

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 April 30, 2020, regarding Detailed Site Plan DSP-19037 for Knox Road, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) requests to construct a mixed-use building with 343 multifamily dwelling units and 23,847 square feet of ground floor commercial retail.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Commercial	Multifamily Residential/ Commercial Retail
Acreage	1.65	1.65
Lots	0	0
Parcels	2	1
Square Footage/GFA	14,796 (to be razed)	395,909
Dwelling Units	0	343

**Other Development Data**

**Parking Requirements per the Sector Plan**

Uses			Spaces Required
Walkable Node	343 dwelling units	1 space per dwelling unit	343
	23,847 sq. ft. retail	3 spaces per 1,000 sq. ft.	72
Total Parking Required			415
Total with Shared Parking		Shared Parking Factor=1.2*	346
<b>Total Parking Provided</b>			<b>248**</b>
	Standard spaces (9.5 x 19 feet)		147
	Compact spaces (8 x 16.5 feet)		86
	Parallel spaces (8 x 22)		7
	Handicap-Accessible		7
	Handicap Van-accessible		1

**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 415 spaces to 346 spaces.

\*\*The 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment has a specific parking requirement. Therefore, the applicant is requesting an amendment to this standard, as discussed in Finding 7 below.

**Bicycle Spaces per the Sector Plan**

Required (1 space per 3 parking spaces)	116
Provided	164
Interior	146
Exterior	18

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

Residential / Retail	4 space (interior)
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**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 four loading spaces, internal to the building, which is sufficient.

- 3. Location:** The subject site is located on the north side of Knox Road, approximately 127 feet west of US 1 (Baltimore Avenue). The subject property is also located in Planning Area 66 and in

Council District 3, within the City of College Park. The property is made up of two parcels: Parcel A, Byrd's Addition to College Park, 1.12 acres, which was recorded among the Prince George's County Land Records at Plat Book 43 Plat No. 75, in 1962; and Parcel 61 on Tax Map 33, which contains a total of 0.53 acre.

4. **Surrounding Uses:** The property is bound to the north by Lehigh Road, and beyond by a dormitory (Montgomery Hall) on the University of Maryland campus, which is zoned Rural Residential. To the east are commercial uses in the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones, and US 1. To the south is Knox Road, and beyond, commercial and residential land uses in the M-U-I, D-D-O, and Multifamily High Density Residential Zones. To the west are dormitories on the University of Maryland campus (South Campus Commons), in the One-Family Detached Residential (R-55) Zone.
5. **Previous Approvals:** The property is currently developed with one-story commercial buildings. The building fronting on Knox Road was constructed in 1964, while the building fronting on Lehigh Road was constructed in 1969. Parcel A includes all of the commercial development and a surface parking lot.

Parcel 61 is solely used as a surface parking lot. DSP-03032 was approved to validate the operation of the parking lot and bring it into conformance with the Central US 1 Corridor Sector Plan, in 2003. The approval of the DSP included approval of Alternative Compliance AC-01034.

On November 7, 2019, Preliminary Plan of Subdivision PPS 4-19028, was approved by the Prince George's County Planning Board, pursuant to PGCPB Resolution No. 19-123.

6. **Design Features:** The applicant proposes to raze the one-story commercial buildings and surface parking lots to construct a mixed-use building with 343 multifamily dwelling units and 23,847 square feet of commercial retail uses on the site. The applicant has indicated that the dwelling units will be focused at the student population. The proposed 9-story building will have frontage on Knox Road, Lehigh Road, and proposes a private drive called Sterling Place that will cut through the center of the building in a north-south direction. The Knox Road frontage will be broken up by three vehicular access points one to the west to the parking garage and interior loading, Sterling Place in the center, and a loading entrance in the east. Sterling Place will be 12 feet wide to limit traffic to one-way to the north, and will have commercial storefronts on the ground floor on both sides.

