

CORRECTED RESOLUTION

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 January 30, 2020, regarding Detailed Site Plan DSP-19025 for Northgate, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) is a request to construct a single building with 296 multifamily dwelling units; 1,084 square feet of commercial retail space; and an interior, two-level, parking garage.
2. **Development Data Summary**

	EXISTING	APPROVED
Zone(s)	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Commercial	Multifamily Residential/ Commercial Retail
Acreage	2.05	2.05
Lots	0	0
Parcels	2	1
Square Footage/GFA	7,010 (to be razed)	403,769
Dwelling Units	0	296

Other Development Data

Parking Requirements per the Sector Plan

Uses			Spaces Required
Corridor Infill	120 dwelling units	1.5 spaces per dwelling unit	180
Walkable Node - University	176 dwelling units	1 space per dwelling unit	176
	1,084 sq. ft. retail	3 spaces per 1,000 sq. ft.	4
Total with shared parking factor		Shared parking factor = 1.2	300*

Total Parking Provided		300
Standard spaces (9 x 18 feet)**		196
Compact spaces (8 x 16.5 feet)		97
Handicap-Accessible		5
Handicap Van-accessible		2

Notes: *Mixed-use developments may use a shared parking factor to determine a reduction in the number of required parking spaces. The applicant has chosen to utilize the shared parking factor to reduce the parking requirement from 360 spaces to 300 spaces.

**The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* does not have specific requirements for the size of parking spaces; therefore, the applicable section of the Zoning Ordinance serves as the requirement. A departure from the size of parking spaces is required, as discussed in Finding 8 below.

Bicycle Spaces per the Sector Plan

Required (1 space per 3 parking spaces)	100
Provided	117

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

Residential / Retail	1 space (interior)
----------------------	--------------------

Note: *The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* does not have a standard for required loading spaces. Therefore, per the M-U-I regulations, when a mix of residential and commercial uses is proposed on a single parcel, the site plan shall set out the regulations to be followed. The subject site plan proposes one loading space, internal to the building, which is sufficient.

3. **Location:** The subject site is located on the west side of US 1 (Baltimore Avenue), at its intersection with Quebec Street, in the City of College Park, in Planning Area 66, Council District 3. The site is zoned Mixed Use-Infill (M-U-I) and is subject to the Development District Overlay (D-D-O) Zone standards found in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (Central US 1 Corridor Sector Plan and SMA). The subject site consists of two subdivided lots described as Parcel A in the Inman Turner subdivision, which is improved with a Burger King restaurant; and Parcel A in the Northgate subdivision, which is improved with a vacant former restaurant. The current addresses of these lots are 8510 and 8430 Baltimore Avenue, respectively.
4. **Surrounding Uses:** The subject property is bounded to the north by a property in the M-U-I Zone developed with a 7-11 convenience store, and to the south by a property in the M-U-I Zone

developed with a Taco Bell restaurant. The right-of-way of US 1 borders the site to the east, with multiple commercially developed properties in the M-U-I Zone beyond. Abutting the site to the west is land in the Reserved Open Space (R-O-S) Zone, occupied by the Paint Branch Stream Valley Park, which is operated by The Maryland-National Capital Park and Planning Commission (M-NCPPC).

5. **Previous Approvals:** The Inman Turner parcel was developed prior to 1977 with two buildings, including a gas station. In 1977, the property was the subject of Preliminary Plan of Subdivision (PPS) 4-76196 and subsequently improved with the fast-food restaurant that continues to operate today as Burger King.

A fast-food restaurant operated on the Northgate parcel, ceasing operation in the mid-1990s. In 2004, PPS 4-03139 was approved for development of a 17-story building with 376 dwelling units and 12,000 square feet of commercial space on the Northgate parcel and the abutting lot to the south, which is developed with a Taco Bell restaurant. In 2006, Detailed Site Plan DSP-05026 was approved for construction of a 17-story building with 204 dwelling units and 5,670 square feet of commercial office and retail space on the Northgate lot only. Development of this project has not been realized. The Northgate lot was platted in accordance with 4-03139 and DSP-05026 and remains valid. PPS 4-19019, scheduled to be heard by the Planning Board on January 16, 2020, proposes to combine the two existing lots into a single parcel for the proposed development.

6. **Design Features:** The subject DSP proposes to raze all existing structures and construct a single building, eight stories in height, to include two levels of interior parking, 296 dwelling units, and 1,084 square feet of ground-floor commercial retail space. The primary residential component of the development is intended to provide a new housing option for students of the University of Maryland. The footprint of the building will occupy most of the site and fronts on US 1. Two vehicular access points are proposed from US 1, at the northern and southern portions of the building's frontage, with the northern driveway serving the second-level parking deck and southern driveway serving the first-level parking deck. A pedestrian and bicycle trail are proposed along the southern property line, which will link US 1 to the Paint Branch Trail and the University of Maryland campus to the west. The proposed continuation of this trail off-site into the Paint Branch Stream Valley Park will be the subject of a future Mandatory Referral application.

The proposed building is located with its full frontage facing the US 1 right-of-way. The elevation on the site decreases from north to south along the US 1 frontage. To accommodate the grade change along US 1, the northern driveway to the building will be located at a higher elevation to service the second-level parking deck, while the southern driveway will be at a lower elevation to serve the first-level parking deck. The northern portion of the first-level parking deck will be located below grade. Entry for loading and service vehicles is through the southern garage entry for commercial and residential uses. The main pedestrian access points are proposed in the southeast corner and on the eastern side of the building. Streetscape elements provided on the site's US 1 frontage include a sidewalk, landscaping, and street trees. Seating areas, a pocket park, and a new trailhead at the public trail are also provided at the site's southeast corner.

The footprint of the proposed building will be quasi-rectangular to conform to the site's shape and constraints due to environmental features. Interior to the building will be three courtyards, to include recreational amenities for residents. All of the façades are proposed to be faced with arrangements of light tan/gray brick at the lowest level, and upper levels faced with a vertical arrangement of cementitious and/or metal paneling in large patterns in four tones of gray. The eastern façade, facing US 1, will include two driveway entrances into the building and perforated metal screens to add visual interest, while obscuring views into the parking decks. The southern portion of the eastern façade includes two storefront-style windows and doors, one to enter the retail space and the second to enter the residential portion of the building. The northeast and southeast corners of the building will be accented with wood-tone, horizontal paneling. This paneling will continue to accent the southern façade. A unique "M" feature is designed into the northern façade of the building through the accentuation of banks of windows with different materials, colors, and lighting. In addition, in the southeast corner of the building is a landmark feature consisting of a contemporary lantern element that extends above the roofline of the rest of the building.

