

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 March 2, 2006, regarding Detailed Site Plan DSP-05078 for Riverside, M Square University of Maryland Research Park, Building 1, the Planning Board finds:

1. **Request:** The subject application is for a four-story, 120,000 square-foot office building on Lot 13 of Transit District Parcel 10 within the College Park-Riverdale Transit District Overlay Zone.
2. **Development Data Summary**

| | EXISTING | PROPOSED |
|---------------------------|-----------------|-----------------|
| Zone(s) | I-3/TDOZ | I-3/TDOZ |
| Use(s) | Vacant | Office |
| Acreage | 8.03 | 8.03 |
| Lots | 1 | 1 |
| Transit District Parcel # | 10 | 10 |
| Square Footage/GFA | 0 | 120,000 |
| Dwelling Units: | 0 | 0 |

Parking Requirements: See Finding 10 below for parking requirements.

3. **Location:** The site is located in the northeast quadrant of the intersection of River Road and Haiig Court, approximately 1,500 feet west of Kenilworth Avenue, in Riverdale Park.
4. **Design Features:** The site is one of three lots that are contiguous and are to be developed by the University of Maryland as research office buildings. The lots are located in the southern portion of the transit district where development is to be more of a “suburban campus.” The proposal is for a four-story, 120,000 square-foot office building with associated surface parking, sidewalks, trails, and a pedestrian plaza. The architecture for the buildings is modern in style. The building materials consist of scored precast concrete in three different colors for accent purposes, and a variety of window styles and glass colors to add interest to the elevations. A vertical concrete panel slices through the middle of the building at an angle to break up the mass of the building and serve as a focal point for its main entrance.

COMPLIANCE WITH EVALUATION CRITERIA

5. The transit district site plan is in strict conformance with any mandatory development requirements of the Transit District Development Plan (TDDP).

The detailed site plan is in conformance with all applicable mandatory development requirements of the Transit District Development Plan.

6. The transit district site plan is consistent with, and reflects the development guidelines and criteria contained in, the TDDP. (For transportation, environmental and trail requirements, see Findings, 9, 10 and 11 respectively below.)

In general, the detailed site plan meets the applicable development guidelines, with the exception of the following:

S-16—One side of the buildings should be free of parking and vehicular access should be strictly limited in this area. The resulting space should be used for pedestrian activities and amenities, such as plazas, courtyards or malls.

S-18—Sidewalks and streetscape amenities shall be provided on both sides of the street, along driveways, through parking lots and along sides of buildings.

S-25—Incorporate pedestrian plazas and courtyards into the pedestrian network

S-38—Provide pedestrian-scale lighting along all streets.

S-91—Highlight primary entrances architecturally and with site amenities so that they are clearly identifiable and offer a sense of arrival.

The applicant meets most of the above requirements; however, the pedestrian plaza at the front entrance of the building should be revised to include special paving, street furniture and landscaping. Attractive landscaping should also be provided along the front of the building. Details of the plaza should be provided prior to certification of the detailed site plan.

A secondary plaza/courtyard has been provided at the side of the building, which is lacking in detail. Street furniture, special paving, pedestrian lighting, and landscaping should be provided for this plaza prior to certification of the detailed site plan.

S-44—Provide areas for landmarks, monuments and other public art and incorporate them into the streetscape.

An area for public art should be provided either at the building's main entrance or secondary plaza/courtyard.

S-31—New sidewalks and crosswalks shall be paved with concrete pavers in a consistent decorative pattern (see Figure 17).

S-34—Across Paint Branch Parkway and River Road and intersecting streets, use the concrete paver pattern (Figure 17) bordered by a 16-inch concrete (poured-in-place or paver) band of a contrasting color to demarcate crosswalks.

The detailed site plan should be revised to provide concrete pavers on all new sidewalks and crosswalks, consistent with Figure 17 of the TDDP.

S-35—Street trees shall be provided along the length of the street frontage and along interior roads and driveways in a parcel.

S-36—For each street tree, prepare an area of approximately 300 cubic feet of well drained soil (see Figure 18).

The landscape plan should be amended to comply with S-35 and S-36.

S-37—Trash receptacles and benches shall be provided where appropriate, such as at building entrances, drop-off areas, bus stops, plazas and courtyards.

The site and landscape plan should be amended to comply with S-37.

S-46—Pedestrian-scale streetscape lighting shall be provided to illuminate the sidewalk. The types of lighting and the fixtures and poles along all the streetscapes in the transit district shall be coordinated with DPW&T to achieve a unified lighting scheme as shown in Figure 19.

The applicant should demonstrate conformance to S-46 prior to certification of the site plan.

S-51—If new parking lots are located along the street frontage in the southern portion of the transit district (Parcels 3,4,5,6,7,8,9,10,and 11), a landscaped buffer a minimum of 40 feet wide from the sidewalk shall be provided to completely shield the view of parking lots from the street. The landscaping shall be complimented with the use of berms, decorative walls or wrought metal fencing. If a 40-foot buffer cannot be accommodated, a low, decorative wall with landscaping can be substituted.

Parking for Building 1 is generally located behind the building; however, some shared parking will be

located in front of the building on the adjacent lot where this requirement will be applicable.

S-52—Parking lots shall be illuminated to a minimum maintained level of 1.25 footcandles.

S-104—A lighting plan shall be submitted with each detailed site plan. The lighting plan shall include a coordinated scheme for all exterior building and pole fixtures in parking lots and sidewalks and security and flood lighting.

The applicant should demonstrate compliance with S-52 and S-104 prior to certification of the site plan.

S-231—Front Building Setback:

14 feet minimum from the face of curb of Haiig Drive extended. (See Figure 13.)

30 feet maximum from the face of curb of Haiig Drive extended if additional pedestrian or streetscape amenities are provided.

The applicant has requested an amendment to deviate from the above requirement. In accordance with Section 27-548.08(c)(2) of the Zoning Ordinance, the applicant may ask the Planning Board to apply development standards that differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise.