A second garage entrance and bicycle parking will be accessed from Lehigh Road, in the northeast corner of the building. This northern frontage will have a fitness center, small amount of ground floor retail, and an amenity space that will provide a continuous street wall along Lehigh Road and the University of Maryland campus to the north. The main residential access to the building will occur in the northwest corner of the building. This entrance will be higher than the Sterling Place elevation. This is the closest point of the building to campus, and is located where there is an existing, substandard staircase between Montgomery Hall to the north and South Campus Commons to the west.

Lehigh Road is proposed to terminate at the west end of the property into a grand staircase that will allow a pedestrian connection between US 1 to the east and the campus to the west. The existing staircase will be reconstructed, as part of the BPIS improvements approved in the PPS, to become a grand staircase. The grand staircase will include a bike trough, to allow students to walk bicycles safely and easily up and down the stairs. This staircase will also be replicated within the interior of the building to mirror the staircase on the outside. This staircase will lead to a new sidewalk which will extend to the east along the north side of Lehigh Road, and provide safe pedestrian access to US 1. Retail uses will also front on Knox Road, but with a single access point.

**Architecture**—Architecture for the project is modern and includes a variety of quality masonry materials including decorative face concrete, cast stone, cementitious and metal panels. The masonry products are accented with metal panels and coping, and an aluminum storefront system for the first-story commercial façade. Windows are banded, providing horizontal balance to the high-rise nature of the building. Although gray is the predominate color, different shades of gray are used to break up the massing. Bronze metal and masonry elements are used to highlight ground-floor retail uses and ground the building. Darker gray elements cap the building and make up the areas not activated by storefront windows and architectural accents.

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

- Fitness area
- Fitness and entertainment area
- Social lounge
- Outdoor courtyard

Bonding for these facilities and the requirement for a recreational facilities agreement is conditioned as a part of the PPS.

**Signage**—The applicant has provided a sign package for the project, which shows 28 signs in the following categories:

- Retail Blade
- Retail
- Building Entrance
- Loading
- Parking Blade
- Parking
- Project Identity Blade

The submitted sign plan for the project includes square footage, but not all the details necessary to fully evaluate conformance with the sign requirements of the D-D-O Zone. A proposed condition has been included herein that, prior to certificate approval, the applicant provide scaled

details of all the signs and elevation drawings showing their location on the façades in accordance with the applicable sign requirements.

**Site Details**—Site details on the landscape plan include various paving types, trash receptacles, planters, benches, tables and chairs, and bike racks. All details are found to be aesthetic and attractive choices for the subject project.

**Green Building Techniques**—The 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment (Central US 1 Corridor Sector Plan and SMA) requires the project to be Leadership in Energy and Environmental Design (LEED) certified at a minimum of the “Silver” level. The applicant has provided a LEED score card demonstrating that green building techniques may be utilized in the project to qualify it for LEED “Platinum” certification. A combination of green building techniques employed include location and transportation, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. LEED certification does not occur until after a building is constructed and in use for at least one year.

## 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 subject site is in the Downtown College Park area and is within the Walkable Node 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. One of the implementation tools set forth in the plan are development district standards (page 227), which contain regulations that impact the design and character of the Central US 1 Corridor. The stated purpose of these standards in the plan is to shape high-quality public spaces with buildings and other physical features, and to create a strong sense of place for College Park and the University of Maryland, consistent with the land use and urban design recommendations of the sector plan.

### **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. The applicant is requesting the following modifications from the development district standards in Character Area 5A—Walkable Nodes (all page numbers reference the sector plan), which are first summarized in table form and then discussed in detail:

a. **Page 231—Building Form/Orientation**

The sector plan calls for Knox Road to be the primary frontage. The applicant has created an internal, one-way, private street with double-loaded ground-floor retail that they request be the primary frontage. The building also has frontage on Lehigh Road, which faces the University of Maryland Campus. The Knox Road frontage is proposed to have three curb cuts that will limit the building's frontage. One curb cut is for Sterling Place and the other two will provide access to parking and loading areas. Given the design of the building, the change in topography, and desired layout, the Planning Board approves this amendment. A condition was added requiring that art be added to the loading and parking garage doors on Knox Road to activate and enhance the public realm.