Public and private recreational facilities are provided to fulfill the requirements of Section 24-134(a) of the Subdivision Regulations. The public recreational facilities proposed on-site include construction of a 255-linear-foot segment of the master-planned Paint Branch Connector Trail and development of a pocket park. The pocket park is located at the southeast corner of the site where the new trail will connect to the sidewalk of US 1. The new trail is proposed as an 8-foot-wide concrete sidewalk on the southern side of the building, transitioning to a wider promenade that wraps around the southwestern portion of the building. An additional 550 feet of new boardwalk and paved trail is proposed to continue off-site to connect to existing trails in the adjacent Paint Branch Stream Valley Park, to the west. Combined, these trail sections will create a new pedestrian and bicycle connection between US 1, the park, and the University of Maryland campus. Seating areas, public art, a water fountain, wayfinding and interpretive signage, bicycle racks, a bicycle repair station, and site furnishings are proposed along the new trail, the promenade, and the pocket park. Private recreational facilities for residents are provided in three courtyards, an eighth-floor terrace, and multiple internal rooms. The amenities include a fitness and yoga studio, game rooms, a plunge pool, lounge areas, an outdoor kitchen, a bocce court, a fire pit, and associated furnishings. The combination of public and private recreational amenities is proposed in lieu of dedication of 0.31 acre of parkland. The value of the recreational facilities to be provided total \$322,000, which is greater than the \$267,670 value required. The recreational facilities proposed are adequate and appropriate for the site, as well as for the scope and scale of the development.

A comprehensive signage program provides 14 total signs for identifying the site, retail tenant, and site amenities. Most are building-mounted channel letter signs or blade signs, but also included are two temporary leasing banners. Additional site wayfinding features include a freestanding trailhead and interpretive signage, an art sculpture, and a Maryland-themed wrap to cover electrical transformers. The trailhead sign and art sculpture will be in the pocket park at the southeast corner of the site. An "M" theme is designed into building identity signage and the art sculpture. Signs are well coordinated in size and placement dependent upon their purpose.

Illumination is provided for most signage. Lighting of exterior pedestrian areas is provided by street lighting along US 1, and on the south and west sides of the site by a series of wall-mounted architectural lighting fixtures. These fixtures will illuminate the trail at the southern property line, and the portion of the promenade on the west side of the site. These lights will provide sufficient illumination on-site while minimizing light intrusion off-site. Additional exterior lighting is illustrated on the plan, but is to be provided off-site, as part of the trail extension and promenade, abutting the west side of the development, and will be reviewed under a future mandatory referral. Off-site lighting includes pole-mounted fixtures along the trail and bollard lighting along the west side of the promenade.

COMPLIANCE WITH EVALUATION CRITERIA

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

The sector plan recommends mixed-use residential for the subject property (see Map 8 on page 60). Mixed-use residential land uses include properties that contain a mix of uses that are predominantly residential on the ground floor. The DSP proposes a single building consisting of 296 dwelling units, 1,084 square feet of street-level retail space, interior parking, and new public trail access to parkland abutting the site to the west. As proposed, the ground-floor uses include a mix of residential dwelling units, residential amenity space, retail space, and parking to support the residential and retail uses. The DSP application is in conformance with the land use recommendations of the sector plan.

The subject site is in the Lower Midtown area and is split between two character areas; the southern portion is in the Walkable Node (University) and the northern portion is in the Corridor Infill area. Walkable nodes are intended to be hubs of pedestrian and transit activity, concentrating higher-density, vertical, mixed-use developments at appropriate locations, and provide a strong sense of place through thoughtful urban design along the Central US 1 Corridor. The location of the site, directly west of Quebec Street, places it in an area noted in the sector plan (page 65) as “recommended as the first priority for redevelopment” in the Walkable Node to support pedestrian-friendly, mixed-use development in the area. The sector plan policies for the Corridor Infill character area focus on creation of residential-focused, mixed-uses at a scale

between more intensely developed walkable nodes and existing single-family neighborhoods. As the subject site is split between the character areas, two differing sets of sector plan recommendations and standards apply. The DSP proposes a single building with a uniform design that spans both character areas.

Requests to Amend Development District Standards

The submitted application and statement of justification indicate the need to deviate from several development district standards in order to accomplish a uniform development on the subject property that is split between character areas. In accordance with Section 27-548.25(c), Site Plan Approval, of the Prince George's County Zoning Ordinance, if the applicant so requests, the Planning Board may apply development standards which differ from the approved development district standards. These alternate standards may be approved if they can be found to benefit the development and the development district and will not substantially impair implementation of the master plan, master plan amendment, or sector plan. These alternate standard requests are discussed as follows (all page numbers reference the sector plan):

- **Development Character: Mandatory Shop Frontage (page 230)**—The applicant requests to amend the requirement for the mandatory provision of continuous shop frontage along US 1 within the Walkable Node (University). Map 27 illustrates that this requirement applies to the portion of the development within the Walkable Node (University) and provides that shop frontage regulations are those on page 245, Architectural Elements: Façades and Shopfronts. The building design spans the Walkable Node (University) and Corridor Infill character areas and provides shop frontage with appropriate architectural elements at the southeast corner of the building. This location is within the Walkable Node (University) and coincides with the location of the proposed retail space, primary resident entry, leasing office, trailhead, art sculpture, and pocket park. This amendment will benefit the development and development district by allowing for shop frontage in the most sensible location on-site. Therefore, the Planning Board approves this amendment request.
- **Building Form: Corridor Infill, Building Height (page 233)**—The proposed building has a height of eight stories, which is in excess of the four-story maximum permitted in the Corridor Infill character area, but in conformance with the requirements of the Walkable Node (University) character area. The Planning Board finds the uniform design of the building with a height of eight stories to be a reasonable compromise between competing requirements. This amendment will benefit the development and the development district by allowing this property to develop uniformly and will not substantially impair implementation of the sector plan, as the eight stories is appropriate in the neighborhood. Therefore, the Planning Board **approves** this amendment request.
- **Building Form: Corridor Infill Lot Occupation (pages 233)**—Within the Corridor Infill character area, lot coverage is limited to a maximum of 70 percent, and the lot coverage for the portion of the development proposed within this character area is 84 percent. The Planning Board finds that the request to increase lot coverage allowance in the Corridor Infill area will allow for the density of development envisioned by the

sector plan. This amendment will benefit the development and the development district by allowing this property to develop uniformly and will not substantially impair implementation of the sector plan, as the lot coverage is appropriate to achieve the vision for the subject property. Therefore, the Planning Board **approves** this amendment request.

