master plan trail facility impacts the subject site, the existing bicycle lane along westbound Knox Road, the existing shared roadway along eastbound Knox Road, and a planned shared facility along Lehigh Road. The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling:

Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.

The subject site has existing sidewalk and bikeway facilities on Knox Road, which fulfills the intent of Policy 1. At least two bicycle racks shall be provided at a location convenient to the building entrance. The inverted U-style, or a style that allows two points of secure contact,

are preferred. The bicycle parking and pavement markings along Lehigh Road will fulfill the intent of Policy 4.

Review of Area Master Plan Compliance

The Central US 1 Corridor Sector Plan and SMA includes the following recommendations regarding the accommodations of pedestrian and bicycle facilities:

- a. Design land uses, including the mix of uses and the physical design of buildings and streets, to support pedestrian and bicyclist access as the primary modes of travel. (page 139)
- b. Provide bicycle parking, including bicycle racks and lockers, to encourage and facilitate bicycle travel. (page 153)
- c. Encourage nonresidential and mixed-use developments to provide shower facilities and bicycle lockers as further incentives for increasing bicycle use. (page 153)
- d. Special decorative paving materials, such as brick, precast pavers, Belgium block, or granite pavers, are recommended in the walkable nodes and at appropriate locations within the corridor infill areas. (page 264)
- e. Sidewalk materials should be continued across driveways whenever possible, and accent paving should be used to define pedestrian crossings. (page 264)

Additional pedestrian and bicycle facilities will be further evaluated at DSP. A crosswalk shall be provided crossing the parking garage entrance to provide a continuous connection along Knox Road. The provided and required improvements fulfill the intent of the policies recommended above and follow the master plan, pursuant to Section 24-121(a)(5).

Pedestrian and Bicycle Adequacy

This PPS is subject to Section 24-124.01, pedestrian and bikeway adequacy in centers and corridors. The applicant has submitted an off-site adequacy exhibit to provide sidewalk improvements.

Adequacy of On-Site Improvements:

The submitted plans include a 6-foot-wide frontage sidewalk and a pedestrian connection to Lehigh Road. The applicant shall provide a pedestrian connection to Lehigh Road at a minimum 5-foot-wide, a bicycle fix-it station located adjacent to the interior bicycle parking being provided, a minimum of two bicycle parking racks located on the outside of the building, and trash receptacles at a location convenient to the building entrance. The applicant has indicated that they agree with these improvements, and they are included in the associated DSP. The applicant shall provide long-term bicycle parking on the interior of the building, and it is included in the DSP-19054 associated with the site.

The provided and required pedestrian and bicycle facility improvements reflect the minimum facilities necessary for adequacy within the subdivision, pursuant to Section 24-124.01(b) if the applicant also provides the additional on-site amenities.

Adequacy of Off-Site Improvements

The subject PPS includes an exhibit for the off-site pedestrian and bicycle adequacy improvements, pursuant to Section 24-124.01(c). The cost cap for the site is \$53,719.89. This number was calculated by multiplying the nonresidential square footage by \$0.35 (1,000 sq. ft. x \$0.35= \$350), adding the number of dwelling units multiplied by \$300 (\$48,300), and then adjusting the total amount (\$48,650) for inflation based on the U.S. Bureau of Labor Statistics Cost Price Index between June 2013, the effective date of the adequacy legislation, and today.

In coordination with the City of College Park, the applicant has proffered to upgrade 750 linear feet of sidewalk, along the south side of Guildford Road, to 5-feet-wide for the required off-site facilities.

The cost estimate of the applicant's proffered option is approximately \$47,437.

The required off-site facilities reflect the minimum facilities necessary for adequacy in the area surrounding the subject site, pursuant to Section 24-124.01(b) and the facilities meet pedestrian and bicycle adequacy.

Demonstrated Nexus Finding

The off-site pedestrian improvements proffered by the applicant will improve the overall pedestrian network within the vicinity by upgrading the existing sidewalk to meet ADA standards. Pursuant to Section 24-124.01, there is a demonstrated nexus between the proffered improvements for the proposed development and nearby destinations.

The submitted plans meet the necessary findings for this PPS and is deemed acceptable from the standpoint of pedestrian and bicycle transportation.

10. **Transportation**—Transportation-related findings related to adequacy are made with this PPS, along with any determinations related to dedication, access, and general subdivision layout. Access and circulation are provided by means of private driveways from Knox Road.

