



July 23, 2024



8133 Baltimore Owner LLC
850 New Burton Road, Suite 201
Dover, DE 19904

Re: Notification of Planning Board Action on
Detailed Site Plan DSP-23009
Project Turtle

Dear Applicant:

This is to advise you that, on **July 18, 2024**, the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290 of the prior Prince George's County prior Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**July 23, 2024**) of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291 of the prior Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Sincerely,
Sherri Conner, Acting Chief
Development Review Division

By: *Te-Sheng Huang*
Reviewer

Attachment: PGCPB Resolution No. **2024-069**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

PGCPB No. 2024-069

File No. DSP-23009

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George’s County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, 8133 Baltimore Owner LLC, submitted an application for approval of a detailed site plan; and

WHEREAS, the property subject to the application (“subject property”) is within the Local Transit-Oriented - Edge (LTO-E) Zone and the Neighborhood Activity Center (NAC) Zone; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, proposals for development in the LTO-E/NAC Zones may utilize the prior Zoning Ordinance, for a period of two years, until April 1, 2024, and that this deadline was extended to April 1, 2026, in accordance with Council Resolutions CR-22-2024 and CR-25-2024 approved on March 26, 2024; and

WHEREAS, therefore, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on June 27, 2024, regarding Detailed Site Plan DSP-23009 for Project Turtle, the Planning Board finds:

1. **Request:** The detailed site plan (DSP) requests to construct one mixed-use building with 299 multifamily dwelling units and 15,903 square feet of ground-floor commercial retail space.

2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	LTO-E and NAC (prior M-U-I / D-D-O) APA-4 and APA-6	M-U-I/D-D-O APA-4 and APA-6
Use(s)	Commercial	Multifamily Residential/Commercial Retail
Gross Tract Acreage	2.71	2.71
Lots	9 (Lots 3–11)	0
Parcels	0	1
Square footage /gross floor area	34,422 sq. ft. (to be razed)	474,841 sq. ft. total (15,903 sq. ft. retail; 331,624 sq. ft. residential; 19,155 sq. ft. amenities; and 108,159 sq. ft. parking garage)*
Dwelling Units	0	299

Note: *2,219 sq. ft. of the 15,903 sq. ft. retail will be used as community space. The future use of this space is described in pages 4–6 of the statement of justification submitted by the applicant.

Other Development Data

Parking Requirements per the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (page 239)

Code Requirement	Required	Provided
Total residential (Walkable Node) * 1 space per dwelling unit	$(147 \times 1)/1.2 = 123$	284
Total retail (Walkable Node) * 3 spaces per 1,000 sq. ft.	$[3 \times (13,684/1,000)]/1.2 = 35$	
Total residential (Corridor Infill) * 1.5 space per dwelling unit	$(152 \times 1.5)/1.2 = 190$	
Total retail (Corridor Infill) * 4 spaces per 1,000 sq. ft.	$[4 \times (2,219/1,000)]/1.2 = 8$ parking spaces	
Total parking	356	
Standard spaces (nonparallel) (9.0 feet x 18 feet)**	-	185***
Compact spaces (nonparallel) (8 feet x 16.5 feet)	-	80***
Electric vehicle parking spaces		9
Standard spaces (nonparallel)**		7
Compact parking (nonparallel)		2
Handicap-accessible	7	10
Handicap van-accessible****	2	2

Notes: *The building is mixed use, with a shared parking factor of 1.2.

**The applicable D-D-O Zone does not have a standard for required parking space size. The DSP approves a nonparallel standard parking space size of 9 feet by 18 feet (instead of 9.5 feet by 19 feet), as required by Section 27-558(a) of the prior Prince George’s County Zoning Ordinance. The applicant seeks a departure from this requirement, per Section 27--548.25(e) of the prior Prince George’s County Zoning Ordinance, which does not require separate applications for such departures, but requires that the Prince George’s County Planning Board finds that the departure conforms to all of the applicable development district standards. Pages 66–74 of the applicant’s statement of justification (SOJ) further detail justification for the requested modification. The reduced size of the parking spaces will contribute to the development of the sector plan’s vision of

pedestrian-friendly, concentrated, mixed-use development in this area. Therefore, the Planning Board recommends approval of this departure.

