



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm

DETAILED SITE PLAN

DSP-02027 & TCPII/66/02

Application	General Data
Project Name UNIVERSITY VIEW	Date Accepted 04/18/2002
	Planning Board Action Limit 06/27/2002
Location WEST SIDE OF BALTIMORE AVENUE, SOUTH OF BERWYN HOUSE ROAD AND NORTH OF NAVAHOE STREET	Plan Acreage 3.37
	Zone M-U-I
Applicant/Address ROUTE ONE PARTNERS, LLC c/o SJM PARTNERS, INC. 9001 CONGRESSIONAL COURT POTOMAC, MARYLAND 20854	Dwelling Units 352
	Square Footage 183,094 GFA
	Planning Area 66
	Council District 03
	Municipality COLLEGE PARK
	200-Scale Base Map 210NE04

Purpose of Application	Notice Dates
CONSTRUCTION OF RESIDENTIAL APARTMENT AND OFFICE BUILDINGS	Adjoining Property Owners 04/19/02 (CB-15-1998)
	Previous Parties of Record N/A (CB-13-1997)
	Sign(s) Posted on Site 07/10/02
	Variance(s): Adjoining N/A Property Owners

Staff Recommendation			Staff Reviewer: WAGNER, GARY
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Gary Wagner, Planner Coordinator

SUBJECT: University View
Detailed Site Plan, DSP-02027
Type II Tree Conservation Plan (TCP/66/02)

The Urban Design staff has reviewed the Detailed Site Plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions.

EVALUATION

The Detailed Site Plan was reviewed and evaluated for compliance with the following criteria:

- A. Compliance with the requirements of the College Park US 1 Corridor Sector Plan.
- B. Compliance with the requirements of the Development District Overlay Zone (D-D-O).
- C. Compliance with the requirements of the M-U-I Zone (Mixed Use-Infill).
- D. The Woodland Conservation Ordinance.
- E. The *Prince George's County Landscape Manual*.
- F. Referrals.

FINDINGS

Based upon evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. The detailed site plan is for University View, a mixed-use development consisting of a 13-story, 352-unit residential apartment building and a 10-story, 183,094-square-foot office building constructed above a three-story parking garage. A pedestrian plaza over the parking garage and between the two buildings will serve as a common area with landscaped planters, seating and trellises for shade. The site consists of 3.37 acres in the M-U-I Zone and is located on the west side of US 1, between Berwyn House Road and Navahoe Street, in the City of College Park. The site is also located in Subarea 3a (main street) of the College Park US 1 Corridor Sector Plan where detailed site plan review is required in accordance with the Development District Overlay Zone (DDOZ) requirements. A preliminary plan of subdivision is being reviewed concurrently with the detailed site plan to consolidate two lots that form the subject site.

The site is currently improved with a building and parking lot that were used by McDonald's Corporation as a training facility. A portion of the lot is also currently being used as a vehicle storage yard for Koon's Ford. The entire site is within the 100-year floodplain of Paint Branch and a portion of the site next to the stream is wooded.

The surrounding uses are as follows: Along the northern property line is Koon's Ford, a car dealership, and Raymond Towers, an office use; to the west is the University of Maryland and the Paint Branch stream valley; to the south is Merchant's Tire Store and a small, one-story liquor store. The applicant is attempting to acquire the liquor store property so that its access to Baltimore Boulevard will align with Navahoe Street. Across Baltimore Avenue is a Koon's Ford car dealership, a McDonald's restaurant and a gas station. All properties surrounding the site on the west side of Baltimore Avenue are now in the M-U-I Zone, with the exception of the University of Maryland.

2. Site data for the Detailed Site Plan is as follows:

Zone	M-U-I
Gross Tract Area	3.37 acres
Area of Road Dedication	0.20 acres
Net Tract Area	3.17 acres

Proposed Uses and Densities

Office	183,094 GFA
Residential	<u>413,083 GFA</u>
Total Square Footage and Floor Area Ratio (FAR)	596,177 GFA 4.32 FAR

Parking Required Analysis

<u>Use</u>	<u>Requirement</u>	
Office (183,094 sf)	1sp/250 sf of first 2,000 sf +1sp/400 sf of ea 1,000 sf	8 spaces 461 spaces
Residential (352 units)		
1 BR = 159 units	*1.33/unit	212 spaces
2 BR = 193 units	*1.66/unit	<u>321 spaces</u>
Total		1002 spaces

* Section 27-568 (a) (1) (B) Development located within 1 mile of Metro.

Reduction for Shared Parking (Table 14 College Park US1 Corridor Sector Plan)

<u>Use</u>	<u>Weekday</u>	<u>Weekend</u>	<u>Nighttime</u>
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	Daytime	Evening	Daytime	Evening	Evening
Office	100%=461	10%= 46	10%= 46	5%= 23	5% =23
Residential	60%=320	90%=480	80%=426	90%=480	100%=533
Total Spaces	781	526	472	503	556

Note: The highest number of spaces becomes the minimum number of spaces required.

Parking Provided:

Surface (19' x 9.5') and (8' x 22')	10 spaces
Garage Standard (19' x 9.5')	**577 spaces
Garage Compact (16.5' x 8') (30% allowed)	123 spaces
Total Provided	710 spaces

Note: The site plan is short 71 spaces; therefore the plan should be revised to either increase the number of spaces or reduce the size of the buildings accordingly.

**Includes 15 spaces reserved for the handicapped

Required Findings:

3. Section 27-548.25 (a) of the Zoning Ordinance requires that a detailed site plan be approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance. The detailed site plan submitted has been reviewed in accordance with those provisions and it can be found that the plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
4. Section 27-548.25 (b) requires that the Planning Board find that the site plan meets applicable Development District Standards. In general, the detailed site plan meets the applicable Development District Standards. If the applicant intends to deviate from the Development District Standards, the Planning Board must find that the alternative Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Sector Plan.

The Development District Standards are organized into three categories: Public Areas; Site Design; and Building Design. The applicant is requesting modifications to the following Development District Standards:

Public Areas:

P6.A. Utilities

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

The applicant does not intend to underground all utilities at this time. The applicant's justification to deviate from the above requirement is that there is no financing program in place at this time to accommodate a systematic program for undergrounding utilities along the US 1 corridor. Some utilities will be underground, such as water and sewer; however, electric, telephone and cable may not. Since there is no financial mechanism in place at this time, and since this is the first development in the College Park US 1 Corridor Sector Plan, the alternative Development District Standard will benefit the development and the Development District and will not substantially impair implementation of the sector plan.

