

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on April 17, 2008, regarding Detailed Site Plan DSP-02027/03 for University Overlook, the Planning Board finds:

1. **Request:** The subject application is to replace a previously approved ten-story, approximately 183,094-square-foot office building with a three-story parking garage in Detailed Site Plan DSP-02027, known as University View, with a 13-story mixed-use building consisting of approximately 11,600 square feet of commercial/retail at the street level and 154 multifamily residential units.
2. **Development Data Summary:**

	EEXISTING	PPROPOSED
Zone(s)	M-U-I/DDOZ	M-U-I/DDOZ
Use(s)	Commercial	Multifamily Residential, Commercial/Retail
Acreage	3.8	3.8
Parcels	1	1
Square Footage/GFA of Commercial/retail	-	11,600
Office	183,094	-
Dwelling Units:	352	506 (addition of 154 units)
of which Multifamily dwelling units	-	506

#### OTHER DEVELOPMENT DATA

##### Bedroom Unit Mix in the Existing Building

Unit Type	Number of Units	Average Square Footage
1 Bedroom	159	805
2 Bedrooms	193	1,263
<b>Total</b>	<b>352</b>	

##### Bedroom Percentage in the Existing Building

Unit Type	Proposed Percentage	Maximum Percentage Per Section 27-419
1 Bedroom	45	50
2 Bedrooms	55*	40

**Note:** \*The applicant requested an amendment to the bedroom percentage and was approved by the Planning Board and affirmed by the District Council at the time of DSP-02027 approval.

##### Bedroom Unit Mix in the Proposed Building

Unit Type	Number of Units	Average Square Footage
1 Bedroom	44	766
2 Bedrooms	110	1,360
<b>Total</b>	<b>154</b>	

##### Bedroom Percentage in the Proposed Building

Unit Type	Proposed Percentage	Maximum Percentage Per Section 27-419
1 Bedroom	29	50
2 Bedrooms	71*	40

**Note:** \* The applicant has requested an amendment to the bedroom percentage. See Finding 7 below for a detailed discussion.

**Parking Requirements Per Section 27-568(a)**

Uses	Parking Spaces
Multifamily Apartments (506 Dus)	<b>773</b>
Of which one bedroom units (1.33 spaces per unit for 203 Dus)	267
Two bedroom units (1.66 spaces per unit for 303)	503
Commercial/retail Space (11,600 square feet)	<b>63</b>
For the first 3,000 square feet (1space per 150 sq. ft.)	20
For the rest 8,600 square feet (1 space per 200 sq. ft.)	43
<b>Total</b>	<b>836</b>

The minimum number of off-street parking spaces permitted for each land use type shall be reduced by 10 percent from the required spaces of Section 27-568 (a) pursuant to Site Design S2. Parking Area, Standard T. of the 2002 *Approved College Park US 1Corridor Sector Plan and Sectional Map Amendment*

**753 (696+57)**

**Shared Parking by Time Period (Pursuant to Table 15, Page 182 on Sector Plan)**

Uses	Weekday		Weekend		Night-time
	Daytime	Evening	Daytime	Evening	
<b>Residential (696spaces)</b>	60%=418	90%=626	80%=557	90%=626	100%=696
<b>Commercial (57 spaces)</b>	60%=34	90%=51	100%=57	70%=40	5%=3
<b>Total Spaces</b>	<b>452</b>	<b>677</b>	<b>614</b>	<b>666</b>	<b>699<sup>†</sup></b>

**Parking Provided with this DSP\* 8 spaces**

Of which Surface parking spaces 8 spaces

Total Parking Provided **450 spaces**

**The required parking spaces after 20 percent reduction: 559 (699- 699 x 0.2)**

**Notes:** †The highest number of parking spaces becomes the minimum number of off-street parking spaces required; therefore a total of 699 spaces are required. The DDOZ Standard Site Design S2. Parking Area W. allows up to 20 percent parking reduction if incentives are being provided to encourage use of alternative modes of transportation other than single occupancy vehicles. The applicant has requested a 20 percent reduction due to provision of shuttle bus service from the subject site to the University of Maryland campus, provision of a bridge to cross Paint Branch to allow the students to go to the campus on foot or by bicycle, provision of bicycle storage facilities, and provision of parking on the University of Maryland campus. After a 20 percent reduction, the required parking is 559 spaces. This application provides eight surface parking spaces. A total of 450 parking spaces are provided on the site which are 109 spaces less than the required number. The number of on-site parking spaces does not comply with the parking requirements.

\*For a total of 559 parking spaces, two percent of the parking spaces should be designated as spaces for the physically handicapped. A total of 11 parking spaces for the handicapped are required. The applicant has requested an amendment to the parking standards.

#### **Loading**

<b>Required</b> per Section 27-582	<b>5</b>
Retail (11,600 square feet)	2 (1 space/ 2,000 -10,000 GFA 1 space/10,000-100,000 GFA)
Multifamily Residential 506 (352+154)	3 (1 space / 100-300 dwelling units 1 space each additional 200 units or fraction)
<b>Provided*</b>	<b>4</b>
Retail	1 space
Residential	3 (two with the existing building) spaces

**Notes:** \*The DSP plan indicates that an amendment has been requested to allow the residential use to share one loading space with the retail/commercial uses. This request is not included in the Justification Statement. The applicant should include this request in the justification statement.

3. **Location:** The subject site is located on the west side of Baltimore Avenue, within the boundary of the City of College Park, south of Berwyn House Road and north of Navahoe Street, in Planning Area 66 and Council District 3. The site is also located in Sub area 3a (Main Street) of the Approved 2002 College Park US 1 Corridor Sector Plan where detailed site plan review is required in accordance with the Development District Overlay Zone (DDOZ) standards.

