

PGCPB No. 2024-082

File No. 4-23035

R E S O L U T I O N

WHEREAS, Donan Enterprises LLC is the owner of a 0.53-acre parcel of land known as Parcel 25, said property being in the 21st Election District of Prince George's County, Maryland, and being zoned Neighborhood Activity Center (NAC); and

WHEREAS, on March 26, 2024, Donan Enterprises LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-23035 for Autoville Residences 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 at a public hearing on July 18, 2024; and

WHEREAS, new Subdivision Regulations, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 *et seq.* of the Prince George's County Subdivision Regulations, subdivision applications submitted and accepted as complete before April 1, 2024, may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022 (prior Subdivision Regulations); and

WHEREAS, the applicant has complied with the procedures required in order to proceed with development under the prior Subdivision Regulations contained in Section 24-1904 of the Prince George's County Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, at the July 18, 2024 public hearing, 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 4-23035 for one parcel, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. Revise General Note 22 to include that the mandatory dedication of parkland requirement is being addressed by providing payment of a fee in-lieu.

- b. Add “PMA” line type to the legend.
 - c. Revise General Note 19 to provide the approval date for the stormwater management concept plan.
 - d. Revise the primary management area (PMA) line resulting from the piping of the stream and the reduction in stream buffer width.
2. Prior to approval, the final plat of subdivision shall include:
 - a. Right-of-way dedication along Autoville Drive, in accordance with the approved preliminary plan of subdivision.
 - b. Dedication of a 10-foot-wide public utility easement along the abutting public right-of-way, as delineated on the approved preliminary plan of subdivision.
 - c. Payment of a fee in-lieu of parkland dedication
3. Development of this site shall be in conformance with Stormwater Management Concept Plan 33030-2023-SDC, and any subsequent revisions.
4. In conformance with the recommendations of the 2009 *Approved Countywide Master Plan of Transportation* and the 2010 *Approved Central US 1 Corridor Sector Plan*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following facilities, and shall show these improvements on the detailed site plan, prior to its acceptance:
 - a. A minimum 5-foot-wide sidewalk along the site’s frontage of Autoville Drive unless modified by the operating agency with written correspondence.
 - b. A standard bicycle lane along the site’s frontage of Autoville Drive, unless modified by the operating agency with written correspondence.
 - c. A minimum 5-foot-wide sidewalk, connecting the sidewalk along the site’s frontage of Autoville Drive to the building entrance.
 - d. Standard crosswalks and associated Americans with Disabilities Act (ADA) curb ramps at all vehicular access points and to the building entrance.
 - e. Short- and long-term bicycle parking spaces within the multifamily building and near the building entrance. Short-term bicycle racks (inverted U-style or a similar model that provides two points of contact for a parked bicycle) should be located no more than 50 feet from the building entrance.
5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section of the

Countywide Planning Division of the Prince George's County Planning Department, prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the Prince George's County Planning Department Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

6. Prior to the issuance of any permits which impact 100-year floodplain, wetlands, wetland buffers, streams or waters of the United States, the applicant shall submit copies of all required federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans, if required.
7. Prior to signature approval of the preliminary plan of subdivision, an approved stormwater management concept plan shall be submitted.
8. The findings and conditions included herein relevant to a detailed site plan shall apply to a permit site plan, should a detailed site plan not be required.

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 applicable 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 includes a 0.53-acre parcel, known in the Maryland State Department of Assessments and Taxation as Parcel 25, recorded by deed in the Prince George's County Land Records in Book 39469 page 417, dated April 25, 2017. The property is in the Neighborhood Activity Center (NAC) Zone. However, this preliminary plan of subdivision (PPS) was reviewed in accordance with the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations, effective prior to April 1, 2022 (the “prior Zoning Ordinance” and “prior Subdivision Regulations”), pursuant to Section 24-1903(a) of the Subdivision Regulations. Under the prior Zoning Ordinance, approximately 0.3 acre of the property was within the prior Mixed Use-Infill (M-U-I) Zone and the remaining 0.23-acre property was within the prior Commercial Shopping Center (C-S-C) Zone. The site is subject to the 2010 *Approved Central US 1 Corridor Sector Plan and Adopted Sectional Map Amendment* (sector plan). Under the prior Zoning Ordinance, the entire property was overlaid by the prior Development District Overlay (D-D-O) Zone associated with the sector plan. The subject PPS qualifies for review under the prior Zoning Ordinance and prior Subdivision Regulations because it meets the requirements of Section 24-1904 of the current Subdivision Regulations. In accordance with Section 24-1904(a), a pre-application conference was held on October 6, 2023. In accordance with Section 24-1904(b), the applicant provided a statement of justification (SOJ) explaining why they were requesting to use the prior regulations. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2023-061.

The subject property is to be subdivided into one parcel for development of ten multifamily dwelling units. A PPS is required, pursuant to Section 24-107 of the prior Subdivision Regulations, because the proposed development consists of more than one single-family dwelling unit. The property is currently developed with a single-family detached dwelling, which will be razed to allow the proposed development. The property fronts on Autoville Drive, from which one driveway is to serve the site.