- **Building Form: Corridor Infill and Walkable Nodes (University), Setbacks (pages 233 and 235)**—The applicant has requested amendments to the setback requirements of the two character areas. Different setback requirements between the two character areas and the presence of overhead utility lines along the right-of-way are challenges to design conformance. Within the Corridor Infill area, the applicant has requested an amendment allowing for a front build-to line of a maximum of 18.78 feet, less than the 20-foot minimum required. While most of the building within this area meets the setback requirement, approximately 30 feet of the northern portion of the building is as close as 18.78 feet from the right-of-way. Within the Walkable Node (University) character area, the applicant has requested an amendment to allow a front build-to line of a maximum of 13 feet, greater than the 10-foot maximum permitted. The applicant's request to amend the setback requirements for the two character areas to allow the creation of a uniform streetscape is sensible. These amendments will benefit the development and the development district by allowing this property to develop uniformly and will not substantially impair implementation of the sector plan, as the build-to line is appropriate given the constraints of the subject property. Therefore, the Planning Board **approves** these amendment requests.
- **Building Form: Corridor Infill, Parking Placement (page 233)**—Within the Corridor Infill character area, covered parking shall be provided in the third layer (minimum 20 feet from the building face). The applicant requests an amendment to allow a portion of the proposed parking to be located within the second layer of the building, with the majority of parking provided in the third layer. The covered parking is not a stand-alone parking structure, but rather integrated into the building's design. The parking is fronted by retail in the Walkable Node (University) portion of the building, but has 14 spaces in the Corridor Infill portion that are directly behind the front wall. The proposed design seeks to accommodate the quantity of parking and mix of uses required by the standards. This amendment will benefit the development and the development district by allowing this property to provide sufficient parking and will not substantially impair implementation of the sector plan. Therefore, the Planning Board **approves** this amendment request.
- **Building Form: Parking Access (page 241)**—The applicant requests to amend the requirement that access to the parking structure be limited to a single point from US 1, a primary frontage street. US 1 is the only roadway that provides access to the site. The applicant proposes two separate driveways, that independently serve the upper and lower levels of the internal parking structure. The Planning Board found that the proposed design with two access points responds well to site development constraints, including the sloped nature of the US 1 frontage. This amendment will benefit the development and

development district by providing an acceptable access and circulation pattern to the site from US 1 and will not substantially impair implementation of the sector plan. Therefore, the Planning Board approves this amendment request.

- **Building Form: Structured Parking (page 243)**—The applicant requests to amend the requirement that all structured parking be set back at least 50 feet from the property lines of all adjacent thoroughfares to reserve room for linear buildings adjacent to the lot frontage. The DSP includes structured parking internal to the proposed building and not as a separate structure. However, a portion of the parking garage area is proposed within less than 50 feet of US 1. Driveway locations and site entry design have considered design criteria provided by the Maryland State Highway Administration (SHA), the City of College Park, and the Prince George's County Planning Department. The proposed design seeks to accommodate the quantity of parking and frontage design. This amendment will benefit the development and the development district by allowing this property to provide sufficient parking with adequate access and will not substantially impair implementation of the sector plan. The Planning Board **approves** this amendment request.
- **Architectural Elements: Signage (pages 254-255)**—A series of 12 different signage types have been proposed for use on the site. The signage proposed by the DSP includes two signs for the commercial retail space, with most additional signage proposed for identifying the building itself, the building entry, parking areas, residential amenities, the trailhead, and interpretive signage associated with the proposed trail.

The applicant requests amendments to the signage standards of the D-D-O Zone to allow three types of proposed signs (totaling six individual signs) to be freestanding and not attached to the building façade, as required by the D-D-O Zone. Signs subject to this amendment request include a freestanding trailhead sign, a series of four freestanding interpretive signs to be included along the proposed trail, and a freestanding public art sculpture. An additional amendment is requested to allow the maximum area of any single sign mounted perpendicular to a given façade to exceed nine square feet.

The comprehensive signage plan provided with the DSP meets most of the signage criteria for the D-D-O Zone. The request to allow freestanding signage for the purposes of identifying and adding information to the proposed trail will be helpful for pedestrian and bicyclist wayfinding. The freestanding interpretive signs will add interest along the length of the proposed trail connection to the Paint Branch Stream Valley Park and cannot be reasonably attached to the façade of the building. In addition, the applicant requests to allow perpendicular, façade-mounted signage to exceed the 9-square-foot limitation. The scale of the building would make such signage disproportionately small, compared to the building façades, and generally too small to be appropriately functional for their intended purpose. The Planning Board finds these amendments will benefit the development and the development district by allowing this property to sign the important trail connection and will not substantially impair implementation of the sector plan. Therefore, the Planning Board **approves** these amendment requests.

- **Sustainability and the Environment: Leadership in Energy and Environmental Design (LEED) Certification (page 256)**—Within Walkable Nodes, all development shall obtain a minimum of silver certification in one of the applicable LEED rating systems. The applicant has provided a LEED scorecard for new construction indicating that the project could meet silver certification requirements. However, the applicant indicated that they do not intend to pursue LEED certification, and instead proposes to meet the certification criteria of the National Green Building Standard (NGBS) at the silver level. A NGBS scorecard was provided that indicates the project can achieve a silver rating. In general, both NGBS and LEED are green building rating systems that set standards and scoring criteria for evaluating energy performance measures associated with the construction and operation of new or renovated buildings. While there are some differences, both ranking programs require evaluation of similar building systems and design features to determine efficiency levels and apply a score. The Planning Board finds that the application demonstrates a commitment to including design features and building systems that will achieve the equivalent of LEED silver certification. This amendment will benefit the development and the development district by providing green design techniques and will not substantially impair implementation of the sector plan. Therefore, the Planning Board **approves** this amendment request.
- **Streets and Open Spaces: Street Sections (pages 259-261)**—The sector plan provides for detailed street sections to guide development in the area of the subject site, from I-95/I-495 (Capital Beltway) to College Avenue. However, in the same area of US 1, SHA has begun to implement an approved streetscape improvement program. Street sections provided by SHA and the sector plan include dedicated space for pedestrians, cyclists, and vehicles. A key difference between the designs is that the sector plan provides for a 6.5-foot-wide cycle track, separated from vehicle traffic; and SHA provides for a 5-foot-wide, on-road bike lane. The proposed design incorporates a 5-foot-wide sidewalk along most of the right-of-way and accommodates SHA's streetscape design. The applicant requests the street sections design requirements to be amended to allow for a design consistent with the requirements of SHA. This amendment will benefit the development and the development district by providing a consistent streetscape design, as implemented by SHA, and will not substantially impair implementation of the sector plan. Therefore, the Planning Board **approves** this amendment request.
- **Streets and Open Spaces: Streetscape, Corridor Infill and Walkable Node (University) (page 263)**—The applicant has requested amendments to the assembly, walkway, and planter requirements of the streetscape criteria. Criteria for these features differs between the character areas. In addition, the streetscape of US 1 is being improved by SHA and the applicant's design must conform to the design criteria of the operating agency. For the assembly area, the proposed design width from the back of curb to building face varies between 20 and 30 feet; whereas, the requirement of the Corridor Infill area is 12 to 18 feet, and 18 to 24 feet in the Walkable Node (University). For the walkway, a 5-foot-wide sidewalk is proposed along most of the building frontage, with a

wider area provided at the southeast corner of the site. Walkway width requirements of the sector plan for the Corridor Infill area is 4 to 8 feet and 12 to 20 feet in the Walkable Node (University). Planter requirements for the Corridor infill area specify a planter width of 8 to 12 feet and 4 to 6 feet wide in the Walkable Node (University). The DSP provides for planters with a width of 6 feet. The Planning Board finds that the proposed streetscape elements provide for a cohesive streetscape design along the US 1 frontage that balances differing design requirements of the sector plan and SHA. This amendment will benefit the development and the development district by providing a consistent streetscape design, as implemented by SHA, and will not substantially impair implementation of the sector plan. Therefore, the Planning Board **approves** this amendment request.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I Zone; Part 10B, Airport Compatibility; and the requirements of the D-D-O Zone of the Zoning Ordinance:

a. Section 27-546.19(c), Site Plans for Mixed Uses, of the Zoning Ordinance requires that:

(c) A Detailed Site Plan may not be approved unless the owners show:

1. **The site plan meets all approval requirements in Part 3, Division 9;**
2. **All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan does not meet all of the applicable site design guidelines and development district standards of the Central US 1 Corridor Sector Plan and SMA, as discussed in Finding 7. Where development district standards were not met, the applicant has requested amendments.

3. **Proposed uses on the property will be compatible with one another;**
4. **Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District, and;**

The proposed uses on the property are predominantly multifamily residential and a small, street-level, retail component. These uses are compatible with one another. The abutting properties to the north, south, and east, on the far side of US 1, are all zoned M-U-I and are included in the development district. The existing restaurant uses are compatible with the proposed mixed-use residential development, and the future development of abutting sites is envisioned by the sector plan to be compatible with the proposed uses of the subject site.

5. Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:

(A) Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;

The adjacent properties to the north and south are developed with a single-story convenience store and a single-story, fast-food restaurant, respectively. The adjacent property to the west is parkland. The single building and uses proposed for the subject site are aligned with the vision and intent of the sector plan and development district, and is purposefully not compatible in size, height, and massing to existing buildings on adjacent properties. However, the proposed building is compatible with other similar redevelopment projects in the US 1 corridor, within the development district.

(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 driveways;

The primary façade of the building faces US 1, the only street abutting the site. Connected sidewalks and on-site walkways are provided on the east, south, and west sides of the proposed building. In addition, the walkway provided on the south side of the building will serve as the start of a new trail connection between US 1 and the Paint Branch Trail to the west, which provides a bicycle and pedestrian connection to the University of Maryland campus. On-site vehicular circulation is limited to a two-level internal parking structure, with two access points to US 1. The sidewalk along US 1 will cross the driveway aprons, but otherwise, pedestrian and vehicular circulation on-site is separated, minimizing the need for pedestrians to cross parking lots and driveways.

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

The photometric plan provided with the application indicates that the proposed lighting design will minimize glare, light, and visual intrusion into nearby properties and buildings.

- (D) Building materials and color should be similar to materials and colors on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**

The materials and colors selected to face the proposed building are compatible with those utilized in similar scale developments recently constructed within the development district. The materials proposed include a mix of colored brick, concrete, and metal precast panels, in neutral tones of gray, and wood-tone precast planks. Trim, coping, and other detail elements are provided in darker complimentary tones and materials, as well.

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

The DSP does not propose outdoor storage areas and includes most of the mechanical equipment internal to the building. However, a single electrical transformer is proposed to be located at the northeast corner of the building, adjacent to US 1. The options for siting the transformer are limited, and the location selected provides for the least visually obtrusive placement. The applicant plans to wrap the transformer with a decorative Maryland flag pattern.

- (F) Signs should conform to the 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**

Much of the signage proposed by the DSP conforms to the D-D-O Zone standards, and where it does not, the applicant has requested amendments to the D-D-O Zone standards to allow such signage, as it supports the goals and objectives of the sector plan.

- (G) The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**

(i) Hours of operation or deliveries;

The applicant did not indicate the proposed hours of operation or deliveries for the retail or residential components of the development. However, the single loading space provided is internal to the building and located directly adjacent to the retail space, minimizing any adverse impacts on the adjacent properties and surrounding neighborhood.

(ii) Location of activities with potential adverse impacts;

No activities with potential adverse impacts are proposed on-site, except for loading and trash facilities, which are located internal to the proposed building.

(iii) Location and use of trash receptacles;

An internal location within the parking garage area of the building is designated for the storage of trash receptacles. The internal location will minimize potential adverse impacts on adjacent properties and the neighborhood.

(iv) Location of loading and delivery spaces;

One loading and delivery space is provided internal to the building, to be accessed via the southern driveway. This space is located adjacent to the retail space on the lower level of the proposed building. The internal location of the loading and delivery space will minimize potential adverse impacts on adjacent properties and the neighborhood.

(v) Light intensity and hours of illumination; and

The photometric plan included with the DSP confirms that there are minimal adverse impacts on adjacent properties and the surrounding neighborhood from the proposed building.

(vi) Location and use of outdoor vending machines.

No outdoor vending machines are proposed by this DSP.

- b. The subject application is located within Aviation Policy Area (APA) 6 under the traffic pattern for the small general aviation College Park Airport. The applicable regulations regarding APA-6 are discussed, as follows:

Section 27-548.42. Height requirements

- (a) **Except as necessary and incidental to airport operations, no building, structure, or natural feature shall be constructed, altered, maintained, or allowed to grow so as to project or otherwise penetrate the airspace surfaces defined by Federal Aviation Regulations Part 77 or the Code of Maryland, COMAR 11.03.05, Obstructions to Air Navigation.**
- (b) **In APA-4 and APA-6, no building permit may be approved for a structure higher than fifty (50) feet unless the applicant demonstrates compliance with FAR Part 77.**

The DSP proposes a building of eight stories, with a maximum height of 85 feet. The proposed building height is inconsistent with the building height restriction of APA-6. Therefore, prior to certification of the DSP, the applicant shall complete an FAA Form 7460-1 and submit it to the Maryland Aviation Administration (MAA), and subsequently provide evidence that the project complies with FAR 77, as conditioned herein. If MAA identifies an issue, then the plan shall be revised to reduce or eliminate any perceived obstruction identified by MAA. In addition, Section 27-548.43 requires notification of the airport environment by requiring a disclosure clause be provided on final plats and deeds. A condition has been included herein to require the provision of this disclosure.

- c. Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets the applicable development district standards, in order to approve a DSP. As discussed in Finding 7 above, this DSP requests multiple amendments to applicable D-D-O Zone standards. The Planning Board finds that the requested amendments to the development standards would benefit the development district by allowing for a consistent building design on the subject site that conforms to the overall intent of the design criteria, and would not substantially impair implementation of the Central US 1 Corridor Sector Plan and SMA.
- d. The Central US 1 Corridor Sector Plan and SMA does not have specific requirements for the size of parking spaces. Therefore, Part 11 of the Zoning Ordinance serves as the requirement; 9.5-foot by 19-foot spaces are required. The DSP proposes 8.5-foot by 18-foot standard parking spaces. Section 27-548.25(e), Site Plan Approval, for the D-D-O Zone specifically states:
- (e) **If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all**

applicable Development District Standards.