Site Design:

S2.V.1. Parking Credits for Shared Parking (Single Ownership)

The applicant has not requested an alternate Development District Standard to allow parking to be less than the requirements of the sector plan. The applicant has demonstrated through Table 14 on page 184 that a total of 781 parking spaces are required, but has only provided 710 spaces. The plan should be revised to either reduce building square footage or dwelling units accordingly or provide more parking.

S4.E. Buffers and Screening

The bufferyard requirements within the development district may be reduced to facilitate a compact form of development compatible with the urban character of the US 1 corridor. The minimum bufferyard requirements (landscape yard) for incompatible uses in the *Landscape Manual* (Section 4.7) may be reduced by 50 percent. The plant units required per 100 linear feet of property line or right-of-way shall also be reduced by 50 percent. Alternative Compliance shall not be required for these reductions.

The applicant has requested deviations from the standards in two locations on the site; along the northern property line adjacent to the Raymond Towers office use, and along the southern property line adjacent to the Cochran Property (Merchant's Tire use).

Based on the above requirements, a ■B• bufferyard, reduced by 50 percent, is required along the northern property line where the proposed apartments abut the existing Raymond Towers office building. Therefore, a ten-foot-wide landscape bufferyard is required. There is 13 feet of distance from the property line to a proposed service drive aisle. The applicant provides a five-foot-wide planting strip with a six-foot-high, decorative cedar fence, stained ebony in color, and a required eight-foot-wide hiker/biker trail with 50 plant units (18 more than required). The applicant also provides additional planting areas on the other side of the drive aisle, along the base of the building, with 53 additional plant units. The additional 71 plant units, along with the decorative cedar fence, is adequate justification to deviate from the standards. The alternative Development District Standard will benefit the development and the Development District and will not substantially impair implementation of the sector plan.

Based on the above requirements, a ■D• bufferyard, reduced by 50 percent, is required along the southern property line between the proposed apartments and the Merchant's Tire store. The structure and its parking occupy the front portion of the site, while the area directly adjacent to the proposed apartments is wooded. The applicant contends that, ■given the fact that the residential

portion of the proposed building begins on the fourth floor (the parking structure comprises the first four floors of the structure), buffering seems unnecessary or even impossible to achieve effectively no matter what the buffer width. Approximately 57 percent of the proposed building is set back 44 feet on the fourth floor to provide a terrace for the residents. The terrace will help reduce the impact of the lack of a bufferyard 30+ feet below with three shade trees placed in raised planters to provide buffering, shade and scale to the space. Staff is of the opinion that the alternative Development District Standard will benefit the development and the Development District and will not substantially impair implementation of the sector plan.

No bufferyard is required between the subject property and the University of Maryland property to the west. Although the property is zoned R-R, it is not developable because it consists of the Paint Branch and floodplain.

Building Design:

B.1. Building Heights Map, p.203

The maximum building height in Subarea 3a is five stories. However, the sector plan states, ■Upon demonstration by the applicant that market and design considerations justify additional height, additional stories may be approved.●

The applicant submitted a justification statement that included a market analysis done for Park and Planning as part of the sector plan

With regard to market considerations, the Research Section, in a memorandum dated July 10, 2002 (Bendelow to Wagner), offered the following comments:

Upon reviewing the documents submitted with the above application and conducting a spot field check of office space occupancy as of July 9, 2002, the Research Section finds that there is adequate evidence of sufficient market support in the project area to justify the additional building height proposed. Current evidence suggests that essentially all of the Class A and B office space to the northeast of the university is fully leased at the present time. Furthermore, the reported rental rates for office space in those buildings checked had increased by some two dollars per square foot since the time of their reporting in the applicant's documents. The market potential for quality office space in this area of Baltimore Avenue appears strong enough to absorb additional size (height) of the buildings proposed for University View.

The demand for and marketability of housing for university students and faculty has been frequently reported and well documented. The very short lease-up rate experienced by the last residential apartment project, ■Jefferson Park,■in 1997 exemplifies the area's housing needs. Finding tenants for the University View's residential units should not be a problem.

Realization of the University View project is seen as bringing new mixed-use development into the College Park corridor that is both needed and representative of the higher quality development sought in the College Park Sector Plan.

In a memorandum dated July 5, 2002 (Baxter to Wagner), the Community Planning Division offered the following comments with regard to building height:

This site is located in an area underneath the air traffic/flight pattern for College Park Airport, a small, public, general aviation airport, approximately 4,000 feet from the end of the runway. In approving the sector plan, the District Council approved an amendment to the plan's corridor-wide land use and zoning recommendations which states:

- Proximity to College Park Airport Because portions of the sector plan area are proximate to the College Park Airport, strategies to develop these areas in a manner compatible with airport operations should be part of the development planning process.●

Presently, there are no county regulations that specifically address the development of this property for a vertical mix of uses relative to the impact of air traffic in the area or compatibility with airport operations. The District Council has held several work sessions on proposed airport compatibility regulations during 2002.

To help assure compatibility of this development with airport operations, as intended by the District Council's amendment to the sector plan, some provision should be made to make future residents of the building aware of their location near the airport. Accordingly, a condition of approval should be to provide appropriate notice to future residents.

The sector plan is clear in that the community vision for this main Street area is for mid-rise (four- to six-story) mixed-use buildings. Although the applicant has submitted justification in support of the proposed 16-story structure (13 stories of residential use over three levels of parking), it is clear that the plan does not anticipate high-rise buildings in this area, generally defined by the sector plan as between 7-10 stories. In fact, the sector plan only envisions buildings of approximately eight stories (high-rise range) in the most intensively developed portions of the adjacent town center areas south of Paint Branch and south of University Boulevard.

The proposed building heights represent a heretofore unanticipated vision of what redevelopment opportunities and market support exist along this strip commercial corridor. In developing height recommendations for the sector plan, the community consensus was expressed along with a recognition that accommodating flexibility in redeveloping this existing commercial strip may require departure from the consensus recommendations, where appropriate, based on design and market considerations. The applicant draws upon the consultant report used to develop land use recommendations and the economic development strategy for the sector plan and cites the findings and recommendations in that report, many of which are acknowledged in the sector plan text. Also in support they cite the undeniable market demand for university-related housing and office space. We have no disagreement with this evidence which points to solid demand for the product offered versus speculative building of space supply. The fact is that the sector plan does not anticipate heights greater than ten stories within the entire sector boundary.

Recognizing that a determination must be made with respect to building height compatibility with sector plan recommendations, the following are offered as evaluative factors to consider:

- the recommended range of sector plan building heights (four to six stories mid-rise and seven to ten stories high-rise), including the plan's recommended preference for a five-story building in the main street subarea;

- the relationship of the proposed building's proximity to the airport approach surface elevations;
- the potential that future occupants may experience inconvenience, annoyance or discomfort from noise or visual perception associated with nearby aircraft operations and that some sort of preoccupancy notification is important;
- the recognition that this project represents a substantial investment and scale of development that was not anticipated by the sector plan; and
- the recognition that the project represents the first attempt since the plan was approved for the private sector to bring about redevelopment along the US 1 corridor.

