

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on October 26, 2006 regarding Detailed Site Plan DSP-03098/01 for Jefferson Square Apartments at College Park, the Planning Board finds:

1. **Request:** The subject application is for approval of a mixed-use project with 160 mid-rise multifamily residential apartment units, 45 townhouse units and 41,540 square feet of commercial retail space. The applicant is also requesting to change the underlying zone for the portion of the site in the R-T (Residential Townhouse) Zone to the M-U-I (Mixed-use Infill) Zone.
2. **Development Data Summary:**

Zone(s) Use(s)	EXISTING M-U-I/R-T/DDOZ Commercial	PROPOSED M-U-I/DDOZ Townhouse and Multifamily, Commercial Office/Retail
Acreage	4.76	4.76
Lots	0	0
Parcels	1	1
Square Footage/GFA	3,300(vacant)	41,540 (commercial/retail)
Dwelling Units:	-	205
Of which multifamily dwelling units	-	160
townhouse dwelling units	-	45

OTHER DEVELOPMENT DATA
Bedroom Unit Mix—Multifamily

Unit Type	Number of Units	Average Square Footage
1 Bedroom	77	784*
2 Bedrooms	67	1,165
3 Bedrooms	16	1,465
Total	160	

*See Finding 9 for the requested amendment discussion relating to size of bedroom units.

Bedroom Percentage

Unit Type	Proposed Percentage	Percentage Per Section 27-419
1 Bedroom	48	50
2 Bedrooms	42*	40
3 Bedrooms	10	10
	100	100

Notes: * See Finding 9 below for discussion of the requested amendment relating to the proposed bedroom percentages.

Parking Requirements Per Section 27-568(a)

Uses	Parking Spaces
Multifamily Apartments (160 units)	
Of which one bedroom units (2 spaces per unit)	154
Two bedroom units (2.5 spaces per unit)	168
Three bedroom units (3 spaces per unit)	48
Townhouses (45 units in eight sticks. 2.04 spaces per unit)	92
Commercial Space (41,540 square feet)	
For the first 3,000 square feet (1space per 150 sq. ft.)	20
For the remaining 38,540 square feet (1 space per 200 sq. ft.)	193
Total rezoned for commercial	231
Total	674

S2. The minimum number of off-street parking spaces permitted for each land use type shall be reduced by 10 percent from the required spaces of Section 27-568 (a) pursuant to Site Design S2. Parking Area, Standard T. of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment*

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Shared Parking by Time Period (Pursuant to Table 15, Page 182 on Sector Plan)

Uses	Weekday		Weekend		Nighttime
	Daytime	Evening	Daytime	Evening	
Residential (416 spaces)	60%=250	90%=374	80%=333	90%=374	100%=416
Commercial (191 spaces)	60%=115	90%=173	100%=192	70%=135	5%=10
Total Spaces	365	547[†]	525	509	426

Parking Provided*	547 spaces
Structure parking spaces	367
Townhouse surface parking spaces	90
Townhouse garage parking spaces	90

Notes: [†] The highest number of parking spaces occupancy becomes the minimum number of spaces required; therefore a total of 547 spaces is required. The plan provides a total of 547 parking spaces and complies with the parking requirements. No amendments to the parking requirements have been requested.

* For a total of 547 parking spaces required, two percent of the total parking spaces (equivalent to 11 spaces) should be for the handicapped. Out of the required 11 parking spaces for the handicapped, at least one parking space should be a van accessible space. The site plan does not provide enough information regarding parking for the handicapped. A condition of approval has been recommended to require the applicant to provide the required parking spaces for the physically handicapped prior to certificate approval.

Loading

Required per Section 27-582	4
Retail	3
Multifamily	1 space /100-300 dwelling units
Provided*	3
Retail	3 spaces
Residential	Shared with retail use

Notes*: The DSP plan indicates that a reduction from the number of required loading spaces has been requested to allow the residential use to share one loading space with the retail/commercial uses. Staff supports the sharing of loading spaces for the mixed-use component of this site plan because functionally they are clustered and will serve all the uses in the building. The plan continues to meet the goals and purposes of the sector plan with the proposed sharing of loading spaces between retail and residential uses.

3. **Location:** The site is located on the east side of US 1, at the southeast 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 College Park US 1 Corridor sector plan.
4. **Surrounding Uses:** The site is bounded on the west side by US 1; on the south by the State Highway Administration ramp from MD 193 to US 1 and by Catawba Street, an existing 50-foot wide residential street that provides access to an existing townhouse development in the R-T

Zone known as College Park Mews; to the east by an existing single-family residential development in the R-55 Zone; and to the north by Cherokee Street, which has a variable right-of-way width. Across Cherokee Street are rental apartments in the R-18 Zone and an existing church in the C-S-C Zone.

5. **Previous Approvals:** The subject site carries two types of zoning designations. The 1.16-acre part that is fronting US 1 was zoned C-S-C and developed with a one-story brick building shared by Mandalay Café and Atlantic Wireless Store, which is currently under-utilized. The 3.6-acre part was zoned R-T and remains undeveloped. The 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment*, which was approved by the District Council on April 30, 2002 (CR-18-2002), rezoned the 1.16-acre part into the M-U-I Zone, retained the 3.6-acre part in the R-T Zone and superimposed a development district overlay zone on both parts.

The site is the subject of Preliminary Plan of Subdivision 4-03141, which was approved by the Planning Board (via PGCPB Resolution No. 04-117) and was valid through June 10, 2006. The preliminary plan received a one-year extension on June 22, 2006, extending its validity to June 10, 2007. On August 24, 2006, the applicant filed a reconsideration application to request the Planning Board to reconsider Condition 11 that imposed a trip cap on the subject site. The Planning Board approved the reconsideration request at the public hearing on September 21, 2006. The substantive hearing for this case was held on October 26, 2006. The Planning Board approved the reconsideration of Condition 11 of 4-03141 with conditions.

The applicant filed a detailed site plan, DSP-03098, for approval of a mixed-use development with 237 mid-rise rental apartments, 8 rental townhouses and 3,405 square feet of commercial retail space and an amendment to the Development District Overlay Zone to change the underlying R-T Zone to the M-U-I Zone. The Planning Board (via PGCPB Resolution 04-193) approved DSP-03098 on July 29, 2004. On May 9, 2005, the District Council remanded this case back to the Planning Board. The Planning Board [via PGCPB Resolution No. 04-193(a)] reapproved the DSP on September 8, 2005. On February 13, 2006, the District Council denied the DSP, based primarily on the development intensity and type of housing products, which were found not to be compatible with the surrounding neighborhood and inconsistent with the land use recommendation of the Sector Plan. The site also has an approved Stormwater Management Concept Plan 23871-2003, which will be valid through November 14, 2006.

