

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the review and approval of Detailed Site Plans pursuant to Section 27-3605(b)(1) of the Prince George’s County Zoning Ordinance; and

WHEREAS, RST Development, LLC (“applicant”) submitted an application for approval of a detailed site plan; and

WHEREAS, the property subject to the application (“subject property”) is within the Local Transit-Oriented - Edge Zone (LTO-E); and

WHEREAS, pursuant to Section 27-1903(d) of the Zoning Ordinance, however, the applicant elected to have its application reviewed and decided in accordance with the prior Zoning Ordinance; and

WHEREAS, under the prior Zoning Ordinance, the subject property was in the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones; 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 January 19, 2023, regarding Detailed Site Plan DSP-22015 for 9113 Baltimore Avenue, the Planning Board finds:

- Request:** The detailed site plan (DSP) shows one mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial retail space.
- Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	LTO-E	LTO-E
Use(s)	Commercial	Multifamily Residential/ Commercial Retail
Gross Tract Acreage	3.82*	3.67
Dedication		0.15
Lots	2	0
Parcels	1	1
Square Footage/gross floor area	35,059 sq. ft.	607,456 sq. ft. total 477,510 sq. ft. building 129,946 sq. ft. parking garage
Dwelling Units	0	317

Note: *The gross site area is listed on the DSP as 166,365 square feet, which calculates to 3.82 acres, instead of 3.81 acres. The gross acreage of the property shall be corrected in all notes and plans, where referenced.

Other Development Data

Parking Requirements per the Development District Standards in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*

	Requirement	Approved
Total Residential (Walkable Node)	1 space per dwelling unit	317 parking spaces
Total Retail (Walkable Node)	3 spaces per 1,000 sq. ft.	3 x (3,296/1,000) = 10 parking spaces
Total Parking Required	327	
Total Parking Provided		360
On-site standard spaces (9.0 feet x 18 feet)**	-	344
Compact parking (9 feet by 16.5 feet)	-	16
Handicap Accessible	8	7
Handicap Van-accessible	2	2
Rideshare parking space	-	1
Electric Vehicle parking spaces	-	5

Note: **The applicable development district standards do not have a standard for required parking space size, so the parking space requirements of Section 27-558(a) of the prior Zoning Ordinance are applicable. The DSP proposes a parking space size of 9 feet by 18 feet, instead of the standard 9.5 feet by 19 feet required by Section 27-558(a). The applicant requested a departure from this requirement and, per Section 27-548.25(e) of the prior Zoning Ordinance, a separate application for such departure is not required, but the Prince George's County Planning Board must find that the departure conforms to all of the applicable development district standards. The Planning Board finds that reduced-sized parking spaces contribute to the development district's vision of a pedestrian-friendly, concentrated, mixed-use development in this area. Therefore, the Planning Board approves this departure.

The parking deck plans show seven handicap-accessible parking spaces, instead of the required eight. In addition, the handicap-accessible parking spaces located on parking deck levels three through six are not provided with a minimum 5-foot-wide access aisle, adjacent to the parking space, as required by the Americans with Disabilities Act (ADA). The parking and loading

calculations require several technical corrections, which shall be required to be made prior to signature approval.

Bicycle Spaces per the Development District Standards

Required (1 space per 3 parking spaces)	120
Provided	125
Interior	125

Loading Spaces (per Section 27-582(a)* of the prior Zoning Ordinance)**

Multifamily Residential	2 spaces (12 feet x 33 feet)
Commercial Retail	1 space (12 feet x 33 feet)

Note: ***The development district standards in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* do not have a standard for required loading spaces. Therefore, per the 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 provides three loading spaces, in accordance with the requirements of Section 27-582(a) of the prior Zoning Ordinance, which lists the following requirement:

- One space per 100 to 300 multifamily dwelling units plus one for each additional 200 dwelling units (or fraction)
- One space per 2,000 to 10,000 square feet of gross floor area of retail sales and service (per store)

The loading space for commercial retail space is provided inside the structured parking garage. The DSP approves the height of the garage entrance, which accesses the loading space internal to the building, to be 13.5 feet high and the ceiling clearance above the loading space to be 14 feet high. Section 27-578(a) of the prior Zoning Ordinance requires that, for commercial uses with a gross floor area exceeding 3,000 square feet, the height of the loading space must be 15 feet if the height is covered or obstructed. Section 27-578(b) of the prior Zoning Ordinance requires that the doorway entrance to an interior loading space must also be 15 feet high. The applicant requested a departure from this requirement, to allow a 1.5-foot reduction in the height of the doorway entrance and a 1-foot reduction in the covered height of the loading space, in conjunction with the approval of the DSP.

The applicant requested a departure from this requirement and, per Section 27-548.25(e) of the prior Zoning Ordinance, a separate application for such departure is not required, but the Prince George's County Planning Board must find that the departure conforms to

all of the applicable development district standards. The height of the parking garage entrance is sufficient to accommodate the anticipated tenant of the commercial space which is a permitted use, and there are two outdoor loading spaces with no height obstruction which are also capable of serving the needs of the commercial space, if required. Therefore, the Planning Board finds this departure conforms to the applicable development district standards and approves this departure, with a condition that a clearance bar be placed at the parking garage entrance to alert oversized vehicles.

3. **Location:** The subject site is located in the northeast quadrant of the intersection of US 1 (Baltimore Avenue) and Cherokee Street, in the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (US 1 Corridor Sector Plan and SMA). Further, it is noted that the property is located in the Walkable Node Character Area of the Upper Midtown Plan Area of the D-D-O Zone. The subject property is in Planning Area 66 and Council District 3, at 9113 and 9137 Baltimore Avenue, within the City of College Park. The site currently consists of commercial development, which is to be razed.
4. **Surrounding Uses:** The property is bound to the north by Delaware Street, with offices in the Local Transit-Oriented - Edge Zone (LTO-E) Zone and single family residential dwellings in the Residential, Single-Family - 65 Zone (RSF-65) beyond; to the west by US 1 (Baltimore Avenue) and a motel and mixed-use development in the LTO-E Zone beyond; to the east by a church in the RSF-65 Zone, an apartment building in the LTO-E Zone, and by unimproved public roadway 48th Street, with single family residential dwellings and vacant land in the RSF-65 Zone beyond; and to the south by Cherokee Street, with vacant land proposed for mixed-use development in the LTO-E Zone beyond.
5. **Previous Approvals:** The subject site is 3.82 acres and is currently improved with three hotels. The total tract is made up of one parcel and two lots, which includes Parcel A of Sims Tract, recorded in the Prince George's County Land Records in Plat Book NLP 97, page 49; and Lots 34 and 35 of Daniels Park, recorded in County Land Records in Plat Book LIB A, page 59.

On September 8, 2022, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-22007 (PGCPB Resolution No. 2022-95), for development of 331 multifamily dwelling units and 3,937 square feet of commercial development, on one consolidated parcel.

6. **Design Features:** The application approves the development of one mixed-use building, with 317 multifamily dwelling units and 3,296 square feet of commercial retail uses. The building is oriented towards US 1 and has pedestrian access from both US 1 and Cherokee Street. The building is a six- to seven-story building and approximately 76 feet in height. The main pedestrian entrance and lobby are located on the west elevation of the building facing US 1, and the entrance is accented by a canopy, glass windows, and a sign over the entrance.

This development will be designed to achieve or exceed National Green Building Standard (NGBS) certification standards required for a silver rating, including solar and ventilation standards, utilize energy star appliances and LED lighting, and propose drought-tolerant

vegetation. Dedicated parking spaces for charging electric vehicles are provided in the parking garage. Other sustainable design features being employed in the project include avoiding surface parking areas; use of grass pavers; use of bioretention facilities to provide environmental site design, to the maximum extent practicable; and manage on-site stormwater runoff.

