

C O R R E C T E D R E S O L U T I O N

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, a new Zoning Ordinance, Subtitle 27, Prince George’s County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Local Transit-Oriented Zone (LTO-E); and

WHEREAS, pursuant to Section 27-1903(c) and 27-1704 (b) of the Zoning Ordinance, certain development proposals or permit applications may utilize the prior Zoning Ordinance or Subdivision Regulations for development of the subject property and a development approval may continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved; and

WHEREAS, therefore, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on September 29, 2022, regarding Detailed Site Plan DSP-21024 for EcoGrads, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) requests to construct one mixed-use building with a total of 123 multifamily dwelling units and 2,314 square feet of ground floor commercial retail.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Vacant	Multifamily Residential/ Commercial Retail
Acreage	0.52	0.49
Dedication		0.03
Lots	6	1
Square Footage/Gross Floor Area	0	150,060 sq. ft.
Dwelling Units		123
Studio		123

Other Development Data

Parking Requirements per the 2010 *Approved Central US 1 Corridor Sector Plan*

	Requirement	Approved
Walkable Node	1 space per dwelling unit	123 dwelling units
Total retail	3 spaces per 1,000 sq. ft.	2,314 sq. ft. retail
Total Parking Required	130	
Total with Shared Parking	Shared Parking Factor = 1.2*	
Total Parking Provided		110
On-site standard spaces (9 feet x † 19 <u>18</u> feet)**	-	88
Compact parking (8 feet by 16.5 feet)	-	14
Handicap (Including 1 Van-accessible space)	5	5
Ride share parking space	-	1
Electric Vehicle parking spaces	-	2

Notes: *Mixed-use developments may use a shared parking factor to determine a reduction in the number of required parking spaces. The applicant has chosen to utilize the shared parking factor to reduce the parking requirement from 130 spaces to 109 spaces.

**The applicable D-D-O Zone does not have a standard for required parking space size. The DSP proposes a parking space size of 9 feet by ~~†~~~~19~~ 18 feet, instead of the standard 9.5 feet by 19 feet required by the prior Prince George's County Zoning Ordinance. The applicant seeks a departure from this requirement per Section 27-548.25(e) of the prior Zoning Ordinance, which does not require separate applications for such departures, but requires that the Prince George's County Planning Board find that the departure conforms to all the applicable development district standards. The reduced size of the parking spaces will contribute to the development district vision of pedestrian-friendly, concentrated, mixed-use development in this area. Therefore, the Planning Board approves this departure.

Bicycle Spaces per the 2010 *Approved Central US 1 Corridor Sector Plan*

Required (1 space per 3 parking spaces)	38
Provided	70
Interior	70

†Denotes Correction

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

Loading Spaces (per Section 27-546.18(b)* of the prior Zoning Ordinance)

Residential/Retail	1 space*
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Note: *The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (Central US 1 Corridor Sector Plan and SMA), do not have a standard for required loading spaces. Therefore, per the Mixed Use-Infill (M-U-I) Zone regulations, when a mix of residential and commercial uses is proposed on a single parcel, the site plan shall set out the regulations to be followed. The subject site plan proposes one loading space, which is sufficient given the limited number of units and commercial space.

3. **Location:** The subject site is located in the southeast quadrant of the intersection of US 1 (Baltimore Avenue) and Quebec Street in the M-U-I Zone and the Development District Overlay (D-D-O) Zone of the Central US 1 Corridor Sector Plan and SMA. Further, it is noted that the property is located in the Walkable Node Character Areas of the Lower Midtown Plan Area of the D-D-O Zone. The subject property is in Planning Area 66 and Council District 3, at 8421 and 8429 Baltimore Avenue, within the City of College Park.
4. **Surrounding Uses:** The property is bound to the north by the public roadway, Quebec Street, west by US 1, east by an alley with single-family homes beyond in the Neighborhood Activity Center Zone, and south by commercial uses in the LTO-E Zone. The subject property and the surrounding properties are within Aviation Policy Area 6.
5. **Previous Approvals:** The subject site is 0.52 acre and is currently vacant. The total tract is made up of six lots known as Lots 28–31 and Lots 47 and 48 recorded in the Prince George’s County Land Records, in Plat Book BDS 1 page 30 titled Addition to Berwyn and dated 1906.

On June 30, 2022, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-21039 (PGCPB Resolution No. 2022-07), for development of 123 multifamily dwelling units and 2,314 square feet of commercial development on one consolidated parcel.