6. **Design Features:** The subject site is a rectangular shaped property fronting on US 1. The proposed mixed-use project consists of two parts. Along the US 1 frontage is the proposed vertical mixed-use section, which is composed of 160 units of multifamily apartments, approximately 41,540 square feet of commercial retail uses, and an underground parking structure for 367 spaces. The proposed residential and commercial/retail uses are designed in one building with a courtyard above the ground level commercial retail uses. The rear of the site is to be developed exclusively for 45 townhouse units in eight building sticks, which occupies less than two-thirds of the entire site. The building height of the development on the site varies from a five-story vertical mixed-use building, approximately 70 feet in height along US 1 frontage, to the three-story townhouse units, approximately 40 feet in height. The townhouse section provides a

transition in building height and mass between the larger mixed-use building along the US 1 Corridor and the existing single-family detached units and townhouses to the south and the east of the subject site.

The site plan shows two vehicular access points to the site from Cherokee Street. For the mixed-use building, there are storefronts along both US 1 and Cherokee Street. Sidewalks and pedestrian amenities have been shown along the two street frontages. The residential lobby of the multifamily apartments is located at the northeast end of the building, as well as the entrance to the underground parking structure that serves the apartments. The proposed townhouses are also located along Cherokee Street, maintaining a continuous street wall. The remaining townhouse building sticks are arranged parallel to US 1 and in pair to create a common walkable area between two buildings.

The frontage along US 1 will be improved with an eight-foot-wide landscape strip and a sidewalk of varied width between the commercial storefront and US 1. There are seating areas and lighting fixtures in the landscape strip.

The main façade fronting Baltimore Avenue is designed in a three-part composition with a projected first floor for retail/commercial use forming a strong base section. The second to the fifth floor of the building is for multifamily residential dwellings. The façade is finished with a combination of brick and cementitious panel. The elevation features three fenestration patterns with an elaborated tower at the corner of Baltimore Avenue and Cherokee Street. Various height profiles of vertically divided modules provide a varied roofline. The elaborated base section wraps the corner tower, breaks for several bays and continues to the end of the elevation fronting Cherokee Street at the entrance to the underground parking garage. The triangular parapet on the multifamily building has been strengthened by the cross-gable and triangle pedimented dormer window of the townhouse units along Cherokee frontage. The townhouse is finished with a combination of brick veneer and standard siding. Similar brick arched windows also appear on the townhouse units. An optional deck is offered on the interior townhouse rear elevation. The design of the townhouse and multifamily sections are compatible in style and building treatment. The project as a whole is also compatible with the existing neighborhood.

The site plan includes two monumental signs to be placed in front of the mixed-use building, along US 1, and the main entrance to the townhouse section, along Cherokee Street. The monumental signage to the townhouse section is acceptable. Placing monumental sign in front of the mixed-use building at the corner of US 1 and Cherokee Street does not comply with the vision for Area 4. Even though the DDOZ standards do not specifically prohibit monumental signs, the Urban Design Section believes building-mounted signage of both the residential real estate identification and the store-front signage is more appropriate at this location. In addition, the plans do not clearly indicate the proposed sign face area. DDOZ standards allow up to a maximum 100 square feet sign area for a freestanding sign. Staff believes that the proposed signage should meet the above sign face area standard. A condition of approval has been proposed in the recommendation section to require the applicant to provide this information on the site plan.

The applicant has not provided a phasing plan for the development. Staff is concerned about the possibility of the townhouse section being constructed under the variable development standards for the project that are allowed when a project is built in accordance with Section 27-546.18. That section states that when an owner proposes a mix of residential and commercial uses on a single lot or parcel, the site plan shall set out the regulations to be followed including, but not limited to, the setbacks, height, lot size, and density. Since the project is proposed on one lot, which includes the mixed-use building and the townhouses, the density and the dimensional requirements that would normally govern townhouse development do not apply. However, if the townhouses were to be built first and the mixed-use building never constructed, there would be no bona fide mixed use on the site to justify any variation from standard regulations for the district. Therefore, it is necessary to require a condition to phase the plan for the project in order to ensure mixed-use development on the site, with the proposed increase in density for the townhome component.

7. **Recreation Facilities:** The subject DSP includes a recreational facility and amenity package consisting of a 1,500 square-foot fitness area, a 1,000 square-foot club/pub room, a business center, an interior landscaped courtyard with seating for the multifamily section of the development. Internal sidewalks and a landscaped courtyard is proposed for the townhouse section. Per the current formula for determining the value of recreational facilities to be provided in subdivisions, for 160 multifamily dwelling units and 45 townhouse units in Planning Area 66, a recreation facility package of approximately \$192,000.00 is required. Several items such as club/pub, otherwise required sidewalks, do not qualify as a recreational facility. In addition, no recreational facilities have been proposed for the townhouse section. As discussed in the below Finding 10 for compliance with the approved Preliminary Plan of Subdivision 4-03141, the staff believes that the site plan does not have adequate recreation facility for the development. Additional information regarding recreation facilities for multifamily complex is also needed. During the public hearing for this detailed site plan, the Planning Board agreed to the proffer by the applicant to provide additional recreational facilities on an existing lot adjacent to the subject site and therefore determined that the recreational facility for this application is adequate.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Development District Overlay Zone for amendment of the approved underlying zone to change from the R-T Zone to the M-U-I Zone and the requirements of the M-U-I Zone of the Zoning Ordinance as follows:
 - a. This DSP application includes a request to change the underlying zone for a section of the property from R-T to M-U-I, in accordance with Section 27-548.26(b) in the Development District Overlay Zone section of the Zoning Ordinance. The area of the property zoned R-T is approximately 3.6 acres in size and lies behind the M-U-I-zoned portion of the development that fronts onto Baltimore Avenue. The area to be rezoned is bounded by Cherokee Street to the north, a 20-foot-wide paper alley to the east, and Catawba Street to the south. The owner of the property may request changes to the

underlying zone in conjunction with the review of a detailed site plan. Pursuant to Section 27-548.26(b)(3), the Planning Board is required to hold a public hearing on the application and make a recommendation to the District Council. Only the District Council may approve a request to change the underlying zone of a property. The applicant is also required to meet the requirements of Section 27-546.16 of the Zoning Ordinance for the Mixed-Use Infill Zone (M-U-I).