The site drops in elevation from north to south and from east to west, with the elevation along US 1 falling approximately 14 feet between Delaware Street and Cherokee Street and falling approximately 16 feet from US 1 to 48th Avenue. As such, the building is cut into the slope and one level of parking is below grade on the southern portion of the site, adjacent to Cherokee Street. While the main vehicle access to the structured parking garage is located off Cherokee Street, one right-out only exit from the garage is located off US 1. There are several pedestrian access points provided to the building from US 1 and Cherokee Street. 48th Avenue will be improved to provide access to the loading and service areas located in the rear of the building. The building's frontage on the south will include ground-level commercial/retail space. The drop in elevation across the property is utilized to gain an additional floor along the eastern and southern portions of the building. The principal building, however, still conforms to the six-story maximum building height permitted by the sector plan in the Walkable Node Character Area (page 234).

The streetscape includes a 12-foot-wide sidewalk along the frontage of US 1, 8-foot-wide sidewalks along the frontages of Delaware Street and Cherokee Street, and 4- to 5-foot-wide sidewalks along the frontage of 48th Street. A 6.5-foot-wide bicycle path is also included along the frontage of US 1, per the recommendations of the sector plan. In addition, street trees and lighting, benches, bicycle racks, trash receptacles, and a landscape strip with planting are provided along the main streetscape of US 1.

The ground floor of the building has residential units in the northern and southern portions of the building. Also, on the ground floor located along US 1, are the main residential entrance and lobby, a fitness center, a multipurpose room, and restrooms. Ground-floor commercial retail uses are located on the southern portion of the building, facing Cherokee Street. Floors two through six are designed with residential units, and a number of units include Juliet or full-size balconies.

The building includes six levels of structured parking that are accessed from Cherokee Street, which are screened by ground-floor commercial, lobby space, and dwelling units along the building's frontage. The layout of the parking garage has been provided and shows the dimensions of the parking spaces with 24-foot drive aisles.

Architecture

The architectural design of the multifamily building is contemporary, with a generally flat roof, and is finished with a mix of materials including brick veneer, fiber cement panels and siding, and glass elements. The materials are arranged in a geometric pattern and provide bands of color on the building. Emphasis has been given to the variety of materials used on the façades through different volumes, massing, and architectural design elements.

Charcoal brick veneer is used on the lower level of the building to provide a change in material and architectural interest. Brick veneer in a lighter and warmer color is used on the upper residential levels, along one portion of the façade along US 1, while fiber cement panels and siding of both light and dark colors are used on the upper levels, along the remaining façades. The windows on levels three, four, and five are accentuated with fiber cement panels of contrasting orange color. 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 requirement in the Walkable Node Character Area of the D-D-O Zone. The shopfront treatment, however, is not consistent along the entire ground floor fronting US 1. Residential units are located along one portion of the ground floor, between the parking exit and Cherokee Street, and the applicant requested an amendment to the mandatory shop frontage required along US 1, at this location. This section of the D-D-O Zone also requires a build-to line of zero feet; the building is set back from US 1 by approximately 10 feet, to accommodate a public utility easement (PUE), grade change, landscaping, and streetscape amenities. The applicant requested an amendment for the building setback requirements, as discussed in Finding 7 below.

Recreational Facilities

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

- a. An outdoor courtyard space including a pool, a landscaped courtyard, outdoor seating areas, grilling stations, and furniture
- b. A gated outdoor play area, with a play structure and benches
- c. An outdoor dog park including a separate area for small dogs, pet waste station, and a dog drinking fountain
- d. A multipurpose room
- e. A fitness center

The DSP also includes a sunroom, a library/café, a business center, a game room, a kitchenette, and a bike storage area, with a repair station. While adequate details are provided regarding the amenities to be provided in the outdoor recreation areas, the DSP does not provide enough information regarding the size and amenities for the indoor recreational facilities. Furthermore, the location of the sunroom, the library/café, the game room, and the kitchenette are not depicted on the plans. Additional details are needed for the provided indoor facilities. It is also noted that some of the items listed on the recreational amenity list cannot be included, such as the business center and the bicycle storage area, with a repair station. These items do not provide any recreational value and shall be removed from the amenity list. Therefore, a condition has been included herein, requiring that these items be removed from the list and revise the recreational value to only include those items that provide recreational value. A condition is also included requiring the applicant to provide more details regarding the indoor recreational facilities.

Signage

The application approves multiple building-mounted signs: one back-lit, channel-letter, building-mounted marquee sign to be located on a projecting metal canopy at the northwest corner of the building, facing the intersection of US 1 and Delaware Street. Another vertical, back-lit, sign will be mounted on the western building façade that will be visible from US 1. Other building-mounted, back-lit, channel-letter signs are approved along US 1 and Cherokee Street, above the residential, commercial, and parking garage entrances. No sign is provided for a residential entrance located off Delaware Street. In addition, no sign is provided at the southwest corner of the building, to identify it for travelers coming up US 1. Additional signs shall be provided at both of these locations. The submitted sign details for the project includes the square footage for each sign, but not all the details required to fully evaluate conformance with the sign requirements of the D-D-O Zone (page 254 of the sector plan). The maximum gross area of signs, on a given façade, shall not exceed 10 percent of the façade area of the commercial portion of the building, though architectural signs or signage painted on a building façade or mounted on the roof may exceed this limit, in certain cases. A condition has been included requiring the applicant to demonstrate conformance with the applicable sign requirements.

Lighting

The DSP integrates building-mounted, pole-mounted, and other accent lighting, such as bollards, sconces, and other architectural lighting, throughout the site. The submitted photometric plan shows adequate lighting for users on-site and is sufficient for illuminating site access, drive aisles, building entryways, and walking paths. The labels for the various luminaires, as well as the symbol for luminaire L2, are not easily readable, since these are drawn in gray color on the photometric plan. A condition has been included herein requiring the applicant to make these labels and the symbol darker in color, to increase their legibility. The details of the lighting have been included in the DSP.

Loading and Trash Facilities

Loading spaces are provided on the site, two for the multifamily building and one for the commercial retail uses. Two loading spaces are located on the eastern portion of the site, at the rear of the building, while the third loading space is located within the structured parking, close to the commercial retail space. The three loading spaces approved with this DSP meet the required number of spaces and are appropriately screened from the public rights-of-way by the building and landscaping. Trash facilities are located internal to the building.

Noise Mitigation

The applicant submitted an analysis of transportation noise impact upon the multifamily building. This analysis accounted for noise impact from US 1, MD 193 (University Boulevard), and the nearby entrance and exit ramps at their intersection. The prior Subdivision Regulations and Zoning Ordinance require evaluation of traffic nuisances from existing or planned roadways of arterial classification or higher, or an existing or planned transit right-of-way. MD 193, a master-planned arterial roadway, is approximately 1,000 feet away from the southernmost edge of the property, and US 1 is classified as a major collector roadway. The analysis predicts that, with the shielding provided by the building, the noise will not exceed 65 dBA for any provided outdoor activity, such as the courtyard and play area, and therefore no engineered noise barriers

are required. The noise analysis identified dwelling units located on the north, south, and west elevations, which will require mitigation to reduce interior noise levels to 45 dBA Ldn or less. To mitigate interior noise levels for the building, upgraded windows and doors will be required. Per the study, modifications to the exterior wall construction will not be necessary. The areas of the building elevations, which require upgraded windows and doors, are identified on the architectural elevations and color coded in blue and red. The mitigated noise lines are also depicted on the site plan. Testimony during the Planning Board hearing raised generalized concerns about noise from the proposed development and its potential impact on neighboring properties. The development district standards, however, do not contain any requirements governing off-site noise, that would pertain to this application, and the prior Zoning Ordinance does not allow the Planning Board to consider the impact of off-site noise on neighboring properties, at the time of DSP review.