The applicant seeks a departure for the standard parking space size. The DSP conforms to all development district standards, except for the eight for which amendments are approved, as discussed in Finding 7 above.

The D-D-O standards do not provide dimensional requirements for parking spaces, and as such the applicable standard parking space size for the development is 9.5 by 19 feet, per Section 27-558(a) of the Zoning Ordinance. The applicant has proposed to provide a smaller standard space size of 8.5 by 18 feet. Approximately two-thirds of parking spaces provided are designed to this standard, with the remaining spaces provided for compact cars and handicapped-accessible parking. In accordance with Section 27-548.25(e), a separate departure application is not required in the D-D-O-Zone, and the applicant has provided justification for this request within the DSP application.

The Planning Board found that the requested width of 8.5 feet is too narrow for standard parking spaces and would impair the functionality of each space. While a reduced size of 8.5 by 18 feet is not supportable, the Planning Board found that a slightly larger space size of 9 by 18 feet would be more appropriate and not detract from the functionality of the garage. A condition has been included to update site plans to resize the standard parking spaces to 9 by 18 feet.

The applicant provided additional exhibits and justification on January 10 and 15, 2020 that adjusted parking space striping to provide 9-foot-wide standard parking space sizes for all but six spaces. These six spaces were then considered compact, bringing the total number of compact spaces to 97, which remains less than one-third of the total parking spaces. This minor design modification allowed for spaces to meet the minimum for 9-foot width. However, the structural design of the building places support columns throughout the garage, which encroach on a total of 104 spaces. Exhibits provided by the applicant demonstrated that the functionality of individual spaces and the garage would not be impaired by the structural columns. The Planning Board found that the departure will not impair the visual, functional, or environmental quality or integrity of the site or surrounding area, in accordance with the required findings in Section 27-239.01(b)(7)(A) of the Zoning Ordinance.

9. **Preliminary Plan of Subdivision 4-19019:** The Planning Board approved PPS 4-19019 at a public hearing on January 16, 2020. The PPS includes conditions applicable to the review of this DSP, as follows:

1. **Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:**
 - a. **Show a public use and access easement across the front of the property to cover the portions of the frontage sidewalk and amenities on the subject property.**

- b. **Show a public use easement across the rear of the property sufficient to cover the areas of the proposed promenade, which are on-site. This easement may be an extension of the easement already shown along the southern edge of the site, over the 8-foot-wide trail connector.**
- c. **Show a minimum 10-foot-wide public use easement along the rear of Parcel A of the Inman-Turner Property to allow for the future extension of a trail from the proposed promenade to the northern property line.**

A condition of approval of this DSP requires the applicant to illustrate all required public use easements and public utility easements on the DSP, prior to certification.

- 3. **Development of the site shall be limited to uses that would generate no more than 130 AM and 170 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This condition establishes an overall trip cap for the subject property of 130 AM and 170 PM peak-hour trips. The DSP is consistent with the PPS, and is within the trip cap. The table below summarizes the trip generation in each peak hour that is used to demonstrate conformance to the PPS trip cap for the site:

Trip Generation Summary: DSP-19025, Northgate							
Land Use	Use Quantity	AM Peak Hour			PM Peak Hour		
		In	Out	Tot	In	Out	Tot
Student Housing	978 beds	29	98	127	98	68	166
Retail	1,084 square feet	0	0	0	0	0	0
Total Trip Cap for Proposed Use		29	97	126	97	68	165
Trip Cap: PPS 4-19019				130			170

During the review of the PPS, the traffic impact study treated the small retail component of the project as ancillary and serving the residents of the building. This assumption was appropriate for this case.

- 5. **Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable agency, and (c) have an agreed upon timetable for construction and**

completion with the appropriate entity ensuring completion prior to occupancy of the building:

- a. **The trail connection and associated off-site improvements as outlined in the Maryland-National Capital Park and Planning Commission Value Exhibit submitted with the preliminary plan of subdivision at the rear of the subject property.**

This condition will be enforced prior to approval of the first building permit, to ensure that the trail connection and associated off-site improvements at the rear of the subject property are built.

6. Prior to approval of a final plat:

- a. **The final plat shall grant a 10-foot-wide public utility easement along Baltimore Avenue, in accordance with the approved preliminary plan of subdivision.**
- b. **The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the Maryland-National Capital Park and Planning Commission for the public use of the privately maintained 8-foot width concrete connector trail along the southern property line, as well as for the portion of the promenade, which extends onto the subject property. The easement agreement shall be approved by the Prince George's County Department of Parks and Recreation, recorded in land records, and the Liber/folio shown on the final plat prior to recordation. The final plat shall reflect the location and extent of the easement.**
- c. **The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the City of College Park for the public use of the portion of frontage sidewalk on the subject property. The easement agreement shall be approved by the City of College Park, recorded in land records, and the Liber/folio shown on the final plat prior to recordation. The final plat shall reflect the location and extent of the easement.**

A condition of approval of this DSP requires the applicant to illustrate all required public use and public utility easements, prior to certification. The DSP does show the 8-foot-wide concrete connector trail along the southern property line, the public promenade, and the required frontage sidewalk.

10. **At the time of detailed site plan, the use of full cut-off light fixtures shall be demonstrated. Lighting shall be focused away from the primary management area to minimize intrusion into wildlife habitat.**

The applicant submitted a photometric plan with the DSP that demonstrates minimal light intrusion on adjacent properties and primary management area (PMA) located on the western side of the site. Off-site improvements on M-NCPPC land, including proposed trail lighting proximate to the PMA, will be reviewed under a future mandatory referral.

12. **The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private on-site recreational facilities in accordance with the standards outlined in the Park and Recreation Facilities Guidelines. The applicant shall allocate appropriate and developable areas for the private recreational facilities within the common areas of the development. The private recreational facilities shall be reviewed by the Urban Design Section, of the Development Review Division of the Planning Department for adequacy and property siting, including appropriate triggers for construction, with the submittal of the detailed site plan.**

As discussed in Finding 6, an adequate and appropriate package of private and public recreational facilities have been provided, in accordance with the 1983 *Parks and Recreation Facilities Guidelines*. A condition of approval of this DSP requires the applicant to demonstrate that all proposed recreational facilities have been satisfactorily provided, prior to final certificate of occupancy of the building.

10. **2010 Prince George's County Landscape Manual:** The Central US 1 Corridor Sector Plan and SMA states that Sections 4.2, 4.3, and 4.7 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) do not apply within the applicable development district. Therefore, the proposed development is only subject to the requirements of Section 4.1, Section 4.4, and Section 4.9 of the Landscape Manual. The Planning Board has determined that the landscape plans conform with the requirements of these sections.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet and contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan (TCP2-038-2019) has been submitted for review, which covers the area of this DSP, as well as off-site improvements located on M-NCPPC and State of Maryland property that will be separately reviewed in more detail with a mandatory referral.