In approving the transit district site plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the transit district and will not substantially impair implementation of the transit district plan, and the Board shall find that the site plan meets all mandatory requirements that apply.

In a letter dated February 17, 2006 (Haller to Wagner), the applicant provides the following justification for deviating from the required building setbacks:

The first issue which has been raised relates to compliance with streetscape design requirements of the TDDP. Two of the proposed buildings have frontage exclusively on Haiig Court, while the third building fronts both on River Road and Haiig Court. Part V of the TDDP contains several district-wide requirements and guidelines, including streetscape requirements, for all of the public roads. The portion of River Road which is affected by this application is identified in the TDDP as River Road, Section B. Design Requirement S-3 states that the streetscape design for River Road, Section B, shall be as indicated in Figure 3. Figure 3, found on page 68 of the TDDP, establishes a minimum front building setback of 20 feet and a maximum front building setback of 30 feet. Haiig Court is identified in the TDDP as an internal road through Parcel 10. Design Requirement S-7 states that the streetscape design for the internal road extended through Parcel 10 shall be designed as indicated in Figure 13. Figure 13 indicates that the minimum front yard building setback is

14 feet and the maximum building front yard setback is 30 feet. The TDDP also contains specific requirements for building setbacks. Design Requirement S-14 states that the building front setbacks are not necessarily the build-to-lines but define the area for streetscape and pedestrian amenities, such as sidewalks, hiker/biker trails, landscaping, fences and cafes. In the list of development requirements for specific parcels, S-231 restates the minimum and maximum front building setback. The final design requirement that is relevant to the pending detailed site plans is S-17. Design Requirement S-17 states that buildings should relate to other buildings on-site or on neighboring parcels to create pedestrian spaces such as plazas, courtyards, or malls.

Building 3, proposed in Detailed Site Plan SP-05080, is 75,000 square feet and is proposed to be located at the corner of Haiig Court and River Road. This building is to be setback 40 feet from River Road and 42 feet from Haiig Court. The proposed building setback exceeds the maximum building setback set forth in Design Guidelines S-3, S-7 and S-231. Building 2, proposed in Detailed Site Plan SP-05079, is to be setback approximately 225 feet from the eastern edge of the Haiig Court cul-de-sac. Building 1, proposed in Detailed Site Plan SP-05078, is to be setback approximately 210 feet from the northern edge of the Haiig Court cul-de-sac. Due to the greater setbacks proposed by these buildings from River Road and Haiig Court, amendments to Design Requirement S-3, S-7 and S-231 are required. The TDDP indicates that design requirements that are marked with the letter S can be amended through the secondary amendment process set forth in Section 27-548.08 of the Zoning Ordinance. Specifically, Section 27-548.08(c)(2) states that an applicant may request the Planning Board to apply development standards which are different from the mandatory requirements in the TDDP provided that the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the transit district and will not substantially impair implementation of the Transit District Development Plan.

As indicated above, Building 3 is setback 40 feet from River Road and 42 feet from Haiig Court, rather than the maximum 30 foot setback set forth in Design Requirements S-3, S-7 and S-231. The additional setback for these buildings is required by a private covenant that affects the properties. The properties that are the subject of the proposed detailed site plans are also the subject of covenants between the property owners and the Town of Riverdale. These covenants, dated November 5, 1981, are recorded among the land records of Prince George's County in Liber 7109, folio 273. Pursuant to Paragraph 5 of these covenants, all buildings constructed on the subject property are required to be setback a minimum of 40 feet from the street. As a result, the applicant cannot locate its buildings so as to comply with both the TDDP requirements and the covenants. The proposed location of Building 1 is however, as much in conformance to the TDDP as possible. No parking is proposed between the building and the street and no driveway aisles are provided between the building and the street. Rather, this area is used exclusively for pedestrian access and landscaping.

Building 1 and Building 2 also cannot comply with the maximum 30 foot building set-back due to the same covenant. These buildings are located farther back from the street than the covenant requires, however. Much attention was devoted to locating these two buildings.

Several considerations were taken into account, including the woodlands which adjoin Building 2, security requirements to accommodate federal government tenants and the design of Haiig Court. Haiig Court does not extend north from its intersection with River Road in a straight line, but rather curves to the east at the cul-de-sac. Building 1 (Site Plan SP-05078), at the northern terminus of the Haiig Court cul-de-sac, is located to be visible as vehicles drive north on the cul-de-sac. If Building 2 (SP-05079) were constructed with the minimum building setback possible, this building would obscure the views of Building 3. Not only would such a building location detract from creating an attractive architectural streetscape, obscuring the view of Building 1 creates a security problem which is of particular importance in this post 9/11 environment. Government tenants seeking to locate within the proposed business park must comply with these strict federal security guidelines. Further, as referenced above, Design Guideline S-17 requires that buildings relate to other buildings on site and on neighboring parcels to create pedestrian spaces such as plazas, courtyards, or malls. Building 2 was purposefully located to sit back against the woodlands to take advantage of this natural amenity, while also creating a better relationship with Building 1 that will allow an outdoor collaborative seating area between the buildings. The outdoor space between the two buildings is considered an important opportunity to allow researchers to gather adjacent to the woods, the stream valley and the trail. Further, the two buildings are proposed to share the front parking compound, encouraging pedestrian connectivity and a plaza like effect. Locating the buildings as proposed on the site plans provides an opportunity to share parking (another goal of the TDDP reflected on Map 20) and create a courtyard effect and an opportunity for shared pedestrian space encouraged by Design Requirement S-17.

Since full compliance with the design criteria of the TDDP is impossible due to the covenants between the property owner and the Town of Riverdale, since full compliance would create a security issue which could prevent the leasing of the buildings by government tenants, and since the applicant has made substantial efforts to implement the other design guidelines of the TDDP, the applicant submits that approving the secondary amendments requested will benefit the proposed development and will not substantially impair the implementation of the TDDP.