6. **Design Features:** The applicant proposes to construct one mixed-use building with a total of 123 multifamily dwelling units for market-rate housing and 2,314 square feet of commercial retail uses. The building will have frontage on US 1 and is accessed from Quebec Street. The building is seven stories, with three levels of structured parking; one level is at grade and two are proposed below grade. The proposed garage is accessed from Quebec Street and is screened by ground-floor commercial and lobby space along the building’s frontage. The layout of the parking garage has been provided and shows dimensions of the parking with 24-foot drive aisles.

The site gains elevation from west to east with the elevation along US 1 approximately 10 feet lower than the alley on the eastern portion of the property. As such, the building is cut into the slope and two levels of parking are below grade on the western portion of the site adjacent to US 1. The building’s frontage on the west will include ground level retail with adequate space for outdoor dining along the roadway. A retaining wall with a maximum height of 6 feet is proposed

along the alley, to accommodate the change in grade and area for the proposed loading space and maintenance area on the east side of the building.

Architecture

The building's façade proposes a combination of materials including charcoal brick veneer, fiber cement siding, metal siding, and glass elements. The materials are arranged in a geometric pattern and provide bands of color on the building. Charcoal brick is used on the lower story of the building to provide a change in material and provide architectural interest. Along the ground floor fronting on US 1, the building elevations propose large floor-to-ceiling glass windows highlighting the commercial and lobby spaces, in conformance with the standards of the D-D-O Zone. These commercial areas are set back from the roadway and the applicant is requesting an amendment for the building setback to provide outdoor seating, as discussed in Finding 7 below.

The building is oriented towards US 1 and has pedestrian access from both Quebec Street and US 1. The main pedestrian entrance and lobby is located on the west elevation of the building facing US 1, and is accented by a canopy, glass windows, and a sign over the entrance. The vehicular entrance to the on-site parking levels is accessed in the north side of the building from Quebec Street. Prior to the Planning Board hearing on September 29, 2022, the applicant formally withdrew the modification to the D-D-O Zone standard to reduce the number of on-site parking spaces and, instead, proposes to provide the required parking on-site in underground parking. On the east side of the parking garage on-site are the locations for ground floor retail space, which will be accessed from US 1 by separate commercial lobby spaces. Space for building murals and artwork is proposed on the south elevation and will be visible from US 1 and Pontiac Street.

Recreational Facilities

Recreational facilities for the project are provided on-site and include the following:

- a. A fitness center including fitness machines, a gym, on-demand fitness, and yoga.
- b. Three outdoor areas (Sunset, Sunrise, and Roof sunset terraces) which include gathering space, landscaping, tables, and seating areas.
- c. Outdoor courtyard space including a bocce ball court, landscaped courtyard, outdoor seating areas and furniture.

The applicant is also proposing lounge space, a dog wash facility, and bike storage area but is not taking credit for these facilities. It is noted that some of the items listed on the recreational value spreadsheet cannot be included such as the paint, heating, ventilation, and air conditioning (HVAC), framing, and windows and doors. These items do not provide any recreational value and should be removed. The facilities such as the bike racks, lounge, and dog wash station should be added to increase the valuation. Therefore, a condition has been included herein, to remove these items and revise the recreational value to only include those items that provide recreational value. Bonding for these facilities and the requirement for a recreational facilities agreement is conditioned herein.

Signage

The applicant proposes multiple building-mounted signs on the building. Two back-lit, channel-letter, building-mounted signs will be located vertically on the northeast and southeast building façade that will be visible from US 1, as shown in Figure 8. Other building-mounted, back-lit, channel-letter signage is proposed along US 1 and Quebec Street, above the entrance to the residential and commercial lobbies. The submitted sign plan for the project includes square footage, but not all the details required to fully evaluate conformance with the sign requirements of the D-D-O Zone. A proposed condition has been included in the Recommendation section, requiring the applicant to provide scaled details of all the signs and elevation drawings showing their location on the façades, in accordance with the applicable sign requirements.

Site Details

Details on the site plan include various building materials, trash receptacles, site furniture, fences bike racks.

Green Building Techniques

The Central US 1 Corridor Sector Plan and SMA requires the project to be Leadership in Energy and Environmental Design (LEED) certified at a minimum of the Silver level. The applicant proposes to meet the certification criteria of the National Green Building Standard (NGBS) at the Silver level and has requested an amendment from this standard, which is discussed in Finding 7 below.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment and the standards of the Development District Overlay (D-D-O) Zone:** The Central US 1 Corridor Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Central US 1 Corridor area. The land use concept for the sector plan divides the corridor into four interrelated areas, walkable nodes, corridor infill, existing neighborhoods, and natural areas, to examine issues, opportunities, and formulate recommendations for the area. Detailed recommendations are provided for six distinct areas within the sector plan: Downtown College Park, University of Maryland, Midtown, Uptown, Autoville and Cherry Hill Road, and the Hollywood Commercial District. The overall vision of the Central US 1 Corridor is a vibrant hub of activity highlighted by walkable concentrations of pedestrian and transit oriented, mixed-use development; integration of the natural and built environments; extensive use of sustainable design techniques; thriving residential communities; a complete and balanced transportation network; and a world-class educational institution.