The Park Planning and Development Division of the Department of Parks and Recreation, in a memorandum dated July 15, 2002 (Asan to Wagner), offered the following comments with regard to building height:

The Commission operates and maintains the College Park Airport both as an operating airport and as a historic site. The College Park Airport is the world's oldest continuously operating airport, founded by the Wright Brothers in 1909. The airport is listed in the National Register of Historic Places. Part of its significance and its protection as a National Register property is its viewshed. Its location and setting are important criteria for a historical property. The integrity of historic aviation properties is part of what qualifies them (and this site in particular) for inclusion on the National Register. It is the airfield and its surroundings that are important to understanding why the property was created, why it existed and why it ultimately was significant. In the case of College Park Airport, it was not the buildings that were landmarks but the field and airspace that held the promise of so many firsts in flight. To destroy an airfield's viewshed directly impacts the character and integrity of it as a historic site. It is important to preserve the significance of this National Register Historic Site and to allow the operation of the airport to continue.

This site is located in proximity to the air traffic/flight pattern for the College Park Airport, approximately 4,000 feet from the end of the runway. In approving the sector plan, the District Council approved an amendment to the plan's corridor-wide land use and zoning recommendations, which stated:

- Proximity to College Park Airport • Because portions of the sector plan area are proximate to the College Park Airport, strategies to develop these areas in a manner compatible with airport operations should be part of the development planning process. •

Presently, there are no county regulations that specifically address the development of this property for a vertical mix of uses relative to the impact of air traffic in the area or compatibility with airport operations. The District Council has held several work sessions on proposed airport compatibility regulations during 2002.

To help assure the compatibility of this development with airport operations as intended by the District Council's amendment to the sector plan, at a minimum some provision should be made to make future residents of the building aware of their location near the airport. The disclosure of

airport proximity and aviation easements should be considered as part of the approvals associated with this development.

The City of College Park also recommends two conditions with regard to building height; one that requires the applicant to provide a written determination by the Federal Aviation Administration (FAA) and/or the Maryland Aviation Administration (MAA) that the proposed project does not provide an airway obstruction, and one that requires notice to future tenants of the proximity to the College Park Airport.

In terms of design considerations, the Urban Design Section notes that because of the small size of the site (approximately three acres), off-street parking has to be provided in the form of structured parking beneath the buildings, which increases the building height of both the office and residential uses by three stories. Also, given the fact the entire site is within the 100-year floodplain of Paint Branch, and that piles must be driven into the soil to support all structures and that the parking structure cannot be below grade (or below the 100-year floodplain elevation), the additional building height is justified.

Because there appear to be adequate market justification and design considerations to warrant the additional building height requested by the applicant, staff is of the opinion that the alternative Development District Standard will benefit the development and the Development District and will not substantially impair implementation of the sector plan.

B3. Architectural Features:

In general, the architecture is in conformance with all building design requirements under ■Architectural Features. • The building has been designed with high-quality materials consisting of brick, smooth-faced and split-faced concrete architectural masonry, and synthetic stucco (EIFS). Windows and doors have been attractively designed to enhance the design character of the building's exterior appearance. Both the office and the residential buildings utilize a minimum of 75 percent brick. The building materials and details have been utilized throughout both buildings providing a harmonious, unified appearance. The two buildings have been united by a common pedestrian plaza that can be used for passive recreation purposes, with planters, trellises and sitting areas. Both buildings face onto Baltimore Avenue and have distinctive and attractive entrances.

According to B3. W., ■All multifamily buildings and mixed-use developments with residential units having four or more stories should provide amenities including, but not limited to:

1. A furnished lobby, security system for building access, a fitness center and a porte-cochere at the building's primary entrance.
2. A washer/dryer and a security system in each dwelling unit.

The applicant has provided a furnished lobby, security system for building access, and a fitness center. The applicant has also provided a plaza between the two buildings and a private swimming pool for the residential development. A porte-cochere has not been provided on the building that extends over the driveway, primarily because of site constraints and for safety reasons. Because of the small size of the site, the area available at the entrance to the building is limited and a porte-cochere would be an obstruction, especially for fire trucks. According to the project architect, ■The apartments are entered through a three-story lobby space fronting on the cul-de-sac, and accessed

from a canopy at curb side extending to the lobby vestibule. The above standard is not mandatory since the word "should" is used, therefore it is not considered a deviation from the Development District Standards and does not require that the Planning Board find that the alternative Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the sector plan.

B6.F., Building Services

Dumpsters shall be enclosed with a continuous solid, opaque masonry wall or other opaque screening treatment. Buildings should consolidate their garbage storage needs in a single, central location away from public view.

The applicant has provided a trash compactor internal to the parking garage that is to serve both the residential and office buildings. However, some of the plans show a dumpster at the end of the exterior service lane. This dumpster will be highly visible to pedestrians using the hiker/biker trail, is not necessary, and should be removed from all plans.

For standards relating to tree conservation, stormwater management and noise issues, see Finding 7 below.

5. The applicant has recently indicated that there is a possibility that the buildings would be constructed in phases, with the residential being constructed first in order to meet a fall 2004 opening deadline. The office component may not come on line at that time because it is more subject to marketing conditions. This was not known in time to take into consideration interim site conditions in the event that the buildings are not constructed simultaneously. Therefore, a condition should be provided requiring a revision to the detailed site plan showing the interim conditions in the event that the office is not constructed at the same time as the residential. The City of College Park recommends the same condition of approval.
6. Signage: The applicant has provided signage details for one freestanding sign at the entrance to the project. The sign is designed with materials that are harmonious with the materials of the buildings, however no dimensions have been given for the signage and the sign is not properly located a minimum of ten feet behind the right-of-way of Baltimore Avenue. Prior to certificate approval of the detailed site plan, signage dimensions should be provided for the freestanding signage at the entrance and the sign should be relocated to meet the minimum setback requirements of the Zoning Ordinance.
7. The detailed site plan is in compliance with Preliminary Plan of Subdivision 4-02031 and all applicable conditions of approval.

Referrals

8. In a memorandum dated July 10, 2002 (Metzger to Wagner), the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the above referenced Detailed Site Plan for University View, DSP-02027, stamped as received by the Countywide Planning Division on June 24, 2002. The original application included an FSD, landscape plan, preliminary drainage study and stormwater management concept plan, and a Type II Tree Conservation Plan. The additional

information submitted included a revised FSD, a revised Type II TCP (TCP/66/02), and a variation request. The Detailed Site Plan (DSP-02027) and the revised TCP (TCP/66/02) are recommended for approval subject to the conditions at the end of this memorandum.