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 sector plan defines long-range land use and development policies and recommends detailed zoning changes and design standards, and the SMA approves a D-D-O Zone for the Central US 1 Corridor area containing development district standards. 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 Upper Midtown Plan Area and is within the Walkable Node Character Area. The Walkable Node Character Area 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. The Development District Standards (page 227) contain regulations that impact the design and character of the Central US 1 Corridor. The stated purpose of these standards in the SMA 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 DSP and statement of justification indicated the need to deviate from several development district standards. In accordance with Section 27-548.25(c) 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 DSP generally meets the standards of the development district, such as the building form and coverage requirements. However, the applicant requested the following modifications from the development district standards in Character Area 5a–Walkable Node (all page numbers reference the sector plan):

- a. **Mandatory Shop frontage and Build-to-Lines of Zero Feet (page 229):** Map 26, on page 229 of the sector plan, shows areas within the corridor where mandatory shopfronts are required. One such area is on the east and west sides of US 1, from MD 193 to Erie Street. Mandatory shopfront is defined on page 269 as: “Buildings within an area designated for a mandatory shop frontage shall design and build the ground floor as shopfronts.” The mandatory shop frontage requirement, however, does not require that space to be filled with commercial uses, but be designed to mimic shopfront, in appearance. While the DSP substantially conforms to this requirement, commercial/retail uses are provided on the southern end of the building, adjacent to Cherokee Street, and residential amenity space is designed to appear like shopfront along the northern end of the approved development, adjacent to Delaware Street. The total percentage of frontage along US 1, exclusive of the opening of the parking garage, is 60 percent of the entire frontage. To the extent that this percentage is not 100 percent, as required, the applicant requested an amendment to this development district standard, based upon several factors.

First, the topography of the property drops significantly from Delaware Street to Cherokee Street, making the provision of commercial uses along the entire road frontage very challenging. Second, the parking garage is located along the southern end of the development, along Cherokee Street. The parking garage provides parking for commercial customers. Due to the length and topography of the property frontage, access to the garage cannot be provided from Delaware Street. Finally, the adjacent approved and proposed developments have oriented their commercial components toward the intersection of Cherokee Street and US 1, where a traffic signal is located. In particular, the development across the street does not provide shopfronts along its northern frontage on US 1, as it exhibits a similar topography to the subject property. The applicant has, however, concentrated its residential amenity spaces along the northern portion of the property, to not only increase the percentage of mandatory shopfront, but also to increase the percentage of nonresidential use. The combination of these efforts substantially satisfies the intent of the sector plan, will benefit the development and the development district, and will not substantially impair implementation of the sector plan.

The subject property is in an area designated as a Walkable Node Character Area, where a front build-to line, along principal roadways, is required to be 0 to 10 feet. However, in areas designated as mandatory shopfront, buildings are required to have a build-to line of zero feet. In this instance, the building is set back 10 to 11.4 feet from the US 1 right-of-way line (with the exception of a recess to accommodate the building entrance

and four recesses to accommodate balconies). This setback requires an amendment to the development district standards. The setback is necessary to provide a 10-foot-wide PUE, which was not contemplated in the sector plan, when it required a zero-foot build-to line. The PUE is required by Condition 3c of PPS 4-22007, which was approved for the subject property. Due to the requirement to establish the PUE, the applicant is not able to conform to the zero-foot build-to line requirement.

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

- b. **Building Form/Setback (page 234):** In the Walkable Node Character Area, the front build-to line shall be a maximum of 12 feet for secondary roadways, such as Delaware Street and Cherokee Street.

Along Delaware Street, the building is set back between 11.5 feet and 15.6 feet from the right-of-way line. Along Cherokee Street, the building is set back between 11.9 feet and 29.6 feet from the right-of-way line. The applicant requested an amendment of 3.6 feet for the build-to line requirement along Delaware Street and 17.6 feet to the setback requirement along Cherokee Street.

Regarding the request for setback along Cherokee Street, the requirement of a PUE, the existing alignment of Cherokee Street, and the inability to angle the entrance to the parking garage have led to the building being set back more than 12 feet from the right-of-way line. The liner buildings screening the garage are constructed at the same angle as the garage and do not parallel Cherokee Street. The slightly greater setback will be beneficial, as it avoids creating a tunnel effect at the corner, particularly for pedestrians living further down Cherokee Street. As a result, in this instance, the amendment will benefit the development and the development district and will not substantially impair implementation of the sector plan. Along Delaware Street, the building is pushed back an additional 3.9 feet to allow sufficient separation between the building and existing electrical lines. This modification will not negatively impact the project or alter the intent of the standard to construct buildings close to the street.

As a result, in this instance, the amendment will benefit the development and the development district and will not substantially impair implementation of the sector plan. Therefore, this amendment is **approved**.

- c. **Building Form/Setback (page 234):** In the Walkable Node Character Area, 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 0.7 to 7.7 feet. 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 more than 40 feet from the adjacent property, which is developed with a single-family detached residential dwelling which is to be razed and maintained as a landscape buffer by the applicant. Given the existing space constraints and adjacent use, this amendment is **approved**.

- d. **Building Form/Step-back Transitions and Landscape Buffers (page 238):** The sector plan requires that buildings in the Walkable Node Character Area be stepped down through the block, to a maximum height of two or three stories, when they are adjacent or across the street from an existing residential area. For the subject property, existing residential development is located east of 48th Avenue, and step-back requirements are applicable to the approved development, at this location.

The sector plan provides that landscape buffers, in combination with step down transitions, are appropriate when Walkable Node Character Areas share a property line with existing residential areas. The building is designed to step down to five stories abutting 48th Avenue, instead of a maximum of three stories. To further reduce the impact of the development and provide a transition to the existing residential development to the east, the applicant shall maintain a transition area between this development and the residential homes to the east. This transition is to be in the form of a landscape buffer located on Lots 1 and 9, which abut the eastern right-of-way line of 48th Avenue. Both of these lots are off-site and are not included in this DSP, however, these lots and the subject property are under common ownership. While Lot 9 is vacant, the existing dwelling on Lot 1 shall be razed by the applicant, to provide the necessary landscape buffer. The applicant will sign a Declaration of Covenant with the City of College Park for perpetual maintenance of the landscape buffer. The combination of the building step down and the provision of a landscape buffer on off-site Lots 1 and 9 will ensure an appropriate transition between this development and the existing residential area. A detail depicting the landscaping proposed on Lots 1 and 9 is included with the DSP and has been reviewed by the City of College Park.

The step down to five stories and provision of a landscape buffer will not substantially impair implementation of the sector plan and the Planning Board, therefore, **approves** this amendment, for these reasons.

- e. **Building Form/Parking (page 239):** In the Walkable Node Character Area, the number of spaces required is one space per dwelling unit and three spaces per 1,000 square feet of retail. The sector plan provides that any deviation, from the required parking figures, shall require a modification.

The D-D-O Zone includes parking criteria that specify the required number of parking spaces. The parking structure includes a total of 360 spaces, which exceeds the required 328 parking spaces. The parking garage allows adequate spaces for residents, guests, and future tenants, based on the current market and spaces for retail uses on-site. The site plan includes universal parking standards of 9 feet by 18 feet for parking spaces, except for the ADA-accessible parking spaces. Compact parking spaces for smaller vehicles are also provided at the size of 9 feet by 16 feet. Designated spaces for long-term bicycle parking are being provided within the parking structure, including a bicycle repair station. A bike room in the parking structure, with space for 125 bicycles, meets the requirements of the

D-D-O Zone. The dimensions of the parking spaces optimize the amount of parking for the multifamily building and are consistent with similar projects.

As a result of these reasons and the sector plan's emphasis on walkability, the Planning Board **approves** this amendment.

- f. **Building Form/Parking Access (page 241):** While the sector plan permits access from primary street frontages, it discourages this practice, to the fullest extent practicable, where alternative access is available. The property is approved to have two access points. Primary access shall be from Cherokee Street, with a secondary access from US 1, limited to right-out movements only.

Primary access to the parking structure is approved via a full-access entrance from the secondary street, Cherokee Street, which is encouraged by the D-D-O Zone. The signalized intersection at Cherokee Street and US 1 will help facilitate the operations of the primary access to the site and provide access to the residential rideshare activities and the loading space. Access from Cherokee Street exceeds the minimum 22 feet wide recommended by the D-D-O Zone. The access is depicted at 24 feet, to allow adequate space for truck turning movements. The loading areas provided on-site are not visible and are located at an adequate distance from sidewalks. As a result of these reasons and the sector plan's emphasis on walkability, the Planning Board **approves** this amendment.