3. **Setting**—The subject site is located on Tax Map 25 in Grids D2 and E2; and is within Planning Area 66. The property is located on the east side of Autoville Drive, approximately 800 feet south of its intersection with Cherry Hill Road.

The subject property is bounded to the west by Autoville Drive, with a place of worship in the Residential, Single-Family–65 Zone (formerly zoned One-Family Detached Residential) located beyond. The property is bounded to the north and northeast by office use in the NAC Zone (formerly zoned M-U-I and Commercial Office). The property is bounded to the east and south by hotel use in the NAC Zone (formerly zoned M-U-I and C-S-C). All properties abutting the subject site to the north, south, and east are also located in the prior D-D-O Zone.

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

	EXISTING	EVALUATED
Zone	NAC	M-U-I/C-S-C/D-D-O
Use(s)	Vacant	Multifamily Residential
Acreage	0.53	0.53
Lots	0	0
Parcels	1	1
Dwelling Units	0	10
Gross Floor Area	0	0
Subtitle 25 Variance	No	No
Subtitle 24 Variation	No	No

The subject PPS was accepted for review on March 26, 2024. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was referred to the Subdivision and Development Review Committee (SDRC), which held a meeting on April 12, 2024, where comments were provided to the applicant. Pursuant to Section 24-113(b), a requested variation from Section 24-122(a) was also received on March 26, 2024, and reviewed at the SDRC meeting on April 12, 2024. Revised plans were received on June 13, 2024, which included withdraw of the variation request, and were used for the analysis contained herein.

5. **Previous Approvals**—There are no prior development approvals for the subject property.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated, as follows:

Plan 2035

Plan 2035 places this subject site in the Established Communities Growth Policy Area. Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established Communities are most appropriate for “context-sensitive infill and low- to medium-density development” (page 20). Plan 2035 recommends “maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met” (page 20).

Sector Plan

The sector plan designates mixed-use residential land use on the subject property. The sector plan further identifies mixed-use residential land use as containing a mix of uses that are predominantly residential on the ground floor.

The sector plan notes that, “Classification in the Mixed-Use Residential or Mixed-Use Commercial categories **is not intended to mandate a vertical mix of uses** [emphasis added] but rather to reflect that a mix of uses—horizontal as well as vertical—are the desired land use for the subject property. **Consideration must be given to the overall character and mix of uses present along the Central US 1 Corridor** [emphasis added],” (page 58). Considering that within 100 feet of the subject property are a church, hotels, offices, consolidated storage, and single-family dwellings; the development of the property with multifamily dwelling units represents a mix of uses. The PPS is, therefore, found to conform to the recommended land use of the sector plan.

The property is in the Autoville Drive and Cherry Hill Road plan area of the sector plan (page 80). The sector plan includes several principles that new development south of Cherry Hill Road along Autoville Drive should follow. The principles applicable to the subject property are listed below in **bold**, with the analysis following in plain text: (pages 95–96)

1. **Generally, development should consist of a senior housing complex, residential townhouses, and small-scale professional office development to implement the community's vision for the area and ensure that an appropriate transition is provided between US 1 and existing residences.**

Multifamily development is not envisioned specifically by Principle 1. However, a multifamily building with a small number of units, such as ten, would be similar in scale, if not smaller than, a “senior housing complex” or “residential townhouses” and thus conforms with Principle 1.

4. **Autoville Drive shall be realigned and shall incorporate traffic calming features, such as narrow streets, on-street parking, roundabouts, and offset intersections.**
 - e. **Autoville Drive shall incorporate bike lanes, and a trail connection may continue further south to connect to the Mazza Property trail that connects to the Paint Branch Trail.**

A condition is included to require a bicycle lane along the property's frontage on Autoville Drive, unless modified by the City of College Park.

Further, the sector plan notes: "Parking should be located behind buildings, with on-street parking next to the sidewalk. Varied uses along US 1 and Cherry Hill Road (retail, entertainment, civic, office, housing) shall share their parking supply efficiently. These practices will reduce the amount of land dedicated to parking. This should allow for the preservation of tree canopy" (page 96). Based upon the conceptual site layout on the stormwater management (SWM) concept plan, parking appears to be located behind the proposed building. Any provision for on-street parking will be evaluated by the City of College Park. Parking will be further evaluated at the time of detailed site plan (DSP).

In addition, the sector plan includes the following principles, goals, policies, and strategies to help advance the intent and purpose of the sector plan:

Housing (page 179)

Goals

- **Diversify the housing types available within the Central US 1 Corridor.**

Policy 1: Provide a variety of housing types with both rental and ownership opportunities to a range of incomes.

Strategies

- **Ensure that new housing is compatible with surrounding neighborhoods. Higher densities should be concentrated within the designated walkable nodes, while low-rise, less-dense development is encouraged as infill and transitions between walkable nodes and existing neighborhoods. Condominiums and townhouses are encouraged to increase diversification.**
- **Provide a mix of residential densities and building types along the Central US 1 Corridor to increase resident choice and enhance affordability, while ensuring high-quality development.**

A ten-unit multifamily building would be both compatible with the surrounding neighborhoods and add to the mix of residential densities and building types in the Central US 1 Corridor. Thus, the PPS conforms with the applicable housing goal, policy, and its strategies.