***The submitted plans show the location of three standard spaces and six compact spaces, to be paired with electric vehicle charging stations (in the future) when needed.

****Among the seven required handicap-accessible parking spaces, two need to be handicap van-accessible, and one of them will be paired with an electric charging station.

Pursuant to Section 27-566(b)(1) of the prior Prince George’s County Zoning Ordinance, this application provides 10 handicap-accessible parking spaces with a minimum 5-foot -wide access aisle adjacent to the parking space, as required by the Americans with Disabilities Act (ADA). Three handicap-accessible and one handicap van-accessible parking spaces are located on level one of the parking garage, and five handicap-accessible and one handicap van-accessible parking spaces are located on level two of the garage.

Bicycle Spaces per the Sector Plan (page 239)

Code Requirement	Required	Provided
1 space per 3 parking spaces	356 parking spaces/3=119	142
Interior (long-term parking)*	-	134
Exterior (short-time parking)**		8

Notes: *Long-term bicycle parking is to be located on level one of the parking structure. Two separate bike rooms, in the parking structure, with space for 134 bicycles, meet the requirements of the D-D-O Zone and are accessible from Melbourne Place. A condition is included herein requiring the applicant to correct the number of the long-term bicycle parking spaces to 134 from 132 on Sheet A2-01.

**This development also provides eight short-term bicycle parking spaces. Four bike racks are installed on US 1 (Baltimore Avenue) for eight spaces.

Loading Spaces (per Section 27-582(a) of the prior Zoning Ordinance)

Code Requirement	Required	Provided
Multifamily Residential* (100 to 300 dwelling units)	1 space (12 feet x 33 feet)	2
Commercial Retail* (10,000 to 100,000 sq. ft. of GFA)	2 space (12 feet x 33 feet)	
Total Loading Space	3	

Note: *The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* and the applicable D-D-O Zone do not have a standard for required loading spaces. Therefore, per the M-U-I Zone 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. Pursuant to Section 27-582(a) of the prior Zoning Ordinance, three loading spaces are required for this subject DSP: one for residential use and two for retail use. However, the subject DSP only provides two loading spaces to be shared between the residential and retail uses, on the north side of the building on Navahoe Street. A condition is included herein requiring the applicant to note nonconformance to this requirement on the coversheet. The applicant seeks a departure from this requirement, per Section 27-548.25(e) of the prior Zoning Ordinance. Pages 74–79 of the SOJ provide the applicant’s justification for this request. One of which is that move ins/outs typically occur in August and May, for about one to two weeks, because the approved building will serve as student housing. Also, the furnished units included in the development will significantly limit the size and quantity of belongings that future tenants will be able to move in. The provision of a service driveway, in front of the building’s main entrance, can facilitate loading and unloading, as necessary. For these reasons, the Planning Board recommends approving this departure.

In addition, the location of the loading spaces is in conformance with Section 27-579(b) of the prior Prince George’s County Zoning Ordinance, requiring that, “[n]o portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan).”

3. **Location:** The subject property is located on the east side of US 1 (Baltimore Avenue) between Melbourne Place to the south and Navahoe Street to the north. Specifically, the site is located at 8135 and 8153 Baltimore Avenue, in College Park, within Planning Area 66, Council District 3. The site is also located in the Development District Overlay (D-D-O) Zone of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (sector plan), which indicates that the property is located in the Walkable Node and Corridor Infill Character Area of the Midtown plan area of the D-D-O Zone (page 19).
4. **Surrounding Uses:** To the north of the property are a McDonald’s restaurant and the Spellman House Apartments in the M-U-I and Multifamily High Density Residential (R-10) Zones; to the south of the property, beyond Melbourne Street, are a Prince George’s County fire station and an urgent care medical office in the M-U-I Zone; to the east of the property is the Lakeland Community in the Townhouse (R-T) Zone; and to the west of the property is US 1 with one student housing project beyond, known as the Varsity, in the M-U-I Zone. All of the surrounding properties are located within the D-D-O Zone, except properties located in the R-10 and R-T Zones. The subject property and the surrounding properties are within Aviation Policy Areas 4 (APA-4) and 6 (APA-6). Specifically, the southern half of the subject property is located within APA-4, while the northern half is located within APA-6.