- g. **Building Form/Structured Parking (page 243):** Parking structures should be set back 50 feet from the property line of all thoroughfares to reserve room for liner buildings. The parking structure is set back 48.5 to 48.7 feet from the property line abutting US 1, only 1.5 to 1.3 feet short of the required setback. With this reduced setback, the building still meets the required rear setback and provides the liner building a minimum of two stories in height, as required by the sector plan. Because the parking garage has been integrated within the building, strict application of the 50-foot setback for structured parking would render this property undevelopable. The Planning Board **approves** this amendment, for this reason.
- h. **Architectural Elements/Façades and Shopfronts (page 246):** The sector plan requires that residential units have a raised finish floor at least 24 inches above the sidewalk grade. In this case, three units along US 1 and two units along Delaware Street will be less than 24 inches above sidewalk grade. This is primarily due to existing grading constraints. For these dwelling units, privacy blinds will be provided to ensure that these units have an appropriate level of privacy. The building itself will be secure and only accessible to residents and guests. For these reasons, the modification in this instance is justified and will not impair implementation of the sector plan. The Planning Board, therefore, **approves** this amendment.
- i. **Architectural Elements/Materials (page 251):** The sector plan provides a list of siding materials which are encouraged to be used, including wood or composition board such as Hardi Plank. The sector plan does not specifically mention fiber cement board, which is a

type of composition board, and is the siding material selected by the applicant, in the form of horizontal lap siding and panels. As shown on the architectural elevations, the building will be constructed with an attractive and distinctive design aesthetic that otherwise satisfies the sector plan vision for revitalization in the Walkable Node Character Area. The use of fiber cement siding and panels will not impair implementation of the sector plan. As a result of these reasons, The Planning Board **approves** this amendment.

j. **Sustainability and the Environment/Leadership in Energy and Environmental Design (LEED) Certification (page 256):** To allow for 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 NGBS certification criteria at the silver level. Scorecards for both certification systems were provided for comparison. In general, both NGBS and LEED are green building rating systems that set standards and scoring criteria for evaluating energy performance measures associated with 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, DSP 20031, and DSP-21024, to support NGBS standards as a measure of sustainability. 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.

k. **Streets and Open Spaces/Lighting Types and Configuration (page 267):** The sector plan requires lighting fixtures to be appropriately chosen for the character area, within which they are located. The Walkable Node Character Area requires column and double-column streetlights.

The applicant proposes to use the post lighting fixtures that are consistent with the lighting fixtures chosen for the area along US 1, between MD 193 and I-495 (Capital Beltway). This modification will benefit the development and the development district by providing a consistent streetscape design, as implemented by the City of College Park and the Maryland State Highway Administration (SHA).

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 was reviewed for compliance with the requirements of the M-U-I and D-D-O Zones.

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;

As further described in paragraph 6, the design features provide a reasonable alternative to the design guidelines contained in Part 3, Division 9 of the prior Zoning Ordinance.

(2) All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;

The uses proposed in the site plan application would meet the applicable development district standards of the Central US 1 Corridor Sector Plan and SMA.

(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 approved mixed-use residential development, and are similar in height and density, as envisioned by the sector plan.

(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;

To the south, across Cherokee Street, is a vacant lot which has been approved for development of a five-story multifamily building. To the west, across US 1, is a five-story mixed-use development. Across US 1, from the northwest corner of the property, is a three-story Super 8 Motel, flanked by parking lots. To the north of the property, across Delaware Street, exists two-story retail development fronting on US 1 and a one-story single-family detached home at the corner of Delaware Street and 48th Avenue. On the east, across the right-of-way of 48th Avenue, are one- to two-story single-family detached dwellings and a vacant lot.

The other two lots, abutting the property to the east, front on Cherokee Street. One lot is improved with a three-story apartment complex and the other lot is improved with the Berwyn Baptist Church and School, which are two-story in height.

The proposed building and uses are in keeping with the vision and intent of the sector plan and the development district, and are compatible in size, height, and massing to existing and future buildings on adjacent properties. The residential lots, immediately abutting 48th Avenue, are under common ownership with the subject property and, while these are not included in the DSP, the applicant proposes to use these lots to provide an appropriate transition to the residential community to the east. The proposed building is compatible with other similar redevelopment projects in the Central US 1 Corridor and within the development district.

(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 the building faces US 1, which creates an active pedestrian experience that ties into the existing surrounding development, based on the building design and frontage improvements. This ensures that existing public walkways are connected to the new public walkways. On-site vehicular access is limited to one access point from Cherokee Street and one exit-only point at US 1. Pedestrians will cross the driveway aprons, and a condition has been included herein requiring pavement in these areas to include a different treatment, to alert pedestrians to vehicular traffic at the crossings.

(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 lighting design minimizes glare, light, and visual intrusion onto nearby properties and buildings. In addition, it is noted that lighting is provided 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 building materials and colors selected to face the building are compatible with those utilized in similar-scaled developments recently constructed within the development district. The approved materials include a mix of brick veneer and fiber cement siding and panels, with extensive glazing at shopfront level. Trim, coping, and other detail elements are provided in complementary tones and materials and include two outdoor plazas along US 1, 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 a transformer located adjacent to Cherokee Street. The screening 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

A condition has been included herein, requiring additional information to demonstrate that the proposed signs conform to the applicable development district standards.

(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 deemed necessary. This development will have minimal impact on adjacent properties, as trash facilities are located in the interior of the building, loading for any deliveries to the dwelling units is located at the rear of the building, and loading space for commercial retail space is located in the parking garage.

(ii) Location of activities with potential adverse impacts;

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

(iii) Location and use of trash receptacles;

The trash receptacles are located internally to the buildings and have no adverse impact on adjacent properties. Trash facilities are located within the building, at two different locations, for residential and commercial retail uses.

(iv) Location of loading and delivery spaces;

The DSP provides two loading spaces at the rear of the building and is not visible from US 1, and one loading space within the parking garage. There is sufficient room in the garage to serve any deliveries for the commercial retail space.

(v) Light intensity and hours of illumination; and

The photometric plan submitted with the DSP shows on-site lighting, confirming that there are minimal adverse impacts on adjacent properties and the surrounding neighborhood, from the building.

(vi) Location and use of outdoor vending machines.

The subject DSP does not include any outdoor vending machines.

9. **Preliminary Plan of Subdivision 4-22007:** PPS 4-22007 was approved by the Planning Board on September 8, 2022 (PGCPB Resolution No. 2022-95), subject to 10 conditions. The conditions applicable to the review of this DSP are, as follows:

2. Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 1836-2022, and any subsequent revisions.

A copy of an approved stormwater management (SWM) concept plan and letter were submitted with the subject DSP. The SWM concept plan was found to be consistent with the subject DSP.

3. Prior to approval, the final plat of subdivision shall include:

a. Right-of-way dedication along all roadways, in accordance with the approved preliminary plan of subdivision, as follows:

- i. For US Route 1 (Baltimore Avenue), dedicate 50 feet from the centerline;**
- ii. For Delaware Street, dedicate 25 feet from the centerline;**

The right-of-way dedication along US 1 and Delaware Street has been reflected on the DSP, as approved with the PPS.

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 detailed site plan. The easement agreement shall be approved by the City of College Park, recorded in Prince George's County, 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 applicant provided a public use easement plan, which highlights public use easement areas in blue. Conformance to this condition will be further reviewed at the time of final plat.

c. The dedication of 10-foot-wide public utility easements along all abutting public rights-of-way, except along 48th Avenue, for which a variation has been approved.

Ten-foot-wide PUEs are shown on the DSP, along all public rights-of-way, except along 48th Avenue. Conformance to this condition will be further reviewed at the time of final plat.

4. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

a. Signage and design features to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the driveway design and exact details/profiles of the signage.