Neighborhoods and Sense of Community (page 181)

Goals

- **Support quality new residential development with a mix of housing types.**

The Neighborhoods and Sense of Community Section of the sector plan places the property in the Autoville/Cherry Hill Neighborhood (page 187). The PPS conforms with the applicable Neighborhoods and Sense of Community Goal because it will contribute to the mix of housing types.

Pursuant to Section 24-121(a)(5), of the prior Subdivision Regulations, a PPS and final plat shall conform to the area sector plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant recommendations within the comprehensive plan no longer appropriate, is no longer applicable, or the District Council has not imposed the recommended zoning. Pursuant to Section 24-121(a)(5), the evaluated use was found to conform to the sector plan.

Zoning

The 2010 *Approved Central US 1 Corridor Sectional Map Amendment* retained the subject property in the M-U-I and C-S-C Zones and superimposed a D-D-O Zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (CMA), which reclassified the subject property from the M-U-I and C-S-C Zones to the NAC Zone, effective April 1, 2022. However, this PPS was reviewed pursuant to the prior M-U-I/C-S-C/D-D-O zoning.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or municipality having approval authority. An unapproved Site Development Concept Plan (33030-2023-SDC) was submitted with this PPS, along with receipt of having been filed with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The unapproved plan shows the use of micro-bioretenion facilities and an underground storage system. The SWM concept plan also depicts piping of an existing stream located along the southern boundary of the property. This SWM concept plan is reflective of the proposed layout and will be further reviewed by DPIE. In accordance with Section 24-121(a)(15) of the prior Subdivision Regulations, an approved SWM concept plan is not necessary at this time, since such an approval will not affect the subdivision layout.

Development of the site, in conformance with SWM concept approval and any subsequent revisions, will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the sector plan, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and Sections 24-134 and 24-135 of the prior Subdivision Regulations, as they pertain to public parks and recreation and facilities.

The Prince George's County Department of Parks and Recreation manages and maintains Maryland-National Capital Park and Planning Commission (M-NCPPC)-owned park and recreation amenities in the vicinity and serving the subject property. These include the Sunnyside Park, 0.96 mile from the development site, improved with a skate park, a half basketball court, an outdoor tennis court, a handball court, a walking loop trail, a picnic shelter, and a picnic area; the Paint Branch Golf Course, within 1.38 miles, providing a golf driving range, 9-hole golf, mini golf, a pro shop, and a clubhouse. The Paint Branch trail is 0.07 mile from the subject site.

The sector plan includes the following goals for parks and recreation:

- **Provide opportunities for people to participate in active recreational activities, especially walking, free play opportunities for youth, and programmed activities for all.**
- **Protect and enhance the natural habitat, including parks, woodlands, streams, and wetland parkland, in stream valley parks.**

The proposed development is in alignment with the sector plan's goals and has no impact on the master plan park and open space recommendations.

Sections 24-134 and 24-135 of the prior Subdivision Regulations, which relate to mandatory dedication of parkland, provide for the dedication of land, the payment of a fee in-lieu, and/or the provision of private on-site recreational facilities to serve the active recreational needs of residential development. The Planning Board may approve the payment of fee in-lieu of parkland dedication when it finds that dedication of parkland is unsuitable or impractical due to size, topography, drainage, physical characteristics, or similar reasons, or if adequate open space has been acquired and is available to serve the subdivision. Based on the permissible density of 48 dwelling units per acre of development, 15 percent of the net residential lot area, 0.07 acre, could be required to be dedicated to M-NCPPC for public parks. The subject property is not adjacent or contiguous to any property currently owned by M-NCPPC, which could be expanded by dedication of additional parkland. Also, 0.07 acre of dedicated parkland would not be sufficient to provide active or passive recreation for the residents of the subdivision.

Based on the preceding findings, the provision of mandatory dedication of parkland shall be met through fee in-lieu, in accordance with Section 24-135(a) of the prior Subdivision Regulations.

9. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the sector plan, the prior Zoning Ordinance, and the prior Subdivision Regulations, to provide the appropriate transportation facilities.

Master Plan Right-of-Way

The subject property has frontage on Autoville Drive (P-200), which is designated as a primary roadway with a right-of-way (ROW) width of 60 feet, per the MPOT. However, the sector plan removed the recommended ROW from the MPOT and recommends a walkable residential street design. The PPS reflects a ROW width of 50 feet (25 feet from centerline), which is consistent with the Department of Public Works and Transportation (DPW&T) Specification and Standards for Roadways and Bridge Design, Urban Secondary Residential Road cross section, Standard 100.07. As a result, the PPS depicts ROW dedication of 25 feet from road centerline (0.038 acre) along the property's frontage to Autoville Drive. The ROW dedication was found to be acceptable and sufficient to serve the subdivision.