b. **Page 234—Building Form/Character Area 5A/Walkable Nodes:** Three amendments are required related to this design standard:

**Building Height: 2-6 stories are permitted in the Walkable Node.**

The proposed 9-story building height would conform to the Walkable Node (University) height provisions, but a three-story amendment is required in the Walkable Node. The applicant's justification is that the plan and County policies promote density at this location because of the proximity to the University of Maryland campus and is ideal for student housing. In addition, the topography of the site changes 22 feet from one end to the other and the proposed building will be the same height as the existing building to the west. The Planning Board approves this amendment.

**Side Setbacks: A side setback of 0-24 feet is required.**

Due to the irregularity of building depths abutting the eastern property line, the setback of the building is increased to a maximum of 34 feet in one area to provide ample space between the building and the abutting property. This deviation from the D-D-O standards is reasonable to accommodate existing conditions of the site and should not substantially impair implementation of the Sector Plan. The Planning Board approves this amendment.

- c. **Page 239–Building Form/Parking:** In the Walkable Node, the number of spaces required is one space per dwelling unit and three spaces per 1,000 square feet of retail. The total number of spaces required using the shared parking factor is 346 spaces. In this instance, the applicant is proposing 248 parking spaces. Thus, a modification of 98 parking spaces is required.

The applicant sites the project will be used for student housing and that City of College Park public parking is in close proximity to the site. The Planning Board approves this amendment.

- d. **Page 241–Building Form/Parking Access:**

**When present, alleys shall be the primary source of access to off-street parking...When alleys are not present, secondary frontage or side streets may be used as the primary source of access to off-street parking.” (page 241).**

As designed, the project has three frontages that can be used as the primary source of access for off-street parking: Knox Road, Lehigh Road, and Sterling Place, an internal drive. Knox Road is the primary frontage per the standards of the D-D-O (page 231). The building has one point of access to parking from Knox Road at the southwest corner of the building, which serves loading and parking for retail tenants on Sterling Place and is not internally connected to the primary garage accessed from Lehigh Road.

Due to the steep rise in grade along Knox Road, it is reasonable to locate access to the parking garage at this location since no other frontage meets the parking at this grade. The Planning Board approves this amendment.

- e. **Page 242–Parking Lots, Loading and Service Area:**

**Loading and service areas shall not be visible from streets, except alleys. These areas shall be located a minimum of 30 feet away from public sidewalks.” (page 242)**

**Loading and service areas should be hidden from public view by street screens.” (page 242)**

This project sites a loading area that services retail along Sterling Place at the southeast corner of the property, within 30 feet of the public sidewalk. This area of the building is closest to the Knox Road and US 1 intersection (the core of Downtown College Park) and will be highly visible to all passersby. Loading areas are typically an eyesore when they are not carefully designed as an integral part of the building’s architecture. They also tend to degrade the quality of urban streets when the operation of these areas is not thoughtfully timed and managed. This ground-floor use does not command architecture

that anchors the corner in a manner suitable for this highly-visible location and is not a use that will activate the ground-level as intended within the Walkable Node Character Area.

Because of the geometry of the building, this loading area cannot be recessed further. For this reason, a deviation from the standard of the D-D-O is a reasonable request. Furthermore, the southeast corner of the building sits at the lowest point on the site, where stormwater will naturally drain. The underground stormwater management (SWM) vault is in this area of the building, directly beneath the loading bay.

Although the loading area is not the optimum use of this corner of the building and will not enhance the public realm or walkability as intended in the Walkable Node Character Area, for serviceability of the vault, it is practical for this use to remain. Furthermore, the applicant has entered into an agreement with the City of College Park to limit the hours of operation of the loading area and granted authority to the City to enforce those hours. This enforcement should help minimize the negative impacts of the loading area to the public realm. The Planning Board approves this amendment based on the justification and restriction proposed.