The site is developed with two existing residential buildings which will both be razed under this proposal.

The site is within the Central US 1 Corridor Sector Plan and SMA area, which requires that traffic counts be averaged, as indicated by the following standard: "Within the Central US 1 Corridor Development District, the transportation facilities adequacy standard shall be Level of Service E, based on the average peak period levels of service for all signalized intersections in three designated segments of the Central US 1 Corridor." The site falls within the segment between Campus Drive and Guilford Drive. Each traffic count is grouped together and averaged with other

signalized intersections within the segment, as defined by the sector plan to determine adequacy. This process is explained in the “Transportation Review Guidelines, Part 1” (Guidelines) on pages 31 and 32. The study area includes the following signalized intersections:

- US 1 and Campus Drive
- US 1 and Hotel Drive
- US 1 and Rossborough Drive
- US 1 and Fraternity Row
- US 1 and College Avenue/Regents Drive
- US 1 and Knox Road
- US 1 and Hartwick Road
- US 1 and Calvert Road
- US 1 and Guilford Drive

An additional intersection, Guilford Road and Knox Road, is included in the study area as an unsignalized intersection. The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted, and the standards are explained below:

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 critical lane volume 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 critical lane volume is computed.

Analysis of Traffic Impacts

This is a PPS for a development that includes residential and commercial uses. The trip generation is estimated using trip rates and requirements in the Guidelines. Pass-by and internal trip capture rates are in accordance with the Trip Generation Handbook (Institute of Transportation Engineers). It is noted that the traffic study describes the small retail space ancillary. While the use is not ancillary, as defined in Subtitle 27, the intent is to suggest that the retail component will not independently generate vehicle trips. A coffee outlet or similar type of student-oriented retail establishment of 1,022 square feet is likely to attract all (or nearly all) of its patronage from the subject building or other adjacent buildings, and few if any vehicle trips from beyond the immediate area, and the Planning Board accepts that premise in this instance. The table below summarizes trip generation in each peak-hour that will be used in reviewing traffic for the site:

The table below summarizes trip generation in each peak-hour that is used in reviewing traffic for the site:

Trip Generation Summary: 4-20014: Hub at College Park								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Student Housing	477	Beds	14	48	62	48	33	81
Retail/Restaurant	1,022	square feet	0	0	0	0	0	0
Total Proposed Trips for 4-20014 (sum of all bold numbers above)			14	48	62	48	33	81

A September 2020 traffic impact study was submitted and accepted as part of this PPS. 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 and PM)		Level of Service (LOS, AM and PM)	
Guilford Drive and Knox Road	11.8*	44.4*	--	--
US 1 and Campus Drive	947	981	A	A
US 1 and Hotel Drive	647	783	A	A
US 1 and Rossborough Drive	581	731	A	A
US 1 and Fraternity Row	533	583	A	A
US 1 and College Avenue/Regents Drive	592	720	A	A
US 1 and Knox Road	684	900	A	A
US 1 and Hartwick Road	426	555	A	A
US 1 and Calvert Road	432	660	A	A
US 1 and Guilford Drive	638	730	A	A
Link Peak-Period Level of Service	604	733	A	A
*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 6 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 19 approved developments in the area and a growth rate of 1 percent per year over 6 years.

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 and PM)		Level of Service (LOS, AM and PM)	
Guilford Drive and Knox Road	14.3*	110.8*	--	--
US 1 and Campus Drive	1,144	1,284	B	C
US 1 and Hotel Drive	830	1,055	A	B
US 1 and Rossborough Drive	760	1,021	A	B
US 1 and Fraternity Row	709	864	A	A
US 1 and College Avenue/Regents Drive	771	1,110	A	B
US 1 and Knox Road	948	1,272	A	B
US 1 and Hartwick Road	769	919	A	A
US 1 and Calvert Road	630	937	A	A
US 1 and Guilford Drive	852	1,062	A	B
Link Peak-Period Level of Service	824	1,047	A	B
*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 Guidelines, including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM and PM)		Level of Service (LOS, AM and PM)	
Guilford Drive and Knox Road (standards for passing are shown in parentheses)				
Delay Test (50 seconds or less)	14.6*	120.2*	Pass	Fail
Minor Street Volume Test (100 or fewer)	--	262	Pass	Fail
CLV Test (1,150 or less)	--	1,069	Pass	Pass
US 1 and Campus Drive	1,148	1,296	B	C
US 1 and Hotel Drive	835	1,068	A	B
US 1 and Rossborough Drive	764	1,033	A	B
US 1 Fraternity Row	714	876	A	A
US 1 and College Avenue/Regents Drive	776	1,022	A	B
US 1 and Knox Road	995	1,316	A	D

US 1 and Hartwick Road	772	921	A	A
US 1 and Calvert Road	633	940	A	A
US 1 and Guilford Drive	855	1,069	A	B
Link Peak-Period Level of Service	832	1,060	A	B
*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.				