Master Plan Pedestrian and Bike Facilities

The sector plan recommends the following master-planned facilities:

- Planned Bicycle Lane: Autoville Drive

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 (MPOT, page 10):

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.

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*.

In addition, the site is subject to the sector plan, which identifies the following policies to improve bicycle and pedestrian facilities within the plan limits:

Transportation Analysis

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle- and pedestrian friendly through appropriate design, including traffic calming techniques.

Bicycle Parking

Policy 2: Facilitate bicyclists along the entire corridor and through development so that bicycle routes are enhanced or established.

The site plan includes a 5-foot-wide sidewalk along the property's frontage of Autoville Drive, which is consistent with DPW&T Standard 100.07, as mentioned above. A bicycle lane shall be provided along the site's frontage. Lastly, short- and long-term bicycle parking shall be provided to accommodate multimodal use for the future residents. The required facilities and amenities will meet the intent and the goals of the sector plan.

Site Access and On-site Circulation

The PPS includes one full movement vehicle access point along Autoville Drive. Crosswalks and associated Americans with Disabilities Act (ADA) curb ramps shall be provided at the vehicular access point, and from the sidewalk along Autoville Drive to the building entrance, to facilitate pedestrian movement throughout the site.

Based on the preceding findings, the vehicular, pedestrian, and bicycle transportation facilities will serve the PPS, meet the findings required of the prior Subdivision Regulations and prior Zoning Ordinance, and conform to the sector plan and MPOT.

10. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5) and 24-122(b) of the prior Subdivision Regulations. The sector plan includes the following policies for the provision of public facilities:

Public Schools Policies:

Policy 1: Establish a standard minimum site size for new construction, rehabilitation, and the adaptive reuse of structures for schools within urban settings.

Policy 2: Preserve, retain, and support existing public-school facilities, existing and former school sites, and properties owned by the Board of Education.

Policy 3: Construct the appropriate number of schools in order to achieve a school system that operates at 100 percent capacity or less at every school.

Police:

Policy: Maintain police facilities that meet the needs of the Central US 1 Corridor community.

Fire/EMS:

Policy: Provide fire and rescue facilities that meet the needs of the Central US 1 Corridor community, based upon established county standards and their ability to accommodate modern vehicles and equipment.

The project will not impede the achievement of the above-referenced policies. This PPS is subject to ADQ-2023-061, which established that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. There are no master-planned police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property.

The subject property is located in Planning Area 66, known as College Park-Berwyn Heights and Vicinity. The 2024–2029 Fiscal Year Approved Capital Improvement Program (CIP) budget does not identify any new public facilities proposed for the planning area.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, renovations to existing facilities, and construction of new facilities; however, none of its recommendations affect this site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that the location of the property, within the appropriate service area of the Ten-Year Water and Sewerage Plan, is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for PPS or final plat approval. The 2018 *Water and Sewer Plan* placed this property in Water and Sewer Category 3, Community System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties served by public sewerage systems.

11. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, 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 public utility easements (PUEs) is 10 feet wide along both sides of all public ROWs. The subject property has frontage on Autoville Drive to the west. The PPS correctly shows the required PUE along the ROW of Autoville Drive.

12. **Historic**—The sector plan contains goals and policies related to historic preservation (pages 171 through 201). However, these are not specific to the subject site. 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. A Phase I archeology survey is not required. The subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.

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

Development Review Case Number	Associated Tree Conservation Plan or Natural Resource Inventory	Authority	Status	Action Date	Resolution Number
N/A	NRI-098-2023	Staff	Approved	9/12/2023	N/A
4-23035	Exempt per S-010-2024	Planning Board	Approved	7/18/2024	2024-082

Grandfathering

The project is subject to the environmental regulations and woodland conservation requirements contained in Subtitle 25 and prior Subtitles 24 and 27 because the application is for a new PPS.

Prince George's Plan 2035

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, and within the Established Communities of the General Plan Growth Policy (Plan 2035).

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Sector Plan

The sector plan contains environmentally related policies and strategies that are applicable to the subject PPS. The specific language from the sector plan is shown in **bold** and the plain text provides comments on plan conformance.

Policy 2: Restore and enhance water quality in the Paint Branch stream system and other areas that have been degraded and preserve water quality in areas not degraded.

Strategies:

- **Preserve open space, utilize linear stormwater systems and sediment ponds, and create wetland systems as stormwater management strategies that function as public amenities.**

The site contains a regulated, intermittent stream within the Paint Branch watershed; however, DPIE has determined that the stream is required to be piped for the safe conveyance and disposal of draining. Section 32-162(a)(6) of the Prince George's County Code states that, since the water flow exceeds three cubic feet per second, the stream will not be permitted to remain open, and is required to be piped. The Maryland Department of the Environment (MDE) approved the request on March 4, 2024, and the Army Corps of Engineers approved the request/permit on April 19, 2024. Stormwater discharge into the

Paint Branch stream system will be managed through three micro-bioretenention facilities and an underground storage facility.