Under Section 27-548.26(b)(5), the District Council is required to find that the proposed development conforms to the purposes and recommendations for the Development District as stated in the Master Plan, Master Plan Amendment or Sector Plan, and meets applicable site plan requirements. The development generally conforms to the applicable site plan requirements. As mentioned in Finding 9 below, the applicant has applied for several amendments to the Development District Standards. The sector plan identifies four primary goals under Sector Plan Summary to be implemented through the Development District Standards:

First, to create an attractive and vibrant gateway corridor leading to The University of Maryland and the City of College Park.

Second, to promote quality development by transforming US 1 into a gateway boulevard, main street, and town center in a pedestrian and bicycle-friendly environment.

Third, to provide a diverse mix of land uses in compact and vertical mixed-use development forms in appropriate locations along the corridor.

Fourth, to encourage multifamily development to reduce the use of the automobile and also to expand the opportunity for living, working and studying within the corridor.

Under Area and Subarea Recommendations of the sector plan, land use and urban design recommendations are provided that establish the preferred mix, type and form of development desired in the six areas and their subareas. For Subarea 4e, the sector plan envisioned the following:

The vision for this subarea is for infill and redevelopment including a mix of retail, office, and residential uses in mid-rise buildings. Adequate buffers should be provided and building heights should step down to be compatible with adjacent existing residential neighborhood.

The Community Planning Division in a memorandum dated September 26, 2006 (Williams to Zhang), recommended approval of the rezoning request citing that the application is consistent with the Sector Plan's land use recommendation for Subarea 4 and meets goals 1, 3 and 4 of the sector plan by presenting an attractive and an attractive

and vibrant mixed-use development along the US 1 Corridor, incorporating both retail and multifamily uses along a transit corridor, resulting in a diverse mix of vertical land uses that can take advantage of existing transit options to reduce the use of the automobile.

The community planner further explains why this portion of the site was retained in the R-T Zone at time of sector plan as follows:

“The bulk of the subject property was not rezoned to the M-U-I Zone at the time of approval of the sector plan due to the lack of redevelopment proposals at the time. The portion of the subject property with frontage upon US 1, which was classified in the M-U-I Zone at the time of plan approval to meet the plan’s second goal, is very narrow (approximately 130 feet in width), limiting the redevelopment potential of the portion zoned M-U-I. However, the Detailed Site Plan submitted by the applicant includes the entirety of the site, providing sufficient land assembly to support a viable development proposal. The request to rezone the R-T portion of the property to the M-U-I Zone is appropriate given the intended vision for the character of development along the US 1 Corridor, the plan’s recommendations concerning future rezoning when land assembly has occurred, and the regulations of the M-U-I and Development District Overlay Zones.”

Under Section 27-546.16(b)(2) of the Zoning Ordinance, the owner is required to show that the proposed rezoning and development will be compatible with existing or approved future development on adjacent properties. In addition, pursuant to Section 27-546.16(c), the M-U-I Zone may be approved only on property which adjoins existing developed properties for 20 percent or more of its boundaries, adjoins property in the M-U-I Zone, or is recommended for mixed-use infill development in an approved Master Plan, sector plan, or other applicable plan. Adjoining development may be residential, commercial, industrial, or institutional and must have a density of at least 3.5 units per acre for residential or a floor area ratio of at least 0.15 for non-residential development.

The applicant has provided a justification statement that outlines how the proposed development plan meets the above requirements. In general, the goals and recommendations of the sector plan have been met by providing a compact and vertically mixed-use development. The proposed mixed-use building will create a strong presence on Baltimore Avenue, articulating the corner location with the provision of ground-level retail with residential above while providing for an attractive and vibrant gateway to the City of College Park. The main building will be sited close to the street, with attractive streetscapes consisting of special paving and lighting, street furniture, bicycle racks, outdoor seating areas for restaurants, and an abundance of public and private landscaping. As the development transitions back into the lower townhouse residential section, the architecture of the buildings has been designed to incorporate more residential-scaled details such as dormers, reverse gables, decorative window and door

treatment, balconies, and green areas with attractive landscaping. The architecture depicts building materials that are compatible with the existing surrounding residential neighborhoods. Three-story townhouses are proposed as a transition in building height in order to be compatible with the adjacent existing residential neighborhood consisting of single-family detached homes to the east and townhouses to the south, across Catawba Street.

The parking for the multifamily section will be provided in an underground parking structure, accessed from Cherokee Street. For the townhouse section each dwelling will have two garage spaces. The proposed parking will be behind the townhouse sticks that are facing Cherokee Street and between the buildings for those interior units.

The applicant has proffered to provide a private shuttle that will go to the Greenbelt Metro Station on a regular basis to help reduce automobile use. The applicant has also proffered to upgrade the existing bus stop along US 1 in front of the site. The bus stop is currently served by Metrobus and The Bus.

Adequate landscape buffers that are in conformance with the requirements of the Landscape Manual (subject to several conditions as discussed in Finding 11 below) have been provided between the development and the existing neighborhoods. The City of College Park has agreed to provide the developer with a landscape easement for the use of the city-owned, 20-foot-wide unpaved alley for screening the development from the existing single-family homes to the east. A required 20-foot-wide landscape buffer also has been provided along the eastern property line that is adjacent to the existing single-family houses. A required 25-foot-wide landscape buffer between the townhouse section and the existing multifamily and townhouse project has been provided along the southern property line.

In conclusion, staff supports the rezoning of the property from the R-T Zone to the M-U-I Zone because the property adjoins existing developed properties in the M-U-I Zone for more than 20 percent of its boundaries. Staff further finds that the proposed development conforms to the purposes and recommendations for the development district, as stated in the sector plan and meets applicable site plan requirements.

- b. The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans (in this case the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment*), a mix of residential and commercial uses as infill development in areas that are already substantially developed.