The subject site is in the Midtown College Park area and is within the Walkable Node area. The Walkable Node Character Area, which consists of higher-density mixed uses, buildings that accommodate retail, offices, row houses, and apartments, with emphasis on nonresidential land uses, particularly on the ground level to provide a sense of place with urban design practices used along the Central US 1 Corridor. One of the implementation tools set forth in the plan are

development district standards (page 227), which contain regulations that impact the design and character of the Central US 1 Corridor. The stated purpose of these standards in the plan is to shape high-quality public spaces with buildings and other physical features, and to create a strong sense of place for College Park, consistent with the land use and urban design recommendations of the sector plan.

Requests to Amend Development District Standards

The submitted application and statement of justification indicate the need to deviate from several development district standards. In accordance with Section 27-548.25(C), Site Plan Approval, of the prior Zoning Ordinance, if an applicant so requests, the Planning Board may apply development standards which differ from the approved development district standards. These alternate standards may be approved if they can be found to benefit the development and the development district and will not substantially impair implementation of the master plan, master plan amendment, or sector plan. This application generally meets the standards of the development district such as the building setbacks and coverage requirements. However, the applicant is requesting the following modifications from the development district standards in Character Area 5A–Walkable Node (all page numbers reference the sector plan):

- a. **Page 234–Building Form/Setback:** In the Walkable Node, the principle front build-to-line shall be a maximum of 10 feet. The ground floor of the proposed building is set back 12.5 feet to provide for outdoor seating and dining. The remainder of the building on the upper stories varies from 3.5 feet to 21.5 feet.

The applicant states that the unique design of the building with the saw-tooth façade at Levels 2–7 has been designed to address the spirit of the build-to-line, and the setback at street level will provide space for safe and efficient outdoor seating along US 1 in front of the ground floor and allow for the ability to provide street amenities envisioned in the sector plan. The placement of the building provides area for landscaping with street trees and separation between the sidewalk and the travel lanes along US 1. Lastly, the applicant notes that the building placement is necessary to provide an increased build-to line due to existing storm drains along the frontage of the property. Therefore, the Planning Board approves this amendment.

- b. **Page 234–Building Form/Setback:** In the Walkable Node, the rear setback shall be a minimum of 10 feet. The property is adjacent to a platted alley that is under the jurisdiction of the City of College Park. The building is set back from the alley one foot. The applicant notes that the site is constrained by this alley and US 1. If the width of the alley is calculated into the rear setback, the building is 16 feet from the adjacent property which is developed with an institutional and office building used by University of Maryland. Given the existing space constraints and adjacent use, the Planning Board approves this amendment.

- c. **Page 234–Building Form/Character Area 5A/Walkable Nodes/Building Height:** To increase the height from the maximum six stories permitted in the Walkable Node to seven stories.

The proposed seven-story building height is located in the Walkable Node and an amendment is required. The applicant justifies that the sector plan and County policies promote density at this location and that the design actively engages with the topography of the site in a way that reflects the hierarchy of the architectural program by giving prominence to the pedestrian experience. This amendment to allow a seven-story height will form a strong urban edge in close proximity to the University of Maryland campus. The topography of the site changes 10 feet from one end to the other, and the buildings design complements this elevation change. For these reasons, the Planning Board approves this amendment.

- d. **Page 243–Building Form/Structured Parking:** Parking structures should be set back 50 feet from the property line of all thoroughfares to reserve room for linear buildings.

The applicant proposes a varied setback of the building and the parking garage from the property lines, and because the parking garage has been integrated in the building with its location below the residential dwelling units and below grade, strict application of the 50-foot setback for structured parking would render this property undevelopable. The Planning Board approves this amendment.

- e. **Page 256–Sustainability and the Environment/Leadership in Energy and Environmental Design (LEED) Certification:** To allow for National Green Building Standard (NGBS) Silver certification.

Within the Walkable Node, all development shall obtain a minimum of Silver certification in one of the applicable LEED rating systems. The applicant indicated that they do not intend to pursue LEED certification, and instead propose to meet the certification criteria of the NGBS at the Silver level, but a scorecard has not been provided. In general, both NGBS and LEED are green building rating systems that set standards and scoring criteria for evaluating energy performance measures associated with the construction and operation of new or renovated buildings. While there are some differences, both ranking programs require evaluation of similar building systems and design features to determine efficiency levels and apply a score. Furthermore, this is consistent with the Planning Board's decisions on DSP-19054 and DSP-20031 to support the NGBS standards as a measure of sustainability. The Planning Board believes that this amendment will benefit the development and the development district by providing green design techniques and will not substantially impair implementation of the sector plan. Therefore, the Planning Board approves this amendment request, with a condition to provide an NGBS matrix and documentation that it is equal to the LEED Silver certification.