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

a. Section 27-546.19(c), 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;**

The site plan meets the site design guidelines and development district standards of the Central US 1 Corridor Sector Plan and SMA, except those that the applicant has requested amendments to, as discussed in Finding 7 above.

(3) **Proposed uses on the property will be compatible with one another,**

(4) **Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**



The application proposes a mixture of multifamily residential and commercial/retail uses in a vertical mixed-use format, in a large building. The building will be targeted towards students as is the adjacent student housing on the University of Maryland campus to the north and west. There is one to two-story commercial development to the east and south also in the Walkable Node Character Area. The parking provided for the project will be available to both residents and visitors to the commercial retail establishments on the ground floor of the buildings. The developer has designed each of the components of the development to be compatible internally and externally. The height of the building exceeds the development standards and is taller than the surrounding existing buildings, but will be compatible with building heights allowed in future redevelopments of the surrounding parcels.

**(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 east and south are developed with a single-story commercial strip and a two-story, commercial building respectively. The adjacent property to the west is a 6-story student dormitory and a three-story dormitory to the north. 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 façades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;**

The primary façade of the building faces the interior private drive (Sterling Place). The sector plan states that Knox Road is the primary frontage, so the applicant has requested an amendment. Retail, residential entrances, and residential amenities face the adjacent streets and walkways to the north and south. A grand staircase will connect a five-foot-wide sidewalk on the campus to the west and Lehigh Road to the east all on the University property. Sidewalks are provided on the streets to the south, and north sides of the proposed building and are

connected by the interior private drive, which provides a bicycle and pedestrian connection to the University of Maryland campus. There is one vehicular access to the garage from Lehigh Road, with two access points from Knox Road, one to the parking garage/loading and the other for loading. The sidewalk along Knox Road will cross three driveway aprons and along Lehigh Road will cross two aprons, which includes the private drive through the site.

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

The photometric plan provided with the 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 color 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 masonry, concrete, and metal precast panels, in neutral tones of gray, white and brown. 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 proposes mechanical equipment on the east side of the building, which will be screened by the building from the public street or located on the roof. Therefore, these areas will have minimum visibility from adjacent properties and public streets.

- (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**

The signs conform to the applicable development district standards.

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

**(i) Hours of operation or deliveries;**

The applicant proposes to enter an agreement with the City of College Park regarding limits to the hours of operation and deliveries, demonstrating minimal impacts on adjacent properties in accordance with this requirement.

**(ii) Location of activities with potential adverse impacts;**

Loading of trash will be located internal to the building on Knox Road and the impacts have been conditioned.

**(iii) Location and use of trash receptacles;**

The proposed trash receptacles are located internally to the building and have no adverse impact on adjacent properties.

**(iv) Location of loading and delivery spaces;**

The applicant has proposed two loading spaces on-site, one on the southeast and one on the southwest frontage of Knox Road. Both are internal to the building, for a total of four loading spaces. On-site access and circulation has been evaluated and found acceptable by the Planning Board.

**(v) Light intensity and hours of illumination; and**

The site plan provides a photometric plan for the on-site lighting, confirming that there are minimal adverse impacts on adjacent properties and the surrounding neighborhood.

**(vi) Location and use of outdoor vending machines.**

The subject DSP does not propose any outdoor vending machines.

- b. The subject application is located within Aviation Policy Area (APA) 6 under the traffic pattern for the small general aviation airport, 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 Regulation Part 77 or the Code of Maryland, COMAR 11.03.05, Obstruction of 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 height of the building included in the subject project exceeds the building height restriction of APA-6, but the applicant has provided a letter as proof of compliance with Federal Aviation Regulation (FAR) Part 77.

9. **Preliminary Plan of Subdivision 4-19028:** PPS 4-19028 was reviewed and approved by the Planning Board on November 7, 2019 (PGCPB Resolution No. 19-132). The Planning Board approved the PPS with twelve conditions of which four are applicable to the review of this DSP and warrant discussion, as follows:

3. **Total development within the subject property shall be limited to uses, which generate no more than 203 AM and 208 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 203 AM and 208 PM peak-hour trips. The proposed mixed-use building with 788 beds for student housing and retail space totaling 23,847 square feet would generate 133 AM and 202 PM peak-hour trips, which falls within the approved cap.