Policy 4: Reduce flooding and its detrimental effects on human and natural resources.

Strategies:

- **Implement environmentally sensitive design stormwater techniques, such as rain gardens, bioretention and infiltration areas, innovative stormwater outfalls, underground stormwater management, green streets, cisterns, rain barrels, grass swales, and stream stabilization, to the fullest extent possible.**
- **Require new development and redevelopment to incorporate stormwater volume control measures in order to reduce the impact of stormwater on the Paint Branch Stream Valley.**

The site will treat stormwater on-site with micro-bioretenention and underground storage facilities.

Policy 5: Implement environmentally sensitive design building techniques and reduce overall energy consumption.

The potential to use environmentally sensitive design building techniques will be evaluated with the DSP.

Policy 6: Preserve and enhance the existing urban tree canopy.

Opportunities to enhance the urban tree canopy will be evaluated as part of the landscape plan with the DSP. This site will also be subject to Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, which requires a minimum percentage of the site to be covered by tree canopy for any development projects that require a grading permit or propose 5,000 square feet or greater of gross floor area or disturbance.

Policy 7: Reduce light pollution and intrusion into residential communities and environmentally sensitive areas.

There are no residential communities abutting the subject property. The area to the south of the site is mapped as an environmental conservation area. Efforts to reduce light pollution into this area will be evaluated with the DSP.

Policy 8: Reduce air pollution to support community health and wellness by supporting development that is accessible by nonmotorized and alternative modes of travel, as well as by increasing the urban tree canopy.

Strategies:

- **Promote mixed-use and transit-oriented development that minimizes the need for motor vehicle trips in order to prevent conditions that may create local air pollution nuisances.**

The site is located near public transportation and other alternative modes of travel. In addition, the site is located within the corridor infill areas identified by the sector plan.

- **Incorporate tree planting and vegetated areas into redevelopment plans, and encourage tree planting on existing properties.**

Additional plantings will be evaluated as part of the landscape plan with the subsequent DSP. Due to its size, the site is exempt from the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO).

2017 Green Infrastructure Plan

The 2017 Countywide Green Infrastructure Plan (Green Infrastructure Plan) was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017). According to the Green Infrastructure Plan, this site contains regulated and evaluation areas. This area is comprised of a tributary of Paint Branch.

The following policies and strategies are applicable to the subject PPS. The text in **bold** is the text from the Green Infrastructure Plan and the plain text provides comments on plan conformance.

POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

Strategies

- 1.1 **Ensure that areas of connectivity and ecological functions are maintained, restored, and/or established by:**
 - a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**

- c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
- d. **Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**

Since the majority of on-site regulated environmental features (REF) will be removed due to the piping of the stream, the only REF that will remain on site is where the piped stream will daylight at the southeastern corner of the site, and a wetland buffer that protects an off-site wetland. Impacts to the stream and the wetland buffer are discussed in the Regulated Environmental Features (REF)/Primary Management Area (PMA) section. The remaining PMA is to remain protected, as it is the only remaining buffer to the adjoining woodland conservation area to the south of the property, which contains wetlands and associated buffers.

1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.

- a. **Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

The site does not contain any sensitive environmental species and is not within a special conservation area.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

Strategies

2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.

The Green Infrastructure Plan shows that the majority of the site is mapped as regulated areas and evaluation areas.

The only site area outside of these designations is along the frontage of Autoville Drive, in the northwest section of the property, with the existing structure. The frontage on Autoville Drive is mostly clear and is a preferred area for development, and therefore does not present a viable network gap for

preservation. Due to the DPIE requirement to pipe certain streams, and the subsequent approvals from MDE and the Army Corps of Engineers, there are no opportunities to provide a contiguous tract of preservation to the woodland conservation area to the south. Since the on-site REFs will be removed to pipe the stream, opportunities to plant native species on-site to meet or exceed the tree canopy requirements should be a priority and will be explored with the DSP.

2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.

Mitigation, if any, for encasing a stream in a pipe, is determined by MDE's Nontidal Wetlands Division during their review of the permit for the disturbance to the stream and its associated buffer. Based on the MDE letter of authorization, no mitigation is required for this project.

2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.

Off-site mitigation is not required for any of the activities evaluated with this PPS, nor can it be imposed on surrounding private lands. Any requirements to locate off-site mitigation, for the encasement of the stream, and the disturbance to the wetland buffer, are determined by MDE at the time of the permit for those impacts. However, based on the MDE letter of authorization, no off-site mitigation is required for this project.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

Strategies

3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.

- a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**

This PPS is for development of a single lot and does not involve new roads, bridges, or trails.

- b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No new trails are included with this PPS.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

Strategies

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

At the time of final plat, a conservation easement shall be delineated over areas of REFs, except for any areas of approved impacts.

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

Strategies

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

Micro-bioretenion and underground storage facilities will be utilized to manage stormwater on-site and will not be placed within the boundaries of REFs.

- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

The existing natural stream on this property is required by DPIE to be piped, which does not support opportunities for enhancement and restoration. The stream will therefore cease to function as an environmental resource on this property. Encasement of streams typically exacerbates poor or impaired conditions downstream.

POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**

The site is exempt from the WCO as demonstrated through an approved Standard Letter of Exemption S-010-2024 because the site has no previous tree conservation plan (TCP) and is less than 40,000 square feet in area.

- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**

The planting of native species on-site is required by the 2010 *Prince George's County Landscape Manual* (Landscape Manual), which can count towards the tree canopy coverage requirement for the development.

- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

The location and specifications of the plantings will be evaluated as part of the landscape plan with the DSP.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**

This site is exempt from the WCO, and no forests are being established or maintained. The eradication of invasive species on site, if any, will be evaluated as part of the landscape plan with the DSP.

- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

The approved NRI determined that the site does not have forest interior dwelling species (FIDS) habitat and no known sensitive species. This site is exempt from the WCO and does not contain any forests.

Tree Canopy Strategies

- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

The planting of native species on-site is required by both the Environmental Technical Manual (ETM), and the Landscape Manual, which can count toward the tree canopy coverage requirement for the development. Tree canopy coverage will be evaluated with the DSP. The site does not contain woodland.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

Approved NRI-098-2023 was submitted with the PPS. The site contains REFs and PMA from one on-site stream, stream buffer, and a wetland buffer from an off-site wetland to the south of the property. The site does not contain woodland. The NRI identifies two specimen trees on-site; however, with the exemption from WCO, these trees are not subject to the specimen tree regulations contained in Section 25-119(d). No additional information is required regarding the NRI.

Woodland Conservation

This property is not subject to the provisions of the WCO because the property was not part of a prior TCP and is less than 40,000 square feet. The site has an approved Standard Letter of Exemption, S-010-2024, which was approved on January 24, 2024, and will expire on January 24, 2026.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site, or are associated with a historic structure, shall be preserved. The design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone, in keeping with the tree’s condition, and the species’ ability to survive construction, as provided in the [Environmental] Technical Manual.” However, this project is exempt from Division 2 of Subtitle 25, which includes being exempt from the variance criteria of Section 25-119(d) and the conservation priorities outlined in Section 25-122(c)(1)(D).

Regulated Environmental Features (REF)/Primary Management Area

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision Regulations. The on-site REF includes streams, stream buffers, wetland buffers, and steep slopes.

Section 24-130(b)(5) of the prior Subdivision Regulations states: “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

REF 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 REF 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 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 REF. 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 County Code.

An SOJ and exhibit for impacts to REFs were provided with this PPS.

Two permanent impacts were requested, totaling approximately 1,368 square feet (0.29 acre). In addition, the applicant requested a reduction in the stream buffer width. Both Impact 1 and Impact 2 and the request for a reduction in stream buffer width are hereby approved.

- Impact 1: Regulated stream (0.29 acre)
- Impact 2: Buffer for off-site wetland (19 square feet)

Both Impact 1 and Impact 2 are permanent for the encasement of the existing stream into a pipe, which discharges water back into the off-site stream system while limiting erosion at the discharge points. The encasement of the stream is required due to concentrated flow rates that exceed three cubic feet per second (cfs) to ensure the safe conveyance and disposal of drainage, to prevent erosion and property drainage pursuant to Section 32-162(a)(6) of the County Code. The MDE’s Wetlands and Waterways Protection Program has issued a letter of authorization (202460065/24-NT-0012) for both Impact 1 and Impact 2, which is valid until March 4, 2029.

During the SDRC meeting on April 12, 2024, a site redesign was recommended to decrease the flow rate, which would allow the on-site stream to be preserved in its natural state, rather than be piped. DPIE looked into opportunities to preserve or restore streams in their natural state; however, in an email exchange between the applicant and DPIE dated February 9, 2024, DPIE confirmed that the on-site stream must be piped in accordance with Section 32-162(a)(6) of the Prince George’s County Code. While the outfall for the piped stream is located entirely on the subject property, every effort shall be made to ensure that the proposed stormwater discharge and disturbance will not adversely affect the downstream and adjacent property, which contains

wetlands and woodland preservation areas in fulfillment of Type 2 Tree Conservation Plan TCP2-176-06-02.

Reduction in regulated stream buffer

Section 24-101(b)(31) of the prior Subdivision Regulations allows a reduction in the minimum stream buffer to 50 feet for properties in the developed tier during the development approval process to support transit-oriented development or other revitalization projects on constrained sites. The applicant provided an SOJ for this request with the acceptance package of the PPS, which described this 0.53-acre site as being located within the prior M-U-I Zone (0.30 acre) and the C-S-C Zone (0.23 acre). Neither of these zoning districts permit the redevelopment of the site with a single-family detached dwelling. Given the small size of the site, which is further constrained by the stream buffer (approximately 60 percent of the site area), and the vision of the site and the area within the sector plan, a reduction in stream buffer width is approved for the site. Due to the piping of the stream located on the property, the extent of the stream buffer will already be reduced on the site. Based on the approval of the reduction of the stream buffer to 50 feet, the revised PMA includes the 50-foot stream buffer extending from the terminus of the piped stream and the wetland buffer associated with the off-site wetland in the preservation area to the south of this property. The PPS plan currently depicts the PMA as delineated on the NRI (prior to piping of the stream). The PPS shall be revised to only depict the PMA resulting from the piping of the stream and the reduction in buffer width. No site features shall encroach into the revised PMA.