5. **Previous Approvals:** Existing Lot 6 is subject to Special Exception SE-1557, which approved the existing gas station on this lot. However, this SE is not relevant to the subject DSP application because the gas station is to be razed.

PPS 4-23002 was approved by the Prince George's County Planning Board on May 16, 2022 (PGCPB Resolution No. 2024-026), for one parcel for development of 299 multifamily dwelling units and 15,903 square feet of commercial use.

Certificate of Adequacy, ADQ-2023-002, was approved by the Prince George's County Planning Director on April 3, 2024. This ADQ is valid for 12 years from the date of approval of the associated PPS 4-23002, subject to the additional expiration provisions of Section 24-4503(c) of the Subdivision Regulations.

6. **Design Features:** The applicant seeks to construct one mixed-use building, with 299 multifamily dwelling units and 15,903 square feet of commercial retail uses. This development will be designed to achieve or exceed Leadership in Energy and Environmental Design (LEED) certification standards required for a silver rating, with various sustainable design features. The sample LEED scorecard, submitted with this DSP, shows measurements included in the development to achieve the required rating, in terms of integrative process, location and transportation, sustainable sites, water efficiency, energy and atmosphere, materials and resources, indoor environmental quality, innovation and regional priority.

The subject property is bounded by three rights-of-way (ROWS): Navahoe Street (north), US 1 (west) and Melbourne Place (south). Because the building is oriented towards US 1, most of the retail space included in the development fronts US 1, except one space, which will be used as community space for the Lakeland Community, is located at the southeast corner of the site, just close to the community it will serve. The building entrance is arranged to be located on Melbourne Place, with a service driveway in front of it. Since the entire site is located within the floodplain area, the approved building needs to be elevated. The first level of the building is approximately six feet on average higher than the street grade. The approved building is six to seven stories in height, approximately 80 feet.

While the east portion of level one (facing US 1) is occupied by retail space, the southern portion of level one (facing Melbourne Place) includes the lobby and common areas for residential use. Some residential units are arranged to be in the eastern portion of level one. The central portion of level one is used for structured parking. The arrangement of level one also applies to level two. Levels two through seven are mostly for residential uses. On level three, two internal courtyards are incorporated with landscapes, tables and chairs, and other amenity facilities. There is a terrace on level seven, with tables and chairs.

Improved sidewalks are shown along all street frontages of the site. Crosswalks are shown, crossing the drive aisle at two vehicle access points. One is located on Melbourne Place accessing the two-level parking structure, and one is located on Navahoe Street accessing the loading and service area. An elevated crosswalk is also included, across Navahoe Street, at the eastern bounds of the subject site. These improvements connect gaps in the sidewalk network to not only enhance pedestrian connectivity, but to also bring attention to motorists that pedestrians may be crossing.

One vehicle entrance, to the concealed two-level structured parking garage, is located off of Melbourne Place. Inside the parking garage, there is a controlled-access gate to separate the parking spaces for retail and residential uses. Spaces used by commercial retail tenants and their customers are located on level one. Among the parking spaces provided, nine spaces are to be paired with electric charging stations for electric vehicles (EV). A condition is included herein requiring the applicant to provide at least two EV parking spaces for retail use. The layout of the parking garage has been provided and shows the dimensions of parking spaces, with 22-foot drive aisles. This development also provides both long- and short-term bicycle parking spaces, which is discussed above in Finding 2. Two shared loading spaces are located internally on the north side of the building, accessible from Navahoe Street, and the door to the loading spaces will be open only during move-ins/move-outs and trash pickup.

Architecture

The architectural design of the multifamily building is contemporary, with a generally flat roof, and is finished with a mix of materials including brick veneer, fiber cement panels and siding, and glass elements. The materials are arranged in a geometric pattern and provide bands of color on the building. Emphasis has been given to the variety of materials used on the façades through different volumes, massing, and architectural design elements.