7. **Prior to acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits, and details of the off-site monumental staircase and associated improvements approved with Preliminary Plan of Subdivision (PPS) 4-19028, consistent with Section 24-124.01(f) of the Subdivision Regulations. If it is determined at the time of detailed site plan that alternative off-site improvements are appropriate, the applicant shall demonstrate that the alternative improvements shall comply with the facility types contained in Section 24-124.01(d), be within 0.5 mile walking or bike distance of the subject site, within the public right-of-way,**

**and within the limits of the cost cap contained in Section 24-124.01(c). The Prince George's County Planning Board shall find that the alternative off-site improvements are consistent with the bicycle and pedestrian impact statement adequacy finding made at the time of PPS. At the request of the City of College Park, an alternative improvement which may be considered by the applicant includes the removal or relocation, if feasible, of an existing utility pole on the north side of Knox Road, just east of the subject property.**

The applicant has provided an exhibit displaying the proposed monumental staircase and associated off-site improvements per prior conditions of approval.

9. **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 Parks and Recreation Facilities Guidelines. The applicant shall allocate appropriate and developable areas for the private recreational facilities within the common open space land. The private recreational facilities shall be reviewed by the Urban Design Section, of the Development Review Division, of the Planning Department for adequacy and proper 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 recreational facilities have been provided, in accordance with the 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 development district (page 226). Therefore, the proposed development is only subject to the requirements of Sections 4.1, 4.4, and 4.9 of the Landscape Manual. Schedules have been provided for Sections 4.1 and 4.9. The Planning Board finds the submitted plans to be in conformance with the requirements of these sections. Additionally, a review of the plans finds that the applicant has conformed to the requirements of Section 4.4, Screening Requirements.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan approvals. A standard letter of exemption from the WCO was issued for this site (S-066-2019), which expires on April 25, 2021. No additional information is required regarding woodland conservation.
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 requirement applies per Section 25-128(b). This amounts to approximately 0.17 acres, or 7,190 square feet, to be provided in the tree canopy

coverage. The subject DSP provides the appropriate schedule, but claims off-site plantings to meet the requirement, which is not allowed.

Proposed on-site plantings only provide 2,440 square feet of coverage, or 3.4 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. The development proposes an underground garage that will take advantage of the 20 feet of grade change, but will limit planting opportunities on 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 34 percent of the required tree canopy coverage is provided on-site and additional plantings are proposed on the abutting University of Maryland property to meet the requirement. 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 University of Maryland property 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. The Planning Board 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 incorporated herein by reference:
- a. **Historic Preservation and Archeological Review**— The Planning Board reviewed a memorandum dated February 26, 2020 (Stabler to Hurlbutt), incorporated herein by reference, which provided that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not recommended.
  - b. **Community Planning**—The Planning Board reviewed a memorandum dated March 30, 2020 (Hartfield to Hurlbutt), incorporated herein by reference, which 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 Planning**—The Planning Board reviewed a memorandum dated March 31, 2020 (Masog to Hurlbutt), incorporated herein by reference, which provided that access and circulation are acceptable. The number and locations of points of access are consistent with those reviewed and approved during the PPS. The site is not within, or adjacent to, any master plan transportation facilities.
- From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable if the application is approved.
- d. **Trails**—In a memorandum dated March 30, 2020 (Ryan and Hurlbutt), incorporated herein by reference, which provided the following summarized comments regarding the subject project:

The submitted plans reflect the relevant Complete Streets policies from the 2009 *Approved Countywide Master Plan of Transportation*. An internal network of sidewalks has been submitted which provides pedestrian access along Knox Road, Lehigh Road, and the internal one-way access road. The subject property fronts on Knox Road to its south, which features an existing shared roadway and side path. The proposed DSP also includes bike lockers and bike racks on the interior of the facility and additional bike racks on the exterior of the facility along Knox Road.