Based on the level of design information currently available, the limits of disturbance shown on the PPS, and the impact exhibits provided, the REF on the subject property have been preserved and/or restored to the fullest extent possible. The PMA Impacts 1 and 2 are found to be necessary for the orderly and efficient redevelopment of the subject property, in accordance with County water regulations, as found in Section 32-162(a)(6) of the Prince George's County Code. The reduction in stream buffer width from 60 feet to 50 feet, in accordance with Section 24-101(b)(31), is approved.

Soils

Section 24-131 of the prior Subdivision Regulations states "The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes."

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey include Sassafras sandy loam and Woodstown-Urban land complex. No unsafe soils, including those containing Marlboro clay or Christiana complexes have been identified on or within the immediate vicinity of this property. No major geotechnical issues are anticipated.

14. **Urban Design**—The subject PPS evaluates the development of 10 multifamily dwelling units on a single parcel. Per Section 27-548.25(a) of the prior Zoning Ordinance, a DSP will be required for the proposed development.

The regulations and requirements of the prior Zoning Ordinance applicable to this development within the M-U-I and C-S-C Zones, the applicable sections of the Landscape Manual, and the requirements of the Tree Canopy Coverage Ordinance of the County Code will be evaluated at the time of DSP review.

The D-D-O Zone imposes site design and architectural standards to implement the sector plan's vision for Corridor Infill Character Area 4. This development will be evaluated for conformance to the applicable D-D-O Zone urban design standards and guidelines at the time of DSP review, which include bulk, yard, and setback requirements, parking and loading standards, landscaping, screening, buffering, and building design (pages 227–268 of the sector plan).

In the event that development of the subject property proceeds in a manner that a DSP is not required, the applicable regulations and requirements of the Zoning Ordinance will be evaluated at the time of permit review.

15. **Health Department**—The Prince George's County Health Department completed a health impact assessment review of the PPS and provided the following standard regulatory requirements:

- **During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.**
- **During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.**

The standard regulatory requirements listed in the above comments will be addressed at the time of permitting.

The Health Department noted that the applicant should apply for a razing permit prior to razing the existing house on the property. It was also noted that the existing house should be evaluated for presence of lead and asbestos prior to razing.

The Health Department also noted that per their permit records, there are six existing carry-out/convenience store food facilities within a 0.5-mile radius and one market/grocery store within a 1.0-mile radius of the subject property; and that research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery/fresh produce stores, have a significantly higher prevalence of obesity and diabetes.

16. **Citizen Feedback**—The Planning Department received written correspondence from one member of the community regarding this project. The citizen expressed concern regarding the increase in impervious area on the property and piping of the existing stream, fearing that this

would exacerbate flooding in the neighborhood. The citizen also asked questions regarding the stream buffer width required for the project, and clarification of comments provided by representatives of DPIE and WSSC during the SDRC meeting. The same individual also asked whether an archeological phase 1 study and a traffic study was required for the subject property. Staff responded to the citizen's questions and stated that the project is subject to a 60-foot-wide stream buffer. Regarding DPIE's comments during the SDRC meeting, their representative stated that the SWM concept plan had not yet been approved, and requested that all the stormdrain systems be placed in a stormdrain easement. There was no mention of a variance in DPIE's comments. Regarding WSSC's comments during SDRC meeting, their representative stated that they were still reviewing the hydraulic planning analysis for this project. Regarding the archeological study, staff did not recommend a Phase I archeology survey, since the subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources. Regarding the traffic study, staff responded that the applicant submitted a traffic analysis with the PPS. No further correspondence was received from the citizen.

The Planning Department also received emails from two citizens expressing opposition to the case. The citizens' concerns are listed below, with response to each item of concern.

- a. Both citizens expressed concern regarding traffic at the Cherry Hill Road and US 1 intersection. The approved ADQ associated with this PPS found that the subdivision's impacts on transportation facilities will be adequately addressed. Also, the Cherry Hill Road and US 1 intersection was not studied as part of the ADQ, due to the minimal number of peak-hour vehicle trips being generated by the proposed use.
- b. The citizens raised concerns regarding potential flooding of the neighborhood, and loss of wildlife habitat and green space. Regarding flooding, the management of stormwater impacts are reviewed by DPIE and the Prince George's County Department of the Environment. Findings regarding the review and approval of a stormwater concept plan are addressed in Paragraph 7 of this resolution and Condition 3. Regarding loss of wildlife habitat and green space, this PPS is exempt from review of a TCP, since the property is less than 40,000 square feet in area. As discussed in the Environmental finding, the approved NRI determined that the site does not have FIDS habitat and no known sensitive species. It should be noted that the site is subject to the requirements of the Landscape Manual, the County's Tree Canopy Coverage Ordinance, and the City of College Park's Tree Ordinance.
- c. Another concern raised was regarding the proposed use of the property on the neighborhood character, and a suggestion that these homes be designed for ownership or for senior housing. While the PPS does not approve the use, the sector plan designates mixed-use residential land use on the subject property, and the PPS was found to conform to the recommended land use of the sector plan.
- d. One citizen referenced an ongoing Central US 1 Neighborhood Compatibility study, which is expected to be completed by early next year. The subject property is included in the study area. At this time, the study is in the phase of collection of background information, and community engagement is expected to begin in September 2024.