Background

The Environmental Planning Section has not reviewed previous applications on this property. This application seeks the approval of a detailed site plan to construct apartment units and an office building on a site totaling 3.17 acres in the M-U-I Zone. Based on the College Park, US 1 Corridor Sectional Map Amendment adopted April 30, 2002, the property was rezoned from the C-S-C Zone to its present M-U-I Zone.

Site Description

This subject property is located on the west side of US 1 across from Berwyn House Road and Navahoe Street. A review of the information available indicates that the site is partially wooded and is characterized with terrain sloping to the center of property, and drains directly into Paint Branch in the Anacostia River watershed. The entire site is located within the 100-year floodplain of Paint Branch based on a 1993 DER study. The predominant soil types found to occur on this property according to the Prince George's County Soil Survey are Hatboro and Woodstown. These soil series generally exhibit moderate limitations to development due to seasonally high water table, impeded drainage, poor stability, and flood hazard. No Marlboro clay has been identified on this site. There are streams, nontidal wetlands, floodplain, and Waters of the U.S. associated with the site. There are rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. There are no historic or scenic roads affected by the proposal. The sewer and water service categories are S-3 and W-3 according to the Prince George's County water and sewer categories map. There are adverse noise impacts associated with the site's proximity to US 1 and the proposed residential use.

Environmental Review

1. This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. The property does not have a previously approved Tree Conservation Plan. The Forest Stand Delineation as submitted was reviewed and found to require some minor revisions.

The FSD shows the property acreage to be 3.15 acres, where the preliminary plan shows it to be 3.17 acres. This change is needed in two places, the site narrative and the FSD notes. Note #8 in the FSD states that forest stand #1 is 0.94 acre. Due to the adjustment of the property lines this is no longer the case. This note needs to be revised to show the woodland on-site as 0.76 acre, which is all in stand #1.

Recommended Condition: Prior to signature certification of the detailed site plan, the Forest Stand Delineation (FSD) shall be revised to change the property acreage to 3.17 acres throughout and change the amount of woodland in stand #1 from 0.94 acre to 0.76 acre in FSD note #8.

2. A Type II Tree Conservation Plan (TCPII/66/02) was submitted dated June 18, 2002. The entire 3.17-acre site is in the 100-year floodplain, and all of the woodland on-site is proposed to be removed.

This site is comprised of two parcels currently owned by two parties: a private party and the University of Maryland. Because of the complexity of woodland conservation review presented by this split ownership and because the final use of the property will be a private use, the Environmental Planning Section requested jurisdiction of this project from the Maryland Department of Natural Resources. This request was granted in an e-mail from Marian Honecny to Cecilia Lammers, dated June 14, 2002.

It should be noted that the woodland that is shown to be removed on the off-site parcel to the west is under the jurisdiction of the state and mitigation will be required as deemed necessary by the Department of Natural Resources. A note to this effect is needed on the TCPII.

The Type II Tree Conservation Plan (TCPII/66/02), dated June 18, 2002, was reviewed and was found to require minor revisions to meet the requirements of the Ordinance. The Type II Tree Conservation Plan needs to be revised to reflect only the amount of woodland required to be mitigated. The plan also incorrectly states that the off-site mitigation required is 2.11 acres.

Recommended Condition: Prior to certification of the detailed site plan, the Type II Tree Conservation Plan shall be revised to include the following:

- a. *Provide a worksheet to show the clearing of 0.76 acre of floodplain woodland;*
 - b. *Revise the TCPII notes to reflect a mitigation fee of \$1.50 per square foot;*
 - c. *Add the following note: ■The area of off-site clearing shown on the University of Maryland property is under the jurisdiction of the Maryland Department of Natural Resources;*
 - d. *Revise the worksheet to reflect the correct woodland conservation figures; and*
 - e. *Provide off-site location for woodland conservation mitigation and record easement prior to issuance of permits.*
3. Sec. 24-129 of the Subdivision Regulations addresses the requirements for land in a floodplain. Land is required to be platted in such a manner that protects the public against loss of life or property and minimizes the costs of flood control measures. The plan correctly notes that the entire site is in the floodplain, however, no information has been provided with regard to how development will occur on the subject property and address the issue of the 100-year floodplain. Staff has serious concerns regarding the future narrowness of the floodplain in this area, due to the presence of a parking lot on the west side of Paint Branch and the proposed development.

Recommended Condition: Prior to Certification of the Detailed Site Plan, submit information regarding how the impacts to the 100-year floodplain will be addressed. Any and all information submitted to the Department of Environmental Resources regarding compensatory storage, floodwalls, etc., shall be included.

4. The floodplain regulations in Sec. 24-129(a)(5) require a 25-foot setback for residential uses from the 100-year floodplain. The project proposes residential uses. A variation request was received by the Environmental Planning Section on June 24, 2002, in conformance with the requirements of Sec.24-113.

Provisions are being designed by the applicant to address the proposed impacts on the 100-year floodplain that include compensatory storage, stream restoration, and low- impact development techniques. Submission of information regarding these provisions is required prior to the issuance of any permits.

Comment: Staff supports the request for a variation from Sec. 24-129 of the Subdivision Regulations.

5. The FSD states: ■There are no streams, springs, seeps, or jurisdictional wetlands present on-site. Small ephemeral drainages are present on the northern part of the site and would be regulated as *Waters of the U.S.♣ The drainage area in question is not likely to be regulated and because of this, the 50-foot stream buffer normally associated with streams will not be required. No further information is required at this time.

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

6. Note #10 on the FSD refers to the possible presence of a rare, threatened, or endangered species of plant in the vicinity of the project. The Maryland Department of Natural Resources has issued a letter regarding the presence of species of concern on this site and the applicant is conducting a field investigation for the plants named in DNR♣s letter.

Recommended Condition: Prior to certification of the detailed site plan, the investigation of the rare, threatened or endangered plant species identified by the Maryland Department of Natural Resources shall be completed and the Forest Stand Delineation shall be updated as needed to note the location of habitat for the identified plants.

7. The Adopted College Park US 1 Corridor Sector Plan and Endorsed Sectional Map Amendment contain standards that apply to the subject property. There are three environmentally related Development District Standards that apply to the subject property: S6. Trees, Planting and Open Space; S7. Stormwater Management; and S8. Noise.