According to the worksheet, the site is 2.05 acres within the M-U-I Zone. A total of 0.25 acre of existing woodlands are on the net tract and 0.33 acre are within the existing floodplain. The site has a woodland conservation threshold of 0.20 acre, or 15 percent of the net tract, as tabulated. Off-site clearing of an additional 0.25 acre is shown on publicly owned property for the construction of a stormwater detention facility and a hiker/biker trail into Paint Branch Stream Valley Park. Offsite impacts for work proposed on park property will be evaluated in greater detail in a future mandatory referral. The TCP2 shows a total woodland conservation requirement of 0.99 acre. The TCP2 shows that this requirement will be met by providing 0.99 acre of off-site

afforestation on another property to obtain off-site conservation credits. The TCP2 requires several additional minor technical revisions that are conditioned herein.

The site contains three specimen trees (ST-101 through ST-103), which have a rating of poor. Two specimen trees were identified off-site on M-NCPPC property, which are labeled as ST-105 with a good rating, and ST-104 with an excellent rating. The current design proposes to remove all five specimen trees for development of a multistory building for student housing and retail, with associated infrastructure (ST-101 through 104), and an off-site stormwater detention facility and hiker/biker trail (ST-105). A variance from Section 25-122(b)(1)(G) for removal of the three on-site specimen trees, reviewed in accordance with Section 25-119(d)(1), was approved with PPS 4-19019. The proposed removal of the two off-site specimen trees (ST-104 and ST-105) will be reviewed in greater detail through a future mandatory referral.

- 12. Prince George's County Tree Canopy Coverage Ordinance:** The subject site is located in the M-U-I Zone and a 10 percent tree canopy coverage (TCC) requirement applies per Section 25-128(b). The site's 2.05-acre area requires 0.21 acre, or 8,947 square feet, of TCC area. The subject DSP provides the appropriate schedule, but claims off-site afforestation to meet the requirement, which is not allowed.

Proposed on-site plantings only provide 4,860 square feet of coverage, or 5.4 percent, and a waiver from the requirements has been requested, in accordance with Section 25-130(a), which reads as follows:

- (1) Topography, site limitations, or other site conditions are such that the full compliance to the requirements are impossible or impractical to comply with the provision of tree canopy coverage on the site in accordance with this Division;**
- (2) Provision of the full extent of the tree canopy coverage requirement cannot reasonably be expected because of a lack of rooting space and or soil volume to accommodate healthy tree growth.**
- (3) The planting of additional trees will result in the need to remove existing pavement being used to meet other County Code requirements;**
- (4) Existing or proposed parking and loading spaces are not in excess of the minimum necessary according to Subtitle 27, Part 11, Parking and Loading Standards; and**
- (5) The waiver is the minimum necessary based on the criteria above.**

The applicant has demonstrated that planting to fully meet the tree canopy coverage requirements on-site is not possible and that the requested partial waiver is the minimum necessary based on the criteria above. Topographic challenges, presence of environmental features, and location of overhead and subsurface utilities limit planting opportunities on the eastern and western sides of the small site. The D-D-O Zone encourages dense development in the subject area along US 1, and the development proposed generally conforms to this vision, including build-to lines and lot

coverage. Landscape plans show that the provision of additional trees on-site is not possible due to a lack of space to accommodate healthy tree growth. Proposed parking and loading spaces are not in excess of the minimum requirements and a proposal to plant additional trees on-site would result in the need to reduce the size of the building, which is not practical given site constraints and other development requirements. Approximately 54 percent of the required tree canopy coverage is provided on-site and additional planting on abutting M-NCPPC parkland in excess of the 8,947 square feet requirement is proposed. Given circumstances unique to this application, including topographic, environmental, and utility constraints, conformance with the Sector Plan vision for dense, mixed-use development of the small site, and additional planting proposed on M-NCPPC parkland directly abutting the site, the Planning Board finds the request for a partial waiver from Section 25-128(b) to be the minimum necessary based on the criteria above, and **approves** this partial waiver request.

13. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

- a. **Historic**—The Planning Board reviewed a memorandum dated July 11, 2019 that indicated that the proposal would not affect any historic or archeological resources.
- b. **Community Planning**—The Planning Board reviewed a memorandum dated December 23, 2019 (Hartsfield to Bossi), incorporated herein by reference, that provided an analysis of the subject DSP's conformance with the recommendations of the 2014 *Plan Prince George's 2035 Approved General Plan*, the applicable aviation policy area, the Central US 1 Corridor Sector Plan and SMA, and an analysis of the proposed alternative development district standards requirements, as included in Findings 7 and 8 above.
- c. **Transportation**—The Planning Board reviewed a memorandum dated January 10, 2020 (Thompson to Bossi), incorporated herein by reference, that provided the following summarized comments on the subject proposal:

There are no transportation-related findings related to traffic or adequacy associated with a DSP. A new PPS, 4-19019, has been filed concurrently with this application. The number and locations of points of access are consistent with those reviewed during the PPS; circulation is acceptable.

US 1 is listed in the 2009 *Approved Countywide Master Plan of Transportation* as a master plan major collector facility with a proposed right-of-way of 90 to 110 feet and four lanes. Right-of-way has been previously dedicated; therefore, no additional dedication is required.

The requested departure to allow for a smaller parking space size is not supportable. A reduction in width from the standard 9.5 feet to 8.5 feet will negatively impair the functionality of each space. The minimum width of standard parking spaces in this DSP should be no less than 9 feet.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

- d. **Subdivision**—The Planning Board reviewed a memorandum dated December 24, 2019 (Sievers to Bossi), incorporated herein by reference, that provided a discussion of the pending PPS review and conditions. The DSP has been filed with a development proposal consistent with PPS 4-19019, as conditioned.
- e. **Trails**—The Planning Board reviewed a memorandum dated December 20, 2019 (Smith to Bossi), incorporated herein by reference, that provided pedestrian and bicycle transportation comments, summarized as follows:

The proposed development includes a sidewalk along the entire frontage of the subject site, that continues along the south side and to the rear of the property. The sidewalk along the south side of the property has been widened to eight feet and will accommodate bike and pedestrian access from the US 1 frontage to the trail along the stream valley. The subject application also proposes bicycle racks along the front, rear, and within the parking garage of the proposed building. The parking standards of the D-D-O Zone includes a requirement for one bicycle parking space for every three vehicular parking spaces. As 300 vehicular parking spaces are provided, a minimum of 100 bicycle parking spaces are needed.