However, an undergoing study does not require a pause in approving development applications.

- e. One citizen requested that the building be set back further from the street to avoid impacts to a stormdrain. In response, it is noted that the building setback will be determined at the time of permitting or DSP, as applicable.

17. **Referral to Municipalities**—The subject property is located within the municipal limits of City of College Park and within 1.0 mile of the municipal boundaries of the City of Greenbelt. The PPS was referred to these municipalities for review and comment on February 13, 2024. The Planning Department did not receive any comments from the City of Greenbelt.

A letter was received from the City of College Park (City) dated July 10, 2024 (Bader to Shapiro), providing the City's recommendation of approval of the PPS and seven conditions of approval. The application was heard at the City Council meeting on July 9, 2024, and final action was taken the same day. The City's conditions and their analysis is as follows:

1. **Density shall not exceed 8 dwelling units.**
2. **Two units shall be designated affordable to be defined in consultation with City Staff.**
3. **At least one unit shall be handicap accessible.**
4. **Protection measures shall be implemented to prevent dumping in and near the creek.**
5. **Prior to obtaining a tree removal permit from the City, to remove any trees, the Applicant shall submit a tree replacement plan that details how the project will comply with the City's tree ordinance. The Applicant shall make all reasonable efforts to preserve as many specimen trees as possible or relocate some to another location on the property. In addition, a tree protection plan shall be submitted to the City Arborist to ensure protection of Specimen Trees 1 and 2.**
6. **Prior to obtaining a City building permit, the Applicant shall use permeable pavement for any uncovered paved parking areas, if acceptable to DPIE.**
7. **Prior to obtaining a building permit, the Applicant shall execute a Declaration of Covenants and Agreement that shall include the following provisions at a minimum:**
 - a. **Bringing the site plan back to the City Council to review.**
 - b. **Density to not exceed 8 dwelling units.**

- c. **Two units being designated as affordable as defined in consultation with City Staff.**
- d. **Ensuring at least one unit is handicapped accessible.**
- e. **Implementing protection measures to prevent dumping in the creek.**
- f. **Submitting a tree protection and tree removal plan to be reviewed and approved by the City Arborist and compliance with the City Tree Ordinance.**
- g. **Use permeable paving materials for any uncovered parking area, if permitted by DPIE.**

After reviewing the City's conditions of approval, the Planning Board did not incorporate them as conditions of approval of the subject PPS. The City's conditions were determined to be considerations at a later stage in the development process such as building permit, which will be reviewed and approved by DPIE and the City; the tree removal permit, which will be reviewed and approved by the City; and the grading permit and SWM approval, which will be reviewed and approved by DPIE and the Prince George's County Soil Conservation District.

18. **Planning Board Hearing**—At the July 18, 2024 Planning Board hearing, staff presented the PPS to the Planning Board. The applicant, prior to the July 16, 2024 noon deadline, submitted several exhibits in support of the application. During the hearing, the applicant and their representative presented the existing conditions of the subject property and described the proposed development in detail. The applicant also described the public engagement initiatives undertaken for this project and the proceedings of the City of College Park's City Council meeting on July 9, 2024. The applicant also provided comments and clarification on Conditions 4b and 4e regarding the requirement of a bicycle lane and bicycle parking. While the applicant did not request revisions to these conditions, they stated that there is no room for a bicycle lane along Autoville Drive and clarified that bicycle parking may be provided within garage spaces. It was noted that the bicycle lane is a facility recommended by both the MPOT and sector plan. The City of College Park, as the operating agency, has authority to ultimately determine the provision of a bicycle facility along this road, be it sharrows or a dedicated bicycle lane. Regarding bicycle parking, since building architecture is not finalized or reviewed with the PPS, the condition did not specify details of where the parking is to be provided.

Two citizens spoke at the public hearing. One citizen expressed their support for the project, stating that the proposed development was modest in scope and scale, and would provide much needed affordable housing in the community. Another citizen spoke in opposition to the project, expressing concerns regarding the proposed use, traffic, fire accessibility, and flooding. These concerns have been addressed above and through the ADQ process.

Mr. Rey DeGuzman, Acting Associate Director of DPIE, and Ms. Miriam Bader, Director of Planning and Community Development, City of College Park, also attended the hearing and spoke in support of the application.


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, and Shapiro voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, July 18, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of September 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:MG:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: August 19, 2024