It is found that all critical intersections operate acceptably under total traffic in both peak hours. A trip cap consistent with the trip generation assumed for the site, 62 AM and 81 PM peak-hour vehicle trips is required.

Master Plan Roads

The site is not within, or adjacent to, any master plan transportation facilities. Access and circulation are acceptable.

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

11. **Schools**—The residential development proposed with this PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 and Prince George’s County Council Resolution CR-23-2001. The subject property is located within Cluster 2, as identified in the Pupil Yield Factors and Public School Clusters 2020 Update, which is within the I-95/I-495 Capital Beltway. Staff has conducted an analysis and the results are as follows:

Impact on Affected Public School Clusters by Dwelling Units

Affected School Clusters Number	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Multi-family Total Dwelling Units (TDU):	161 DU	161 DU	161 DU
Multi-family Pupil Yield Factor (PYF):	0.162	0.089	0.101
TDU X PYF	26.08	14.3	16.3
Total Future Subdivision Enrollment	26	14	16
Adjusted Enrollment in 2019	22,492	9,262	9,372
Total Future Enrollment	22,539	9,276	9,388
State Rated Capacity	19,425	7,121	8,494
Percent Capacity	116%	130%	111%

Section 10-192.01 of the Prince George's County Code establishes school surcharges and an annual adjustment for inflation, unrelated to the provision of Subtitle 24. The current amount is \$9,741 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$9,741 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$16,698 per dwelling for all other buildings. This fee is to be paid to DPIE at the time of issuance of each building permit. Nonresidential development is exempt from a review for school facilities.

12. **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 August 17, 2020 (Thompson to Heath), incorporated herein by reference.
13. **Use Conversion**—This PPS was analyzed based on the proposal for a mixed-use development with 161 dwelling units and 1,022 square feet of gross floor area in the M-U-I/D-D-O Zones. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, that revision of the mix of uses would require approval of a new PPS, prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—Section 24-122(a) requires that, when utility easements are required by a public utility 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 right-of-way of Knox Road. A variation from the standard requirement was requested, in accordance with the findings outlined below.

Variation Request—Section 24-122(a) requires the following (in **BOLD**), followed by review comments:

Section 24-122. Public Facilities Requirements.

- (a) **When utility easements are required by a public utility company, the subdivider shall include the following state in the dedication document: Utility easements are granted pursuant to a declaration record among the County Land Record in Liber 3703 at Folio 748.**

The standard requirement for PUEs is in the form of an easement, which is typically 10 feet wide along both sides of all public rights-of-way. The property has frontage along the public right-of-way of Knox Road. Requiring a 10-foot-wide PUE along this public right-of-way is unnecessary and would make it very challenging for the project to

implement the development district standards associated with the Walkable Node University.

The standard PUE is not necessary for the project, as there is no need to extend electric, telecommunications, and gas facilities around or through the property. Such utilities are already provided along Knox Road.

The applicant requested a variation from the standard PUE requirement, in accordance with Section 24-113, which sets forth the following required findings for approval of a variation (in **BOLD**), followed by review comments:

Section 24-113 Variations

- (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:**

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

The granting of the variation will not be detrimental to public safety, health, or welfare, or injurious to other properties. As previously described, the standard PUE is not necessary for the site, as there is not a need to extend electric, telecommunications, and gas facilities around or through the property. Utilities are currently existing in the public right-of-way and provide adequate utility service to the developed site.

- (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 property is located within the Walkable Node University character area of the sector plan and is surrounded by developed properties. The project cannot implement the associated D-D-O Standards and simultaneously accommodate the requisite 10 foot PUE width required by Section 24-122(a). The front build-to line requirements under the Walkable Node University character area (i.e. 0 feet minimum, 10 feet maximum), along with streetscape requirements, proposed sidewalk, and gradient needed for ADA compliance would make it impossible to fit a 10-foot-wide PUE. Utilities are also presently located in the Knox Road

right-of-way, which are sufficient to serve the site. The combination of factors described are unique to the subject property and not generally applicable to other properties throughout the County.