This development is also subject to the Central US 1 Corridor Sector Plan and SMA. The submitted plans reflect the pedestrian and bicyclist facilities recommended in the Sector Plan. Existing and Proposed Bikeways and Trails are displayed on Table 7

(pages 141-143). No specific recommendations for Knox Road or Lehigh Road are listed within this table.

The Planning Board finds that the submitted site plans meet the necessary findings for a DSP and is deemed acceptable from the standpoint of pedestrian and bicycle transportation.

- e. **Permits**—The Planning Board reviewed a memorandum dated March 30, 2020 (Jacobs to Hurlbutt), incorporated herein by reference, which provided no comment regarding the subject project.
- f. **Environmental Planning**—The Planning Board reviewed a memorandum received March 26, 2020 (Juba to Hurlbutt), incorporated herein by reference, which provided the following:

**Existing Conditions/Natural Resource Inventory**

An approved Natural Resources Inventory, NRI-057-2019, was submitted with the application. There are no regulated environmental features such as streams, non-tidal wetlands and their associated buffers. The site contains no 100-year floodplain or primary management area. Only a small area of man-made steep slopes is located on the northwestern corner of the site. No forest exists on-site. Two specimen trees exist on-site.

**Stormwater Management**

An approved SWM Concept Plan 18513-2019 was submitted with the subject application. According to the approved plan, the private system will utilize a green roof, and an underground storage vault to improve the water quality of runoff that will discharge off-site.

**Soils**

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Urban land and Christiana Downer Urban land complex. According to available information, no Marlboro clay exists onsite; 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. However, there are no slopes of significant concern identified within the area of this soil type and the applicant is proposing to cut and fill the site to a one percent grade for a buildable area. A geotechnical review was not requested with this application but may be required for review with a future development application. The County may require a soils report in conformance with CB-94-2004 during future phases of development.

- g. **Prince George's County Fire/EMS Department**—The Planning Board reviewed a memorandum dated March 30, 2020, incorporated herein by reference, which provided comments that will be addressed through a separate permitting process.



- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board reviewed a memorandum dated March 19, 2020, incorporated herein by reference, which provided numerous comments that will be addressed through DPIE's separate permitting process.
  - i. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
  - j. **Prince George's Health Department**—The Health Department did not offer comments on the subject application.
  - k. **Maryland State Highway Administration (SHA)**— The Planning Board reviewed a letter dated August 19, 2020 (Cook to Hurlbutt), incorporated herein by reference, which provided numerous comments that will be addressed through DPIE's separate permitting process.
  - l. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board reviewed an e-mail received on August 15, 2020 (Hall to Hurlbutt), incorporated herein by reference, which provided numerous comments regarding the subject project which will be addressed through their separate permitting process.
  - m. **City of College Park**— The Planning Board reviewed a letter dated April 17, 2020 (Schum to Hewlett), incorporated herein by reference, which stated that the City of College Park Council, at their meeting on April 14, 2020, voted 8-0-0 to recommend approval of DSP-19037, subject to conditions included herein, where appropriate.
  - n. **City of Greenbelt**—The City of Greenbelt did not offer comments on the subject application.
  - o. **Town of Berwyn Heights**—The Town of Berwyn Height 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.

Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if approved with conditions, 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 in accordance with the requirement of Subtitle 24-130(b)(5).**

There are no regulated environmental features on the subject property; therefore, this finding is not applicable.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and:

A. APPROVED of the alternative development district standards for:

1. **Page 231—Building Form/Orientation:** To change the primary frontage from Knox Road to the internal private drive, Sterling Place.
2. **Page 234—Building Form/Character Area 5A/Walkable Nodes:** To increase the building height to 9 stories, to allow the side setback to be increased to 34 feet on the east side of the building, and to allow uncovered parking within the third layer or setback at least 20 feet from the build-to line.
3. **Page 239—Building Form/Parking:** To reduce the amount of required parking by 98 parking spaces.
4. **Page 241—Building Form/Parking Access:** To allow parking to be accessed from the primary and secondary streets.
5. **Page 242—Parking Lots, Loading and Service Area:** To allow a loading area that services retail at the southeast corner of the property, within 30 feet of the public sidewalk.