S6. Trees, Planting and Open Space: Paragraph C contains an afforestation requirement for the provision of shade and ornamental trees at ten percent of the gross site area. Ten percent of the gross site area of the subject property is 13,809 square feet. To meet the requirement, each tree♣s ten-year canopy growth is used. On the page labeled ■page 1 of 5, Landscaping

Plan, the landscape plant list shows the proposed planting of shade and ornamental trees. When totaled at the ten-year tree canopy measurement, 14,245 square feet are proposed to be provided. The proposed tree plantings exceed the 10 percent afforestation requirement.

Comment: No further action is required.

S7. Stormwater Management: Paragraph A requires the use of low-impact development techniques on-site to treat stormwater to improve quality and to reduce the quantity of runoff wherever possible. The plan as submitted does not commit to the use of these techniques. At a minimum, the site shall be designed to utilize stormwater on site for watering of landscaping features and the treatment of stormwater shall be through the use of low-impact development methods. The site is a prime candidate for the use of a green roof technique where stormwater is treated on-site through the planting of vegetation on one of the exposed roof surfaces.

Recommended Condition: Prior to certification of the detailed site plan, the plan shall be revised to show the provision of low-impact development techniques to the fullest extent possible. The Stormwater Management Concept approval shall meet the intent of the Development District Standards and be approved by the Department of Environmental Resources prior to certification of the DSP.

S8. Noise: Paragraphs A and B of the Noise Development Standards describe how noise is measured and how it is to be mitigated for residential uses. The subject application proposes residential uses and as such is subject to the requirements contained in this section. The location of the 65 dBA (Ldn) noise contour is required on the detailed site plan to be in conformance with this District Standard.

Recommended Condition: Prior to the issuance of any permits, the plan shall be revised to show the approximate location of the 65 dBA (Ldn) noise contour resulting from the traffic-generated noise on US 1. Building permits submitted for the subject property shall contain a note from a professional acoustical engineer with competency on acoustical analysis certifying that the design and construction of the building shells will reduce interior noise levels to 45 dBA (Ldn) or less.

9. In a memorandum dated June 25, 2002 (Mokhtari to Wagner), the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the above referenced and submitted revised detailed site plan for the proposed University Gateway development on a tract of land along US 1 and located within the Subarea 3b (main street) of the approved and adopted College Park US 1 Corridor Sector Plan (sector plan).

The findings and recommendations outlined below are based upon staff evaluation of the submitted site plan and the ways in which the proposed development conforms to the regulatory and performance standards outlined in the approved sector plan.

Detailed Site Plan Findings

- A. The sector plan identifies the area in which the subject property is located as Subarea 3a. The property is located at the northwest quadrant of the intersection of Baltimore Avenue, US 1 and Navahoe Street. The proposed application is for construction of a 352-unit high-rise apartment building (159 one-bedroom units and 193 two-bedroom units), a multistory office building with approximately 177,500 gross square feet, and a multilevel parking garage structure with a total of 710 parking spaces. Access to the site will be from two proposed entrances on US 1. The northern entrance is proposed to be located north of Berwyn House Road and will be constructed as right in/ right out only. The southern access point is proposed to be located slightly to the north of Navahoe Street. This access point is proposed to be the site's main access point providing full movement to and from US 1. The proposed development would generate 633 AM (438 in, 195 out) and 844 PM (320 in, 524 out) peak-hour vehicle trips.
- B. The total number of proposed parking spaces shown in the submitted detailed site plan is less than the required number of parking spaces. Pursuant to the US 1 Sector Plan Parking Standards, the minimum number of off-street parking spaces that needs to be provided for in the proposed development is 767 spaces. The suggested 767 parking spaces includes appropriate credits and reductions as recommended by the sector plan for the proposed mixed-use, single-ownership development. Additionally, the plan indicates that an applicant may request from the Planning Board during the site plan review process a further reduction in the minimum off-street parking requirements (in this case a total of 57 additional spaces) by providing additional incentives to encourage use of alternative modes of transportation other than single-occupancy vehicles. The plan recommends contribution to the county and/or city ride sharing program, providing private incentives for car- and van-pooling, or participating programs that promote the increase use of public transportation such as WMATA's Metrocheck.
- C. The traffic impact study submitted in support of the proposed application and the corresponding preliminary plan of subdivision was found to be acceptable. Staff forwarded the submitted traffic impact study to appropriate county and state agencies for their review and comments. The traffic study was prepared in accordance with the recommended procedures outlined in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (Guidelines), and the sector plan's recommended adequacy standard for transportation facilities. The sector plan recommends Level-of-Service E, based on the average peak period levels of service for all signalized intersections for the segment of US 1 between University Boulevard (MD 193) and Paint Branch Parkway/Campus Drive.
- D. Based on the analysis conducted for the subject site, all signalized intersections along this segment of US 1 would operate at acceptable levels of service under existing, background and total traffic, which includes the traffic generated by the proposed development. It is important to note that this finding is in accordance with the adequacy requirements (average peak period LOS E for all signalized intersections along the corridor), as specified in the approved and adopted US 1 sector plan.
- E. The staff review of the site plan itself has revealed no significant problems. While it would have been ideal to limit the subject property access to only one point along US 1, the proposed two access points, considering the site layout and the existing physical limitations, are deemed acceptable, provided these two locations are acceptable to the State Highway Administration. With regard to the proposed main access driveway, it is recommended that

the proposed parking spaces including the proposed handicapped parking spaces along this roadway be eliminated. In addition, this access road should be widened to include two left-turn lanes and a shared through and right-turn lane to adequately accommodate the projected existing traffic. Finally, US 1 is proposed as a major collector with 90-110 feet of right-of-ways in the US 1 sector plan. Review of the preliminary plans prepared by the SHA demonstrate the need for at least 110 feet of right-of-way along US1 in the proximity of the subject site.

Transportation Staff Analysis and Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed development in the referenced detailed site plan as submitted will meet the circulation requirements of the US 1 sector plan and Section 27-548(c)(1)(D) of the County Code, subject to conditions 1-3 in the recommendation section below.

10. In a memorandum dated June 12, 2002 (McDonald to Foster), the State Highway Administration (SHA) offered the following comments:

■ Access to the site that includes a 400-unit apartment building and 180,000 square feet of office development is proposed from one (1) full movement access (across from Navahoe Street) and one (1) right-in/right-out access (north of Berwyn House Road) along US Route 1. The proposed full movement site access on US Route 1 across from Navahoe Street was shown to be slightly offset on the concept plan. Every effort should be made by the applicant to acquire the necessary property to align the site access drive with Navahoe Street. In addition, in order to meet SHA Engineering Access Permit Guidelines, the eastbound site access drive must be aligned with 2 left turn lanes and one through/right lane.●

11. In a memorandum dated July 10, 2002 (Shaffer to Wagner), the Trails Planner from the Transportation Planning Section offered the following comments:

The Adopted and Approved College Park US 1 Corridor Sector Plan identifies two master plan trail and bike facilities which impact the subject site.