The applicant's justification addresses all three buildings. For this application, Urban Design staff concurs with their justification statement regarding Building 1 at the end of Haiig Court. Since Haiig Court ends in a cul-de-sac, and does not continue through Parcel 10 as was originally envisioned, it is virtually impossible to meet the building setbacks along the frontage of a cul-de-sac. Moreover, the building placement of Building 1 has a direct impact on the building placement of Building 2, for reasons of visibility, security, and the need for the buildings to function together

as a campus-type development with interconnecting walkways, courtyards and shared parking. Therefore, it can be concluded that the requested amendments for S-7 and S-231 regarding building setback requirements will benefit the proposed development and will not substantially impair the implementation of the TDDP.

7. The transit district site plan meets all of the requirements of the TDOZ and applicable regulations of the underlying zone.

With the conditions in the recommendation section, and approval of the requested amendments above for building setback requirements, the detailed site plan will meet this requirement.

8. The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the TDOZ.

The detailed site plan, if amended with the conditions in the recommendation section, will be in compliance with this requirement. The building and parking locations as shown meet the design intent and vision of the TDDP for a “suburban campus” and are designed to maximize safety and efficiency, if the requested amendments are approved.

9. Each structure and use, in the manner proposed, is compatible with other structures and uses in the transit district and with existing and proposed adjacent development.

The detailed site plan meets this requirement. The proposed buildings are research office buildings, which will be compatible with other existing office buildings in the transit district.

Referrals:

10. In a memorandum dated February 15, 2006 (Mokhtari to Wagner), the Transportation Planning Section offered the following comments:

Pursuant to several meetings with the applicant and Urban Design Staff, this revised memo incorporates several important observations for determining conformance to the applicable, and mandatory parking requirements of the College Park-Riverdale Transit District Development Plan, and for the submitted detailed site plans (DSP-05078, DSP-05079, and DSP-05080). These detailed site plans have been submitted by the University of Maryland and its development partners, and collectively form an office research park consisting of 315,000 square feet of general office development.

In accordance with the requirements of P-15, “Parking ratios for each land use type in the transit district shall not exceed the levels presented in table 11.” P-15 also requires the applicable parking ratio be applied to all development (existing and proposed), while the total parking provided on any one parcel does not exceed the number of spaces allowed by the approved Riverside Subdivision. Further, P-16 states the appropriate parking ratio for *each parcel* shall be determined based on the parcel’s distance to the Metro station. As result, staff has decided to calculate the total allowed parking by using total development proposed by the three detailed site plans rather than on a lot-by-lot basis. As for the allocation to each lot, considering that S-176 (Page 124) of the CP-R TDDP identifies this area as possible location of “shared parking sites,” any excess parking shown on

individual site plan should be clearly designated as shared parking spaces. While the designation of shared parking spaces is important, it is equally important to count these spaces as part of the parking requirements of the proposed development that would be using them.

The three submitted detailed site plans propose three office buildings on a portion of the property identified in the *Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone* (CP-R TDOZ), as Parcel 10, and per the Zoning Ordinance 35-1997. The designated Parcel 10 has since been subdivided into 10 individual lots (lots 1-10). While Parcel 10 extends between the “Walking Rings” 2 and 3, the subject site, which is a subdivided portion of original Parcel 10, lies wholly within the Walking Ring 3. Therefore, and in accordance with the Table 11, the TDDP Parking Requirements, staff recommends that the maximum allowable parking ratio for the proposed three office building, or the total of 315,000 gross square feet of office space, be set as 3.00 spaces for every 1,000 gross square feet of development.

The Transportation Planning Section has reviewed the detailed site plan application referenced above. The subject property consists of approximately 8.03 acres of land in the I-3 Zone. The property is located at the end of the planned extension of Haiig Court, and on the east side of River Road approximately 1,500 feet west of its intersection with MD 201 (Kenilworth Avenue). The applicant proposes to develop the property with a 120,000 gross square foot general office space in a single four-story building. The site plan proposes an office building on a property identified in the *Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone* (TDDP) as Parcel 10.

The submitted plan includes details regarding access, circulation patterns, and surface parking layout as well as the layout and location of pedestrian and bicycle facilities. The submitted detailed site plan is required to satisfy all mandatory development and design guidelines of the adopted and approved TDDP. The subject site is also part of the Riverside Preliminary Plan of Subdivision 4-89228 (PGCPB No. 90-42 (A) (C), and therefore is subject to the applicable transportation conditions referenced in the Planning Board Resolution.

Approved Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone (TDDP)

For this review, no traffic study is required because the accumulated sum of all approved parking spaces, including the total parking proposed by this application, does not exceed the parking caps identified in Table 12 of the TDDP. The subject property is in the southern portion of the TDOZ, and the maximum parking cap for this area is 6,955 spaces, of which 1,005 and 1,400 parking spaces are allocated to Parcel 4 and 3 of CP-R TDOZ, respectively. Parcel 9 of the CP-R TDOZ, has been subdivided into four lots and has been allocated a total of 700 parking spaces. Parcels 5 and 11 have been improved with office developments, as well as 434 and 856 parking spaces respectively. Using these figures, staff has determined the total unallocated parking is 2,560 spaces, which is reserved for Parcel 10 and Parcel 8 of the CP-R TDOZ. The approval of an additional 314 parking spaces on this lot (AKA: Lot 13, one of the 10 lots comprising Parcel 10), would not exceed the established parking

cap, but will reduce the available parking to 2,246 spaces for all remaining Parcel 10 undeveloped lots, and Parcel 8.

Notwithstanding the above finding, parking is a key issue in reviewing this plan. Page 121 of the TDDP indicates that development may be constrained by vehicular traffic congestion. In approving the plan, the District Council understood that a reduction of the parking supply within the district would be a significant incentive to reduce automobile usage in the district and its vicinity. Table 11 of the TDDP identifies maximum parking ratios for areas within the TDOZ based on approximate walking distance from the Metro. The text of the plan indicates that "parking ratios for each land use type in the transit district shall not exceed" the ratios in Table 11. As stated above, the subject property is fully within Ring 3 as identified on Map 19 in the TDDP, and is therefore subject to a maximum parking ratio of 3.00 spaces per 1,000 square feet. This ratio is less than the amount generally prescribed by Subtitle 27. The provision of 314 parking spaces on this site (lot 13) and the shared spaces shown on lot 12, and for the proposed 120, 000 square feet, would result in a parking ratio that is less than the prescribed ratio of 3.00.