4. **Surrounding Uses:** The larger site is located on the west side of Baltimore Avenue and is known as University View approved in DSP-02027, which includes two buildings. The existing building on the site is the approved residential building, and the portion of the site covered in the subject DSP was previously approved for an office building. The larger site is bounded to the west by Paint Branch Stream, to the north by an existing office site and an automobile service facility, to the south by an existing liquor store and to the east by the right-of-way of Baltimore Avenue (US 1). All adjacent properties including those across Baltimore Avenue to the east are in the M-U-I Zone. Across the Paint Branch to the west is the campus of the University of Maryland in the R-R (Rural Residential) Zone.
5. **Previous Approvals:** The subject site is a portion of a larger site known as University View. The specific location of the subject site was previously approved for an office building. The entire larger site was originally zoned Commercial Shopping Center (C-S-C). The 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* rezoned the site to the M-U-I Zone. The site has a Preliminary Plan of Subdivision 4-02031, which was approved by the Planning Board (Resolution PGCPB No. 02-178) on July 25, 2002, and was recorded on January 22, 2004, at Plat Book REP 198 # 85. The site has a Detailed Site Plan DSP-02027, University View, which was approved by the Planning Board (Resolution PGCPB No. 02-163), on the same day as the Preliminary Plan of Subdivision. The applicant revised DSP-02027 on October 9, 2003, for an interim detailed site plan for the construction of the existing residential building. The site also has an approved Stormwater Management Concept Plan #11736-2002-01, which is valid through January 15, 2011.
6. **Design Features:** The proposed mixed-use building fits into the general building footprint of the previously approved office building which is in a roughly rectangular shape. A 24-foot-wide driveway is shown between the new building and the existing residential building. The first floor of the proposed building is occupied by the commercial/retail space of approximately 11,600 square feet that is oriented toward Baltimore Avenue, forming a very strong pedestrian-friendly storefront environment. The rest of the first floor oriented toward the driveway at the rear of the building consists of a residential lobby and other loading and drop-off service amenities. Two accesses to the site are located on the north and south sides of the building. The northern access point to the site is shown as a full access and the southern entrance to the site is shown as a right-in and right-out access with a median.

The proposed building is 13 stories high (12 stories with a penthouse story on top of it) and is approximately 134 feet in height; which is six inches higher than the previously approved office building. There are 154 dwelling units consisting of 44 one-bedroom and 110 two-bedroom units, which are reserved for students attending the University of Maryland in their freshman year. The building has a main façade fronting Baltimore Avenue. The façade is designed in a three-part composition that is similar to the existing building behind. The base part of the façade is articulated with repetitive arched storefronts and is finished with a light cast stone exterior decorated with a dark water table. A similar Exterior Insulation Finishing System (EIFS) treatment has been applied to the roof portion of the building. A combination of darker tone brick and EIFS has been used in the

middle section of the façade. The new elevation also uses similar fenestration that makes the façade of the new building visually harmonious with the existing one. The same three-part composition and combination of materials have been used in the other three elevations. The elevations provide sufficient details at the street level and are acceptable.

Several building-mounted signs have been shown on the building elevations. However, there are no sign details provided for review. The sign dimensions should be provided for review and approval.

7. **Recreation Facilities:** The subject DSP includes a recreational facility package consisting of a fitness center, study lounges and meeting areas for the residents. The total combined gross floor area is approximately 2,000 square feet. In addition, the residents will also have scheduled access to the amenities provided in the existing residential building including an outdoor roof terrace, swimming pool, and bath house. According to the cost information provided by the applicant, the above provided package in the proposed new building is worth approximately \$425,000. In accordance with the current formula for determining the value of recreational facilities, for 220 multifamily dwelling units in Planning Area 66, a recreation facility package of approximately \$140,000 is required. The proposed recreational facility package is above the minimum requirements for private on-site facilities.

#### COMPLIANCE WITH EVALUATION CRITERIA

8. **The 2002 Approved College Park US 1 Corridor Sector Plan and the standards of the Development District Overlay Zone (DDOZ):** The 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* defines long-range land use and development policies, detailed zoning changes, design standards and a Development District Overlay Zone for the US 1 corridor area. The land use concept of the sector plan divides the corridor into six areas for the purpose of examining issues and opportunities and formulating recommendations. Each area has been further divided into subareas for the purpose of defining the desired land use types, mixes, and character of development.

The subject site is in Area 3 (Main Street), subarea 3a, west side of US 1. The vision for Area 3 is to create a neighborhood main street district featuring a compact mix of retail, restaurants and offices in low-to mid-rise buildings. The sector plan also provides specific subarea recommendations for Subarea 3a such as compact infill development, vertical mixed-use, shared and/or structured parking. The proposed development of a mixed-use building with storefronts at the street level provides a continuous street wall that resembles a traditional pedestrian-friendly main street environment and is consistent with the land use vision of Subarea 3a.

Section 27-548.25 (b) requires that the Planning Board find that the site plan meets applicable development district standards in order to approve it. The development district standards are organized into three categories: Public Areas, Site Design, and Building Design. However, in accordance with the Development District Overlay Zone review process, modification of the Development District Standards is permitted. In order to allow the plan to deviate from the

development district standards, the Planning Board must find that the alternative development district standards will benefit the development and the development district and will not substantially impair implementation of the sector plan.

- a. The subject detailed site plan is a revision to the previously approved Detailed Site Plan DSP-02027, University View. The proposed new building fits into the building footprint previously approved for the office building and is also as high as the previous building but with additional of stories due to different floor height. At the time of DSP-02027 approval, the applicant requested amendments to the DDOZ standards regarding P 6. Utilities, S 2. V. Parking Credit, S 4. Buffers and Screening and B 1. Building Height, and the Planning Board approved the amendments. Even though the new building is to replace the previously approved office building fronting Baltimore Avenue, previously approved amendments regarding undergrounding utilities, parking credit, and building height have been altered by the proposed new uses and warrant discussion as follows:

#### PUBLIC AREAS

##### **P 6.A. Utilities**

**All new development within the development district shall place utility lines underground. Utilities shall include, but are not limited to, electric, natural gas, fiber optics, cable television, telephone, water and sewer.**

**Comment:** The applicant requested an amendment to this standard for undergrounding only the new utilities that serve the project at the time of DSP-02027 approval and Planning Board approved the request. However, since the approval of DSP-02027, specifically in 2007, the Planning Board, the City of College Park and the District Council have acknowledged the need for a systematic approach for undergrounding utilities and the need for each project to provide its financial fair share in order to implement this measure. The DDOZ standard calls for reducing the visual impact of existing overhead utility lines and associated poles along Baltimore Avenue within the development district by consolidating utility pole usage, relocating utility poles, or placing existing utility lines underground. The applicant will place new utility lines that serve the proposed development such as natural gas, fiber optic, cable television, telephone, and water and sewer service underground. According to the applicant, the above standard has been met since the applicant is not providing any additional utility poles and the visual impact of the utility lines will be improved by the provision of attractive architecture, street trees, street lighting, and furniture. Staff agrees that undergrounding of utilities should be carried out systematically in order to reduce cost and minimize interruption to the established operations and services. Staff has discussed the new approach with the applicant and the applicant and is willing to provide its pro rata share should the undergrounding of utilities take place in a systematic way in the future. However, in accordance with the District Council's recent approval of other cases within the US 1 Corridor, a portion of the fee should be paid prior to issuance of building permit. The applicant will be obligated to contribute a pro rata share of the cost for

systematic undergrounding of all utilities within the US 1 Corridor in the future if the Planning Board adopts the proposed condition below regarding this issue.