Section 27-546.19. Site Plans for Mixed Uses requires that:

- (c) **A detailed site plan may not be approved unless the owner shows:**
 - 1. **The site plan meets all approval requirements in Part 3, Division 9;**

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

Comment: The site plan meets all site design guidelines and Development District Standards of the 2002 *Approved College Park US 1 Corridor Sector Plan* and the standards of the Development District Overlay Zone (DDOZ), as amended.

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**

Comment: The application proposed a mixture of multifamily residential and commercial office/retail in a vertical mixed-use format in a five-story building fronting Baltimore Avenue and 45 townhouse units in eight building sticks behind the vertical mixed-use building. The proposed parking for the multifamily section will be in the parking garage located in the building along with the commercial office/retail. The proposed uses on the subject property will be compatible with each other and will be compatible with existing or approved future development on adjacent properties in the main street area of the US 1 corridor.

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;**

Comment: In order to achieve that, the DSP specifically employs the townhouse section as a transition in building height and mass from the mixed-use building, so as to be compatible to the existing both single-family and multifamily dwellings to the east and south of the subject site.

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

Comment: The site plan shows primary facades for the mixed-use building along Baltimore Avenue and Cherokee Street. Sidewalks will be provided along Baltimore Avenue, Catawaba Street and Cherokee Street. The proposed parking

for the multifamily section is underground. The parking for the town house section is located in garages. Pedestrians have direct access to units without crossing parking lots.

- (C) **Site design should minimize glare, light, and other visual intrusion into and impacts on yards, open areas, and building facades on adjacent properties;**

Comment: The site plan shows a mixed-use complex at the front portion of the site and a townhouse section at the rear to provide a transition to the existing neighborhood. The lighting proposed for the multifamily building is located along both frontages of Baltimore Avenue and Cherokee Street. The lighting proposed for the townhouse section is located within the interior of the section. As a result, the glare, light, and other visual intrusion into neighborhoods is greatly minimized.

- (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;**

Comment: The commercial /retail component of this project is located at the street level of the vertical mixed-use building that is fronting Baltimore Avenue. The rest of the stories of the building are for the proposed multifamily units. Behind the five-story building are three-story townhouses. The proposed building design and materials of the development will be an upgrade of the existing buildings.

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

Comment: The application does not include outdoor storage. The mechanical equipment will be located within the building.

- (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**

Comment: A sign package consists of two monumental signs. The applicant has requested an amendment to Site Design, S5. Freestanding Signs of the Development District Standards to allow the sign for the mixed-use section to be

located closer than 10 feet behind the ultimate right-of-way. As discussed in Finding 9 below, the staff believes that building-mounted signage is appropriate for the mixed-use development. The rest of the proposed signage is in general compliance with 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;**
 - (ii) **Location of activities with potential adverse impacts;**
 - (iii) **Location and use of trash receptacles;**
 - (iv) **Location of loading and delivery spaces;**
 - (v) **Light intensity and hours of illumination; and**
 - (vi) **Location and use of outdoor vending machines. (CB-10-2001; CB-42-2003)**

Comment: According to the applicant, the hours of operation or deliveries for the stores fronting Baltimore Avenue and Cherokee Street will follow the normal schedule of the existing business establishments. Since the vehicular access to both the mixed-use section and townhouse section and access to the proposed loading and delivery spaces will be from Cherokee Street, the impact to the existing residential neighborhood has been minimized. Trash receptacles are to be located on the sidewalks along Baltimore Avenue. No vending machines have been proposed. No freestanding luminaries have been proposed for the commercial/retail component. Additional trash receptacles will be provided at the outdoor play area in the townhouse section. In the townhouse section, three types of lighting fixtures have been provided. Two types are for the subdivision and one is streetlight along Catawaba Street.

9. **The 2002 Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment and the standards of the development district overlay zone (DDOZ):** The 2002 College Park US 1 Corridor Plan defines long-range land use and development policies, detailed zoning changes, design standards and a DDOZ for the US 1 corridor area. The land use concept of the sector plan divides the corridor into six areas for the purpose of examining issues and opportunities and formulating recommendations. Each area has been further divided into subareas for the purpose of defining the desired land use types, mixes, and development character. The subject site is in Area 4 (Central Gateway Mixed-use Area), Subarea 4e, on the east side of US 1. The vision for Area 4 is to create a mixed-use neighborhood with a variety of retail and office uses, and the introduction of multifamily residential development in mid-and high-rise buildings.

Buildings may be sited further from the street and from each other than in the concepts set forth for the town center and main street areas. Parking should be located in lots sited to the side or rear of properties. Shared parking is strongly encouraged. Sidewalk setback from the curb edge with trees and landscaping on both sides will create the gateway boulevard envisioned for US 1.

The sector plan also provides specific subarea land use recommendations for Subarea 4e, east side of US 1 and north of MD 193. The plan encourages and promotes infill development and redevelopment to include a mix of retail, office, and residential uses in mid-rise buildings. Adequate buffers should be provided and building height should step down to be compatible with the adjacent existing residential neighborhood. The application as proposed in the subject detailed site plan including the mixture of residential, commercial and retail uses, the site layout and transition of building height to be compatible to the existing adjacent neighborhoods of single-family detached and single family attached units, and is in general compliance with the land use vision and recommendation for Subarea 4e.

Section 27-548.25 (b) requires that the Planning Board find that the site plan meets applicable development district standards. The development district standards are organized into three categories: public areas; site design, and building design. The applicant has submitted a statement of justification that provides detailed explanation of how the proposed condominium project conforms to each development district standard.

- a. The detailed site plan meets most of the standards with the exception of several development district standards, for which the applicant has requested an amendment. In order to allow the plan 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 amendments that the applicant has requested are discussed below.

PUBLIC AREAS:

P6. Utilities

- A. 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.**

Comment: The applicant has requested an amendment to modify the above standard. The applicant states, “there is only one utility pole carrying overhead lines located along the US 1 frontage of the subject property. This sole utility pole is to be retained. The applicant does not intend to underground the overhead utilities since there is no financing program in place at this time to implement a systematic undergrounding of utilities along the US 1 corridor.” The applicant also quotes from the sector plan that “the standard is to reduce the visual impact of existing overhead utility lines and associated poles along

Baltimore Avenue within the development district by consolidating utility pole usage, relocating utility poles, or placing existing utility lines underground.” The above standard has been met since the applicant is not providing any additional utility poles along US 1, and the visual impact of the utility lines will be improved by the provision of attractive architecture, street trees, street lighting, and furniture. Therefore, the alternate Development District Standard will benefit the development and the development district and will not substantially impair implementation of the sector plan.