The design of a limited right-out only access driveway is shown on the DSP, but no signage has been provided. A condition has been included herein requiring that signage be shown, prior to signature approval of the DSP.

b. Dedicated space for rideshare activities.

Space for dedicated rideshare pick-up/drop-off area, within the parking garage, is shown on the architectural floor plans.

c. A note indicating that a vehicular access point along US 1 (Baltimore Avenue), is limited to a right-out only access.

A note has been provided on the DSP for “adequate signage,” which meets the requirement of Condition 4c.

d. A note indicating service areas and move-in/out vehicles only along 48th Avenue.

A note, as required by Condition 4d, was not provided on the DSP. This condition has been carried forward and needs to be satisfied before signature approval of the DSP.

e. Delineate the extent and location of any public use easement necessary to facilitate pedestrian access of any public pedestrian facilities located on-site.

The applicant provided a public use easement plan, which highlights public use easement areas in blue. Conformance to this condition will be further reviewed at the time of final plat.

f. Place a note on the landscape plan that, at the time of development, efforts shall be made to save Tree T4, a Willow Oak, including installing tree protection fencing during construction.

g. Place a note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures such as installing tree protection fencing during construction, root pruning, and vertical mulching.

Several notes are provided on Sheet L401F of the landscape plan, satisfying Condition 4f. However, notes should be provided on Sheet L001 with other general notes, as required by Conditions 4f and 4g.

5. Prior to approval of the first building permit for the subject property, the applicant and the applicant’s heirs, successors, and/or assignees shall have permitted for construction and have an agreed upon timetable to construct 48th Avenue along the property’s frontage to its ultimate condition, in accordance with the operating agencies’ design standards.

This condition will be further evaluated at the time of building permit; however, the extent and design of 48th Avenue are shown on the DSP. The DSP shows a 4-foot-wide sidewalk along the property's frontage, along 48th Street, which does not meet ADA requirements and the current standards for a public street. In addition, the DSP shows a 5-foot-wide sidewalk, along the northside of 48th Street, which does not conform with Condition 6 of the PPS which requires a minimum 6-foot-wide sidewalk.

6. 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, prior to its acceptance:

- a. A minimum 12-foot-wide sidewalk and associated ADA curb ramps and crosswalks along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide sidewalk along Delaware Street, Cherokee Street, and 48th Avenue, unless modified by the operating agency, with written correspondence.**

The site plan shows a 12-foot-wide sidewalk along the property frontage of US 1 and 8-foot-wide sidewalks along the frontages of Delaware Street and Cherokee Street, to satisfy Condition 6a. However, the DSP shows a 4-foot-wide sidewalk on the south side and a 5-foot-wide sidewalk on the north side of 48th Street, which does conform to Condition 6a. As a condition of approval, the applicant shall update the DSP to include a 6-foot sidewalk on both sides of 48th Street or provide written correspondence from the operating agency, if a modification is permitted.

- b. A minimum 5-foot-wide sidewalk or wide sidewalk throughout the site where feasible, including ADA curb ramps and associated crosswalks.**

The applicant provided a pedestrian and vehicular circulation plan, which addresses these conditions. The DSP shows 5-foot-wide sidewalks, crosswalks, and curb ramps throughout the site.

- c. Shared road pavement markings along the property frontage of Cherokee Street, unless modified by the operating agency, with written correspondence.**

Shared road pavement markings are not included along Cherokee Street. The applicant provided a response that this condition would be addressed with the City of College Park, at the time of permitting. However, conformance with this condition shall be addressed with the DSP, with concurrence from the operating agency. This condition has been carried forward and needs to be satisfied before signature approval of the DSP.

- d. Provide ADA curb ramps and crosswalks crossing all vehicular access points.**

The applicant provided a pedestrian and vehicular circulation plan, which addresses these conditions. The DSP shows ADA crosswalks and curb ramps at all vehicular access points.

- e. Provide the pedestrian and bicycle facilities and amenities where applicable, as described in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.**

The applicant provided the applicable design amenities, per the sector plan, and a justification matrix for any modifications to satisfy Condition 6e.

- f. A minimum 5-foot-wide bicycle lane or 6.5-foot-wide cycle tracks along the property frontage of US 1 (Baltimore Avenue), unless modified by the operating agency, with written correspondence.**

- g. A minimum 4.5-foot-wide landscape amenity panel along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide landscape amenity panel along the property's frontage along Delaware Street and Cherokee Road, unless modified by the operating agency, with written correspondence.**

These conditions are addressed on the DSP and landscape plans. Per Condition 6f, a 6.5-foot-wide cycle track is provided along the property frontage of US 1 and meets the condition. Per Condition 6g, the appropriate landscape panels are provided and meet the condition.

- h. Long- and short-term bicycle parking within the multifamily building and near the building entrance, and short-term bicycle parking provided near the entrances of the retail, in accordance with AASHTO guidelines.**

- i. Bicycle fix-it station on-site.**

These conditions are addressed on Sheet L101 of the landscape plan. Long-term bicycle storage is provided within the parking garage and short-term parking is provided along the frontage of US 1, which satisfies Condition 6h. Per Condition 6i, a bicycle repair station is included on the architecture sheets.

- 7. In accordance with prior Section 24-135 of the Prince George's County Subdivision Regulations, the applicant, and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, adequate on-site recreational facilities.**

9. **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 site plan. Timing for construction shall also be determined at the time of detailed site plan.**

Adequate on-site recreational facilities are provided, in accordance with PGCPB Resolution No. 2022-95. However, a business center and bike storage do not count towards recreation. In addition, the timing for construction of recreation facilities is not provided on the recreational facility chart. All facilities shall be constructed, prior to issuance of the final certificate of occupancy for the building. On-site recreational facilities are evaluated, in detail, under Finding 6 above.

10. **Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.**

A bond for the recreational facilities will be required, prior to approval of a building permit.

PPS 4-22007 and development of this site is supported by and subject to Certificate of Adequacy ADQ-2022-039, which was approved in August 2022, with five conditions. The conditions relevant to the review of this DSP are listed below in **bold** text. The project's conformance to the conditions follows each one, in plain text:

1. **Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 188 AM peak-hour trips and 239 PM peak-hour vehicle trips.**

The site plan proposed no modifications to the land use and density anticipated per PPS 4-22007 and, therefore, does not exceed the trip cap.

2. **Prior to the issuance of the first building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- a. **A single through-left lane and exclusive right turn lane configuration along the westbound approach of the Cherokee Street and US Route 1 intersection.**

Conformance to this condition will be evaluated at the time of building permit.

3. **The applicant shall provide details of the on-site pedestrian and bicycle amenities and improvements consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision as part of the Site Plan submission.**

The applicant provided details of the on-site pedestrian and bicycle amenities and improvements, on page L203 of the landscape plan, which meets the requirements in Condition 3 and which were found acceptable.

4. **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 approved with ADQ-2022-039, consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision Regulations as part of the Site Plan submission.**

The applicant provided a bicycle and pedestrian facilities plan, consistent with ADQ-2022-039, which meets the requirements in Condition 4 and which were found acceptable.

5. **Prior to issuance 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 24-4506 of the 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. **Install crosswalks along US Route 1 on Indian Lane and Fox Street.**
- b. **Install crosswalk and associated pedestrian signals along US Route 1 at Cherokee Street along the north and east legs of the intersection.**

The bicycle and pedestrian impact statement (BPIS) off-site improvements required per Condition 5 were shown in a bicycle and pedestrian facilities plan, as part of the DSP. Condition 5 will be further evaluated at the time of building permit.