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

The variation does not constitute a violation of any other applicable law, ordinance, or regulation. More specifically, the variation will facilitate the redevelopment of the property as envisioned by the sector plan. The variation from Section 24-122(a) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. This PPS and variation for the location of PUEs was referred to the public utility companies and none have opposed this variation.

(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 property's physical surroundings give rise to a particular hardship that can be distinguished from a mere inconvenience. As discussed above, the property is located within the Walkable Node University character area, as designated by the sector plan. The Walkable Node University is defined by small blocks with wide sidewalks and buildings set close to the frontages. The property is surrounded by development on all sides with existing utilities already in place, and the applicant states that practical and economic implications would be exacerbated if the strict letter of the law was followed. Implementation of the 10 foot PUE would also cause the applicant to violate the sector plan build-to line requirement and impose further limitation on development of the site.

(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.

The subject property is zoned M-U-I; therefore, this provision does not apply.

The Planning Board finds the variation 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 the sector plan.

Therefore, the Planning Board has approved the variation from Section 24-122(a), for omission of the required PUEs.

15. **Historic**—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. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources.
16. **Environmental**—The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case Number	Associated Tree Conservation Plan or Natural Resources Inventory Number	Authority	Status	Action Date	Resolution Number
N/A	NRI-149-2019 (EL)	Staff	Approved	12/11/2019	N/A
N/A	S-131-2019	Staff	Approved	9/6/2019	N/A
DSP-19054	NRI-149-2019-01	Planning Board	Pending	Pending	Pending
4-20014	S-172-2019	Planning Board	Pending	Pending	Pending

Proposed Activity

This is a PPS for a new subdivision for one parcel for mixed-use development with 1,022 square feet of commercial and 161 multifamily dwelling units for student housing.

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 this application is for a new PPS.

Master Plan Conformance

The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035, Established Communities of the General Plan Growth Policy (2035).

2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment

The site is located in the Central US 1 Corridor Sector Plan and SMA area and falls within the downtown College Park portion of the plan. The sector plan does not indicate any environmental issues associated with this property.

Countywide Green Infrastructure Plan

The property is not within the designated network of the *Countywide Green Infrastructure Plan of the Approved Prince George’s County Resource Conservation Plan* (May 2017).

The site was cleared, graded, and developed prior to the enactment of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO).

ENVIRONMENTAL REVIEW

Natural Resources Inventory/Existing Conditions

The site has an approved Natural Resources Inventory Plan (NRI-149-2019-01), which correctly shows the existing conditions of the property. No specimen or historic trees are associated with this site. This site is not associated with any regulated environmental features, such as streams, wetland, 100-year floodplain, or associated buffers. The site is not within the primary management area.

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 (S-131-2019) from the WCO was issued for this site, which expires on September 6, 2021. No additional information is required regarding woodland conservation.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Urban Land-Christiana-Downer complex (5–15 percent slopes); Urban Land-Russett-Christiana complex (0–2 percent slopes); and unsafe soils containing Christiana complexes have been identified on-site. No unsafe soils containing Marlboro clay have been identified on or within the immediate vicinity of this property. As part of the referral process, this case was referred to DPIE for review to evaluate if further information is required regarding the unsafe soils on-site. In an email dated July 28, 2020, DPIE stated that, in general, anytime the slope toe (not its top) is being loaded, the outcome will be a more stable land because the resistive forces against slope movement will increase.

The letter also provides examples on how to deal with potential slope issues, as the northernmost portion of the site contains steep slopes. The building will not act as a retaining wall unless proposed fill will be placed in the space between the existing steep slope and the proposed building, and that fill will be in contact with one or two sides of the building. Even that scenario is acceptable from a geotechnical perspective if the resulting new slope south of Lehigh Road will be less steep than the existing slope. If the proposed new slope is five units horizontal to one unit vertical or less, there is no need for submitting a soils report. If not, or if the slope is to remain as steep as it is now, the applicant must provide a soils report based on at least two borings by the side of Lehigh Road (T1 and T2) extending to the proposed building bottom, and two shorter borings near the slope toe (B1 and B2). Two global stability analyses shall be included, one along Section T1-B1 and another along Section T2-B2. Of a concern are any planned underground floors. If underground floors are proposed, a short-term global stability analysis becomes of great importance for the stability of Lehigh Road itself because digging at or in front of the slope toe makes the existing steep slope even steeper or worse, which jeopardizes the road stability during construction. In this scenario, the global stability must neglect the resistive forces of soils that will be excavated for the building's proposed underground floors.

