



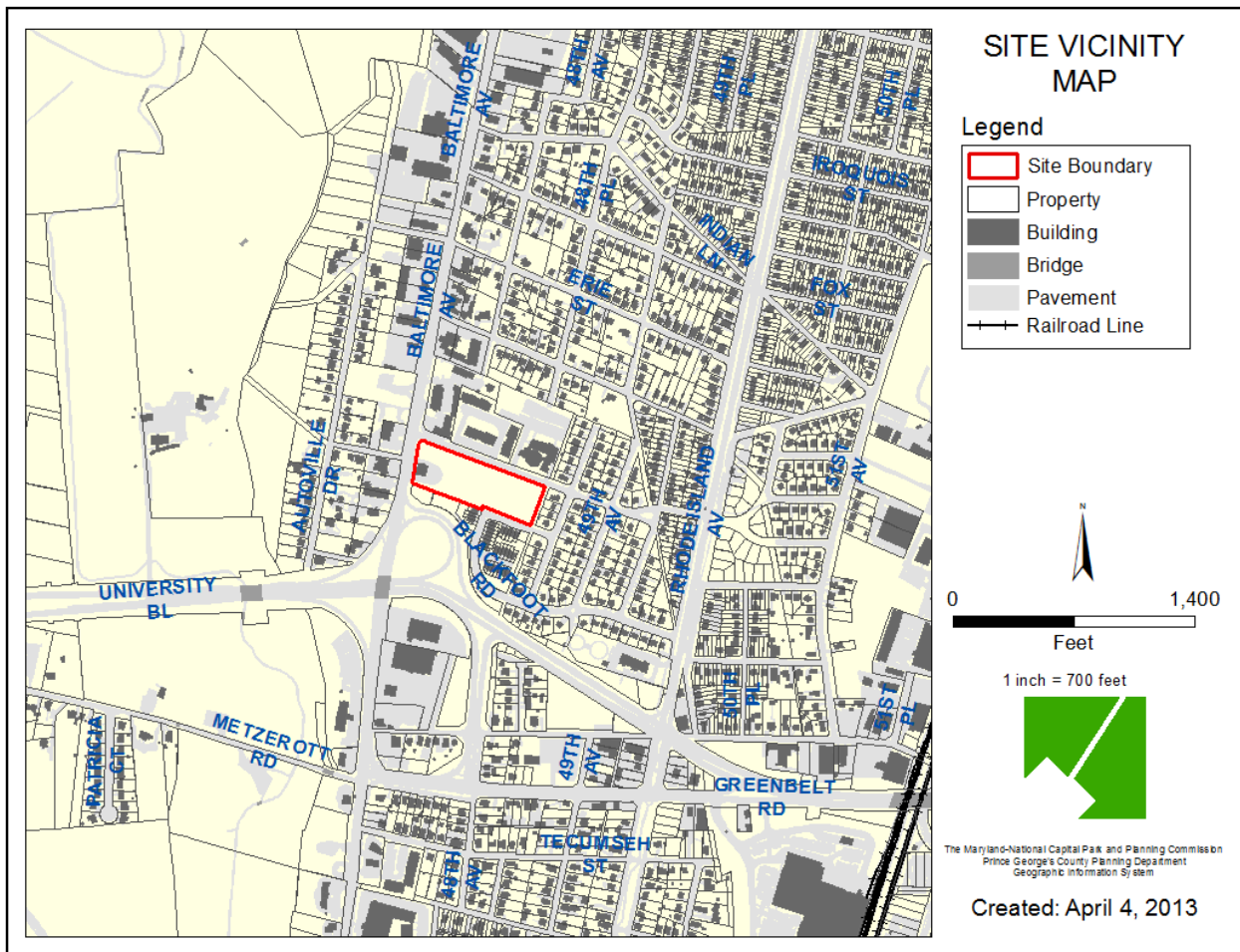
*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Detailed Site Plan DSP-03098-03      Reconsideration Hearing

Application	General Data	
<b>Project Name:</b> Metropolitan at College Park  <b>Location:</b> On the southeast corner of the intersection of Baltimore Avenue (US 1) and Cherokee Street.  <b>Applicant/Address:</b> Metropolitan Development Group LLC 8521 Leesburg Pike, Suite 720 Leesburg, VA 22182	Planning Board Hearing Date:	05/22/14
	Memorandum Date:	05/05/14
	Date Accepted:	03/11/14
	Planning Board Action Limit:	N/A
	Plan Acreage:	4.22
	Zone:	M-U-I/D-D-O
	Dwelling Units:	283
	Gross Floor Area:	4,133 sq. ft.
	Planning Area:	66
	Tier:	Developed
	Council District:	03
	Election District	21
	Municipality:	College Park
	200-Scale Base Map:	211NE04

Purpose of Application
<b>RECONSIDERATION HEARING:</b> A Waiver of the Rules of Procedure and a Request for Reconsideration were approved by the Planning Board on April 10, 2014. The applicant is requesting elimination of Condition 2 of approved PGCPB Resolution No. 13-147(C) that requires the applicant to vacate a 20-foot-wide public right-of-way dedicated to the City of College Park, because the applicant's property was not a part of the original land dedication.