SITE DESIGN

S3. Building Siting and Setbacks

L. The maximum lot coverage for multifamily dwellings having 4 or more stories shall be 70 percent of the overall net lot area

Comment: The applicant has requested a one percent increase of the maximum lot coverage for the multifamily section due to the change of site design in order to respond to the land use recommendation of the sector plan and as a direct result of community input and desire for lower buildings, which covers more land area. Staff agrees with the amendment to the maximum lot coverage of 70 percent given the fact that one percent increase in the maximum lot coverage will not substantially impair implementation of the sector plan and will be visually undetectable.

S5. Freestanding Signs

A. The location of freestanding signs shall not be located closer than 10 feet behind the ultimate right-of-way as modified by Section 27-614(a), Freestanding Signs, in Part 12 of the Zoning Ordinance. In the main street (3a and 3b) and town center (1a,1b,1c, 1d and 1e) subareas, freestanding signs are discouraged and building signs should be used instead wherever possible. Placement of freestanding signs shall not hinder vision or obscure site lines for motorists.

Comment: The applicant proposes a sign package including two monumental signs, one for each of the commercial/multifamily dwelling and townhouse sections. The applicant also requests an amendment to the 10-foot setback for the multifamily section sign to be placed within the right-of-way of Baltimore Avenue. As discussed previously, the Sector Plan envisions a main street environment for this subarea. The monumental sign will be placed on the sidewalk, which will interfere with the normal pedestrian flow. Locating the sign as requested by the applicant is not consistent with the sector plan recommendation along this frontage. Building-mounted signage would be more appropriate. Staff recommends disapproval of this amendment request. Instead the applicant should provide building-mounted signage. A condition of approval has been proposed in the recommendation section of this report.

BUILDING DESIGN

B 1. Height, Scale, Massing and Size

Height

Maximum height in general is four stories (p. 201, Sector Plan)

Comment: 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. Specifically, the building heights map on page 201 of the sector plan indicates that the maximum height, in general, for Subarea 4 is four stories. However, the sector plan, in its economic development strategy section, reiterates that the redevelopment of this corridor is driven by the market. The sector plan's land use and zoning strategies are aimed at establishing a flexible policy and regulatory framework to facilitate market-based decisions by the private sector. The sector plan also allows additional stories upon demonstration by the application that market and design considerations justify additional height and additional stories.

The site plan consists of a multifamily dwelling section along Baltimore Avenue and a townhouse section behind the multifamily section. The proposed multifamily section proposes a five-story building, which is one story higher than the maximum allowable for this area. The townhouse section is three stories in height, which is within the height limit. The applicant is requesting an amendment to allow the multifamily building to be built at five stories.

The applicant has submitted a market study that justifies the proposed number of the multifamily dwelling units. The Research Section's review (Kowaluk to Zhang October 4, 2006) indicates that there is sufficient market demand for higher-end multifamily units in this area. In terms of design considerations, the Urban Design Section notes that because of the narrow site frontage, off-street parking has to be provided in the form of structured parking beneath the buildings, which increases the building height of residential uses by one story. Staff believes that the proposed building at five-story height provides enclosure to the street that enhances the main street feeling. Staff does not object to the applicant's amendment to increase the height limitation from four to five stories.

Massing

- I. All multifamily buildings should provide a balcony for each dwelling unit above the ground floor to articulate the building facade and to increase natural surveillance of the surrounding area.**

Comment: Balconies have been proposed on most of the interior courtyard units and

Juliet balconies on some of the exterior facades facing Baltimore Avenue. The applicant also has provided an open terrace for the second level units facing Baltimore Avenue because of a setback starting from the second level. Due to noise generating from US 1 and articulation of the building facade, the applicant has not provided all units with balconies. The location of the development does not lend itself to a garden-style apartment complex, which typically include such balconies, but rather an urbane, high-density residential building, which exhibits architectural innovation and uniqueness of design. Staff agrees with the applicant's proposal and the design of the façade that is orientated toward Baltimore Avenue. Staff believes that the combination of balconies and various fenestration patterns, along with accented roof treatment and finishing materials as proposed by the applicant provide a more attractive façade than it would be by providing balconies for every unit. The second level terraces and Juliet balconies will provide extra "eyes on the street" that will meet the intent of the second part of this requirement.

M. The average size of all multifamily dwelling units in a development project shall be a minimum of:

- **750 square feet for a 1-bedroom/1-bath unit.**
- **1,050 square feet for a 2-bedroom/2-bath unit.**
- **1,275 square feet for a 3-bedroom/2-bath unit.**

Comment: The application meets the minimum average size for 1-bedroom, 2-bedroom and 3-bedroom units. The applicant wants to reserves the right to alter the size of all units in order to respond to the market and thus requests an amendment to allow them to use smaller size. Staff does not agree with the applicant because any size smaller than the minimum square footage for each type of bedroom as specified by the Sector Plan will result in unpredictable variations in size of units.

- b. The applicant does not request an amendment to the following standards. However, the staff believes that the standards warrant discussion:

PUBLIC AREAS:

P1. Road Network

A. Development should, where possible, provide for on-street parking.

Comment: Baltimore Avenue (US 1) is a principal arterial, undivided five-lane section highway. The annual average daily trips passing through this section of US 1 is 32,500 vehicle trips. On-street parking is regulated by the State Highway Administration (SHA) for US 1. All parking provided will be within the underground parking garage for the

multifamily and commercial section and within the subdivision of the townhouse section. The Urban Design Section believes that the proposed off-street parking is the best alternative for this site. The site plan does show parking on Cherokee Street, which is regulated by the City of College Park.

- C. Intersections in areas of new development within the development district should employ “safe-crosses” on streets which provide on-street parking. This treatment enhances pedestrian safety by expanding the sidewalk area in the unused portion of the on-street parking lane adjacent to the intersection.**

Comment: The site plan shows on-street parking on Cherokee Street. But the site plan does not provide detailed information how this standard is addressed. A condition of approval has been proposed in the recommendation section of this report.