The building façade along US 1 is broken down into three façade types, to mitigate the massing of the building. The slight change in the roof line between the three façade types enables the building to visually appear to be three individual buildings, making it not only visually interesting, but also compatible to the scale of the surrounding neighborhood. The color palette designed for the building consists of a strong dark masonry, two-story building base, and light and dark grey architectural panels on the upper floors, and dark finished window frames and storefronts. The design of a strong base-middle-top expression is also included across the elevations of the building. The intersection of US 1 and Melbourne Place has a strong red brick massing that emphasizes this corner of the building. On the north elevation, the applicant noted the location of the planned wall mural, without any details included in the submission. A condition is included herein requiring the applicant to provide such details.

Since the subject property abuts the Lakeland Community to the east, the east elevation of the building is designed with a step-back of two-story townhouse units, to reflect and consist of the existing townhouses in the community. These townhouse units will have access both from the inside and the outside. Red bricks are used to cover the façade of the townhouse units while the façade of the retail space located in the southeast corner of the building, which will be used as a community space, is covered with dark bricks, with inset wood panels.

Recreational Facilities

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

- a. A linear, elevated, covered promenade along retail space that faces US 1, including tables and chairs.

- b. Two courtyards on level three, including artificial turf, tables and chairs, and various types of recreational facilities such as fire pits, a hot tub, grill area and outdoor games.
- c. A gym on level three, including various exercise equipment.
- d. A terrace on level seven, including tables and chairs.

The elevated, covered promenade is designed to extend along the entire front of the building and will increase the width of the pedestrian zone along the frontage of the subject property. This promenade is subject to a public use easement with the City of College Park, to ensure its accessibility to the public. With the provision of tables and chairs and shelter from the weather, the promenade might encourage the occurrence of social activities.

Along US 1, the applicant provides bike racks and a micro-mobility parking area, in accordance with the sector plan (page 264). On the north side of the property, along Navahoe Street, the applicant also provides a dog park, with a pet waste station and a pet drinking fountain. Pursuant to the Prince George's County *Park and Recreation Facilities Guidelines*, these items do not provide any recreational value. The applicant should remove them from the amenity list. A condition is included herein requiring the applicant to remove the 6-foot-high dog fence, bike racks, and trash receptacles from the recreational facilities schedule on the coversheet. In the same schedule, the applicant needs to clarify what "not used" means and, if not applicable, remove them from the schedule.

Inside the building, the applicant plans to include two courtyards and a gym on level three and a terrace on level seven. While adequate information is provided regarding the amenities to be provided in the outdoor recreation areas, the applicant does not provide enough details regarding the amenities for the gym and tables and chairs placed in various locations within the development. A condition is included herein requiring the applicant to provide and include details of the approved gym, tables, and chairs.

Signage

The applicant has provided a sign package showing that 14 permanent sign types and one temporary sign are included in this development. Seven of the signs are identity signs. Two separate sets of two sign types are for parking and address, respectively. The rest of the three sign types are for retail entry blades, a community space entry, and window graphics, respectively. These signs may be flat against the façade or mounted projecting from the façade. Eight out of the 15 sign types will be illuminated. The submitted sign details for the development include the square footage for each sign and the style and location of signs. The sign package also shows that the maximum gross area of signs, on a given façade, do not exceed 10 percent of the façade area of the commercial portion of the building; though architectural signs or signage painted on a building façade or mounted on the roof may exceed this limit, in certain cases. These details demonstrate that the development is in conformance with the sign requirements of the D-D-O Zone (page 254 of the sector plan). Conditions are included herein for additional information to be noted on the signage package, as well as requiring the applicant to demonstrate that the mounted retail entry blades meet a minimum clear height (above sidewalks) of 8 feet.

Lighting

The DSP application includes to integrate building-mounted, pole-mounted, and other accent lighting, such as bollards, sconces, and other architectural lighting, throughout the site. The Planning Board finds that the submitted photometric plan shows adequate lighting for users on-site and is sufficient for illuminating site access, drive aisles, building entryways, and walking paths. A condition is included herein requiring the applicant to note on the lighting plan that all light fixtures are fully cut-off and directed downward to reduce glare and light spill-over.