The subject site is adjacent to food/beverage and convenient store establishments to the north and south. They are connected by way of sidewalk along US 1. Additional student housing and retail establishments are also in the vicinity of the site and connected via sidewalk and the proposed trail connection. The University of Maryland is located to the west of the subject site and will be connected to the site via the off-site trail connection.

The site is impacted by the Maryland Department of Transportation “Consolidated Transportation Program” (CTP), which features a beautification project along US 1, from College Avenue to MD 193. The approved CTP plans include a striped bike lane along the frontage of the subject property.

The D-D-O Zone standards include streetscape requirements such as sidewalk improvements, a cycle track, and street trees. During the review process, it was determined that SHA’s improvements for US 1, in the vicinity of the site, were not completely consistent with the D-D-O Zone streetscape requirements. A meeting was held on December 10, 2019 that included M-NCPPC staff, SHA, the City of College Park, and the applicant to discuss the impacts of the SHA project along the US 1 corridor. The project includes utility relocations, a center median, sidewalk improvements, and an on-road bicycle lane with a painted buffer. During initial planning phases of the US 1 corridor, discussion between SHA and the City of College Park concluded that the cycle track recommendation of the D-D-O Zone was not feasible within the limitations of the

project, and that the site's frontage should be consistent with the improvements planned by SHA.

The subject site has a concurrent PPS under review that is subject to the requirements of Section 24-124.01 (bike/pedestrian adequacy) of the Subdivision Regulations. The subject application includes a proposed trail and all associated improvements at the rear of the building, connecting to the existing Paint Branch Trail. A detailed exhibit illustrating the location, limits, specifications, and details of the proposed pedestrian and bicycle facility improvements was provided by the applicant and is within the established cost cap.

- f. **Permits**—The Planning Board reviewed a memorandum dated December 2, 2019 (Chaney to Bossi), incorporated herein by reference, that provided comments that have been addressed through revisions to the DSP.

- g. **Environmental Planning**—The Planning Board reviewed a memorandum December 23, 2019 (Juba to Bossi), incorporated herein by reference, that provided a discussion of the DSP's conformance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance WCO, as discussed in Finding 11 above, and the following additional summarized comments:

Two approved Natural Resources Inventories, NRI-043-2019 and NRI-044-2019, were submitted with the application; one for the site and the other for the off-site trail. There is PMA comprised of streams and wetlands, including their associated buffers and floodplain, that extends on-site. The forest stand delineation narrative indicates that there is one forest stand in the early successional stages developing around existing specimen trees. A small area of steep slopes is located on the northwestern corner of the site. The site has 0.58 acre of gross tract woodland, three specimen trees on-site, and two specimen trees in areas of proposed off-site work. No revisions are required for conformance to the NRIs.

An approved Stormwater Management (SWM) Concept Plan (13327-2019-00) was submitted with the subject application. According to the approved SWM concept plan, the private system will utilize a non-rooftop disconnect and off-site sand filter within the floodplain to improve the water quality of runoff that will discharge off-site. A SWM fee payment of \$500,000.00, in lieu of providing on-site attenuation/quality control measures, along with 14 additional conditions of approval, are also being required by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) as part of the final SWM approval. Permission from the Prince George's County Department of Parks and Recreation must be obtained prior to construction of the SWM facilities and associated grading on their property. A floodplain waiver will be required by DPIE prior to permit for construction of the detention facility within the floodplain.

According to available information, no Marlboro clay exist on-site; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils

that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. As part of the stormwater concept approval process, DPIE evaluates any areas of unsafe soils. If it is determined that the areas of urban soils containing Christiana complexes on-site require any sort of safety building restriction line, then this line must be referenced on the DSP and TCP2. Similarly, a soil safety building restriction line will also be required to be shown on the final plat. According to the approval letter associated with SWM Concept Plan 13327-2019-00, DPIE has no restrictions regarding unsafe soils at this time. A soils report may be required by DPIE in future phases of development.

- h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer any comments on the subject application.
- i. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board reviewed a memorandum dated December 11, 2019 (Zyla to Bossi and Diaz-Campbell), incorporated herein by reference, that discussed the fulfillment of the mandatory dedication of parkland required by the Subdivision Regulations, for which the applicant proposes to construct an 8-foot wide concrete trail along the southern property line. In addition, the applicant proposes private recreational facilities within the building, including three interior courtyards and a rooftop amenity area. These facilities include a pool, a fitness area, a lounge area, an outdoor kitchen, a bocce court, a fire pit, and outdoor site furniture. Therefore, as a whole, the combination of the pocket park, connector trail, and recreational facilities inside the building, reduce the impact of the new residents from the subject development on existing M-NCPPC recreational facilities in the area.

As part of the DSP, 11,068 square feet of compensatory floodplain storage is proposed on parkland, located behind the subject property and along the Paint Branch Stream Valley Park. In exchange for allowing this construction on M-NCPPC property, the applicant agreed to provide recreational facility improvements including construction of a master-planned, 8-foot-wide, asphalt trail extension from the end of the existing trail on M-NCPPC property to the promenade located on parkland behind the proposed development. This approximately 550-foot trail extension will include a boardwalk section, a retaining wall, benches, lighting, landscaping, trash receptacles, and security cameras/call boxes. In addition, the applicant is in the process of securing a public use easement to cover this trail extension over the rear portion of the adjacent property to the south. If successful, this will enable a more bicyclist/pedestrian-friendly trail alignment.

Multiple conditions relative to these improvements were provided by DPR and incorporated into the PPS approval.

- j. **Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE)**—The Planning Board reviewed a memorandum dated November 25, 2019 (Giles to Bossi), incorporated herein by reference, in which DPIE indicated that the DSP is consistent with the approved Stormwater Management Concept Plan, 13327-2019-00, dated September 26, 2019. DPIE has no objection to the proposed DSP-19025.

- k. **Prince George's County Police Department**—The Planning Board reviewed a memorandum dated December 23, 2019 (Contic to Planner Coordinator, Urban Design), incorporated herein by reference, in which the Police Department noted that they have no comments on the DSP.
- l. **Prince George's County Health Department**—The Health Department did not offer any comments on the subject application.
- m. **Maryland State Highway Administration (SHA)**—The Planning Board reviewed a memorandum dated December 10, 2019 (Futrell to Lenhart), incorporated herein by reference, in which SHA offered comments noting that the subject site is located within the limits of the urban reconstruction project on US 1, between College Avenue and MD 193. Construction is expected to start in early 2020 and be completed in the fall of 2023, and the applicant should continue to coordinate with SHA regarding site development. SHA further noted that an access permit will be required for all construction within the SHA right-of-way.
- n. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board reviewed a memorandum dated November 21, 2019 (Andreadis to Bossi), incorporated herein by reference, in which WSSC provided standard comments on the subject DSP that have been transmitted to the applicant. WSSC's requirements will be enforced through their separate permitting process.
- o. **Verizon**—Verizon did not offer comments on the subject application.
- p. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer comments on the subject application.
- q. **University of Maryland**—The University of Maryland did not offer comments on the subject application.
- r. **City of College Park**— The Planning Board reviewed a letter dated January 15, 2020 (Schum to Hewlett), incorporated herein by reference, in which the City of College Park City Council provided their support for amendments to D-D-O standards, and approval of the subject DSP, subject to 15 conditions. Required amendments to D-D-O standards supported by the City are consistent with those approved by the Planning Board. Conditions of approval issued by the City Council consist of minor plan revisions, and provision of additional details prior to certification of the DSP. Of the 15 conditions provided, 13 have been included in the Planning Board's decision. The unsupported conditions include: to demonstrate compliance with APA-6 height restrictions, for which a condition has already been provided; and to provide details of the art sculpture and transformer wrap, which have been provided in the submitted comprehensive signage plan. Additional conditions of note include a slight increase in retail area and associated minor interior floorplan adjustment, adding definition to the temporary nature of site