P2. Sidewalks, Bikeways, Trails and Crosswalks

- E. Crosswalks shall be provided at all intersections along US 1 and Paint Branch Parkway within the development district. Crosswalks at primary intersections shall be constructed of interlocking concrete pavers. Crosswalks at secondary intersections shall have striped markings in the pavement. Crosswalk materials for primary intersections shall be consistent along Baltimore Avenue and Paint Branch Parkway. Primary intersections are all intersections with existing and proposed traffic signals on Baltimore Avenue and Paint Branch Parkway. All other intersections are secondary. All signalized intersections shall have pedestrian crossing signals.**

Comment: The site plan shows a pedestrian crossing on Cherokee Street with only striping without detailed information on the pavement pattern and material. A condition has been proposed in the recommendation section of this report.

BUILDING DESIGN:

B1. Height, Scale, Massing and Size

N. Bedroom Percentages:

Bedroom percentages for multifamily dwellings may be modified from Section 27-419 of the Zoning Ordinance, if new development or redevelopment for student housing is proposed and the density is not increased above that permitted in the underlying zone.

Comment: Refer to Finding 2 above for more details on bedroom and percentage. Section 27-419 allows for up to 40 percent two bedroom units, 10 percent three bedroom

units and no limit for one-bedroom units. The application provides 48 percent of 1-bedroom and 42 percent of 2-bedroom which does not meet the requirement of Section 27-419. Staff is not opposed to such a minor amendment to this requirement because the higher-end market needs more larger-sized units that results in the increase in 2-bedroom units and decrease in 1-bedroom units. However, the applicant should provide a justification to this amendment at time of public hearing in order to amend this standard.

10. **Preliminary Plan of Subdivision 4-03141:** The Planning Board approved the Preliminary Plan of Subdivision 4-03141 with 11 conditions. The preliminary plan remains valid until June 10, 2007 after a one-year extension, which was approved on June 22, 2006.

At the writing of this staff report, the Planning Board has approved the applicant's reconsideration request. A reconsideration hearing on the Condition 11 was held on October 26, 2006.

Of the 11 conditions of approval, the conditions related to the review of the subject detailed site plan are as follows:

5. **The applicant shall allocate appropriate and developable areas for the private recreational facilities. At the time of Detailed Site Plan review, the Urban Design Section shall review the type and location of these facilities.**

Comment: The applicant has provided a recreational facility and amenity package with this DSP. Staff noted that most of the facilities proposed do not qualify as a recreational facility. Staff believes that additional outdoor playing facilities should be provided for the multifamily and townhouse sections. Given a total of 205 dwelling units being proposed, staff believes that an outdoor play area for toddlers and preteens plus a one-half multipurpose court would satisfy the needs of the future community. The play area and one-half multipurpose court should be centrally located to be easily accessed by residents from both the multifamily and townhouse section and be fenced with a minimum six-foot-high, vinyl-clad chain link fence. Staff recommends that plans be revised to include the above-mentioned facilities directly west of the entrance into the townhouse development where there are currently five townhouse units proposed. Staff recommends the deletion of the five townhouse units in order to provide space for the recreational facilities. The Planning Board has determined during the public hearing that additional recreational facilities should be provided to an existing tot lot, in accordance with the proffer by the applicant, and further determined that it is not necessary to delete the five townhouse units from the site plan.

6. **The recreational facilities shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines. Recreational facilities shall be subject to the following:**
 - a. **The applicant, his heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private recreational facilities. The**

private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.

- b. A site plan shall be submitted to the DRD of the Prince George's County Planning Department that complies with the standards outlined in the Parks and Recreation Facilities Guidelines.**
- c. Submission of three original, executed Recreational Facilities Agreements (RFA) to the DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**
- d. Submission to the DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits.**
- e. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.**

Comment: As discussed previously, additional recreation facilities should be required for both the townhouse and multifamily sections in conformance with the Parks and Recreation Facilities Guidelines. The rest of this condition will be enforced at the appropriate time as the above sub-conditions specify. The Planning Board has determined during the public hearing that given additional recreational facilities will be provided by the applicant on an existing tot lot adjacent to the subject site, the recreational facility for this project is adequate.

9. Development shall be in conformance with the approved Stormwater Management Concept Plan 23871-2003-00, or any approved revisions thereto.

Comment: The Stormwater Management Concept 23871-2003-00 submitted with this application approval is valid through November 14, 2006. At time the staff report was written, the Department of Environmental Resources had not yet responded to the referral request. A condition has been proposed in the recommendation section of this report to require the applicant provide evidence that the detailed site plan is consistent with the approved stormwater management concept plan prior to certificate approval of this DSP.

11. Total development of the subject property shall be limited to uses which generate no more than 138 AM and 164 PM peak-hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.

Comment: The applicant has requested a reconsideration of this trip cap condition on August 24, 2006. The Planning Board approved the reconsideration request and a substantive hearing for this reconsideration request was held on October 26, 2006. A review by the Transportation Planning Section (Masog to Zhang, October 10, 2006) indicates that the approval of this DSP hinges on the revision of development quantities and the resulting trip cap condition currently pending the Planning Board's approval. Unless the reconsideration application is approved by the Planning Board, the subject DSP is not approvable. The Planning Board approved the reconsideration of Condition 11 on October 26, 2006, with the following modifications:

11. **Total development of the subject property shall be limited to uses which generate no more than 152 AM and 331 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require an additional preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

Comment: The subject DSP is within the revised trip cap.

11. **Landscape Manual:** The 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* and the standards of the Development District Overlay Zone (DDOZ) have modified the applicable sections of the Landscape Manual. In this case, the site plan is subject to residential planting requirements and buffering incompatible uses requirements of the Landscape Manual.
 - a. Development District Overlay Zone Standards, Site Design, S4, Buffers and screening, Design standards G, requires residential uses within the development district to comply with the Residential Planting Requirements of the Landscape Manual. Section 4.1(f) of the Landscape Manual requires a minimum total of 1.5 major shade trees and one ornamental or evergreen tree per dwelling unit for townhouse, to be located on individual lots and in common space, and 4.1 (g) requires a minimum of one shade tree per 1,600 square feet or fraction of green area provided for multifamily dwellings. The landscape plan does not provide the breakdown information between Section 4.1(f) and 4.1 (g). A condition of approval has been proposed in the recommendation section of this report to require the applicant to revise the landscape plan to provide a separate calculation for each section with respective landscape schedule. It should be noted that street trees must be separated out from these calculations.
 - b. Development District Overlay Zone Standards, Site Design, S4, Buffers and screening, Design Standard E, allows a 50 percent reduction of bufferyard requirements, in terms of the width of the bufferyard and the number of the planting units, in order to facilitate a compact form of development compatible with the urban character of the US 1 corridor. The subject DSP has one boundary area adjacent to the existing uses that needs to be buffered in accordance with the Landscape Manual. The area is along the eastern property line where the proposed townhouse is adjacent to the existing single-family houses. A Type "A" bufferyard of a 10-foot-wide landscape strip and a minimum 20-foot