- A. A master plan pedestrian and bicycle facility is currently being planned by the State Highway Administration (SHA) as part of a corridor-wide road improvement project for US 1 in College Park. This project may include continuous sidewalks and in-road bicycle lanes. These improvements will be completed by SHA, as reflected on the submitted DSP.
- B. The sector plan also recommends additional trail connections to the Paint Branch Stream Valley Trail from US 1, including one on the subject site. This connection will increase the access to the existing stream valley network and provide a much more direct non-motorized transportation route to the University from US 1. The sector plan states on page 67 that ■ the goal is to provide opportunities for traveling to destinations by bicycle or by walking. This will reduce dependency on the automobile, as well as safely accommodate those who do not have a car or choose not to use one for all trips. Accommodating a large number of bicycle and pedestrian trips to the University of Maryland, various locations along US 1, and the nearby College Park-University of Maryland Metro Station is a top priority.●

The location of the trail as shown on the detailed site plan is acceptable. However, due to the fact that the density proposed on the DSP is much greater than that generally planned for in the sector plan, staff recommends that the applicant construct the entire length of the planned connection, including the portion of the trail and the bridge on the University of Maryland property. This trail connection would link US 1 with the existing stream valley trail on the opposite side of Paint Branch. This idea has been agreed to in concept by the University and the City of College Park. This trail will reduce the number of vehicle trips generated by the proposed development by providing alternatives to the single-occupant vehicle, at least for some trips. Also, this trail facility can be used as a public benefit to justify the additional density being requested by the applicant. This trail connection is planned primarily as a transportation link to reduce vehicle trips and would be in addition to any recreational facilities requested by DPR.

- C. Staff also concurs with the Transportation Planning Section recommendation for a pedestrian-activated signal and crosswalk at US 1 (as noted in the June 25th memorandum from Mokhtari to Wagner), per the approval of SHA.
 - D. The sector plan recommends that all new retail and office development provide a minimum of four bicycle parking spaces per 10,000 square feet of gross floor area (Design Standard K, page 174). Based on the 177,500 square feet of office space being proposed, a minimum of 71 bicycle parking spaces should be provided. The use of the inverted U-style bicycle rack (preferred by the Washington Area Bicyclists Association) is strongly encouraged.
12. In a memorandum dated June 5, 2002 (Baxter to Wagner), the Community Planning Division offered the following comments:

■Master Plan: The *College Park US 1 Corridor Sector Plan* was approved on April 30, 2002, by approval of Council Resolution CR-18-2002.

■Planning Area/Community: Part of Planning Area 66/Subarea 3A (main street).

■Land Use Recommendation: The sector plan's vision is for mixed-use redevelopment in this area supplemented by the following land use and urban design recommendations for Subarea 3A (pp. 41, 42) :

- a. Compact and vertical mixed-use redevelopment that establishes a ■main-street• character along US 1 in low- to mid-rise buildings (one- to six-story buildings in general);
- b. Compact development with offices located above ground-floor retail to take advantage of technology linkages to the university;
- c. Vertical, mixed-use development where feasible outside of the floodplain;
- d. Compliance with Prince George's County floodplain regulations;

- e. A rear service road to improve access and circulation as part of a comprehensive effort;
- f. Introduction of a one-way service lane adjacent to US 1 with on-street parking between Berwyn Road and Berwyn House Road;
- g. Shared and/or structured parking;
- h. Pedestrian bridges across Paint Branch Creek to connect with the campus over a system of trails and boardwalk; and
- i. No building balconies for housing facing directly onto US 1.●

Other sector plan land use and urban design recommendations relevant to this DSP include:

- j. A corridor-wide urban design recommendation (p. 35) to relocate overhead utility lines underground along US 1 (variation requested by applicant).
- k. A District Council amendment (CR-18-2002) to the corridor-wide land use and zoning recommendations to indicate that properties proximate to College Park Airport should be developed in a manner compatible with airport operations. This property is proximate to the airport and may be subject to pending airport land use regulations (Council Bill 51-2002).
- l. A general five-story building height is recommended for Subarea 3A (p. 170 and p. 203) (variation requested by applicant). However, the Development District (DDO) standards accommodate some degree of flexibility in determining height limits provided the applicant can justify additional height based on design and market considerations.

Environmental: The entire site is within the Paint Branch 100-year floodplain and the site is shown with partial woodlands existing. The sector plan recognizes that redevelopment must occur at elevations above the floodplain.

Historic Resources: None shown.

Transportation: US 1 is shown as a major collector within a four-lane divided reconstructed highway with a 90- to 110-foot right-of-way. The State Highway Administration is presently developing reconstruction alternatives for US 1 within a variable right-of-way that is 110 feet along the property frontage. Be aware that approval of the College Park Sector Plan establishes traffic Level of Service ●E● as the minimum acceptable along US 1 in the sector plan area.

Parks & Trails: Portions of the property are adjacent to the Paint Branch Stream Valley Park and the sector plan recommends trail connections from properties along the west side of US 1, across Paint Branch to the university campus and the Paint Branch Stream Valley trail system. An eight-foot-wide bike trail is shown on the site plan along the north property line and extending to the west of the site to a proposed bridged stream crossing.

SMA/Zoning: The *College Park US 1 Corridor Sector Plan Sectional Map Amendment* was approved on April 30, 2002, and placed the property in the Mixed-Use-Infill (M-U-I) Zone and superimposed a Development District Overlay Zone (DDOZ) on top of the underlying M-U-I Zone. The DDOZ and its Development District Standards ensure that development within the sector area meets land use and urban design goals and objectives by requiring site plan review and a consistent design framework to ensure quality future development. Development District Standards are organized into three main categories related to public areas, site design and building design.