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 DSP 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 DSP is in conformance with the requirements, with the exception of 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 transformers and mechanical equipment located near the loading spaces because adequate screening with evergreen shrubs and trees is provided. However, a third electrical transformer, located at the southeast

corner of the building, is not screened. The plans also conform to the requirements of Section 4.4 for trash, since the trash room is located on the interior of the building and not visible from the public realm. However, it is noted that the loading spaces, located adjacent to the dog park, are not adequately screened with planting, and this is required. Conditions requiring additional planting or screening at this location and a 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 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan approvals. A standard Letter of Exemption (S-008-2022) from the WCO was issued for this site and expires on January 25, 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 0.381 acre, or 16,634 square feet, to be provided in TCC. The subject DSP provides the appropriate schedule and shows an adequate number of plantings on-site, in conformance with the requirements. However, the provided planting sizes for deciduous ornamental trees and columnar evergreen trees do not conform to the minimum required for credit. The minimum caliper size of ornamental deciduous trees, at the time of planting, shall be between 2.5 to 3 inches, whereas the plant schedule shows the caliper size of Canadian Serviceberry trees as 1.5 inch minimum. Similarly, the minimum height of small evergreen trees, at the time of planting, shall be 10 to 12 feet. The plant schedule, however, lists the minimum planting height of Nigra Cedar and Emerald Arborvitae evergreen trees as 8 feet and 6 to 8 feet, respectively. Appropriate conditions have been included herein, which require the plant schedule and the tree canopy coverage schedule to be revised, prior to signature approval of the DSP.
13. **Referral Comments:** This DSP 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 October 24, 2022 (Stabler, Smith, and Chisholm to Gupta), which concluded that 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 December 5, 2022 (Hartsfield to Gupta), which 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 the approved alternative development district standards, which are discussed in Findings 7 and 8 above.

- c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated December 22, 2022 (Smith to Gupta), which provided an analysis of the prior approvals, incorporated into the findings above, and the following comments:

Master Plan Roads

The subject site has frontage along master-planned roadway US 1 (Baltimore Avenue), which is designated in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The DSP conforms to the MPOT recommendations and is consistent with the approved PPS.

Master Plan Pedestrian and Bicycle Facilities

The subject property fronts the recommended master-planned bicycle lane along US 1. The operating agency, SHA, has constructed cycle tracks along portions of the US 1 roadway and are recommended along the property frontage.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element on page 10 of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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

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

This DSP is also subject to the sector plan, which proposes bicycle lanes along US 1 as an interim facility, until a cycle track along US 1 and a shared use roadway along Cherokee Street are constructed. The following policies and strategies are provided for pedestrian and bicyclist facilities.

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle and pedestrian friendly through appropriate design, including traffic calming techniques. (page 135)

Policy 2: Implement a comprehensive wayfinding system to complement the street network and orient residents, visitors, students, and through traffic to the area. (page 136)

Policy 2: Facilitate bicyclists along entire corridor and through development so that bicycle routes are enhanced or established. (page 141)

The DSP conforms to the recommendations of the master plan roadways and provides pedestrian and bicycle facilities and amenities to further the intent of the master plan goals and recommendations.

The multimodal transportation site access and circulation of this plan is acceptable, and is consistent with the underlying conditions of approval. In addition, the DSP meets the site design guidelines, pursuant to Section 27-283 of the prior Zoning Ordinance and the findings required by Section 27-274(a) of the prior Zoning Ordinance.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated December 20, 2022 (Heath to Gupta), which provided an analysis of the DSP’s conformance with the prior approvals, as included in Finding 9 above.
- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated December 19, 2022 (Juba to Gupta), which offered the following comments:

Natural Resources Inventory/Existing Conditions

The site has an approved Natural Resources Inventory (NRI-013-2022), which correctly shows the existing conditions of the property. Three specimen trees are located on-site, along the site boundary. This site is not associated with any regulated environmental features (REF), such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area.

Specimen Trees

In accordance with approved NRI-013-2022, three specimen trees were identified on the subject property, along the eastern property boundary. There are additional specimen trees located off-site, immediately east of the site. Although this site is exempt from the WCO, preservation of as many specimen trees, as practicable, should be considered during the final site design process. Particular care should be made to protect specimen trees on adjoining properties through the use of best management practices on-site, such as root pruning. Coordination with neighbors to implement additional stress reduction measures, prior to construction, including vertical mulching, is encouraged.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0–5 percent slopes), Sassafras-Urban land complex (5–15 percent slopes), and Urban Land-Sassafras complex (0–5 percent slopes).

No soils containing Marlboro clay are mapped on or within the immediate vicinity of this site; however, unsafe soils containing Christiana complexes have been identified on and within the immediate vicinity of this property. The soils containing Christiana complexes are contained in previously disturbed urban soils, on relatively flat slopes. There are no geotechnical concerns with this project.

Correspondence from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), demonstrating conformance with Section 24-131 of the Subdivision Regulations, for unsafe soils is not required at this time, and no further action is needed, as it relates to this application. The County may require a soils report, in conformance with Prince George's County Council Bill CB-94-2004, during future phases of development and/or at the time of permit.

Stormwater Management

An approved SWM Concept Plan (1836-2022-00) and letter was submitted with this DSP, and expires on August 11, 2025. Within the area of this DSP, the approved SWM concept plan shows the use of two micro-bioretenment stormwater devices, a green roof, bay saver cartridges, and a bypass environmental site design.

- f. **Permit Review Section**—The Planning Board has reviewed and adopts the memorandum dated November 21, 2022 (Glascoe to Gupta), which noted that the DSP did not address the standards and requirements for the signage. The applicant provided revised information 35 days prior to the Planning Board hearing, which included this information.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the email dated November 30, 2022 (Thompson to Gupta), which provided an analysis of the prior conditions of approval and summarized the recreational facilities on-site.
- h. **Prince George's County Fire/EMS Department**—Comments were not received from the Fire/EMS Department, regarding this DSP.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated December 1, 2022 (Giles to Gupta), which provided one comment regarding BPIS improvements. It is noted that BPIS improvements were reviewed and approved with PPS 4-22007, and any revision to the approved BPIS improvements will require reconsideration of the PPS.
- j. **Prince George's County Police Department**—Comments were not received from the Police Department, regarding this DSP.
- k. **Prince George's County Health Department**—The Planning Board has reviewed and adopts the memorandum dated October 27, 2022 (Adepoju to Gupta), which provided a

health impact assessment of the proposed development and offered numerous recommendations, which have been acknowledged or addressed through revisions to the plan.

- l. **Maryland State Highway Administration (SHA)**—SHA offered no comments on the DSP.
- m. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board has reviewed and adopts the email dated October 27, 2022 (Snyder to Gupta), which indicated that public water and sewer facilities are available to serve the development.
- n. **Potomac Electric Power Company (PEPCO) and Washington Gas**—The DSP was referred to PEPCO and Washington Gas on October 19, 2022, and no comments were received.
- o. **City of College Park**—The subject property is located within the geographical boundary of the City of College Park. The DSP was referred to the municipality for review. The application was heard at the City Council meeting on December 13, 2022, with final action during its January 10, 2023 meeting. City staff provided the following recommendations, on the subject application, in their staff report to the City Council:

“1. SUPPORT the three requested Departures:

- a. Parking space dimensions from 9.5 feet x 19 feet to 9 feet x 18 feet.
- b. Height of garage entrance from 15 feet clearance to 13.5 feet clearance.
- c. Height of ceiling above loading space from 15 feet clearance to 14 feet clearance

“2. SUPPORT the following alternative development district standards, as noted below:

(Note: The page numbers are referenced in the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment)

- a. Mandatory Build-to-Line (BTL) (page 229) – To increase setback from 0 feet to 10 feet to allow for Public Utility Easement.
- b. Front Build-to-Line (BTL), Secondary (page 234)- To increase the setback requirement by 17.6. from a maximum 12 feet to 29.6 feet along Cherokee St. and increase the setback requirement by 2.6 feet along Delaware St.

- c. Parking, number of spaces (page 239) – To increase the number of spaces by 32 spaces from 327 to 359 spaces.
- d. Parking Access (p. 241) – To increase the width of access drives from 22 feet in width to 24 feet.
- e. Architectural Elements (p. 245-250) – To allow 3 units along Baltimore Ave. and 2 units along Delaware St. to not be 24-inches above the sidewalk.
- f. Architectural Elements/Siding (p. 252) – To allow fiber cement panel as a siding material.
- g. Sustainability and the Environment (p. 256) – To use an alternative certification system (NGBS-Silver) but equivalent to LEED Silver.
- h. Mandatory Shopfront (page 229) – To not provide mandatory shop frontage along Baltimore Avenue.
- i. Building Form, Step-Back Transition and Landscape Buffers (page 238)- To not provide a step-back transition of the building to 2-3 stories where it adjoins a residential area.