leasing signs, the provision of signage to identify right-in and right-out access to parking garage entrances, and ensuring the streetscape design for US 1 remains consistent with the State Highway Administration's improvement plan.

- s. **Town of Berwyn Heights**—The Town of Berwyn Heights did not offer comments on the subject application.
 - t. **City of Greenbelt**—The City of Greenbelt did not offer comments on the subject application.
14. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the Central US 1 Corridor Sector Plan and SMA. The amendments to the development district standards required for this development would benefit the development and the development district, as required by Section 27-548.25(c) of the Zoning Ordinance, and would not substantially impair implementation of the sector plan.

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

15. Per Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

A statement of justification was submitted and reviewed as part of PPS 4-19019. No new impacts are being proposed with the current application. Therefore, the regulated environmental features on the subject property have been preserved and/or restored in a natural state, to the fullest extent possible, as determined through the approval of PPS 4-19019.

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 Type 2 Tree Conservation Plan TCP2-038-2019, and further APPROVED Detailed Site Plan 19025 for the above described land, subject to the following conditions:

- A. APPROVE the alternative development district standards for:
 - 1. Development Character: Mandatory Shop Frontage (page 230)—To reduce the shop frontage requirement to only a portion of the Walkable Node (University) frontage, as shown on the submitted architecture.

2. Building Form: Corridor Infill (page 233)—To allow the building height to be 8 stories, the lot coverage to be 84 percent, the front build-to line to be a maximum of 18.78 feet, and a portion of the structured parking to be located in the second layer.
 3. Building Form: Walkable Nodes (University) (page 233)—To allow the front build-to line to a maximum of 13 feet.
 4. Building Form: Parking Access (page 241)—To allow for two driveway accesses from US 1 (Baltimore Avenue).
 5. Building Form: Structured Parking (page 243)—To allow for the internal structured parking to be within 50 feet of US 1 (Baltimore Avenue).
 6. Architectural Elements: Signage (pages 254–255)—To allow for three types of freestanding signs and allow for perpendicular-mounted signs to exceed nine square feet.
 7. Sustainability and the Environment: Leadership in Energy and Environmental Design (LEED) Certification (page 256)—To allow for National Green Building Standard silver certification.
 8. Streets and Open Spaces: Street Sections (pages 259–263)—To allow for a modified streetscape design that conforms to the Maryland State Highway Administration US 1 design criteria.
- B. APPROVE Detailed Site Plan DSP-19025 and Type 2 Tree Conservation Plan TCP2-038-2019 for Northgate, including a departure from the required parking space size for 9-foot by 18-foot standard spaces, subject to the following conditions:
1. Prior to certification, the applicant shall revise the plans as follows or provide the specified documentation:
 - a. Provide proof of compliance with Federal Aviation Regulations, Part 77.
 - b. Show all public use and public utility easements required by the approval of Preliminary Plan of Subdivision 4-19019 on the detailed site plan.
 - c. Revise the landscape plan and schedule to indicate a partial waiver from the Prince George's County Tree Canopy Coverage Ordinance has been approved.
 - d. Revise the Type 2 tree conservation plan (TCP2), as follows:
 - (1) Have the qualified professional sign and date it and indicate that the site is located within a priority funding area.

- (2) Add the existing tree line to the TCP2 per the approved natural resources inventory plans.
 - (3) Indicate that the symbol used for specimen trees in the legend is for their proposed removal.
 - (4) Remove the duplicate Specimen Trees Table from Sheet 2.
 - (5) Revise Note 3 of the Standard Type 2 Tree Conservation Notes by replacing the reference to “The Department of Public Works and Transportation or the Department of Environmental Resources” with “The Department of Permitting, Inspections and Enforcement (DPIE).”
 - (6) Revise all values in the On-Site Woodland Conservation Summary Table to be consistent with the TCP worksheet and approved natural resources inventory plans.
- e. Revise Sheets A-101 and A-102 to provide standard parking spaces sized a minimum of 9 by 18 feet.
 - f. Provide a minimum of 1,200 square feet of dedicated retail space that is separate from the residential amenity space.
 - g. Provide signage to restrict garage access to right-in, right-out only.
 - h. Revise paving details for the garage driveway aprons to differentiate them from the pedestrian walkway.
 - i. Revise architectural elevations to provide decorative perforated metal screening over garage openings on the eastern and southern façades. Provide a detail of the screening.
 - j. Revise the landscape plan along US 1 to be consistent with Maryland State Highway Administration improvement plans.
 - k. Amend the signage plan and sheet AS-100 to note that the two leasing banners (sign F1) are to be displayed temporarily. Note that the banner on the southern façade shall only be displayed from January through May of the initial year of leasing, and every year after be displayed from October through May, until the abutting property to the south has been redeveloped and completed construction, at which time this leasing banner will be permanently removed. The banner on the eastern façade shall only be displayed from January through May of the initial year of leasing, and then every year thereafter from October through May.

- l. Label the four dedicated retail parking spaces in the garage.
 - m. Correct Sheet 13 of the Comprehensive Signage Plan to replace sign A2 with A6 as shown on Sheet AS-100.
 - n. Provide to-scale floor plans.
 - o. Provide at least one electric car-charging station.
2. Prior to issuance of the final certificate of occupancy of the building, the applicant shall demonstrate that all public and private on-site recreational facilities have been fully constructed and are operational.
 3. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate conformance with the disclosure requirements of Section 27-548.43(b)(2) of the Zoning Ordinance regarding the proximity of this subdivision to a general aviation airport. The applicant shall provide a note on the plat and provide a copy of the disclosure notice to the Maryland-National Capital Park and Planning Commission for review and approval. The disclosure notice shall be included in all lease, rental, or purchase contracts for occupants, and the occupants shall sign an acknowledgement of receipt of the disclosure.

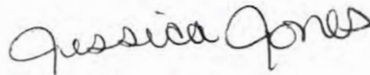
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Bailey and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, January 30, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of February 2020.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department

Date 3/3/2020