PLANNING ISSUES

1. This detailed site plan should be reviewed in concert with a preliminary subdivision (4-02031) that has been submitted in conjunction with this project in order to resolve issues relative to each development review process.
2. The State Highway Administration (SHA) must determine the proper right-of-way for this segment of US 1 as the SHA is conducting a highway alternatives study for US 1 that is exploring new rights-of-way limits. The highway centerline and proper right-of-way needs to be clearly shown on the site plan along with any transportation enhancements being proposed by the SHA, such as bus pull-off areas.
3. The DSP provides neither the rear service road nor the one-way service lane along US 1 that is recommended by the sector plan as the preferred means of improving access and circulation in the comprehensive redevelopment of Subarea 3A. However, this DSP represents incremental redevelopment of this subarea utilizing all properties now available to the applicant. Apparently the applicant is trying to consolidate other developed properties in an attempt to transform the appearance and function of this subarea. Given the inability to acquire and consolidate other properties in this subarea, we believe the applicant has sufficiently justified why these preferred access recommendations are not accommodated on this relatively small site.
4. Because the site is entirely within the floodplain of Paint Branch, the DSP and subdivision should demonstrate how off site compensatory flood water is stored to mitigate downstream flooding. Also, appropriate setbacks from the stream must be provided and flood water obstructions avoided.
5. The eight-foot-wide bike trail shown along the north property line and extending to the west of the site to a proposed bridged stream crossing should be established as a public easement to provide permanent public access.
6. This site is located in an area underneath the air traffic/flight pattern for the College Park Airport which is a small, public, general aviation airport approximately 4,000 feet from the end of runway. In approving the sector plan, the District Council approved an amendment to the plan's corridor-wide land use and zoning recommendations which stated:

■Proximity to College Park Airport■Because portions of the sector plan area are proximate to the College Park Airport, strategies to develop these areas in a manner compatible with airport operations should be part of the development planning process.●

Presently, there are no county regulations that specifically address the development of this property for a vertical mix of uses relative to the impact of air traffic in the area or compatibility with airport operations. The District Council has held several work sessions on proposed airport compatibility regulations during 2002.

To help assure compatibility of this development with airport operations, as intended by the District Council's amendment to the sector plan, some provision should be made to make future residents of the building aware of their location near the airport. Accordingly, a condition of approval should be to provide appropriate notice to future residents.

13. In a memorandum dated July 15, 2002 (Asan to Wagner), the Park Planning and Development Division offered the following comments:

■The Department of Parks and Recreation staff has three basic concerns with regard to this project:

- I. The need for **parks and recreational facilities** in the area
- II. Its potential for impacting operations of the **College Park Airport**
- III. Its **environmental impact** on the **Paint Branch Stream**

■Parks and Recreation

■The adopted and approved Sector Plan and Sectional Map Amendment for the College Park US 1 Corridor (CR-18-2002) states the following pertaining to parks:

■As a condition of approval, new residential subdivisions in Prince George's County are required to either dedicate land for park and recreation use, provide a fee-in-lieu, or develop private recreation facilities on site, the contribution levels being defined in the Subdivision Regulations.●

Section 24-134 of the Subdivision Ordinance (mandatory dedication of parkland) requires that 0.5 acre of the subject property be dedicated for public parkland. This acreage shall be ■suitable and adequate for active or passive recreation.●

The Commission conducted level of service analyses in an effort to assess the need for parkland and recreation facilities geographically, throughout the county and to prioritize communities according to their need. The need for acreage in the vicinity of the project is ■high.● The need for outdoor recreation facilities is ■moderate.● The applicant proposes providing private recreational facilities on the site and constructing a hiker/biker trail connection from the project area to the University of Maryland campus and the Paint Branch trail. Staff is of the opinion that this is an appropriate proposal given the limited size of the subject property.

■College Park Airport

See Finding 3 for comments with regard to the airport.

■Environmental impact on Paint Branch Stream

The entire site is within the Paint Branch 100-year floodplain and the site is shown with partial existing woodlands. The sector plan recognizes that redevelopment must occur at elevations above the floodplain.

The site is directly adjacent to Paint Branch Creek on the west. The Paint Branch Stream Valley Park extends to the north and south of the project area. The area of the stream valley directly to the west of the project area is owned by the University of Maryland.

The Storm Water Management Concept Plan is being reviewed by DER and has not been submitted with this application. Staff has concerns about the impact of this development on the Paint Branch Creek Stream Valley. The applicant proposes stream restoration as part of an off-site mitigation effort along the Paint Branch Stream on the Commission's and the University of Maryland's (UM) properties. The applicant has been working on the stream restoration project with DER, MDE, and UM, but plans have not been presented to the Department of Parks and Recreation. Any stream restoration on the Commission property and off-site storm water management affecting the Commission property must be coordinated with DPR.

The Department of Parks and Recreation staff recommends approval of Detailed Site Plan DSP-02027, subject to conditions below.

14. The City of College Park held a public hearing on the subject application on July 9, 2002, and voted to approve the site plan with 13 conditions which were agreed to by the applicant. Most of those conditions have been incorporated into the recommendation section below. Some conditions have been consolidated into similar conditions that were recommended by other agencies. Conditions that are not incorporated in the recommendation section below are as follows:

City Condition #1

■Construct the residential and office components of the project concurrently. If office construction is delayed, provide an annual report to the city, in writing and in person, demonstrating the efforts undertaken to lease, finance and construct the office building. This requirement shall cease when a building permit is obtained for the office use. In addition, no use and occupancy permit shall be released for the residential building unless construction of the office building has been initiated or a revised Detailed Site Plan has been filed specifying the appearance of the interim condition of the site.●

Comment: The first part of the condition is not enforceable by the MNCPPC or the county. The last sentence is acceptable.

City Condition #5

■Provide an agreement acceptable to the City in regard to a payment in-lieu-of taxes in the event the subject property is sold to a not-for-profit entity.●

Comment: The applicant should be required to make a good faith effort to reach an agreement with the city regarding this issue.

City Condition #6

■Revise the site plan to delete the 6-foot sight-tight fence along the northern boundary of the property.●

Comment: The fence is a requirement and provides justification for the deviation from the requirements of the *Landscape Manual*. Furthermore, the Urban Design Staff requested that the fence be upgraded in appearance, which the applicant has done.

City Condition #9

■Provide valet parking service concurrent with obtaining a use and occupancy permit for the office building.●

Comment: Staff is of the opinion that this condition is not enforceable by the MNCPPC or the county.

RECOMMENDATION

Based upon the foregoing evaluation, analysis and findings of this report, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE DSP-02027 and TCPI/66/02, subject to the following conditions:

1. The total development within the subject property shall be limited to a 352-unit high-rise apartment building (159 one-bedroom units and 193 two-bedroom units) and a multistory office building with approximately 177,500 gross square feet, or different uses generating no more than the number of peak-hour trips (633 AM and 844 PM) generated by the above development.
2. Prior to certification of the detailed site plan, the applicant shall revise the plan to show dedication of at least 55 feet from the existing centerline along US 1 and eliminate the proposed parking spaces, including the disabled designated spaces, along the proposed access road to be located opposite of Navahoe Street. In addition, this access road shall provide for two left-turn lanes and a shared through/right-turn lane, each at least 250 feet in length.
3. Prior to the issuance of any building permit, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have been agreed-upon timetable for construction with the appropriate agency:
 - a. Provision of a left-turn storage lane along northbound US 1 and any necessary signal modification at its intersection with Navahoe Street and proposed access road, per the SHA standards to adequately accommodate the projected left-turn volume.
 - b. Provision of a hiker/biker trail and a bridge across the Paint Branch and adequate guide signs per MNCPPC, city and the University of Maryland standards, providing direct access from US 1 to the university campus.
 - c. If deemed appropriate by SHA, provision of a pedestrian-activated signal and pedestrian crosswalk across US 1 at the proposed trail connection with US 1. Operation of this signal

may need to be coordinated with the operation of the existing signal at US 1 and Navahoe Street crosswalk.