In addition to parking requirements, Page 129 of the TDDP identifies collection of a mandatory one-time fee which will be used to fund future shared parking structures needed to serve development within the transit district. Since the site is within the predefined southern area, the applicant must pay \$115 per surface parking space toward future parking structures in the area. These cost figures are in 1997 dollars. The total amount due in current dollars should be calculated using the following formula:

$$\$115 \times 314 \times (\text{applicable construction adjustment factor for inflation})$$

The TDDP includes text describing in detail a number of trip reduction, or transportation demand management (TDM), strategies. The TDDP includes recommendation concerning the establishment of a TDM district with a transportation management association (TMA). However, there has not, to date, been sufficient justification for the establishment of a TDM district. As a result, the TDM annual fee shown on page 128 will not be applied at this time. The applicant should be aware that when the TDM district is established, the annual fee per parking space will be applied, as prescribed by the CP-R TDDP.

Riverside Subdivision-PGCPB No. 90-42

There are a number of transportation-related conditions that need to be addressed prior to the issuance of any building permits.

The entire Riverside subdivision is subject to a 2 million square foot development cap (Condition 3), a 3,060 inbound AM peak-hour vehicle trip cap (Condition 16), and a 5,950 on-site parking space cap (Condition 17). Condition 18 identifies the required phasing of the required road and intersection improvements. The recommended construction phasing of the remaining transportation improvements has been revised per the July 28, 1998, memorandum signed by SHA, DPW&T, M-NCPPC, and the Riverside applicant. This was done in accordance with the requirements of the

condition, which allows for such modifications to occur, and to bring “predictability” to the process for the construction of the remaining improvements.

As of this writing, 614,266 square feet of office space (ACP: 120,478, USDA: 337,428, and Riggs: 156,360) have been constructed. This is referred as existing by the 1998 signed memo. The proposed 120,000 square feet, therefore, would trigger the need to construct the following improvements, identified by the memo as Phase 1:

- Provision of double left turn along Northbound MD 201 (Kenilworth Avenue) at River Road
- Provision of third through lane along southbound MD 201 at Calvert Road (Paint Branch Parkway) / Good Luck Road
- Provision of double right turn along eastbound River Road at MD 201

It is important to note that once the total approved development exceeds 844,266 square feet, additional improvements—4 through 6 (identified in the memo as Phase 2), must be constructed. Once total development exceeds 1,164,266 square feet, the Phase 3 (identified as improvement 7), must be constructed.

Condition 19 requires the applicant, his heirs, successors and/or assignees, to provide the following shuttle service from 11:00 a.m. to 2:00 p.m. from the proposed subdivision to the College Park Downtown Business District via 50th Street and Calvert Road with a stop at the Metro station. This condition may be satisfied through an extension of the University of Maryland shuttle service to the subject site with operating hours including the above-stated hours.

Condition 20 requires that the applicant, his heirs, successors and/or assignees fund and establish an on-site Transportation Demand Management (TDM) Plan, provided: (a) at least 500,000 square feet of development has been constructed, and (b) the TDDP District-Wide TDM has not been established. The main purpose of this Plan is to implement measures that will reduce the number of peak hour single-occupant vehicle trips generated to and from the site. At a minimum, the Plan shall include a full-time, on-site commuter program manager with the responsibility to market a carpool matching program for employees, promote and coordinate the formulation of car/van pools, promote the use of public transit, promote staggered work hours for employees, designate preferential parking spaces for car pools and van pools, and prepare annual reports on the effectiveness of the plan.

Condition 22 requires the applicant to submit annual monitoring reports to the M-NCPPC Transportation Section to determine the AM inbound vehicle arrival rate and the successful progress of the TDM plan. The first monitoring report shall be submitted after 85 percent occupancy is achieved for the first building constructed. The last monitoring report shall be submitted three years after the last building permit has been issued or upon achieving 80 percent occupancy for the last building. It is staff opinion that this condition will be implemented when the district-wide TDM is established.

Plan Comments

The vehicular and pedestrian access and circulation provided in this site plan are acceptable. Page 153 of the CP-R TDDP, referring to the Planning Board Resolution for Riverside, requires the applicant to provide an access from the proposed Haiig Court to Parcel 11 (currently developed and occupied). This requirement will be addressed as part of review of development plan for Lot 10.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed detailed site plan as submitted is in conformance with all applicable TDOZ mandatory development requirements and site design guidelines. Furthermore, the proposed development will be adequately served within a reasonable period of time with existing, programmed, or planned transportation facilities, if the proposed plan is approved with the transportation-related conditions in the recommendation section.

11. In a memorandum dated January 25, 2006 (Metzger to Wagner), the Environmental Planning Section had the following comments:

The Environmental Planning Section has reviewed the subject Detailed Site Plan DSP-05078, and Type II Tree Conservation TCPII/73/90, stamped as received by the Environmental Planning Section on November 17, 2005. A new Type II Tree Conservation Plan (TCPII/006/06) has been assigned to this submittal, which is now separate from TCPII/73/90.

Background

The Environmental Planning Section has not reviewed a previous application on this property. However, the Type II Tree Conservation Plan (TCPII/73/90) dated June 29, 1993, was approved for a portion of the subject property as part of an application for a building and grading permit to construct River Road. The total property area currently under review is 21.043 acres and is zoned I-3, with a T-D-O-Z overlay. The subject property does not include River Road to which it abuts on the south. Access into the subject property is provided through Haiig Court/ Haiig Drive.