“3. DO NOT SUPPORT: Section 4.4 of Landscape Manual (page 60)-To not screen a transformer.”

City staff also recommended the following conditions of approval in their staff report to the City Council:

- “4. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Site Plan to:
 - a. Identify a micro-mobility parking area on Baltimore Avenue or Cherokee Street.
 - b. Provide a ‘Do Not Enter’ sign at the Baltimore Avenue exit and add a median to Baltimore Avenue at the garage exit, subject to approval of SHA.
 - c. Provide details of signage along 48th Avenue such as ‘Service Entry Only’ and restrictions for resident vehicles including information regarding move-ins/outs.

- d. Provide tabletop crosswalks in front of the garage entrance/exit on Cherokee Street and exit on Baltimore Avenue subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or another material to distinguish these crosswalks.
 - e. Re-label the site plan to remove 'residential use' from the 3,296 square foot commercial area along Cherokee Street.
 - f. Provide a right-in/right-out access from the parking garage to Baltimore Avenue, subject to Planning Board approval of a reconsideration of Preliminary Plan 4-22007, if required.
- “5. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Architectural Plans to:
- a. Remove the shopfront treatment where residential uses extend to the ground floor.
 - b. Remove the spandrel at level three along Baltimore Avenue to improve the shopfront treatment.
 - c. Use predominantly dark colors for the base and predominantly light colors for the upper stories of the building.
 - d. For the east elevation along the rear yard, the color of the horizontal masonry veneer panels for the parking garage should be the same color as the adjoining fiber cement panels used on the building walls. The precast panels on the ramped portion of the parking garage should be a lighter color.
 - e. Change the building identification sign over the entrance to the Cherokee Street commercial space to identify the commercial user (Sheet A202, Detail F1).
 - f. Indicate a clearance bar with dimensioned height be placed at the parking garage entrance.
- “6. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Landscape Plan to:
- a. Provide an artistic treatment detail to be applied to all sides of the ground transformer located at the southeast corner of the south building.

- b. Revise fencing proposed on the north side of 48th Avenue to comply with the City fence ordinance (the first 25 feet from Delaware Street should not exceed 3 feet in height and be open and transparent such as the picket fence shown on Sheet L301, detail 11).
 - c. Clarify which of the existing trees will be removed and which will remain on Sheet L401B and any other relevant sheet.
 - d. Consider tree substitutions for the following problematic species:
 - 1) Boxwoods
 - 2) Otto Luyken-Consider Juniper horizontalis, abelia, or Cornus sericea
- “7. Prior to Planning Board approval of the DSP, execute a Declaration of Covenants and Agreement with the City that includes, at a minimum, the following provisions:
- a. Provide a retail use or other commercial use approved by the City, if Meals-on-Wheels does not occupy the designated commercial space.
 - b. Construction and maintenance of improvements to the City’s unimproved 40-foot-wide right-of-way known as 48th Avenue, for approximately 219 feet west of Delaware Street, in accordance with City design standards (including installation of a roadbed, roadway, curb, gutter, and a five-foot-wide sidewalk on the east side and four-foot-wide sidewalk on the west side). ‘No Through Street’ and ‘No Parking’ signs shall be posted and enforced by the City.
 - c. A public access easement to the City for the ‘T-shaped’ hammerhead turn-around located on the Applicant’s property at the end of 48th Avenue-See Public Use Easement Plan.
 - d. A public access easement to the City, to accommodate the sidewalk along Delaware Street-See Public Use Easement Plan.
 - e. Construction of an exclusive right turn lane on Cherokee Street between the site access and US Route 1 in accordance with City and SHA standards.
 - f. Installation of high visibility (piano keys), crosswalks along US Route 1 on Indian Lane and Fox Street, as indicated in the BPIS, subject to any required SHA approval.

- g. Installation of pedestrian signals and high visibility crosswalks (piano keys) along the US 1 and Cherokee Street intersection, as indicated in the BPIS, subject to any required SHA approval.
- h. PILOT to City if the property becomes tax exempt.
- i. Unitary management and condominium conversion requirements.
- j. Acknowledgement of responsibility for maintenance of pedestrian light fixtures, landscaping, and sidewalks.
- k. Restrictions related to construction staging and hours of operation, if needed.
- l. If feasible, provision of an outdoor public art feature, which can be matched by City funds (up to \$15,000).
- m. Evidence of NGBS SILVER certification.”

Appropriate conditions are included herein to address the City’s recommended Conditions 4, 5, and 6, except Condition 4f. Revising the DSP to permit right-in access to the parking garage off of US 1 would violate Condition 4.c. of the applicable PPS 4-22007. Transportation adequacy was evaluated with the PPS, and the right-out only exit at US 1 was found adequate. Recommended Condition 8 pertains to the Declaration of Covenants and agreement between the applicant and the City.

14. This DSP adequately takes into consideration the requirements of the D-D-O Zone, including the development district standards of 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 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 approved development for its intended use.

15. Per Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, 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 REF will be impacted by the approved development, and it is determined that the REF has been preserved and/or fully restored in a natural state, to the fullest extent possible, in accordance with the requirement.

16. **Planning Board Hearing**—The Planning Board held a public hearing on this application on January 19, 2023. At the hearing, and in rendering its decision, the Planning Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board's procedures. During the hearing, the applicant's representative provided background on one of the City of College Park's conditions of approval, Condition 4f. This condition requires the applicant to provide a right-in/right-out access from the parking garage to US 1, subject to Planning Board approval of a reconsideration of PPS 4-22007, if required. Representatives of the City were also present and requested that the Board include the City's proposed Condition 4f in the approval. The City stated concerns about increased traffic on Cherokee Street, that were expressed by neighborhood residents and City Councilmembers at their Council meeting, and claimed that adding a right-in access to US 1 would relieve some traffic on Cherokee Street, as well as benefit the project. The Planning Board also heard from citizens who spoke in opposition to this DSP and expressed concern regarding inadequate utilities and parking to serve the proposed development and traffic impacts. Concerns were also raised regarding the height of the building, potential noise generated, the density of dwelling units, and transition to existing residential neighborhoods. The Planning Board received no evidence that utilities would be inadequate with this application or at the time it considered PPS 4-22007. PPS 4-22007 also addressed all potential traffic impacts that would be generated by this proposed project. Issues concerning parking, building height, size and massing, noise, density, and neighborhood transitions, as discussed previously, were found to be addressed and in compliance with all applicable laws.

Regarding the request for addition of the City's Condition 4f, Planning Department staff noted that providing right-in access to the parking garage off of US 1 would not be in conformance with the conditions of approval of the applicable PPS 4-22007. The DSP was filed and designed in accordance with the approved PPS, and staff's review of this DSP was based upon this plan meeting the requirements of the County Code and upon conformance with prior approvals and the sector plan. Therefore, the Planning Board found the DSP could not be revised to include right-in access off of US 1.

After much discussion, the Planning Board voted to revise Condition 1n, however, to include an option for right-in access at the driveway off of US 1, if the applicant subsequently obtains subdivision approval allowing for right-in access from US 1. If the applicant obtains such approval, this DSP may be revised to allow for such access, without requiring further hearings before the Planning Board or submission of an amendment to this approved DSP.