Loading and Trash Facilities

The subject DSP includes two shared loading spaces, which are located on the northern portion of the site. The two loading spaces are appropriately screened from the public ROWs by the building and landscaping. Detailed discussion regarding the requested departure has been addressed in Finding 2 above. Trash facilities will be located internal to the building. Both loading and trash facilities will be accessed from Navahoe Street.

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 sector plan defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the Central US 1 Corridor area. The land use concept for the sector plan divides the corridor into four interrelated areas, including 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 (page 50). The overall vision for the Central US 1 Corridor is a vibrant hub of activity, highlighted by walkable concentrations of pedestrian- and transit-oriented, mixed-use development; the 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 Lower Midtown plan area and is within the Walkable Node and Corridor Infill Character Areas (pages 80 and 228). The Walkable Node character area consists of higher density mixed-use buildings that accommodate retail, offices, row houses, and apartments, with emphasis on nonresidential land uses, particularly on the ground-level. The Corridor Infill character area consists of mixed-use but primarily residential urban fabric, supporting a wide range of building types, such as single-family, side yard, and row houses (page 228). One of the implementation tools set forth in the sector plan is the Development District Standards (pages 227–272), containing regulations that impact the design and character of the Central US 1 Corridor. The stated purpose of these standards is to shape high-quality public spaces with buildings and other physical features, and to create a strong sense of place for College Park, consistent with the land use and urban design recommendations of the sector plan (page 227).

Requests to amend Development District Standards

The submitted application and SOJ indicate the need to deviate from nine development district standards. In accordance with Section 27-548.25(c) of the prior Zoning Ordinance, if an applicant 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. This application meets most of the standards of the development district. However, the applicant is requesting the following modifications from the development district standards in Character Area 4–Corridor Infill and Character Area 5a–Walkable Node (all page numbers reference the sector plan):

- a. **Building Form/Building Heights** (pages 233 and 234): The maximum height in the Corridor Infill Character Area and Walkable Node Character Area is four stories and six stories, respectively. Because the entire site is located within the floodplain area, the design of the building needs to be elevated. As a result, the central portion of the building is designed to be a two-level parking garage and the outer portion of the ground-floor area, which encloses the parking garage, are designed to be one-story retail space and common space, to serve the residential units above, with a double-height ceiling. The approved building is six stories along US 1, five stories above a two-level parking garage, and two stories at the eastern side of the property. If each level of the parking garage is considered as a separate story, the approved building would become seven stories, instead of six stories. On pages 40–46 of the SOJ, the applicant noted the site constraints, with challenges of reducing height between two different character areas and provided several examples of similar requests in the area, demonstrating that such requested modification will benefit the design of the building. Given the impractical and economical infeasibility to reduce the height of the building along the dividing line of the separate character areas, the Planning Board finds that this request will not substantially impair implementation of the sector plan and recommend approval of this amendment.
- b. **Building Form/Lot Coverage** (pages 233 and 234): The maximum lot coverage in the Corridor Infill Character Area and Walkable Node Character Area are 70 percent and 80 percent, respectively. However, the lot coverage of the approved development is up to 89 percent. The Planning Board finds that the increased lot coverage is a result of the necessary design strategies to meet floodplain construction standards. If the subject site is not located in the floodplain area, the lot coverage in Character Area 4 and Character Area 5a would be approximately 70 percent and 65 percent, as shown on Sheet A2-01 and explained on pages 46–47 of the SOJ. The Planning Board finds that this request will not significantly impact the public realm and will not substantially impair implementation of the sector plan, and recommends approval of this amendment.
- c. **Building Form/Setbacks-Building** (pages 233 and 234): The development district standards provide for build-to lines from primary and secondary streets. Since the subject property is bound by three ROWs, US 1 is considered to be a primary street, while Navahoe Street and Melbourne Places are secondary streets. The approved development complies with the build-to lines standard along US 1 but cannot conform to the standards for secondary streets, because the standards in Character Area 4 and Character Area 5a

are very different. The former is between 10 and 20 feet and the latter is between 0 and 12 feet. In addition, pages 48–54 of the SOJ explained this is a result of the design approach taken to create overhangs to provide protection to the pedestrian promenade and other ground floor area. The Planning Board finds that this request will not substantially impair implementation of the sector plan and recommends approval of this amendment.