Site Description

The subject property is located on the north side of River Road, approximately 500 feet north of the intersection of Haiig Drive and River Road. There is a stream and associated 100-year floodplain on the subject property. Current aerial photos indicate that the site is predominantly wooded. The site is relatively flat and characterized with terrain sloping toward the southeast, and drains into unnamed tributaries of Lower Northeast Branch of the Anacostia River basin. No historic or scenic roads are nearby. River Road is the nearest source of transportation-generated noise impact. The CSX railroad to the west and the airport to the north are not of major consideration at this time because the proposed uses are not residential in nature. Furthermore, the proposed use is not expected to be a noise generator. The entire subject property is located within the TDDP for the College Park-

Riverdale TDOZ overlay. No species listed by the State of Maryland as rare, threatened or endangered are known to occur in the general region. The "Prince George's County Soils Survey" indicates that the predominant soil types on the site are Codorus, Hatboro, Fallington, Beltsville and Elsinboro. These soils series generally exhibit moderate limitations to development due to perched water tables, impeded drainage, flood hazard, slow permeability and steep slopes. This property is located in the Developed Tier as delineated on the 2002 General Plan.

Environmental Issues Addressed in the College Park-Riverdale TDDP

It should be noted that on Maps 12 and 29, and on various other maps in the TDDP, wetlands are depicted on the northern portion of the subject property. Field investigations have revealed that wetlands that are subject to the County Code do not exist on-site.

Districtwide Development Requirements and Guidelines

The following text is the environmental development requirements that apply to the subject property.

P-8: No development within the 100-year floodplain shall be permitted without the express written consent of the Prince George's County Department of Environmental Resources.

Comment: No development on Parcel 10 is proposed within the 100-year floodplain. A stormwater management pond outfall is proposed that will impact a small portion of the floodplain and the associated Waters of the US. These impacts are discussed further in the Environmental Review section of this memorandum.

P-10: Disturbance to nontidal wetlands requires a Maryland/Corps of Engineers Joint Permit Application (33 Code of Federal Regulations 320 through 330) and where required, issuance of the permit.

Comment: No nontidal wetlands exist on the subject property.

P-12: Any new development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bioretention or other innovative water quantity or quality methods are strongly encouraged where deemed appropriate.

The plan does not show a proposed stormwater management facility on-site and the conditions of approval of the stormwater management concept approval letter raise some questions regarding what will be required during technical review of the site. Because there are locations on the site where additional facilities could be added if needed in the future, namely the areas shown as berms on the site, sufficient space has been provided for stormwater structures if needed.

Recommended Condition: The stormwater technical design for the subject site shall include bioretention and other innovative water quantity or quality control methods as deemed appropriate by the Department of Environmental Resources.

Recommended Condition: Prior to the issuance of the first grading permit, the approved Stormwater Technical Plans shall be submitted for review for conformance with the Type II tree conservation plans. All stormwater management facilities and associated clearing and grading shall be shown on the TCPII.

S-133: All new stormdrain inlets associated with the development of this Transit District shall be stenciled with the words “Do Not Dump, Chesapeake Bay Drainage.” detailed site plans and sediment and erosion control plans shall have notation regarding storm drain stenciling.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to include the following notes: “All new stormdrain inlets on this site shall be stenciled with the words “Do Not Dump, Chesapeake Bay Drainage.”

S-135: Riparian reforestation within the transit district should be considered a priority for woodland mitigation measures.

Comment: The riparian forest area on the subject property is being preserved in existing woodland, except for areas of impact for necessary utilities.

S-136: Reforestation, intensive planning of shrubbery or creation of a meadow should be considered for areas around existing and future stormwater management ponds.

Comment: The only stormwater management structure on-site is to be constructed underground.

S-137: Permanent structures should not be located within 25 feet of the stream buffer area.

Comment: Only the proposed outfall for the pond structure will be within 25 feet of the stream buffer.

S-138: The number of buffer impacts should be minimized to maintain an unbroken corridor of riparian forest. Crossings should occur at direct angles rather than oblique angles to avoid more clearing of the buffer area.

Comment: The proposed plan shows the minimum amount of impact necessary for development.

S-139: If development occurs within the floodplain, afforestation and intense landscaping should be considered to reduce the existing impervious surface area.

Comment: The proposed design does not show development in the floodplain.

All of the mandatory requirements on pages 102 and 103 of the TDDP relating to woodland conservation have been addressed on the subject plans, or are to be addressed in the future through conditions (S-140 through S-149). These requirements relate to minimization of disturbances in regulated areas.

P-13: New structures (other than parking structures) located within 150 feet of the centerline of the CSX railroad tracks are prohibited.

Comment: New structures on the subject property are not located within 150 feet of the centerline of the CSX railroad tracks.

S-151: A detailed noise study is required for review and approval by the Natural Resources Division prior to approval of any detailed site plan. The noise study shall include reverberation impacts on adjacent land uses; specifically, the residential neighborhoods on the west side of the railroad tracks. The study shall demonstrate that there will not be an increase in the existing noise levels. The study shall be certified by an acoustical engineer.

Comment: The subject property is located to the far east of the CSX with little adverse noise impact.

S-152: The noise study shall include examination of appropriate mitigation techniques, such as landscaping and buffering, and the use of acoustical design techniques. Furthermore, a typical cross-section profile of noise emission from the road grade to the nearest habitable structure is required. If mitigation is necessary, an earth berm or a better method of reduction is preferred.

Comment: No habitable structures are proposed.

S-153: The State of Maryland's Established Noise Standards (table 5) will be the maximum allowable noise levels (dBA) for receiving land use categories for areas that do not currently exceed the established noise standards. For any new development, the applicant shall utilize construction materials and design methods that will attenuate ultimate exterior noise levels as established in Table 5. Interior levels shall not exceed 45 dBA (Ldn) for residential developments and 55 dBA (Ldn) for commercial and industrial developments.

Comment: The TDDP shows a 65 dBA Ldn noise corridor for River Road on Map 14 and the text states that the contour is located 120 feet from the centerline of River Road. This noise corridor does not impact the subject property. A noise study was not submitted for review. Comments are

provided in the Environmental Review section below.