- f. **Pages 262 and 263–Streets and Open Spaces:** The sector plan provides for detailed street sections to guide development in the area of the subject site, from I-95/I-495 (Capital Beltway) to College Avenue. However, in the same area of US 1, the Maryland State Highway Administration (SHA) has begun to implement an approved streetscape improvement program. Street sections provided by SHA and the sector plan include

dedicated space for pedestrians, cyclists, and vehicles. The sector plan requires a 6.5-foot-wide cycle track, separated from vehicle traffic; and SHA provides for a 5-foot-wide, on-road bike lane. The proposed design incorporates a 6-foot-wide sidewalk along most of the right-of way and accommodates SHA's streetscape design. However, it does not include the cycle track.

The applicant requests that the street sections and design requirements of the D-D-O Zone be amended to allow for a design consistent with the requirements of SHA. This amendment will benefit the development and the development district by providing a consistent streetscape design, as implemented by SHA, which is the operating agency for this roadway.

In addition, the applicant has requested amendments to the assembly, walkway, and planter requirements of the streetscape criteria. Criteria for these features differs between the character areas. Moreover, the streetscape of US 1 is being improved by SHA and the applicant's design must conform to the design criteria of the operating agency, which the sector plan acknowledges.

The Planning Board finds that this request will not substantially impair implementation of the sector plan and approves this amendment for these reasons.

- g. **Page 266–Streets and Open Spaces/Street Lighting:** In the sector plan it is required that Street lights shall be placed aligned with the street tree alignment line (generally between 2.5 to 4 feet from the back of the curb). Placement of fixtures shall be coordinated with the organization of sidewalks, landscaping, street trees, building entries, driveways, and signage.

The applicant proposes an amendment to this development district standard to provide street lighting consistent with the design and implementation being provided by SHA upgrades to US 1. This amendment will benefit the development and the development district by providing a consistent streetscape design, as implemented by SHA, and will not substantially impair implementation of the sector plan. Therefore, the Planning Board approves this amendment.

- h. **Page 267–Streets and Open Spaces/Lighting Types and Configuration:** The sector plan requires lighting fixtures to be appropriately chosen for the character area within which they are located. The Walkable Node requires column and double column streetlights.

The applicant is requesting a modification to this development standard to use the post lighting fixtures that are consistent with the lighting fixtures chosen for the midtown area, as further being implemented by the US 1 improvement project. This amendment will benefit the development and the development district by providing a consistent streetscape design, as implemented by SHA.

The Planning Board finds that this will not substantially impair implementation of the sector plan and approves this request.

- i. **Page 268—Streets and Open Spaces/Open Space:** The sector plan requires appropriate arrangements for open space according to specific character areas. The Walkable Node recommends that open spaces be organized as a green, square, plaza, or playground.

The applicant states that the site constraints restrict the ability to provide open spaces as depicted in the sector plan. Instead, the applicant has designed the building in a “U-shape” to create a courtyard with outdoor seating, landscaping, and a bocce ball court.

The Planning Board finds that this design is similar to the green, plaza, playground, and square concepts of the sector plan, and it is landscaped and spatially defines this area for residents, providing opportunities for open space that includes both passive and active recreation. The Planning Board finds that this will not substantially impair implementation of the sector plan and approves this request.

8. **Prince George’s County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I Zone and the requirements of the D-D-O Zone.
 - a. Section 27-546.19(c), Site Plans for Mixed Uses, of the prior Zoning Ordinance, 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;**

The site plan meets the site design guidelines and development district standards of the Central US 1 Corridor Sector Plan and SMA, except those discussed in Finding 7 above.

- (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**

The application proposes a mixture of multifamily residential and commercial/retail uses in a vertical mixed-use format. The existing or recently approved uses are compatible with the proposed mixed-use

residential development, and are similar in height and density, as envisioned by the Central US 1 Corridor Sector Plan and SMA.

(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;

The adjacent properties to the east and west are developed with multi-story institutional, office, and a hotel building. Specifically, the adjacent property to the west across US 1 is the new Tempo student housing building, which is an eight-story building that was granted a modification to increase the maximum height allowance for that portion of the building located in the Corridor Infill Character Area. The proposed building and uses are in keeping with the vision and intent of the Central US 1 Corridor Sector Plan and SMA and development district, and are compatible in size, height, and massing to existing and future buildings on adjacent properties. The proposed building is compatible with other similar redevelopment projects in the Central US 1 Corridor, within the development district, and transitions from the existing residential development east of the University of Maryland.