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. **Mandatory Shop Frontage and Build-to-Lines of Zero Feet (page 229):** To allow the shop frontage to be less than 100 percent of the width of the building. To allow a front build-to line on a primary street to be a maximum of 11.4 feet.
2. **Building Form/Setback (page 234):** To allow a front build-to line on a secondary street to be a maximum of 29.6 feet.
3. **Building Form/Setback (page 234):** To allow a rear setback to be a minimum of 0.7 feet.
4. **Building Form/Step-back Transitions and Landscape Buffers (page 238):** To allow building height to exceed three stories facing existing residential development.
5. **Building Form/Parking (page 239):** To increase the number of parking spaces provided on-site by 32 spaces.
6. **Building Form/Parking Access (page 241):** To allow access to structured parking from a primary street. To allow the vehicular access drive of the parking garage to be wider than 22 feet.
7. **Building Form/Structured Parking (page 243):** To allow a parking structure within 50 feet of the property line.
8. **Architectural Elements/Façades and Shopfronts (page 246):** To allow doors or entrances for public access to be provided at intervals greater than 50 feet. To allow less than 12 feet of habitable space behind each shopfront, along the building frontage. To allow the ground-floor residential units to have a raised finish floor less than 24 inches above the sidewalk grade.
9. **Architectural Elements/Materials (page 251):** To allow fiber cement boards as siding material.
10. **Sustainability and the Environment/Leadership in Energy and Environmental Design (LEED) Certification (page 256):** To allow National Green Building Standard silver certification.
11. **Streets and Open Spaces/Lighting Types and Configuration (page 267):** To allow alternative treatment of the lighting type and configuration, as determined by the operating agency.
12. A reduction in the standard parking space size to 9 feet by 18 feet.

13. A reduction in the height of the garage entrance, which accesses the loading space internal to the building, to 13.5 feet and the ceiling clearance above the loading space to 14 feet.
- B. APPROVED Detailed Site Plan DSP-22015 for the above-described land, subject to the following conditions:
1. Prior to certification, the applicant shall revise the detailed site plan (DSP), as follows, or provide the specified documentation:
 - a. Revise the coversheet, as follows:
 - (1) Revise the gross site area to 3.82-acres.
 - (2) Revise the title of the project to “9113 Baltimore Avenue.”
 - (3) Revise General Note 2 to list M-U-I and D-D-O as prior zones.
 - (4) Revise General Note 11 to provide the correct approval date for the stormwater management concept plan.
 - (5) Revise the sheet index to match the sheet numbers and titles of individual landscape architecture sheets.
 - (6) Add a general note listing the proposed residential density for the project.
 - b. Revise the parking area requirements on the coversheet, as follows:
 - (1) Revise the reference to the 2002 *Central US 1 Corridor Sector Plan* to reference the 2010 *Central US 1 Corridor Sector Plan*.
 - (2) Include a table for required and provided Americans with Disabilities Act (ADA) accessible parking spaces.
 - (3) List the dimensions of the parking spaces provided, including the dimensions for and number of compact parking spaces.
 - (4) Revise the residential loading space requirement to list one space for 17 units over 300, instead of one space for 31 units over 300.
 - c. Provide details for the proposed retaining wall near the corner of US 1 (Baltimore Avenue) and Delaware Street.

- d. 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 (D-D-O) Zone standards.
- e. Provide a sign at the southwest corner of the building facing the intersection of US 1 (Baltimore Avenue) and Cherokee Street.
- f. On the photometric plan, revise the labels for the various luminaires, as well as the symbol for Luminaire L2, to make them darker in color.
- g. Revise the proposed recreational amenity list located on Sheet DSP-1, to remove the business center and bicycle storage, with repair station, and update the total value of the proposed on-site recreational facilities. Add a note below the table, stating that all facilities shall be constructed, prior to issuance of the final certificate of occupancy for the building.
- h. Provide a list of amenities to be included in the proposed sunroom, the library/café, the multipurpose room, the fitness center, the game room, and the kitchenette. Show the location of the proposed sunroom, the library/ café, the game room, and the kitchenette on the architectural floor plan.
- i. Update the DSP to include specific details and profiles for the striping and signage for the designated pick-up/drop-off space for rideshare vehicles.
- j. Show shared road pavement markings along Cherokee Street, unless modified by the operating agency, with written correspondence.
- k. Provide 6-foot-wide sidewalks on both sides of 48th Street, unless modified by the operating agency, with written correspondence.
- l. Provide a detail for the proposed bicycle repair station.
- m. Identify a micro-mobility parking area on US 1 (Baltimore Avenue) or Cherokee Street.
- n. Provide a “Do Not Enter” sign to facilitate a limited right-out only access driveway from the site, along US 1 (Baltimore Avenue), including the profiles of the signage. Add a median to US 1 at the garage exit, subject to approval by the Maryland State Highway Administration. The DSP shall allow for right-out access at the driveway and, if the applicant subsequently obtains subdivision approval allowing for right-in access from US 1, this DSP shall be revised to allow for right-in access, without requiring further approval of the DSP and the signage will not be required.

- o. Provide details of signage along 48th Avenue, such as “Service Entry Only” and restrictions for resident vehicles, including information regarding move-ins/outs.
 - p. Provide tabletop crosswalks in front of the parking garage entrance/exit on Cherokee Street and the parking garage exit on US 1 (Baltimore Avenue), subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or decorative paving (e.g., scored or stamped concrete) to distinguish these crosswalks.
 - q. Remove the label “residential use” from the 3,296-square-foot commercial area along Cherokee Street.
- 2. Prior to certification, the applicant shall revise the landscape plan, as follows:
 - a. 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*.”
 - b. Provide an artistic treatment detail, to be applied to all sides of the ground transformer located at the southeast corner of the south building.
 - c. Add a general note on the landscape plan that, at the time of development, efforts shall be made to save Specimen Tree T4, a Willow Oak, including installing tree protection fencing during construction.
 - d. Add a general note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures, such as installing tree protection fencing during construction, root pruning, and vertical mulching.
 - e. Revise the plant schedule and the tree canopy coverage schedule on the landscape plan to provide the minimum required planting sizes for all landscape trees credited, to meet the tree canopy coverage requirement.
 - f. Revise the fencing proposed on the north side of 48th Avenue, to comply with the City of College Park fence ordinance (for the first 25 feet from Delaware Street, the fencing should not exceed 3 feet in height and be open and transparent, such as the picket fence shown on Sheet L301, Detail 11).
 - g. Clarify which of the existing trees will be removed and which will remain, on Sheet L401B and any other relevant sheet.

- h. Consider tree substitutions for the following problematic species:
 - (1) Boxwoods
 - (2) Otto Luyken-Consider Juniper horizontalis, Abelia, or Cornus sericea
- 3. Prior to certification, the applicant shall revise the architectural plans and elevations, as follows:
 - a. Revise the building elevation keys on Sheet A102, to remove overlapping text.
 - b. Label the size, material, and color for the proposed canopies at the building entrances.
 - c. To the parking garage notes on Sheet AP101, add the dimensions of the proposed compact parking spaces.
 - d. On the floor plan for the Level 1 parking deck, label and dimension the proposed loading space.
 - e. On the floor plans for Levels 3 to 6 parking decks, show the required access aisle, adjacent to the Americans with Disabilities Act (ADA) parking space.
 - f. Remove the shopfront treatment where residential uses extend to the ground floor on Delaware Street.
 - g. Remove the spandrel at level three, along US 1 (Baltimore Avenue), to improve the shopfront treatment.
 - h. For the east elevation along the rear yard, the color of the horizontal masonry veneer panels of the parking garage should be the same color as the adjoining fiber cement panels used for the building walls. The precast panels on the ramped portion of the parking garage should be a lighter color.
 - i. Change the building identification sign over the entrance to the Cherokee Street commercial space, to identify the commercial user (Sheet A202, Detail F1).
 - j. Indicate a clearance bar, with dimensioned height, be placed at the parking garage entrance.
 - k. Indicate that ground-floor residential amenity areas and retail glass windows will be transparent.
- 4. Prior to issuance of the final certificate of occupancy of the building, the applicant shall demonstrate that all on-site recreational facilities have been fully constructed and are operational.

5. Prior to approval of the final plat of subdivision, the applicant shall submit evidence that a Declaration of Covenants has been signed with the City of College Park, which includes responsibility for maintenance of the landscape buffer located between 48th Avenue and abutting existing residential development.

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 Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, January 19, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of January 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:MG:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 1/24/23