Parcel-Specific Development Requirements and Guidelines

S-232: If development occurs on this parcel, the mandatory requirements and guidelines for floodplain, nontidal wetlands, stormwater management, woodlands and noise attenuation specified in the “District-wide Development Requirement and Guidelines” shall apply.

Comment: See section above on conformance with districtwide development requirements and guidelines.

S-233: A minimum 50-foot buffer from the 100-year floodplain shall be provided. Preservation of existing trees and afforestation within this buffer are preferred rather than reforestation. The area of woodland conservation required that is not met with the 50-foot buffer will be determined at the time of the detailed site plan.

Comment: It appears that the plan proposes a minimum 50-foot buffer from the 100-year floodplain for most of the northern and eastern portion of the site. None of the plans, however, show the 100-year floodplain, except the easements, which generally contain a larger area of land than the floodplain boundaries.

S-234: Conservation of additional woodland can be used for other transit district woodland conservation requirements in accordance with District-Wide Mandatory Requirement S-142.

Comment: The TCPII does not show any additional woodland conservation.

S-238: The stream trail shall be sited to minimize removal of trees and to take advantage of views. In locating the trail, long, straight sections shall be avoided. The trail should be paved on bituminous concrete or crushed stone.

The stream trail as illustrated on the plan shows some areas as wooded.

Recommended Condition: Prior to certificate approval of the DSP, the TCPII shall be revised to show woodland cleared in designated trail areas or add the following note to the plan: “All trails shall be field located and no tree removal will result.”

Preliminary Plan Environmental Conditions

This property was the subject of Preliminary Plan 4- 89228, Prince George’s County Planning Board

Resolution No.90-42 (A) (C), and was approved on January 9, 1992. All previous environmental approval conditions in the resolution have been addressed as identified below.

3. **The Tree Stand Delineation and a Type I Tree Conservation Plan have been revised and recommended for approval by staff. A Type II Tree Conservation Plan must be approved prior to the issuance of any grading permits to ensure compliance with the requirements of the Woodland Conservation and Tree Preservation Bill (CB-74-1989).**

Comment: An approved Type II Tree Conservation Plan (TCP/73/90) of which the subject property is part of, was submitted with the review package and was found to require some revision. A new Type II Tree Conservation Plan (TCP/006/06) has been assigned for the subject submittal and is separated from the previously approved TCP/73/90 by decision of the Environmental Planning Section on January 11, 2006.

5. **A detailed site plan is recommended to ensure superior design of the development. The site plan should address landscaping and streetscaping techniques, adequate building setbacks and buffering from abutting residential properties, architectural features of structures, and maximum tree preservation areas and /or supplemental planting.**

Comment: The detailed site plan as submitted reflects compliance to this requirement. Woodland conservation has been maximized on-site.

10. **Stormwater management facilities are to be located on Parcels A, D, and F. These parcels must be conveyed to Prince George's County.**

Comment: Comments above address stormwater management.

Environmental Review

Notes: As revisions are made to the submitted plans, the revision box on each sheet shall be used to describe in detail the revisions made, when, and by whom. In the case of forest stand delineations and tree conservation plans, the sheets shall also be signed and dated by the qualified professional preparing the plans.

1. This site is subject to the provisions of the Woodland Conservation Ordinance because the site has a previously approved tree conservation plan. A forest stand delineation (FSD) was reviewed with the preliminary plan submittal, and was generally found to address the requirements for the detailed forest delineation in compliance with the requirements of the Woodland Conservation Ordinance.

Comment: No further action is required with regard to the detailed forest stand delineation.

2. The submitted Type II tree conservation plan is labeled with the number TCP/73/90.

Because the subject application covers a different area than the previously approved TCPII, the subject application has been assigned a new TCPII number: TCPII/006/06. This TCPII covers all three DSPs under review: DSP-05078, DSP-05079, and DSP-05080. The Type II tree conservation plan has been reviewed and was found to require revisions to be in conformance with the Woodland Conservation Ordinance.

The Type II tree conservation plan as submitted must be revised to include Outlot "A"; provide a key on the cover sheet that denotes the boundaries of each DSP; provide a separate key sheet for the sheets of the TCPII; provide a legend on all sheets to include all symbols used; remove from the plan notes on "woodland conservation calculation this sheet" and use a lot-by-lot table instead; remove from legend "woodland preservation this sheet" because it could change; provide an explanation of the note: "3.93 previously purchased under rough grading permit and approved Type II tree Conservation Mitigation Bank No. 00/00/00"; add standard TCPII notes; and revise the computation work sheet appropriately as attached.

Recommended Condition: Prior to certification of the DSP, the Type II Tree Conservation Plan (TCPII/006/06) shall be revised as follows:

- a. Revise the computation worksheet to reflect the correct gross tract acreage to include Outlot "A," which is 2.41 acres, all of which is within the 100-year floodplain.
- b. Provide a key on the cover sheet that denotes the boundaries of the DSP.
- c. Provide a separate key sheet for the sheets of the TCPII;
- d. Provide a legend on all sheets to include all symbols used in the plan;
- e. Remove from the legend on sheet 2 "woodland preservation on this sheet";
- f. Remove from plan notes reference to Woodland Conservation Calculations for TCPI and II, and provide a lot-by-lot table, which indicates what is provided on each lot (or DSP) instead;
- g. Provide an explanation and evidence to support the note: "3.93 acres of woodland previously purchased under Rough Grading permit and approved Type I Tree Conservation Mitigation Bank N0. 00/00/ 00" and fill in the information in the note;
- h. Add to the plan standard notes as required exclusively for a TCPII;
- i. Revise the plan to show details of Tree Protective Devices;

- j. Revise the plan to include details of signs required on-site;
 - k. Revise the worksheet accordingly to address any changes made to the plan; and
 - l. Have the plan signed and dated by the qualified professional who prepared the plan.
3. River Road is the nearest existing noise source. According to the TDDP, a noise study is required and shall be certified by an acoustical engineer. A noise study was not submitted nor was the 65 dBA Ldn noise contour along River Road shown.