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

The primary façade of building faces US 1, which, based on the building design and frontage improvements, creates an active pedestrian experience that ties into the existing development to the south. This ensures existing walkways and public walkways are connected. The on-site vehicular access is limited to one access point from Quebec Street. Pedestrians will cross the driveway apron, but a condition has been included requiring the pavement in this area to include a different treatment to signalize to pedestrian and vehicular traffic of the crossing.

(C) Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building façades on adjacent properties;

The photometric plan provided with the DSP indicates that the proposed lighting design will minimize glare, light, and visual

intrusion onto nearby properties and buildings. In addition, it is noted that lighting is proposed in locations that accent the building and provide well-lit areas, consistent with Crime Prevention Through Environmental Design practices.

- (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;**

The materials and colors selected to face the proposed building are compatible with those utilized in similar scale developments recently constructed within the development district. The materials proposed include a mix of brick veneer, fiber cement siding and metal siding. Trim, coping, and other detail elements are provided in complementary tones and materials and include three outdoor terraces enhancing the streetscape and pedestrian realm.

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

A condition has been included herein, requiring additional landscaping or decorative screening around transformers. The screens shall meet the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Screening treatment shall be reviewed and approved by the City of College Park.

- (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**

The signs conform to the applicable development district standards. In addition, it is noted that the applicant is proposing murals on the buildings, which will enhance the views and create a sense of place.

- (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;

The City of College Park will control the surrounding rights-of-way and will limit the hours of operation and deliveries, as it sees necessary. The proposed development will have minimal impact on adjacent properties, as trash is on the interior of the building and loading is at the rear of the building.

(ii) Location of activities with potential adverse impacts;

Loading is located at the rear of the building, and the proposed trash facilities are located internally to the building, with adequate space proposed in the parking garage to provide for any deliveries to the dwelling units and commercial retail spaces.

(iii) Location and use of trash receptacles;

The proposed trash receptacles are located internally to the buildings and have no adverse impact on adjacent properties. Trash facilities are proposed within the parking garage area of the building

(iv) Location of loading and delivery spaces;

The applicant proposes a loading space at the rear of the building and is not visible from US 1. There is sufficient room in the garage to serve any deliveries for the proposed commercial retail space, which will not depend on large truck deliveries.

(v) Light intensity and hours of illumination; and

The photometric plan submitted with the application showing on-site lighting, confirms that there are minimal adverse impacts on adjacent properties and the surrounding neighborhood from the proposed buildings.

(vi) Location and use of outdoor vending machines.

The subject DSP does not propose any outdoor vending machines.

9. **Preliminary Plan of Subdivision 4-20039:** PPS 4-21039 was approved by the Planning Board on June 30, 2022 (PGCPB Resolution No. 2022-79), subject to 15 conditions. The conditions applicable to the review of this DSP are as follows:

2. **Total development within the subject property shall be limited to uses which generate no more than 69 AM peak-hour trips and 86 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The subject DSP is consistent with the land use and development program approved in the PPS application, and therefore, is within the peak-hour trip cap.

3. **A substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require the approval of a new preliminary plan of subdivision, prior to approval any building permits.**

The proposed DSP does not include any substantial revisions to the development approved under the PPS, which would affect Subtitle 24 adequacy findings.

4. **Development of this site shall be in conformance with the approved stormwater management concept plan (54058-2021-00) and any subsequent revisions.**

The approved stormwater management (SWM) concept plan referenced above was submitted with the DSP application and this application is consistent with that approval.

5. **Prior to approval of a final plat of subdivision:**

- b. **The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the City of College Park for the public use of any portion of frontage sidewalk on the subject property, as determined necessary, at the time of DSP. The easement agreement shall be approved by the City of College Park, recorded in land records, and the Liber/folio shown on the final plat prior to recordation. The final plat shall reflect the location and extent of the easement.**

The DSP reflects +/- 3-foot-wide proposed public use easements along US 1 and Quebec Street. These easements cover the portions of the proposed frontage sidewalks which are not within the public right-of-way. The "+/-" is noted; the precise width of the easements may vary from 3 feet depending on where the sidewalks are built relative to the property lines in the as-built condition. The easement agreement recorded prior to final plat may need to specify that the easements cover the portions of the sidewalks outside the public right-of-way, rather than give specific widths for the easements.

6. **At the time of final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate all rights-of-way along the property frontage on US 1 (Baltimore Avenue), consistent with the approved preliminary plan of subdivision.**

The DSP shows right-of-way dedication to US 1 consistent with the PPS (50 feet from the street centerline).