- d. Provision of bus shelters on both sides of US 1 at the existing bus stops in the immediate vicinity of the subject site per the WMATA, and/or DPW&T standards.
4. Prior to certification of the detailed site plan, the Forest Stand Delineation (FSD) shall be revised to change the property acreage to 3.17 acres throughout and change the amount of woodland in stand #1 from 0.94 acre to 0.76 acre in FSD note #8.
5. Prior to certification of the detailed site plan, the Type II Tree Conservation Plan shall be revised to include the following:
 - a. Provide a worksheet to show the clearing of 0.76 acre of floodplain woodland,
 - b. Revise the TCPII notes to reflect a mitigation fee of \$1.50 per square foot,
 - c. add the following note: ■The area of off-site clearing shown on the University of Maryland property is under the jurisdiction of the Maryland Department of Natural Resources,•
 - d. Revise the worksheet to reflect the correct woodland conservation figures, and
 - e. Provide off-site location for woodland conservation mitigation and record easement prior to issuance of permits.
6. Prior to certification of the detailed site plan, the following shall occur:
 - a. Submit information regarding how the impacts to the 100-year floodplain will be addressed. Any and all information submitted to the Department of Environmental Resources regarding compensatory storage, floodwalls, etc., shall be included.
 - b. The investigation of the rare, threatened or endangered plant species identified by the Maryland Department of Natural Resources shall be completed and the Forest Stand Delineation shall be updated as needed to note the location of habitat for the identified plants.
 - c. The plan shall be revised to show the provision of low-impact development techniques to the fullest extent possible. The Stormwater Management Concept approval shall meet the intent of the Development District Standards and be approved by the Department of Environmental Resources prior to certification of the DSP.
7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
8. Prior to the issuance of any permits, the plan shall be revised to show the approximate location of the 65 dBA (Ldn) noise contour resulting from the traffic-generated noise on US 1. Building permits

submitted for the subject property shall contain a note from a professional acoustical engineer with competency on acoustical analysis certifying that the design and construction of the building shells will reduce interior noise levels to 45 dBA (Ldn) or less.

9. The applicant and the applicant's heirs, successors, and/or assigns shall construct the master plan trail from US 1, through the subject site, and bridge across Paint Branch to the existing Stream Valley Trail. This trail shall be a minimum of ten feet wide and asphalt on the east side of Paint Branch and eight feet wide and asphalt on the west side of Paint Branch. The additional width on the east side will accommodate emergency vehicles to Paint Branch.

This entire trail connection shall be in a public use easement to be maintained by the applicant. The applicant shall make a good faith effort to facilitate discussions between the University of Maryland and DPR regarding the land within the stream valley and the maintenance of the trail connection and the portion of the stream valley trail on the University of Maryland property. However, any decisions regarding the stream valley land and the maintenance of the trails must be agreeable to both the University of Maryland and the Department of Parks and Recreation, and would be separate from this application and approval.

10. Prior to the issuance of the first building permit, the applicant shall post bond for the recommended trail connection with the Planning Department in an amount to be determined by DPR..
11. Prior to certification, submit specifications for the trail connection and bridge to the Planning Department. The bridge shall be constructed according to Park and Recreation Facilities Guidelines.
12. The trail shall be assured dry passage. Suitable structures shall be constructed when crossing wet areas and the Paint Branch.
13. The trail shall be free of all above-ground utilities and street trees and should be ADA-compatible, where feasible and practical.
14. Sidewalks shall be ramped at all intersections and parking lots.
15. Based on the 177,500 square feet of office space being proposed, a minimum of 71 bicycle parking spaces shall be provided. The use of the inverted U-style bicycle rack (preferred by the Washington Area Bicyclists Association) is strongly encouraged.
16. Prior to certification of DSP-02027, the DPR shall review and approve the Stormwater Management Concept Plan and plans associated with the Paint Branch Stream restoration effort.
17. The applicant shall enter into a mitigation agreement with M-NCPPC for the stream restoration prior to submission of the final plat of subdivision. Three original agreements shall be submitted to DPR at least three weeks prior to application for final plats. Upon approval by DPR, the agreement shall be recorded among the land records of Prince George's County.
18. The applicant shall request a bond estimate for the amount needed to guarantee completion of stream restoration efforts on M-NCPPC property at least three weeks prior to application for a grading permit. A suitable financial guarantee (letter of credit, bond or escrow account) shall be submitted to DPR prior to application for grading permit(s).

19. The final plat of subdivision shall have a note requiring notification of the prospective purchasers and/or tenants that this property is in an area affected by aircraft overflights.
20. Prior to certification of the detailed site plan, the following shall occur:
 - a. Dimensions shall be provided for the freestanding signage at the entrance and the sign shall be relocated to meet the minimum setback requirements of the Zoning Ordinance.
 - b. Provide a written determination by the Federal Aviation Administration and/or the Maryland Aviation Administration that the proposed project does not provide an airway obstruction.
 - c. Revise the site plan to show approximately 5,000 square feet of ground floor retail use.
 - d. Revise the site plan to widen the sidewalk to extend to the front façade of the office building.
 - e. The plan shall be revised to either increase the number of spaces or reduce the size of the buildings accordingly to alleviate a parking shortage.
 - f. Revise the architecture of the office building to reduce the overall massing of the building along the street. The height of the building at the build-to-line shall not exceed 70 feet, with the remainder of the building façade terraced.
 - g. The dumpster at the end of the service road shall be removed from all plans.
 - h. The applicant shall make a good faith effort to reach an agreement with the City in regard to a payment in-lieu-of taxes in the event the subject property is sold to a not-for-profit entity.
21. No certificate of occupancy shall be issued by DER for the residential building unless construction of the office building has been initiated or a revised detailed site plan has been filed specifying the appearance of the interim condition of the building and the site.
22. The number of residential units constructed on site shall not exceed 352 units.
23. If the adjacent liquor store site is acquired during the development phase, provide a revised site plan showing the integration of this site with the project to provide improved access and streetscaping.