## SITE DESIGN

### **S2. Parking Areas**

#### **Off-street Surface Parking Requirements for Mixed -Use Development Projects**

**Comment:** The applicant has requested an amendment to the parking requirements at the time of DSP-02027 for a mixed-use project consisting a residential building and an office building. The applicant obtained an interim DSP approval to build the residential building with a total of 442 parking spaces (438 in parking garage and 4 surface spaces). The subject DSP proposes additional residential and retail/commercial uses to replace the previously approved office use. The applicant further requests a 20 percent reduction to the parking requirements in accordance with the DDOZ Parking Standards W. According to the DDOZ parking standards, 559 parking spaces (See above Finding 2), are required for the entire site after a 20 percent deduction due to provision of alternative transportation methods. The total parking spaces provided for the entire site are 450, which is 109 spaces short of the required number of parking spaces. According to the applicant, the new building will be used primarily by students in their freshman year attending the University of Maryland. The University of Maryland in a letter dated March 19, 2008 (Allen to Warren) indicated that the University will designate students living in the proposed building along with those who have lived in the existing building as resident students, and will assign Lot 11 as their on-campus parking lot. By this agreement, the future students who live in the proposed building will be allowed to park their cars overnight on the campus without parking on the subject site. As such, the 109 on-site parking spaces are not needed for this development. The College Park City Council signaled their support for this parking arrangement on March 25, 2008, when the council voted unanimously to recommend approval of subject DSP.

To promote alternative modes of transportation other than single occupancy vehicles which will reduce the number of cars and parking spaces on the US 1 Corridor is one of the major objectives of the DDOZ parking standards. In addition, given the close proximity of this site to the University Campus, a bicycle has been a major commuting tool to and from campus for many students living in the existing building. Since the parking demand will be met by on-campus parking, staff believes that this alternative parking arrangement along with provision of a bicycle parking facility and the provision of a bridge across Paint Branch, would allow the students to go to the campus on foot or by bicycles. The parking needs of the site will be met and the intent of the sector plan of reducing the number of cars on the US 1 corridor will be achieved. The alternative Development District Standard will benefit the development and the development district and will not substantially impair implementation of the sector plan.

As far as parking for the proposed commercial/retail use at the street level of Baltimore Avenue is concerned, according to the applicant, a certain number of spaces in the existing



parking garage and the eight surface parking spaces at the rear of the building will be specifically designated for use by the store operators to satisfy their parking needs.

## BUILDING DESIGN

### B1. HEIGHT, SCALE, MASSING AND SIZE

**Maximum height in general is five stories in Sub area 3a** (P201, Sector Plan)

**Comment:** The sector plan is clear that the community vision for this Main Street area is for low-rise mixed-use buildings. Specifically, the building heights map on page 201 of the sector plan indicates that the maximum height, in general, for Subareas 3a and 5a is five stories. However, the sector plan, in its economic development strategy section, reiterates that the redevelopment of this corridor is driven by the market. The sector plan's land use and zoning strategies are aimed at establishing a flexible policy and regulatory framework to facilitate market-based decisions by the private sector. The sector plan also allows additional stories upon demonstration by the application that market and design considerations justify additional height and additional stories.

At the time of DSP-02027 approval for University View, the applicant demonstrated pursuant to the sector plan requirements that the higher building is necessary for the site and the Planning Board approved the 16-story residential building (13 stories of residential use over three levels of parking) and the ten-story office building. The subject DSP proposes a new 12-story building (plus one penthouse story) to replace the previously approved ten-story office building. Due to the different ceiling height, the proposed new building contains three stories more than the previously approved office building while maintaining the same building height. Staff agrees that as long as the new building is the same height as the previously approved one, the proposed building height is acceptable. The College Park City Council in their resolution to approve the subject DSP requires a written determination from either the Federal Aviation Administration or the Maryland Aviation Administration that the proposed building does not provide an airway obstruction, if required. Staff believes that this requirement should be a condition of approval for this DSP. In addition, no justification statement or supporting documentation has been provided with this application to justify the increment in the number of stories. The applicant should be required to provide supporting documents for inclusion in the record of this application.

- b. The applicant has stated that the subject DSP conforms to the rest of the standards and does not request an amendment to the following standards. However, the staff believes that the DSP does not fully comply with the following development standards that warrant discussion:

## PUBLIC AREAS:

### P1. Road Network

- A. **Development should, where possible, provide for on-street parking.**

**Comment:** Baltimore Avenue (US 1), is a principal arterial, undivided five-lane section highway. The annual average daily trips passing through this section of US 1 is 32,500 vehicle trips per day. The application proposes no on-street parking. All parking provided will be within the underground parking garage for the multifamily section and only 12 surface parking are located within this site. The Urban Design Section believes that the proposed off-street parking is better than the on-street parking for this site, because traffic volumes on US 1 as currently designed will not permit safe on-street parking. The applicant should revise the justification statement to include no on-street parking on Baltimore Avenue (US 1).

## P2. Sidewalks, Bikeways, Trails and Road Network

- E. Crosswalks shall be provided at all intersections along US 1 and Paint Branch Parkway within the development district. Crosswalks at primary intersections shall be constructed of interlocking concrete pavers. Crosswalks at secondary intersections shall have striped markings in the pavement. Crosswalk materials for primary intersections shall be consistent along Baltimore Avenue and Paint Branch Parkway. Primary intersections are all intersections with existing and proposed traffic signals on Baltimore Avenue and Paint Branch Parkway. All other intersections are secondary. All signalized intersections shall have pedestrian crossing signals.**

**Comment:** No crosswalk has been provided at the two access point to the subject site. The site plan should be revised to provide a striped crosswalk at both ingress/egress points from Baltimore Avenue to the subject site.