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> H. Zhang, AICP LEED BD+C <b>Phone Number:</b> 301-952-4151 <b>E-mail:</b> Henry.Zhang@ppd.mncppc.org	
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
X			



May 5, 2014

## MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Steven Adams, Supervisor, Urban Design Section, Development Review Division

FROM: Henry Zhang, Master Planner, Urban Design Section, Development Review Division

SUBJECT: Reconsideration Hearing for Metropolitan at College Park  
Detailed Site Plan DSP-03098-03

On April 10, 2014, the Prince George's County Planning Board granted a Waiver of the Rules of Procedure and approved a Request for Reconsideration of Condition 2 of Planning Board Resolution No. 13-147(C) for previously approved Detailed Site Plan DSP-03098-03.

The applicant presented evidence that an error may have occurred in the approval of this case related to Condition 2. This condition requires the applicant to vacate a public right-of-way dedicated to the City of College Park in order for the applicant to provide a landscaped bufferyard between the existing single-family detached houses and the proposed townhouse section included in the DSP. The reconsideration hearing has been scheduled on the Planning Board agenda date of May 22, 2014.

## LOCATION

The site is located on the east side of Baltimore Avenue (US 1), in the southeastern quadrant of the intersection of Baltimore Avenue and Cherokee Street, within the City of College Park, in Planning Area 66, and Council District 3. The site is also located in Area 4 (Central Gateway Mixed-Use Area), Subarea 4e, of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* (College Park US 1 Sector Plan and SMA) at time of the original approval.

## BACKGROUND

The 20-foot-wide right-of-way adjacent to the eastern property line of DSP-03098-03 is a paper street that was dedicated to the City of College Park when the existing single-family detached houses were developed. During the review of DSP-03098-03, the City of College Park, after working with the

area citizens, decided that there is no need to construct a street in this public right-of-way. At the same time, the applicant for DSP-03098-03 proffered to provide a ten-foot-wide landscaped bufferyard on a portion of the right-of-way close to the development, and to maintain it in perpetuity. Both the City and the area citizens welcomed this proffer. At the time of their public hearing on this DSP, the College Park City Council recommended a condition that required the applicant to vacate the right-of-way, and this condition was adopted by the Planning Board as Condition 2 of PGCPB Resolution No. 13-147(C) approving DSP-03098-03, as follows:

- 2. Prior to issuance of any building permits, the applicant shall vacate the 20-foot-wide right-of-way along the eastern property line and obtain approval of a minor final plat pursuant to Section 24-112 of the Subdivision Regulations.**

Subsequent to the Planning Board approval, the applicant met several times with the City of College Park planning staff and the City Council to discuss options regarding the implementation of Condition 2. It was discovered at that time that the vacation of the right-of-way would not provide the applicant with the ten-foot-wide strip of reversionary property all parties previously believed existed, since the applicant's property was never a part of the original land dedication. On February 11, 2014, the City of College Park Mayor and City Council agreed that the applicant should not be required to vacate the 20-foot-wide right-of-way. In lieu thereof, the City agreed to grant an easement to the applicant to use one half of the 20-foot-wide right-of-way for landscaping, provided the applicant maintains the landscaped strip and plantings in perpetuity. The applicant agreed with the City of College Park and, therefore, Condition 2 of the Planning Board's approval becomes unnecessary.

#### THE APPLICANT'S REQUEST

The applicant requests elimination of Condition 2 of PGCPB Resolution No. 13-147(C) which requires the applicant to vacate a public right-of-way dedicated to the City of College Park by other property owners.

#### REFERRAL COMMENTS

**The City of College Park**—The City of College Park agreed with the applicant that Condition 2 is no longer necessary. The City and the applicant are expected to sign a Declaration of Covenants to allow the applicant to use ten feet of the public right-of-way to install a landscaped strip.

#### RECOMMENDATION

The Urban Design Staff recommends that the Planning Board APPROVE the Reconsideration Request for Detailed Site Plan DSP-03098-03, Metropolitan at College Park, to rescind Condition 2 from PGCPB Resolution No. 13-147(C) in its entirety.