7. **The applicant shall provide on-site pedestrian and bicycle amenities and improvements consistent with Section 24-124.01(c) of the prior Prince George's County Subdivision Regulations. The details of the on-site facilities shall be provided as part of the detailed site plan submission.**
8. **The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicycle adequacy improvements consistent with Section 24-124.01(f) of the prior Prince George's County Subdivision Regulations, as part of the detailed site plan submission.**
9. **Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities, as designated below, in accordance with Section 24-124.01 of the prior Prince George's County Subdivision Regulations ("Required Off-Site Facilities"), have (a) full financial assurances, (b) been permitted for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate agency:**
 - a. **Installation and/or upgrading pavement markings along College Park Trolley Trail, between Greenbelt Road and Berwyn House Road, consistent with the bicycle and pedestrian impact statement addendum dated June 15, 2022.**
 - b. **Installation of sharrows along Pontiac Street.**
10. **The applicant and the applicant's heirs, successors, and/or assignees shall construct the following facilities and show these facilities on a pedestrian and bikeway facilities plan, as part of the detailed site plan (DSP), no less than 35 days prior to the Planning Board hearing for the DSP:**
 - a. **A 6.5-foot-wide bicycle track along the property frontage of US 1 (Baltimore Avenue), consistent with the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment, unless modified by the operating agency, with written correspondence.**

- b. A 5- to 8-foot-wide sidewalk and a 4.5- to 8-foot landscape amenity panel along the frontage of US 1 consistent with the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment. The final width shall be determined by the operating agency with written correspondence.**
 - c. A minimum 5-foot-wide sidewalk and associated Americans with Disabilities Act curb ramps and crosswalk along the property frontage of Quebec Street, unless modified by the operating agency, with written correspondence.**
 - d. Long and short-term bicycle parking consistent with the Guide for the Development of Bicycle Facilities (AASHTO) to accommodate residents and visitors.**
 - e. Provide all sidewalk/streetscape amenities and bicycle facilities per the 2010 Approved Central US 1 Corridor Sector Plan and Sector Map Amendment (pages 261 and 264), unless modified by the operating agency, with written correspondence.**
- 11. Prior to certification of the subject preliminary plan of subdivision, the applicant shall evaluate if restriping of approximately 22 shared roadway pavement markings (sharrows) along Berwyn Road, between Baltimore Avenue and the train tracks, is feasible per Section 24-124.01 of the prior Prince George's County Subdivision Regulations, and in addition to the improvements provided in Condition 9, can be provided within the cost cap that was established in the bicycle pedestrian impact statement. If the Transportation Planning Section finds that restriping of the sharrows is feasible and within the cost cap, the applicant shall provide the sharrows and improvements listed in Condition 9. If restriping of the sharrows is not feasible and is not within the cost cap, the applicant shall construct all of the improvements provided in Condition 9, per Section 24-124.01.**

The applicant submitted a bicycle and pedestrian impact statement (BPIS) supplemental assessment dated August 10, 2022, under PPS 4-21039, which was evaluated as part of the PPS certification process. The supplemental assessment indicates that the applicant will provide a total of 22 sharrows along Berwyn Road, between US 1 and the train tracks, to meet the adequacy requirements, which is found acceptable. As previously noted, as a condition of approval, the Planning Board requires that the applicant modify the pedestrian and bicycle plan to include all approved BPIS off-site improvements.
- 12. In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.**
- 13. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning**

Department, for adequacy and proper siting, in accordance with the *Parks and Recreation Facilities Guidelines*, with the review of the detailed site plan (DSP). Triggers for construction shall be determined at the time of DSP.

The coversheet of the DSP lists the proposed recreation facilities and their estimated value. An amenities plan showing the locations of the improvements is given on Sheet 2B of the DSP plan set. The recreational value, location and trigger for construction is conditioned herein.

10. **2010 Prince George's County Landscape Manual:** The Central US 1 Corridor Sector Plan and SMA states that Sections 4.2, 4.3, and 4.7 of the Landscape Manual do not apply within the development district (page 226). Therefore, the proposed development is only subject to the requirements of Sections 4.1, 4.4, and 4.9 of the Landscape Manual, and schedules have been provided for Sections 4.1 and 4.9. The submitted plans are generally in conformance with the requirements with the exception of technical revisions that are needed and have been conditioned herein. In addition, it is noted that the plans conform to the requirements of Section 4.4, Screening Requirements, for the trash because it will be located on the interior of the building and not visible from the public realm. However, it is noted that the transformers and mechanical equipment proposed on-site will not be screened, and this is recommended. Conditions requiring a screen detail and general note regarding conformance to Section 4.4 of the Landscape Manual have been included herein.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is less than 40,000 square feet in size. A standard letter of exemption (S-001-2022) from the WCO was issued for this site, which expires on January 1, 2024.
12. **Prince George's County Tree Canopy Coverage Ordinance:** The subject site is located in the M-U-I Zone, and a 10 percent tree canopy coverage (TCC) requirement applies per Section 25-128(b) of the Tree Canopy Coverage Ordinance. This amounts to approximately 0.052 acre, or 2,265 square feet, to be provided in TCC. The subject DSP provides the appropriate schedule, and shows an adequate amount of plantings on-site, in conformance with the requirements.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and incorporated herein by reference:
 - a. **Historic Preservation and Archeological Review—**The Planning Board has reviewed and adopts the memorandum dated August 12, 2022 (Stabler, Smith, and Chisholm to Bishop). In the memorandum, the Historic Preservation Section acknowledged that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain and is not

adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.

- b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated August 11, 2022 (Sams to Bishop). In the memorandum, the Community Planning Division provided an analysis of the subject DSP's conformance with the recommendations of the 2014 *Plan Prince George's 2035 Approved General Plan* and the Central US 1 Corridor Sector Plan and SMA, and acknowledged the proposed alternative development district standards requirements, which are discussed in Findings 7 and 8 above.
- c. **Transportation Planning**—The Planning Board has reviewed and adopts a memorandum dated September 2, 2022 (Yang to Bishop). In the memorandum, the Transportation Planning Section offered an analysis of the prior approvals, which is incorporated into the findings above.

Based on the findings presented above, it was determined that the multimodal transportation site access and circulation of this plan is acceptable, and consistent with the underlying conditions of approval, as conditioned herein. In addition, it was noted that the DSP meets site design guidelines pursuant to Section 27-283 of the prior Zoning Ordinance, and meets the findings required by Section 27-274(a) of the prior Zoning Ordinance.

- d. **Subdivision**—In a memorandum dated August 19, 2022 (Diaz-Campbell to Bishop), the Subdivision Section provided an analysis of the subject DSP's conformance with the prior approvals, as included in Finding 9 above. The Planning Board has reviewed and adopts the recommendations contained therein.
- e. **Environmental Planning**—The Planning Board has reviewed and adopts a memorandum dated August 16, 2022 (Juba to Bishop). In the memorandum, the Environmental Planning Section offered the following:

Natural Resources Inventory/Existing Conditions

The site has an approved Natural Resources Inventory Plan (NRI-003-2022), which correctly shows the existing conditions of the property. The site is completely graded. No woodlands, specimen, champion, or historic trees are located on-site. This site is not associated with any regulated environmental features, such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area.

Soils

The predominant soils found to occur, according to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include Urban land-Woodstown complex (0-5 percent slopes) and Russett-Christiana-Urban complex (0-5 percent slopes).

No unsafe soils containing Marlboro clay have been identified on or within the immediate vicinity of this property. However, unsafe soils containing Christiana complexes have been identified on-site. These unsafe soils are mapped on the northwestern corner of the site. However, the Planning Board has determined that no major geotechnical issues are anticipated.

Stormwater Management

An approved SWM concept letter and plan (54058-2021) was submitted with this application. The approved SWM concept plan shows the use of eight micro-bioretenment areas across the site and one underground storage vault. No further information is required regarding SWM with this application.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated August 22, 2022 (Quattrocchi and Thompson to Bishop), DPR offered an analysis of the prior conditions of approval and summarized the recreational facilities on-site. DPR indicated that the Urban Design Section shall review the on-site recreational facilities for adequacy and proper siting and offered conditions of approval, which the Planning Board finds suitable and have been included, as appropriate, herein.
- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this approval, comments have not been received from the Fire/EMS Department regarding the subject project.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated July 25, 2022 (Giles to Gupta), DPIE indicated the DSP is consistent with SWM Concept Plan 54058-2021 and offered other comments that will be addressed through DPIE's separate permitting process.
- i. **Prince George's County Police Department**—At the time of the writing of this approval, comments have not been received from the Police Department regarding the subject project.
- j. **Prince George's County Health Department**—The Planning Board reviewed a memorandum dated June 24, 2022 (Adepoju to Bishop), incorporated herein by reference, in which the Health Department offered a health impact assessment of the proposed development and offered numerous recommendations, which have been addressed through revisions to the plan or are included as conditions in this approval.
- k. **Maryland State Highway Administration (SHA)**—At the time of the writing of this approval, SHA offered no comments on the subject application.
- l. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this approval, comments have not been received from WSSC regarding the subject project.