- I. Bicycle parking facilities shall be located in highly visible and well-lit areas.**
- J. The location and number of bicycle racks, lockers and other features shall be determined at site plan review.**
- K. All new retail and office development shall provide a minimum of two bicycle parking spaces per 10,000 square feet of gross floor area. Covered (open-air) bicycle parking spaces should be provided for mixed use development where feasible.**

**Comment:** Due to the close proximity of the subject site to the University campus, bicycles have been used as a commuting mode by many students. A recent site visit by staff found that not enough bicycle parking has been provided around the existing building. As a result, many bicycles have been locked to the wrought iron fence along the northern property line of the site. The site plan for the new building which has 154 dwelling units provides only two racks for 14 bicycles. No bicycle parking has been provided for the proposed commercial/retail uses at the street level of Baltimore Avenue. In accordance with the above DDOZ standards, additional racks should be provided for both the residential component at the rear of the building and near the storefronts of the commercial/ retail uses fronting Baltimore Avenue. Specifically, according to the recommendation by the Trails Planner, a minimum of four bicycle parking spaces to serve the commercial/retail uses fronting Baltimore Avenue should be provided. In addition, a minimum of 50 additional bicycle parking spaces or the number of bicycle parking spaces that serve 15 percent of the building residents, whichever is larger, should be provided to serve the students in the new building. The applicant should be required to provide the required bicycle parking spaces.

#### SITE DESIGN

##### S1. Vehicular Circulation/Access

- B. Vehicular entrance drives shall permit safe and clear pedestrian crossings. Sidewalk material(s) shall continue across driveway aprons.**

**Comment:** As noted in the review comments by the Transportation Planning Section (Shaffer to Zhang, April 2, 2008), no clear pedestrian crossings have been shown on the site plan at both ingress/egress points to the subject site. At least two pedestrian crossings should be clearly shown on the site plan to provide safe pedestrian movement cross the two driveways. The applicant should be required to provide two pedestrian crossings on the site plan.

##### S2. Parking Areas

- R. 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 the three designated segments of the US 1 corridor. These segments are (1) Capital Beltway to MD 193, (2) MD 193 to Paint Branch Parkway/Campus Drive, and (3) Paint Branch Parkway/Campus Drive to Guilford Drive.**

**Comment:** The subject site is within Segment 2 of this Standard, i.e. is located between MD 193 to Paint Branch Parkway/Campus Drive and is therefore subject to the above standard. A review by the Transportation Planning Section (Mokhtari to Zhang, April 7, 2008) indicates that the existing transportation facilities will be adequate, as required by the US 1 sector plan, to serve the proposed revisions to a previously approved DSP for this site.

Waiting on Transportation memo

## **BUILDING DESIGN**

### **B1. Height, Scale, Massing and Size**

#### **Massing**

- I. All multifamily buildings should provide a balcony for each dwelling unit above the ground floor to articulate the building facade and to increase natural surveillance of the surrounding area.**

**Comment:** According to the applicant, due to issues associated with noise from US 1, safety concerns and articulation of the building facade, the applicant has not provided units with balconies. Instead, the design of the elevation fronting Baltimore Avenue tries to maximize fenestration. Further, the development proposed by the applicant is not intended to be a “garden” style apartment complex, which typically include such balconies, but rather an urbane high-quality residential building which exhibits architectural innovation and uniqueness of design. The Urban Design staff agrees with the applicant’s proposal and the design of the façade that is oriented toward Baltimore Avenue. The staff believes that various fenestration patterns, along with accented roof and base treatments and attractive finish materials of various bricks, EIFS and lime-stone proposed by the applicant, provide a more attractive facade than would be achieved by providing balconies for every unit.

### **B1. Height, Scale, Massing And Size**

#### **Size**

- M. The average size of all multifamily dwelling units in a development project shall be a minimum of**
- **750 square feet for a 1-bedroom/1-bath unit.**
  - **1050 square feet for a 2-bedroom/2-bath unit.**
  - **1275 square feet for a 3-bedroom/2-bath unit.**

**Comment:** This standard requires a minimum 750 square feet for a one-bedroom dwelling unit. The architectural plan shows that the proposed studio unit has only 500 square feet of GFA which is not consistent with this size standard. The applicant should revise the plan to

be consistent with this minimum size for the proposed studio. The applicant should be required to comply with this standard

**B1. Height, Scale, Massing and Size  
Bedroom Percentage**

- N. Bedroom percentage for multifamily dwellings may be modified from section 27-419 of the Zoning Ordinance, if new development or redevelopment for student housing is proposed and the density is not increased above the permitted in the underlying zone.**

**Comment:** Refer to Finding 2 above for more details on bedrooms and bedroom percentage. Section 27-419 allows for up to 40 percent two-bedroom units, 10 percent three-bedroom units and no limit for one-bedroom units. The application provides 21 percent one-bedroom and 79 percent two-bedroom units which cannot meet the requirements of Section 27-419. According to the applicant, this large percentage of two-bedroom units is a direct response to the prevailing student housing requirements. Since the multifamily dwellings are specifically designed for students attending the University of Maryland, the alternative standard will not substantially impair implementation of the sector plan.

However, no supporting documents have been provided. The applicant should be required to provide documentation to justify this amendment.

**B4. Lighting**

- A. Lighting shall be an integral component in the overall architectural design of all buildings within the development district.**
- B. Lighting shall provide adequate safety and visibility around building entrance(s) and the building's perimeter. Building light fixtures shall be placed to avoid blind spots, glare areas, and shadows.**
- C. High intensity light fixtures that are mounted to the exterior of a building shall direct glare away from adjoining properties and public rights-of-way.**
- D. Building lighting shall be coordinated with site lighting, when appropriate.**

**Comment:** The main elevation of the proposed building is oriented toward Baltimore Avenue and is a portion of the street wall that contributes to the main street environment. However, no building lighting has been provided on the elevations. The applicant should be required to provide required building lighting on all elevations in accordance with this

DDOZ standard to be reviewed and approved by the Urban Design Section with comment from the City of College Park.

9. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I Zone and Part 10B Airport Compatibility of the Zoning Ordinance:
- a. The general purpose of the M-U-I Zone is to permit, where recommended, an applicable plan, as in the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment*, a mix of residential and commercial uses as infill development in areas which are already substantially developed.

Section 27-546.19. Site Plans for Mixed Uses requires that:

(c) **A detailed site plan may not be approved unless the owner shows:**

1. **The site plan meets all approval requirements in Part 3, Division 9;**
2. **All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

**Comment:** The site plan meets all site design guidelines and Development District Standards of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* and the standards of the Development District Overlay Zone (DDOZ) except for those discussed in the above Finding 8.

3. **Proposed uses on the property will be compatible with one another;**
4. **Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**

**Comment:** The application proposes a mixture of multifamily residential and commercial/retail in a vertical mixed-use format in a 13-story building fronting Baltimore Avenue with commercial/retail at the street level fronting Baltimore Avenue. The proposed uses on the subject property will be compatible with each other and will be compatible with existing or approved future development on adjacent properties in the Main Street area of the US 1 corridor.

5. **Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:**
  - (A) **Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;**

**Comment:** The larger site including the subject DSP known as University View was previously approved for one 13-story residential building and one 10-story office building on top of a three-level parking garage. The residential building has been constructed. The subject DSP is to replace the previously approved office building with a primarily residential building of the same height as the approved office building. As such, the proposed building is compatible in size, height and massing to the existing building.

- (B) Primary facades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots; and**

**Comment:** The site plan shows the new building fronting Baltimore Avenue and separated from the existing building by a 24-foot-wide internal driveway. A designated pedestrian walkway has been shown around the new building and a crosswalk connecting the two building has also been provided. Only 12 surface parking spaces have been provided on this site. The rest of the parking (438 spaces) for the site are located in the three level garage beneath the existing residential building. The site is also connected by means of the sidewalk in front of the on-site storefronts to the other adjacent sites along Baltimore Avenue. The primary entrance to the new building is located at the southwest corner of the new building that is close to the entrance of the existing residential building. Given the small size of the subject site, the on-site pedestrian circulation is acceptable.

- (C) Site design should minimize glare, light, and other visual intrusion into and impacts on yards, open areas, and building facades on adjacent properties;**
- (D) Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**

**Comment:** The commercial /retail component of this project is located at the street level of the vertical mixed-use building that fronts on Baltimore Avenue. The rest of the stories of the building are for the proposed multifamily units. Behind the new building is the existing residential building. The proposed new building is similar to the existing in design, color and building materials. To the north and south of the proposed building are two existing one-story buildings. One is an existing auto service facility and the other an existing liquor store, which are not consistent with the vision of the Sector Plan. The site plan minimizes glare, light and visual intrusion into the adjacent properties. The proposed building design and

materials of the development will be a significant upgrade compared to existing buildings.

- (E) **Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;**

**Comment:** The application does not include outdoor storage. The mechanical equipment will be located within the building.

- (F) **Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and**

**Comment:** A limited number of building mounted signs has been shown on the architectural elevations. However, no detailed dimensions or sign face area information have been provided with the DSP. The applicant should be required to provide sign details to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

- (G) **The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**
- (i) **Hours of operation or deliveries;**
  - (ii) **Location of activities with potential adverse impacts;**
  - (iii) **Location and use of trash receptacles;**
  - (iv) **Location of loading and delivery spaces;**
  - (v) **Light intensity and hours of illumination; and**
  - (vi) **Location and use of outdoor vending machines. (CB-10-2001; CB-42-2003)**

**Comment:** Pursuant to information from the applicant, the hours of operation or deliveries for the stores fronting Baltimore Avenue will follow the normal schedule of the existing business establishments. Since the vehicular access to the mixed-use section and access to the proposed loading and delivery spaces will be away from Baltimore Avenue, the impact to the existing property has been minimized. Trash receptacles are to be located along the



driveway between the two buildings. No outdoor vending machines have been proposed. No freestanding luminaires have been proposed for the commercial/retail component. However, certain building mounted lighting fixtures should be provided along the facades of the storefronts.

- b. The subject application is located within the Aviation Policy Area (APA) 6 as defined in Section 27-548.35 of the College Park Airport.

The applicable regulations regarding APA 6 are discussed as follows:

***Section 27-548.42. Height requirements***

- (1) Except as necessary and incidental to airport operations, no building, structure, or natural feature shall be constructed, altered, maintained, or allowed to grow so as to project or otherwise penetrate the airspace surfaces defined by Federal Aviation Regulation Part 77 or the Code of Maryland, COMAR 11.03.05, Obstruction of Air Navigation.**
- (2) In APA-4 and APA-6, no building permit may be approved for a structure higher than fifty (50) feet unless the applicant demonstrates compliance with FAR Part 77.**

**Comment:** The subject application proposes a 13-story building with a total height of approximately 134 feet, which is six inches higher than the previously approved office building. The proposed building height is inconsistent with the building height restriction of APA-6. The applicant demonstrated compliance with FAR Part 77 at the time of construction of the existing residential building which is three stories higher than the office building. The same condition as of the previously approved DSP-02027 should be carried forward for the subject DSP.

***Section 27-548.43. Notification of airport environment***

- (3) In all APAs after September 1, 2002, the General Aviation Airport Environment Disclosure Notice, in a form approved by the Planning Board, shall be included as an addendum to the contract for sale of any residential property.**
  - (b) Every zoning, subdivision, and site plan application that requires approval by the Planning Board, Zoning Hearing Examiner, or District Council for a property located partially or completely within an Aviation Policy Area shall be subject to the following conditions:**
    - (1) Development without a homeowners' association: A disclosure**

**clause shall be placed on final plats and deeds for all properties that notifies prospective purchasers that the property has been identified as within approximately one (1) mile of a general aviation airport. The disclosure clause shall include the cautionary language from the General Aviation Airport Environment Disclosure notice.**

**Comment:** The above conditions regarding general aviation airport environment disclosure are applicable to this DSP because the proposed development mixed-use development includes a residential component. The applicant should be required to add a site plan note indicating that the subject site is within aviation policy area APA-6 of the College Park Airport.