Recommended Condition: Prior to certification approval of the DSP, it shall be revised to show the location of the 65 dBA Ldn contour. The distance stated in the TDDP of 120 feet from the centerline of River Road can be used, or the noise study can be submitted to provide an estimated location of the noise contour, based on stated Average Daily Traffic (ADT) figures.

4. A wetland study was not submitted with the review package nor is one required; however, if such impacts are proposed, permission from the appropriate state and/or federal agencies will be required.

Recommended Condition: Prior to the issuance of any permits which impact wetlands, streams, or Waters of the U.S. the applicant shall submit to M-NCPPC copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

5. The “Prince George’s County Soils Survey” indicates that the principal soils on the site are in the Beltsville soils series. These soils are highly erodible and may have a high water table and impeded drainage. These characteristics do not typically create severe problems for foundations or parking lots.

Comment: No further action is needed as it relates to this detailed site plan review.

12. In a memorandum dated February 7, 2006 (Shaffer to Wagner), the trails planner of the Transportation Planning Section offered the following comments:

The following Detailed Site Plan, DSP-05078, was reviewed for conformance with the Countywide Trails Plan and/or the appropriate area master plan in order to provide the master plan trails.

Background

The concurrent applications for Riverside for Office Buildings 1, 2, and 3 are included with the College Park-Riverdale TDDP. The TDDP includes a conceptual network of trails in the vicinity of the subject application. These facilities include an east-west trail connection through Subarea 10 (referred to as the “stream trail” under S-238) with a connection to the existing M-NCPPC Northeast

Branch stream valley trail. The Northeast Branch Trail lies just to the east of the subject properties along the west side of Northeast Branch. The TDDP includes several mandatory development requirements that impact the subject application with regard to bicycle and pedestrian facilities. General, TDDP-wide requirements include:

S-174—install bicycle parking at all buildings in the district with 25 or more employees.

S-175—provide showers and changing facilities in all buildings with 25 or more employees

Requirements pertaining specifically to Parcel 10 include:

S-3—streetscape (along River Road) per River Road Section B (see Figure 3, TDDP).

S-235—Bicycle racks shall be provided

S-236—The stream trail shall be provided and access to the trails from 51st and 52nd Avenues and to the Anacostia stream valley park trail shall be provided.

S-237—Provide access from the stream trail to the buildings.

S-238—The stream trail shall be provided and access to the trails from 51st and 52nd Avenues and to the Anacostia stream valley park trail shall be provided.

The applicant is proposing a paved, four-foot wide trail connection linking Buildings 1 and 2. Staff recommends that this connection be a minimum of eight feet wide to accommodate bicycle movement. One of the goals of the TDDP is to encourage walking and bicycling for some transportation trips, and this is especially practical at Riverside due to the close proximity of the existing Northeast Branch Trail. Because of this, staff recommends a minimum width of eight feet along the stream trail and other internal trails to accommodate bicyclists, as well as pedestrians. It should be noted that the adjacent site plans for Buildings 1 and 2 (DSP-05078 and DSP-05079) show the trail at slightly different locations. The site plans should be corrected to reflect the trail in the same location on both plans.

The application for Building 1 (DSP-05078) indicates an existing dirt path at the location proposed in the TDDP for the stream trail. This is a master plan trail proposal indicated on Map 18 of the TDDP and referred to in S-238. Staff recommends that this trail be paved and be a minimum of eight feet in width. This trail should connect to the adjacent Northeast Branch Trail at a location agreed to by the Department of Parks and Recreation (DPR).

S-174 and S-235 require bicycle parking at all buildings within the district with 25 or more employees. Bicycle racks are indicated for Building 1. Bicycle racks should also be provided for Buildings 2 and 3.

S-175 encourages the provision of shower and changing facilities in buildings with 25 or more

employees. Shower and changing facilities provide the accommodations necessary for people commuting by bicycle or by walking. These extra amenities can make the difference between someone deciding to commute by bicycle, or taking a single-occupant vehicle to work. The applicant should indicate how this recommendation is being met for each site. If meeting the requirement is not practical or feasible on-site, this should be documented and included with the approved detailed site plans.

13. In a memorandum dated December 19, 2005 (Bienenfeld to Wagner) the Historic Preservation Section offered the following comments:

Phase I archeological survey is recommended by the Planning Department for the subject property. The subject property was once part of Riversdale. The Riversdale/Calvert mansion is listed on the National Register of Historic Places and is located approximately 4,000 feet southwest of the subject property. The 1853 Map of Riversdale indicates that dwellings that were part of the farm may have been located within the project area. Riversdale was owned by Rosalie and George Calvert. Calvert was a grandson of the fifth Lord Baltimore.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and the Prince George's County Planning Board *Guidelines for Archeological Review* (May 2005), and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.

The Phase I archaeological methodology should be appropriate to identify slave dwellings and burials. Documentary research should include an examination of known slave burials and dwellings in the surrounding area, their physical locations as related to known structures, as well as their cultural interrelationships. The field investigations should include a pedestrian survey to locate attributes such as surface depressions, fieldstones, and vegetation common in burial/cemetery environs.

The Urban Design Section notes that the applicant has indicated that the site has been graded pursuant to an approved Detailed Site Plan DSP-96053.

14. 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.

15. In a memorandum dated February 28, 2006 (Schum to Wagner), the City of College Park provided comments to the Planning Board, regarding transportation, pedestrian connections, architecture and mixed-use development near the Metro station
16. In a memorandum dated January 11, 2006 (Archer to Porcari), the Town of Riverdale Park indicated their support for the proposed development.