building setback to be planted with 40 units per 100 linear feet of property line is required. The applicant does not utilize the buffer reduction provision of the Sector Plan. Instead the landscape plan provides sufficient buffer yard and planting units. However, about a 10-foot width of the bufferyard is located off-site on the property of the City of College Park. No required schedule is provided. A condition of approval has been proposed in the recommendation section of this report to require a Section 4.7 schedule be provided and an off-site easement is to be recorded among land records of Prince George's County.

12. **The Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on site, and there is a previously approved Type I Tree Conservation Plan TCPI/05/04, which was approved in conjunction with the approval of Preliminary Plan of Subdivision 4-03141.
 - a. A detailed forest stand delineation (FSD) for this site was submitted and reviewed in conjunction with the Preliminary Plan of Subdivision 4-03141 found to address the requirements for a detailed forest stand delineation and was in compliance with the requirements of the Woodland Conservation Ordinance. No additional information is needed with regard to the forest stand delineation.
 - b. Type II Tree Conservation Plan TCPII/27/04-01, submitted with this application, has been reviewed and was found to require significant revisions. A second review by the Environmental Planning Section of the revised plans indicates that TCPII/27/04-01 is in general conformance with the requirements of the Woodland Conservation Ordinance, if the deficiencies as identified in the conditions of approval are corrected.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. The Community Planning Division in a memorandum dated September 26, 2006 indicated that the application is consistent with the 2002 General Plan Development Pattern policies for Corridors in the Developed Tier, and conforms to the land use recommendations of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* for a mix of retail, office, and residential uses in mid-rise buildings. The community planner also noted that the proposed development does not adequately address several development district standards.

Comment: The community planner has provided a detailed discussion on the rezoning application included in this DSP. In summary, the Community Planning Division believes that the proposed rezoning of the R-T portion of the property to the M-U-I Zone to achieve the proposed development vision satisfies three of the four goals of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment*. The proposal is also consistent with the land use recommendation envisioned by the Sector

Plan for Subarea 4e, where the DSP site is located, by presenting an attractive and vibrant mixed-use development along the US 1 Corridor, incorporating both retail and multifamily uses along a transit corridor, resulting in a diverse mix of vertical land uses that can take advantage of existing transit options to reduce the use of the automobile.

The non-compliance development district standards identified by the community planner include build-to line, minimum 60 percent of masonry on three sides of a single-family dwelling, underground utilities, building height, balconies, and freestanding signage. The applicant has filed amendments to underground utilities, building height, balconies and freestanding signage. The applicant also revised the plan to meet the build-to line and the minimum percentage of masonry on three sides of a single-family dwelling.

- b. The Transportation Planning Section in a memorandum dated October 10, 2006, provided a detailed review of the applicable transportation-related conditions of Preliminary Plan of Subdivision 4-03141 and indicated that the development quantities and the resulting trip cap condition will be revised in the preliminary plan resolution. The Transportation Planner concludes that vehicular access and circulation within the site is acceptable.

In a separate memorandum from the Transportation Planning Section dated October 9, 2006, on detailed site plan review for master plan trail compliance, the Trails Planner noted that the subject application is in conformance with the Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment. Staff recommends approval of this DSP and supports the provision of sidewalks along Baltimore Avenue (US 1), Cherokee Street and Catawba Street and bicycle racks as shown on the detailed site plan. The Trails Planner's recommendations have been incorporated into the recommendation section of this report.

- c. In a memorandum dated October 4, 2006, the Subdivision Section identified conditions of approval attached to Preliminary Plan of Subdivision 4-03141 that pertains to the review of this DSP. No additional subdivision issues have been identified with this application. See above Finding 10 for a detailed discussion.
- d. In a memorandum dated October 3, 2006, the Environmental Planning Section recommended approval of Detailed Site Plan DSP-03098/01 and Type II Tree Conservation Plan TCPH/27/04-01 with no conditions.
- e. In a memorandum dated October 4, 2006, the Permit Section provided eighteen comments and questions regarding compliance with the Sector Plan and development district standards, signage, existing building, parking, loading, recreation facilities, and building height. Most of the questions have been answered. Those outstanding items have been incorporated into conditions of approval in the recommendation section of this report
- f. The Department of Environmental Resources (DER) had not responded to the referral

request yet at the time the staff report was written. However, the applicant submitted an approved stormwater management concept letter issued by DER which will be valid through November 14, 2006.

- g. In a memorandum dated August 29, 2006, the Department of Parks and Recreation noted that Condition 5 attached to the approval of Preliminary Plan of Subdivision 4-03141 is applicable to this DSP. See above Finding 10 for a complete discussion on compliance with Preliminary Plan of Subdivision 4-03141.
- h. In a memorandum dated September 12, 2006, the Fire/EMS Department of Prince George's County provided a standard memorandum and listed applicable regulations regarding access for fire apparatus, fire lane and location and performance of fire hydrants. Nothing specific to this site was mentioned.
- i. In a memorandum dated October 24, 2006, the State Highway Administration (SHA) required frontage dedication from the subject site.

Comment: Frontage improvement requirement for development fronting the State roads is usually enforced at time of issuance of the access permit by the State Highway Administration. As a result, no specific condition has been proposed in the recommendation section of this report.

- j. In a memorandum dated September 13, 2006, Washington Suburban Sanitary Commission (WSSC) stated that a revision is required to the original approval by the WSSC to reflect building layout and additional condominium units. An additional hydraulic review may be required.
- k. In two memoranda dated August 25, 2006, the Public Facilities and Historic Preservation Section concluded that the proposed development has no effect on historic resources. No archeological review is required for this site.
- l. In a memorandum dated October 4, 2006, the Research Section agreed with the conclusion of the market study that there is sufficient market demand for higher-end retail units on the subject site. Staff also noted that the market study does not include analysis on the retail portion of the project.
- m. In a memorandum dated October 25, 2006, the City Council of the City of College Park voted unanimously to approve the subject DSP with fourteen conditions. The Planning Board has determined to incorporate ten conditions with modifications into the recommendation section of this report.
- n. As of the writing of this report, neither the City of Berwyn Heights nor the City of Greenbelt had yet responded to the referral request.