10. **Preliminary Plan of Subdivision 4-01031 and Record Plat REP 198 @ 85:** The Planning Board approved this Preliminary Plan of Subdivision with 18 conditions. The preliminary plan of subdivision was recorded as Record Plat REP 198 @85 with 15 plat notes. The following conditions and notes are pertinent to the review of the detailed site plan as discussed below:

4. **The Detailed Site Plan shall show the provision of afforestation of at least ten percent of the gross site area.**
5. **The Detailed Site Plan shall show the provision of low impact development techniques to the fullest extent possible. The Stormwater Management Concept plan shall be approved by the Department of Environmental Resources, be acceptable to M-NCPPC staff, and meet the intent of the Development District Standards.**

**Comment:** The two conditions were fulfilled at time of DSP-02027, University View approval.

6. **The total development within the subject property shall be limited to 352-unit, high-rise apartment building (159 one bedroom and 193 two-bedrooms), and a multistory office building with approximately 177,500 gross square feet, or different uses generating no more than the number of peak hour trips (633 AM and 844 PM). Any development which would generate more trips than specified herein will require approval of a new preliminary plan of subdivision.**

**Comment:** According to the review by the Transportation Planning Section (Mokhtari to Zhang April 7, 2008), the proposed development represents a reduction of 602 AM peak hour vehicle trips and 756 PM peak hour vehicle trips from the vested figures of 633 AM and 844 PM peak hour vehicle trips. The DSP complies with this condition.

7. **Prior to certification of the detailed site plan, the applicant shall revise the plan to show dedication of at least 55 feet (or as determined by SHA) from the existing centerline along US 1 and eliminate the proposed parking spaces, including the disabled designated spaces, along the proposed access road to be located opposite of**

**Navahoe Street. In addition, this access road shall provide for one left-turn lane and a shared through/right-turn lane. If the adjoining liquor store is acquired as contemplated in Condition 23, the applicant shall improve the access to provide for two left-turn lanes and a shared through/right-turn lane, each at least 250 feet in length, or equivalent improvement to provide adequate access subject to SHA approval**

**Comment:** The first part of the condition was fulfilled at time of certification of DSP-02027. At the time the staff report was written, the applicant had not yet acquired the adjoining liquor store.

- 9. The applicant, his successors, and/or assigns, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*, subject to the following:**
  - a. Submission of three original, executed Recreational Facilities Agreements (RFA) to DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**
  - b. Submission to DRD of a performance bond, letter of credit, other suitable financial guarantee, or other guarantee in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.**

**Comment:** There are no outdoor recreational facilities proposed with this DSP. The recreational facility package includes only indoor amenities. Since the site has already had a final plat, only the second condition is applicable to this DSP that should be carried forward.

- 10. A site plan shall be submitted to the Development Review Division (DRD) of the Prince George's County Planning Department, which complies with the standards outlined in the *Park and Recreation Facilities Guidelines*.**
- 11. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**
- 12. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the detailed site plan.**

**Comment:** At time of DSP-02027 approval, a private recreational facility package including a roof top terrace and pool was approved with the plan. The roof top terrace and pool were constructed with the completion of the residential building. According to the applicant, the building and the 154 dwelling units included in this DSP are an addition to the previously approved building. The residents in the new building will also have scheduled access to the facilities and amenities in the

existing building including the swimming pool. In addition, approximately 2,000 square feet of the space in the new building has been designated for a fitness center, study lounges and meeting areas. The *Park and Recreation Facilities Guidelines* are for outdoor play areas. These amenities and facilities will be constructed with the building.

As discussed in Finding 7 previously, the dollar amount provided by the applicant for the proposed facilities is higher than the requirements for the project according to the current formula.

13. **The applicant, his heirs, successors, and/or assignees shall construct the master plan trail from US 1 through the subject site, and bridge across Paint Branch to the existing Stream Valley Trail. This trail shall be a minimum of eight-feet wide and asphalt.**
14. **The trail shall be assured dry passage. Suitable structures shall be constructed when crossing wet areas and Paint Branch.**
15. **The trail shall be free of all above ground utilities and street trees and should be ADA compatible, where feasible and practical.**

**Comment:** The above trail-related improvements have been completed as part of the construction of the existing building. According to the review by the Transportation Planning Section (Shaffer to Zhang, April 2, 2008), no additional recommendations are necessary regarding these proposals.

16. **Sidewalks shall be ramped at all intersections and parking lots.**

**Comment:** The site plan complies with this condition except at two locations. Two handicapped ramps should be provided at the northwest corner of the site.

11. **Detailed Site Plan DSP-02027 and its revisions:** The Planning Board approved this DSP in 2002 with 24 conditions. DSP-02027 was revised as an interim DSP for the construction of the residential building which was approved in 2003. No conditions were attached to the revision approval. Of the 24 conditions attached to the original approval, the following are applicable to the review of this DSP that warrant a discussion as follows:

1. **The total development within the subject property shall be limited to a 352-unit high-rise apartment building (159 one-bedroom units and 193 two-bedroom units) and a multistory office building with approximately 177,500 gross square feet, or different uses generating no more than the number of peak-hour trips (633 AM and 844 PM) generated by the above development.**

**Comment:** See above Finding for a detailed discussion.

22. **The number of residential units constructed on site shall not exceed 352 units.**

**Comment:** This condition was attached to the approval of DSP-02027 for University View based on

the then-market study that the office use was in great demand in the surrounding area of this site. Since the approval of DSP-02027, many other developments happened in the proximity of the US 1 Corridor including an office park of the University of Maryland known as M-Square. In response to the changing market, the applicant has revised the use composition for this site. By the subject revision to the previously approved DSP, the total number of residential units on this site will be 506, which exceeds the 352-unit limit set out in this condition. However, the new mixture of uses meets the desire of the community. The College Park City Council voted unanimously to approve this DSP on March 25, 2008. The build-out of the proposed development will eventually achieve a main street streetscape envisioned by the Sector Plan for this subarea. The additional residential units at this location will serve the student housing needs of the University of Maryland and will not substantially impair implementation of the Sector Plan.