Global stability of the project must be demonstrated to the satisfaction of DPIE, prior to the issuance of permits. No further action is needed as it relates to this PPS. The County may require a soils report, in conformance with Prince George's County Council Bill CB-94-2004, during building permit review.

Specimen, Champion, or Historic Trees

In accordance with approved NRI-149-2019-01, no specimen, champion, or historic trees have been identified on the subject property. No further information is required regarding specimen, champion, or historic trees.

17. **Urban Design**—Conformance with the D-D-O Zone standards and the Prince George's County Zoning Ordinance are evaluated, as follows:

Conformance with the Requirements of the Development District Overlay (D-D-O) Zone Standards of the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment

The subject site is governed by the D-D-O Zone standards approved with the sector plan that requires DSP review for the proposed redevelopment of the subject site. There is no previous approved DSP governing the site. In accordance with the sector plan, D-D-O standards replace comparable standards and regulations in the Zoning Ordinance. Wherever a conflict exists between the D-D-O standards and the Zoning Ordinance, or the 2010 *Prince George's County Landscape Manual* (Landscape Manual), the D-D-O will take precedence. For development standards not covered by D-D-O Zone standards, the Zoning Ordinance or the Landscape Manual shall serve as the requirements, as stated in Section 27-548.21.

The subject site is within the Walkable Node (University) development character area of the sector plan and is subject to all the D-D-O Zone standards for the character area. These development standards focused on building form, architectural elements, sustainability, streets and open space requirements, will be evaluated for their conformance at the time of DSP.

The vertical mixed-use development concept provided in the PPS, including ground-floor retail and multifamily units above in a multistory building, is appropriate for the M-U-I/D-D-O Zones and this location in the Walkable Node character area (University) of the sector plan.

Conformance with the Requirements of the Prince George's County Zoning Ordinance

All development proposals in a D-D-O Zone are subject to DSP review, as indicated in Section 27-548.25, Site Plan Approval, which states:

- (a) **Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.**

The subject site is located in College Park Airport APA 6, which is a traffic pattern area. In APA 6, development densities and intensities are the same as in the underlying zones. The uses of all APA lands may not endanger the landing, taking off, or safe maneuvering of aircraft. In accordance with Section 27- 548.42(b), no building permits may be approved for any structure higher than 50 feet within APA 6, unless the applicant demonstrates compliance with FAR Part 77. Conformance to these requirements should be evaluated at the time of DSP.

Conformance with the Requirements of the Prince George's County Landscape Manual

The Central US 1 Corridor Sector Plan and SMA (page 226) states that the provisions of the Landscape Manual regarding alternative compliance, commercial and industrial landscape strip requirements, parking lot requirements, and buffering incompatible uses do not apply within the D-D-O Zone. All other standards and regulations of the Landscape Manual apply, as necessary. Conformance with the remaining landscape requirements will be determined at time of DSP.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance

Section 25-128 of the County Code requires a minimum percentage of tree canopy coverage (TCC) on properties requiring a grading permit. Properties zoned M-U-I are required to provide a minimum of 10 percent of the gross tract area in TCC. Conformance with the Tree Canopy Coverage Ordinance requirements will be evaluated at the time of DSP.

18. **City of College Park**—A recommendation from the City of College Park City Council, dated September 29, 2020, was submitted prior to the Planning Board hearing, which recommended approval of this application subject to two conditions consistent with those adopted by the Planning Board.
19. **University of Maryland**—A letter of support of this PPS from the University of Maryland, dated October 6, 2020, was submitted prior to the Planning Board hearing. The letter included that Lehigh Road provides limited service access on the University of Maryland property and is intended to be gated, and therefore should not contain shared lane markings.

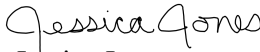
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, October 8, 2020, in Upper Marlboro, Maryland.

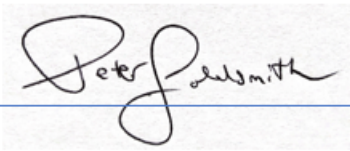
Adopted by the Prince George's County Planning Board this 29th day of October 2020.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:AH:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: October 21, 2020