14. As required by Section 27-285 (b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCP/II/27/04-01) and further APPROVED Detailed Site Plan DSP-03098/01 for the above-described land, subject to the following conditions:

- A. Staff recommends that the Planning Board recommend to the District Council APPROVAL of the rezoning request to rezone approximately 3.6 acres in the R-T (Residential Townhouse) Zone to the M-U-I (Mixed-use Infill) Zone.
- B. Staff recommends APPROVAL of the alternative development district standards for:
1. P6. Utilities, A. (to allow the applicant to retain the above-ground existing utilities at the current location without relocating underground)
 2. S3. Building Siting and Setbacks, L. [to allow one percent increase in maximum lot coverage (from 70 to 71 percent) for the multifamily dwelling section]
 3. S4. Buffers and Screening, E. (to allow a 10-foot-wide off-site landscape buffer yard)
 4. B 1. Height, Scale, Massing and Size, Height (to allow the height of the multifamily dwelling building to be one story higher than the maximum height limit of four stories)
 5. B 1. Height, Scale, Massing and Size, Massing, I. (to allow the applicant not to provide balconies for every units for multifamily section, instead to allow the applicant to use a combination of balcony, terrace along other façade elements to articulate the façade and to increase natural surveillance of the surrounding area.)
- C. Staff recommends DISAPPROVAL of the alternative development district standards for:
1. S5. Freestanding Signs, A. (to allow a monumental sign to be located less than 10 feet behind the ultimate right-of-way of Baltimore Avenue)
 2. B 1. Height, Scale, Massing and Size, Size M. (to allow the applicant to use bedroom size that is smaller than the minimum required by the Sector Plan).
- D. Staff recommends APPROVAL of DSP-03098/01, for Jefferson Square Apartments at College Park, and Type II Tree Conservation Plan TCP/II/27/04-01, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Revise Landscape Plan to provide Section 4.7 schedule on the site plan in accordance with S4.E.
 - b. Install facilities, which will upgrade the existing tot lot, owned by the City of College Park, near the southeast corner of the property. Such facilities will be shown on the DSP and approved by the Planning Board or its designee, in consultation with the City of College Park, prior to certificate approval of this DSP. The cut sheets for all proposed recreation facilities shall be provided on the site plan.
 - c. Provide a building-mounted signage plan for the multifamily/commercial building to be reviewed and approved by the Planning Board or its Designee.
 - d. Provide sign face area calculation for the proposed entrance feature sign for the townhouse development.
 - e. Revise the site plan and landscape plan to be consistent with Development District Overlay Zone standards P1C regarding safe crossing for pedestrians and P2E regarding crosswalk finishing. The details shall be provided on the detail sheet.
 - f. Provide the following pedestrian related improvements:
 - (1) The Applicant shall revise the site plan to accurately reflect the ultimate right-of-way line along US 1 showing a 60-foot dedication and shall revise the streetscape along Route 1 to include road-widening, removal of existing sidewalk, new sidewalk, curb and gutter, and street trees per Maryland State Highway Administration direction.
 - (2) Bicycle parking for a minimum of 20 bicycles utilizing inverted U bicycle racks.
 - (3) A standard sidewalk along the subject site's frontage of Cherokee Street.
 - (4) A standard sidewalk along the subject site's frontage of Catawba Street.
 - g. The condominium/HOA covenants shall provide that all residents of the multifamily/townhouse shall have equal access to the fitness center within the multifamily building and all marketing materials regarding this project shall reflect this.
 - h. Provide evidence to show that the subject detailed site plan is consistent with

the approved stormwater management concept plan for this site.

2. Prior to issuance of any building permit, an off-site landscape easement for the proposed ten-foot-wide landscape bufferyard shall be recorded among the Land Records of Prince George's County.
3. If needed, as determined by the Planning Board or its designee, the applicant shall request a waiver of the building setback requirement.
4. Prior to issuance of any building permits for the townhouse section, the foundation for the underground parking garage serving the multifamily/commercial building shall be completed.
5. Prior to issuance of the 44th building permit for the townhouse section, all proposed recreation facilities and amenities associated with the townhouse section shall be constructed and completed for use by the residents.
6. The applicant shall upgrade the existing bus stop located on the property with a shelter.
7. The applicant shall provide one on-street parking space, as allowed by the City of College Park, for Zip Car, Flex Car, or similar service. If demand warrants the location of a second car at the Property, the applicant shall provide one off-street parking space in the parking garage for the second car.
8. The applicant shall construct an approximately five-foot wide sidewalk on the north side of Cherokee Street from U.S. Route 1 to 48th Place and any other improvements required by Prince George's County at the detailed site plan stage. Lighting shall be designed so that there is no excessive light spillover onto adjacent residential property.
9. The applicant shall bear the total cost for the design and construction of the traffic signal approved by SHA at the U.S. Route 1 and Cherokee Street (east) intersection which, prior to the issuance of the building permit, shall be bonded for construction, and installed prior to the release of the use and occupancy permit for the 125th multifamily apartment unit, unless otherwise required by the State Highway Administration.
10. Prior to the issuance of any building permits for the Property, the following road improvements shall have (a) full financial assurances through either private money or full funding in the County's Capital program, (b) been submitted for construction through the operating agency's access permit process, and (c) an agreed upon time table for construction with the appropriate operating agency: Provision of a double right turn lane along westbound Greenbelt Road approach to U.S. Route 1.
11. The applicant shall meet the reforestation requirements of the project within the City of College Park at locations designated by the City and approved by M-NCPPC.

12. The applicant shall install traffic calming devices as shown on the May 4, 2004 plan prepared by The Traffic Group. The traffic calming devices east of 48th Avenue shall be installed prior to the issuance of any use and occupancy permit for the property. The traffic calming devices west of 48th Avenue shall be installed prior to the issuance of the final use and occupancy permit for the property.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Eley and Parker voting in favor of the motion, and with Commissioner Vaughns abstaining at its regular meeting held on Thursday, October 26, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of November 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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