**24. If the applicant is unable to secure tenants for the retail portion of the office building, the Detailed Site Plan may be revised to eliminate the retail, subject to the approval of the Planning Board or designee, in consultation with the City of College Park.**

**Comment:** The proposed DSP is to replace the previously approved office building with a new mixed-use building consisting of 154 multifamily dwelling units and 11,600 square feet of commercial/retail that will occupy the first floor of the building fronting Baltimore Avenue. Approximately 5,000 square feet of commercial /retails were approved with DSP-02027. The only previously approved use that will be removed is the office use. Therefore, the subject DSP is consistent with this condition.

12. ***Landscape Manual:*** The 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* and the standards of the Development District Overlay Zone (DDOZ), have modified the applicable sections of the *Landscape Manual*. At the time of DSP-02027 approval, the applicant requested amendments to Site Design Standard, S4.E. Buffers and Screening, for two locations on the site: along the northern property line adjacent to the Raymond Towers office use, and along the southern property line adjacent to the Koon's service facility. The Planning Board approved the amendments.

The subject DSP proposes a new building on the location of the previously approved office building. The footprint of the new building fits into the previously approved footprint for the office building without triggering any additional buffering and screening requirements.

13. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on-site; and there are previously approved tree conservation plans.

A Type II Tree Conservation Plan (TCPII/66/02) was submitted and approved by the Planning Board along with Detailed Site Plan DSP-02027. Since the subject DSP proposes a new building that is within the building envelope of the previously approved office building, it does not have any impact on the previously approved limit of disturbance. According to the review of the Environmental

Planning Section dated February 19, 2008, the subject site plan is in conformance with the approved TCPII/66/02.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. The Community Planning Division in a memorandum dated February 25, 2008 indicated that the application is consistent with the 2002 General Plan Development Pattern policies for Corridors in the Developed Tier, and conforms to the land use recommendations of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* for a mix of retail, office, and residential uses in mid-rise buildings. The community planner also noted that the applicant has not submitted documentation to demonstrate market support for the proposed use change, nor has the applicant provided sufficient justification to amend the Development District Standards for the proposed residential addition to the site. The proposal does not meet the DDOZ standard for parking.
- b. The Transportation Planning Section in a memorandum dated April 7, 2008, provided a comprehensive review of the access history associated with the subject property and the possible traffic impact that this DSP will have on the US 1 Corridor. The transportation planner concludes that the existing transportation facilities will be adequate, as required by the US 1 sector plan, to serve the proposed revisions to an approved detailed site plan. The Transportation Planning Section recommends approval of this DSP with four conditions that have been incorporated into the recommendation section of this report.

In a separate memorandum from the Transportation Planning Section dated April 2, 2008, in the detailed site plan review for master plan trail compliance, the trails planner provided a review of the sidewalk/trail-related Development District Overlay Zone standards that are applicable to this DSP. The trails planner recommends additional bicycle parking and delineation of pedestrian crossings at two access points to the site.

- c. In a memorandum dated February 6, 2008, the Subdivision Section indicated that the property included in the DSP is the subject of a Preliminary Plan of Subdivision which was recorded in the record plat REP 198@85 on January 22, 2004. The Subdivision Section has also identified the applicable conditions attached to the approval of Preliminary Plan of Subdivision 4-02031. See Finding 9 above for a detailed discussion.
- d. In a memorandum dated February 19, 2008, the Environmental Planning Section noted that the site plan is in conformance with the associated Type II Tree Conservation Plan TCPII/66/02, which was approved with DSP-02027, University View. The Environmental Planning Section concludes that no environmental issues are associated with this DSP.
- e. In a memorandum dated May 17, 2007, the Permit Section provided five comments and questions regarding compliance with the sector plan and development district standards including signage, handicapped parking spaces and loading dimensions. Those questions

should be addressed.

- f. The Washington Suburban Sanitary Commission (WSSC), in a memorandum dated February 12, 2008, stated that water and sewer service is available and the on-site plan review is required.
- g. The referral comments from the Department of Parks and Recreation (DPR), will be presented at time of the public hearing for this DSP.
- h. In a memorandum dated March 20, 2008, the State Highway Administration (SHA) indicated that issues related to access to the site from US 1 have not yet been resolved. A traffic study is required by SHA to fully understand the development impact on Baltimore Avenue which is a state maintained major roadway. The SHA recommends denial of the subject DSP until the access issues have been fully resolved.

**Comment:** At time of DSP-02027, approval Conditions 2 and 23 required the applicant to acquire the adjacent liquor store to improve the access point at the intersection of Baltimore Avenue and Navahoe Street into a fully signalized intersection. The SHA issued a temporary access permit for the development assuming the adjacent liquor store would eventually be acquired by the applicant. At time the subject DSP was filed for review, the liquor store site had not been acquired by the applicant. During the review of the subject DSP, the applicant successfully purchased the property to the north of the subject site and proposed a larger development plan. The applicant has requested that the previously envisioned full intersection be relocated to the intersection of Berwyn House Road and Baltimore Avenue due to its central location within the larger development proposal. Both the Urban Design Section and SHA agree with the applicant that the new location of the intersection is more appropriate within the larger development plan. However, SHA would like to review a new traffic study that takes the larger development proposed by the applicant into consideration prior to any further actions. The applicant has retained a traffic engineer to carry out the traffic impact study required by SHA. A preliminary report has just been completed.

The larger development proposed by the applicant extends to the north beyond the boundary of the subject DSP. Previously approved DSP-02027 for University View established a trip cap for the entire site. According to the traffic study, the replacement of the previously approved office building with the proposed mixed-use building contained in the subject DSP reduces the trip generation by approximately 12 percent. If the judgment is based on development in the subject DSP alone, the traffic impact is within the limit of the previous approval.

- i. Verizon Communications Inc. in a memorandum dated February 8, 2008, noted that an open public utility easement (PUE) in front of the site should be preserved to be free and clear of all obstructions. A 10-foot PUE has been provided on the site plan.
- j. The City of College Park in a letter dated March 26, 2008, to Mr. Parker, Chairman of the

Prince George's County Planning Board, stated that The College Park City Council voted unanimously on March 25, 2008, to approve the subject DSP with seven conditions. Two of those conditions deal with private agreements between the applicant and the City of College Park with which the Planning Board traditionally is not involved.