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 Type II Tree Conservation Plan (TCP/006/06) and further APPROVED Detailed Site Plan DSP-05078 for the above-described land, subject to the following conditions:

1. Prior to certification of the detailed site plan:
 - a. The pedestrian plaza at the front entrance of the building shall be revised to include special paving, street furniture and landscaping.
 - b. Details of the pedestrian plazas at the front and rear entrances shall be provided.
 - c. Attractive landscaping shall also be provided along the front of the building.
 - d. Details of the secondary plaza/courtyard at the side of the building shall be provided. Street furniture, special paving, pedestrian lighting, and landscaping shall be provided for this plaza/courtyard.
 - e. An area for public art shall be provided either at the building's main entrance or secondary plaza/courtyard.
 - f. The site plan shall be revised to provide concrete pavers on all new sidewalks and crosswalks, consistent with Figure 17 of the TDDP.
 - g. The landscape plan shall be amended to comply with S-35 and S-36 regarding street trees.
 - h. The site and landscape plan shall be amended to comply with S-37 regarding benches and trash receptacles.
 - i. The applicant shall demonstrate conformance to S-46 regarding lighting prior to certification of the site plan.
 - j. The site and landscape plans shall be revised to provide a low, decorative wall with landscaping between the parking lots and Haiig Court.
 - k. The applicant shall demonstrate compliance with S-52 and S-104 regarding a required

lighting plan.

2. Prior to the issuance of any building permits within the subject property, the applicant, his heirs, successors, and/or assignees shall provide payment of \$115 per parking space to the Prince George's County Department of Public Works and Transportation (DPW&T). The required fee per parking space is expressed in 1997 dollars, and shall be adjusted for inflation at the time of payment, using the latest *Engineering News Record* highway construction cost index. The collected fee shall be applied toward the financing of shared parking structures within the transit district, or refunded, as noted on pages 128 and 129 of the 1997 CP-R TDDP."
3. Prior to the issuance of any building permits within the subject property the applicant shall demonstrate compliance by (a) having full financial assurances through either private money or full funding in the County or State capital program, (b) having been designed per DPW&T and/or SHA standards, and (c) having been permitted with a construction timetable acceptable with the appropriate operating agency the needed road and intersection improvements as stated in the Prince George's County Planning Board Resolution No. 90-42(A)(C) adopted for Preliminary Plat No. 4-89228, and updated by the letter agreement dated July 28, 1998, signed by SHA, DPW&T, and MNCPPC modifying the phasing of the needed road improvements.
4. Prior to issuance of any building permits within the subject property, the applicant, his heirs, successors, and/or assignees shall submit an acceptable financial assurance and operational plan for provision of a shuttle service from 11:00 a.m. to 2:00 p.m. serving the proposed site, Downtown College Park, and with a stop at the Metro station. This condition may be satisfied through an extension of the existing University of Maryland shuttle service to the subject site provided the service hours include the above-stated hours.
5. Prior to issuance of any building permits within the subject property, the applicant, his heirs, successors, and/or assignees shall submit an acceptable Transportation Demand Management Plan for the proposed site with financial assurance and will include hiring of a full-time, on-site commuter program manager with the responsibility to market a carpool matching program for employees, promote and coordinate the formulation of car/van pools, promote the use of public transit, promote staggered work hours for employees, designate preferential parking spaces for car pools and van pools, and prepare annual reports on the effectiveness of the plan.
6. The stormwater technical design for the subject site shall include bioretention and other innovative water quantity or quality control methods as deemed appropriate by the Department of Environmental Resources.
7. Prior to the issuance of the first building permit, the approved stormwater technical plans shall be submitted for review for conformance with the Type II tree conservation plans. All stormwater management facilities and associated clearing and grading shall be shown on the TCPII.
8. Prior to certification of the DSP, the TCPII shall be revised to include the following notes: "All new

stormdrain inlets on this site shall be stenciled with the words “Do Not Dump, Chesapeake Bay Drainage.”

9. Prior to certificate approval of the DSP, the TCPII shall be revised to show woodland cleared in designated trail areas or add the following note to the plan: “All trails shall be field located and no tree removal will result.”
10. Prior to certification of the DSP, the Type II Tree Conservation Plan (TCPII/006/06) shall be revised as follows:
 - a. Revise the computation worksheet to reflect the correct gross tract acreage to include Outlot “A,” which is 2.41 acres, all of which is within the 100-year floodplain;
 - b. Provide a key on the cover sheet that denotes the boundaries of each DSP;
 - c. Provide a separate key sheet for the sheets of the TCPII;
 - d. Provide a legend on all sheets to include all symbols used in the plan;
 - e. Remove from the legend on sheet 2 “woodland preservation on this sheet”;
 - f. Remove from plan notes reference to Woodland Conservation Calculations for TCPI and II, and provide a lot-by-lot table, which indicates what is provided on each lot (or DSP) instead;
 - g. Provide an explanation and evidence to support the note: “3.93 acres of woodland previously purchased under Rough Grading permit and approved Type I Tree Conservation Mitigation Bank NO. 00/00/ 00” and fill in the information in the note;
 - h. Add to the plan standard notes as required exclusively for a TCPII;
 - i. Revise the plan to show details of tree protective devices;
 - j. Revise the plan to include details of signs required on-site;
 - k. Revise the worksheet accordingly to address any changes made to the plan; and
 - l. Have the plan signed and dated by the qualified professional who prepared the plan.
11. Prior to certification approval of the DSP, it shall be revised to show the location of the 65-dBA Ldn contour. The distance stated in the TDDP of 120 feet from the centerline of River Road can be used, or the noise study can be submitted to provide an estimated location of the noise contour, based on stated average daily traffic (ADT) figures.

12. Prior to the issuance of any permits which impact wetlands, streams, or Waters of the U.S. the applicant shall submit to M-NCPPC, copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
13. Provide a bicycle rack accommodating a minimum of 15 bicycles at the location indicated on the submitted DSP.
14. Construct the stream trail at the location marked as an existing dirt path on the submitted DSP. This trail shall be a minimum of eight feet wide and asphalt, and should connect to the existing M-NCPPC Northeast Branch Trail, per the concurrence of DPR.
15. Provide the trail connection from the stream trail to Building 1 and Building 2 as indicated on both DSP-05078 and DSP-05079. This trail shall be a minimum of eight feet wide and asphalt to accommodate bicycle movement, as well as pedestrians.
16. Provide a standard sidewalk along both sides of the subject site's portion of Haiig Court, unless modified by DPW&T.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, March 2, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of March 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:bjs