- m. **City of College Park**—The subject property is located within the geographical boundary of the City of College Park. The DSP application was referred to the municipality for review and, at the time of the writing of this approval, the City provided a memorandum in support of the application that was entered into the record. The application was heard at the City Council meeting on September 20, 2022, and a City representative provided comments at the Planning Board hearing.
- 14. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Central US 1 Corridor Sector Plan and SMA. The amendments to the development district standards required for this development would benefit the development and the development district, as required by Section 27-548.25(c), and would not substantially impair implementation of the sector plan.

Based on the foregoing and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with conditions, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

- 15. Per Section 27-285(b)(4) of the prior Zoning Ordinance, a required finding for approval of a DSP is as follows:
 - (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

No regulated environmental features will be impacted by the proposed development, and it is determined that the regulated environmental features have been preserved and/or fully restored in a natural state to the fullest extent possible, in accordance with the requirement.

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:

- A. APPROVED alternative development district standards for:
 - 1. **Page 234—Building Form/Setback:** To allow a front build-to-line to be a maximum of 21.5 feet.
 - 2. **Page 234—Building Form/Setback:** To allow a rear setback to be a minimum of one foot.
 - 3. **Page 234—Building Form/Character Area 5A/Walkable Nodes/Building Height:** To increase building height from six stories to seven stories.

4. **Page 243–Building Form/Structured Parking:** To allow a parking structure within 50 feet of the property line.
 5. **Page 256–Sustainability and the Environment/Leadership in Energy and Environmental Design (LEED) Certification:** To allow for National Green Building Standard Silver certification.
 6. **Pages 262–263–Streets and open spaces:** To allow alternative treatment of the streets and open spaces as determined by the operating agency.
 7. **Page 266–Streets and open spaces/Street Lighting:** To allow alternative treatment of the lighting as determined by the operating agency.
 8. **Page 267–Streets and open spaces/Lighting Types and Configuration:** To allow alternative treatment of the lighting type and configuration as determined by the operating agency.
 9. **Page 268–Streets and open spaces/Open Space:** To allow alternative arrangement of the courtyard open space.
 10. A reduction in the typical parking size to 9 feet by †~~14~~ 18 feet.
- B. APPROVED Detailed Site Plan DSP-21024 for EcoGrads, subject to the following conditions:
1. Prior to certification, the applicant shall revise the plans as follows, or provide the specified documentation:
 - a. Provide a table to delineate the number of interior and exterior bicycle parking spaces proposed.
 - b. Designate and reserve a minimum of six retail/visitor parking spaces in the parking garage, in close proximity to the entrance for the ground-floor retail locations.
 - c. Provide decorative paving (e.g., scored, or stamped concrete) to distinguish the crosswalk in front of the garage, subject to approval of the operating agency.
 - d. Indicate that ground floor residential amenity areas and retail glass windows will be transparent.

†Denotes Correction

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

- e. Provide a sign table listing the number of signs, size, material, lighting, and their location on the façades, in accordance with the applicable Development District Overlay Zone standards.
- f. Provide a matrix demonstrating that National Green Building Standard Silver level is equivalent to Leadership in Energy and Environmental Design Silver certification, and how it will be achieved for the proposed development.
- g. Provide at least two electric car-charging stations.
- h. Provide a note on the landscape plan that states “The trash, loading facilities, and mechanical equipment are interior to the building or have been appropriately screened, in conformance with Section 4.4 of the 2010 *Prince George’s County Landscape Manual*.”
- i. Provide additional landscaping or a detail of screening to be applied to all sides of all ground transformers on-site, with review and comment from the City of College Park staff, if approved by the utility company.
- j. Update Sheet 2C to replace the word “Exhibit” to “Plan.”
- k. In accordance with condition 1a, update the Pedestrian and Bicycle “Plan” to include all off-site pedestrian and bicycle improvements, in accordance with approved Preliminary Plan of Subdivision 4-21039.
- l. Update the detailed site plan (DSP) to include one designated temporary parking space, immediately within the parking garage, for temporary pick-up/drop-off for ride sharing vehicles. The revised DSP shall also include the specific details and profiles for the striping and signage for the designated spaces.
- m. Provide the following general notes:
 - (1) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
 - (2) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 *Maryland Standards and Specifications for Soil Erosion and Sediment Control*.

- n. Revise the detailed site plan to provide the required parking on-site and revise any general notes and parking tables, accordingly.
 - o. Provide an updated recreational valuation chart for the on-site private recreational facilities.
2. Prior to issuance of the final certificate of occupancy of the building, the applicant shall demonstrate that all on-site recreational facilities associated with each building have been fully constructed and are operational.

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.

* * * * *

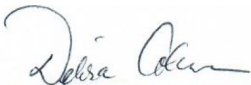
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, Bailey, and Shapiro voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, September 29, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of October 2022 ~~†~~and corrected administratively on January 5, 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:NAB:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel
Dated 1/17/23

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