- k. The City of Greenbelt in a memorandum dated January 30, 2008, declined to review this application.
  - l. At the time this staff report was written, the City of Berwyn Heights had not yet responded to the referral request.
15. As required by Section 27-285 (b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-02027/03, subject to the following conditions:

- A. Approve the alternative development district standards for:
  - 1. P1. Road Network, B. (to allow the application not to provide on-street parking)
  - 2. P6. Utilities, A. (to allow the applicant to retain three existing utility poles at the current location without relocating them underground, with the requirement for a contribution at this time, and an ultimate pro rata share contribution by applicant, heirs, successors and assigns to be provided toward a systematic utility undergrounding in the future, if and when it is undertaken. Any undergrounding as a part of the required road frontage improvements should be credited toward the pro rata share contribution. )
  - 3. S2. Parking Areas, W. (to allow an additional 20 percent parking reduction based on the following: provision of private shuttle bus as one of the incentives to encourage use of alternative modes of transportation other than single-occupancy vehicles; provision of a bridge across Paint Branch to allow students to easily get to the campus on foot or by bicycles; provision of bicycle storage facilities: and provision of parking on the University of Maryland Campus)
  - 4. B 1. Height, Scale, Massing and Size, Height. (to allow the height of the new building along Baltimore Avenue to be seven stories higher than the maximum height limit of five stories.
  - 5. B 1. Height, Scale, Massing and Size, Massing I. (to allow the applicant not to provide balconies for every unit for the proposed multifamily building, instead to allow the applicant



to employ various fenestration patterns, along with accented roof and base treatments and a combination of high-quality finishing materials of various bricks, EIFS and cast stone )

6. B 1. Height, Scale, Massing and Size, Bedroom Percentages N. (to allow the bedroom percentage for 2-bedroom units to exceed the maximum allowed 40 percent.
  7. B.1. Height, Scale Massing and Size. Size M. (to allow the studio units to be less than 750 square feet, but not smaller than 500 square feet)
- B. The following conditions shall be attached to the approval of this DSP:
1. Prior to certificate approval of this detailed site plan, the applicant shall:
    - a. Provide documentation to demonstrate market support for the proposed residential use.
    - b. Provide a justification statement and supporting documentation for the increment of the total number of stories for the proposed building that exceeds the maximum allowed building height for this subarea.
    - c. Provide required building lighting on all elevations in accordance with the DDOZ standards to be reviewed and approved by the Urban Design Section with comment from the City of College Park.
    - d. Revise the plans to include a striped crosswalk at both ingress/egress points to the subject site along US 1.
    - e. Provide a minimum of four bicycle parking spaces to serve the commercial component of the development along Baltimore Avenue.
    - f. Provide a total of 64 bicycle parking spaces or the number of bicycle parking spaces that serves ten percent of the residents, whichever is greater, to serve the residential component of Phase II.
    - g. Provide two ramps for the handicapped at the northern corner of the subject site.
    - h. Provide the following preliminary site plan notes:
      - 1) A disclosure clause shall be placed on final plats and deeds for all properties that notifies prospective purchasers that the property has been identified as within approximately one (1) mile of a general aviation airport. The disclosure clause shall include the cautionary language from the General Aviation Airport Environment Disclosure notice.

- 2) The rooftop terrace and pool area in the existing building shall be available for use by the residents in the subject DSP, subject to reasonable time restrictions if determined to be necessary.
- i. Provide sign dimensions for review and approval by the Urban Design Section as the designee of the Planning Board before permit.
  - j. Finish the eastern elevation of the existing parking garage by utilizing materials to match the southern façade of the garage with the final design to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - k. Provide 25 percent additional plant units at the existing planting location.
  - l. Provide four benches and trash receptacles in front of the storefront along the site's Baltimore Avenue frontage.
  - m. Clearly mark the driveway between the existing building and the proposed building.
  - n. Provide a feasibility study for the installation of a green roof over the existing University View parking garage to be reviewed by the Urban Design Section in consultation with the City of College Park.
  - o. Show the proposed location of a twenty-four-foot-wide inter-parcel vehicular access road extended across the existing bike trail and to the northern boundary of the subject site. Any future redevelopment of the existing land north of the subject site identified as 8320 and 8400 Baltimore Avenue shall be allowed to use this connection to gain access to US 1 along the proposed driveway to be aligned with Berwyn House Road and the provision of the connection be an obligation of the owners, heirs, successors and assigns of the subject property.
2. Prior to issuance of building permit, the applicant and the applicant's heirs, successors, and/or assignees shall:
  - a. Provide a fund in the amount of \$5,000 toward undergrounding the existing utilities.
  - b. Provide sufficient information to the SHA, the City of College Park, and Transportation Planning that the City of College Park owns the needed rights-of-way, which is located at the northern edge of Berwyn House Road, free and clear and has obtained approval from SHA and the City to realign Berwyn House Road. In the event that this can not be achieved, the applicant shall obtain approval from SHA to reconstruct the existing southern access roadway to align with the Navahoe Street per SHA standards and requirements.
  - c. Revise the trip cap notes on the record plat for the subject property to indicate: the

Total development within the subject property shall be limited to 506 multifamily residential units (506 units or 1582 beds), and 11,600 square feet of commercial retail, or any other allowed uses generating no more than 77 AM and 211 PM peak hour trips, respectively.

- d. Provide a written determination by the Federal Aviation Administration and/or the Maryland Aviation Administration that the proposed project does not provide an airway obstruction.
3. Prior to the issuance of any building permits within the subject property for the proposed 154 multifamily residential units and/or any of the proposed retail space, the following improvements shall: (a) have full financial assurance, (b) have been permitted for construction by the SHA's access permit process, and (c) have an agreed-upon timetable for construction with the College Park City Council and SHA:
- a. Provision of a traffic signal and realignment of Berwyn House Road to align with the northern access driveway at its intersection with US1 along with any other geometric or signal related improvements deemed necessary by SHA. As part of this improvement, the applicant shall agree and remove the existing traffic signal at the intersection of US1 with Navaho Street, and close the existing southern access to US1, if deemed necessary by SHA.
  - b. In the event that the existing southern access roadway cannot be closed, the applicant shall shift the access road to the south, if deemed necessary by SHA, such that it is directly opposite Navahoe Street along with any additional geometric improvements required by the SHA.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, April 17, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24<sup>th</sup> day of May 2008.

Oscar S. Rodriguez  
Executive Director

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By Frances J. Guertin  
Planning Board Administrator

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