B. APPROVED of Detailed Site Plan DSP-19037 for Knox Road, subject to the following conditions and considerations:

1. Prior to certification, the applicant shall revise the plans as follows or provide the specified documentation:
  - a. A mural or other artistic treatment shall be provided on the eastern and western loading dock doors on Knox Road. At the eastern loading dock, the mural or artistic treatment may wrap around the ground floor portion of the eastern façade visible from the street.

- b. Revise the landscape plan and schedule to indicate a partial waiver from the Prince George's County Tree Canopy Coverage Ordinance has been approved.
- c. Show a bike/scooter share parking area along Sterling Place or Lehigh Road.
- d. Provide ADA-compliant curb cuts along the Lehigh Road frontage and a crosswalk at the intersection of Sterling Place and Lehigh Road.
- e. Provide ADA-compliant curb cuts and crosswalks, where needed, and tabletop crosswalks across all Knox Road entrances.
- f. Remove two-way arrows shown at the loading docks.
- g. Indicate that retail glass windows will be clear glass.
- h. Provide scaled details of all the signs and elevation drawings showing their location on the façades in accordance with the applicable Development District Overlay Zone standards.
- i. Designate and label 72 retail-only parking spaces in the garage.
- j. Provide at least 4 electric car charging stations, with at least 1 in both the retail and residential sections of the parking garage.
- k. Provide details for amenities such as streetlighting, trash/recycling receptacles, bike racks and other street furniture and locate on the plan.
- l. Provide details about the measures to be used to protect pedestrians along Sterling Place.
- m. Install a "No Through Street" sign at the intersection of Lehigh and Baltimore Avenue, a "Do Not Enter" sign where Lehigh Road changes to one-way west of the parking garage entrance, and appropriate pavement markings to designate one-and two-way traffic.
- n. Install two bollards at the entrance to each loading/service area along Knox Road as a safety measure.
- o. Provide additional details on the size and materials of proposed signage. Add a sign above the western loading/garage entrance on Knox Road indicating "Resident Parking Only". Eliminate the loading zone sign above the eastern loading dock entrance.

- p. Submit Mandatory Referral applications for proposed off-site improvements, including the grand stair, Lehigh Road and Southgate Park, and provide copies to the City of College Park.
  - q. Provide a letter from the Maryland Aviation Administration (MAA) and/or the Federal Aviation Administration (FAA) that demonstrates compliance with Section 27-548.42 (Aviation Policy Area (APA-6) Height Restrictions-no obstruction over 198-feet Above Mean Sea Level) of the Zoning Ordinance, or obtain a variance in compliance with COMAR 11.03.05.06 with a finding that the height does not endanger the public health, safety and welfare, or revise the site plan to lower the height of the building to be compliant.
2. Prior to issuance of the final certificate of occupancy of the building, the applicant shall demonstrate that all on-site recreational facilities have been fully constructed and are operational.

CONSIDERATIONS

- 1. The applicant should cooperate with any University of Maryland requests to allow the proposed green building features being incorporated into the project to be accessible, if safety permits, to students for inspection as part of the curriculum of any class interested in studying the design, implementation, and/or construction of such features.
- 2. The applicant should work with the City of College Park to provide more prominent pavement markings, possibly incorporating an animal theme such as Terp footprints, for pedestrians to cross Knox Road to access the commercial shopping center to the south. The existing pavement markings for pedestrians to cross Knox Road, which is under the jurisdiction of the City of College Park, are not highly noticeable.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, April 30, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of May, 2020.

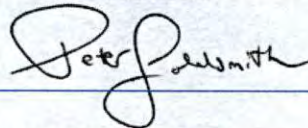
Elizabeth M. Hewlett  
Chairman



By Jessica Jones  
Planning Board Administrator

EMH:JJ:JH:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department  
Date: May 13, 2020