- d. **Building Form/Parking** (page 239): In the Corridor Infill Character Area, the number of spaces required is 1.5 parking spaces per dwelling unit and four spaces per 1,000 square feet of retail. In the Walkable Node Character Area, the number of spaces required is one space per dwelling unit and three spaces per 1,000 square feet of retail. The approved development provides 284 parking spaces, which is fewer than the required 356 parking spaces. Given that the subject property is in proximity to the university campus and the future Purple Line Station, with the explanations outlined on pages 54–56 of the SOJ, the Planning Board finds that this request will not substantially impair implementation of the sector plan and recommend approval of this amendment.
- e. **Building Form/Parking Lots, Loading, and Service Area** (page 242): 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. The loading and service area included in the development is located approximately 15 feet from the sidewalk, but is located internally to the building and will be fully screened when not in use, by an overhead door. Because the approved building faces three ROWs and there is no rear to the building, it is suitable to locate the loading and service area along the street least impacted by traffic, with proper screening. The designated location of the area on Navahoe Street is the best option for this development, and its entrance aligns with the building's elevation. The Planning Board finds that this request will not substantially impair implementation of the sector plan and recommends approval of this amendment.
- f. **Building Form/Structured Parking** (page 243): Parking structures should be set back 50 feet from the property line of all thoroughfares to reserve room for liner buildings between the parking structure and the lot frontage. The approved parking structure is set back approximately 13.7 feet from the property line on Navahoe Street. Because the parking garage has been integrated within the building, strict application of the 50-foot setback for structured parking would render this property undevelopable, especially when a property has three street frontages, as well as reduce the number of parking spaces provided. The Planning Board finds that this request will not substantially impair implementation of the sector plan and recommends approval of this amendment.
- g. **Architectural Elements/Materials** (page 251): The sector plan provides a list of siding materials that are encouraged to be used, including wood or composition board such as Hardiplank. The sector plan does not specifically mention fiber cement board, which is a type of composition board and is the siding materials suggested by the applicant, in the form of horizontal lap siding and panels. As shown on the architectural elevations, the building will be constructed with an attractive and distinctive design aesthetic that otherwise satisfies the sector plan vision. The use of fiber cement panels will not impair

implementation of the sector plan. For these reasons, the Planning Board recommends approval of this amendment.

- h. **Sustainability and the Environment/Water Efficiency and Recharge** (page 257): The sector plan notes, all at-grade walks (excluding public sidewalks) and pathways shall be constructed with pervious materials. The subject development includes a concrete sidewalk fronting the approved two-story townhouse units. This concrete walkway will support external access to these townhouse units and will serve as an alternative connection between Navahoe Street and Melbourne Place. The Planning Board finds that this request will not substantially impair implementation of the sector plan and recommends approval of this amendment.
 - i. **Streets and Open Spaces/Street Sections** (pages 262 and 263): Streetscape elements include an assembly area, a curb, a walkway, a planter, landscape, and lighting. Because the Maryland State Highway Administration (SHA) is in process of modifying US 1 (as discussed in the Transportation Section’s referral comments in Finding 14 below) and other site constraints, as outlined on pages 60–64 of the SOJ, the applicant requests modifications from the prescribed dimensions of these landscape areas to adjust the widths and dimensions of these design elements, based on the available RPW and existing conditions. The Planning Board finds that the resulting design outcome will complement the public realm and not substantially impair implementation of the sector plan. For these reasons, the Planning Board recommends approval of this amendment.
8. **Prince George’s County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I, Airport Compatibility (Part 10B), and D-D-O Zones.
- a. Section 27-546.19(c), Site Plans for Mixed Uses, of the prior Prince George’s County Zoning Ordinance, 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 sector plan, except those discussed in Finding 7 above.

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

The application seeks to construct a mixture of multifamily residential and commercial/retail uses in a vertical, mixed-use format. The uses included in this development are compatible with one another, within the subject property.

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

The approved uses, with this DSP, are compatible with existing or recently approved uses within the area, which are similar in height and density, as envisioned by the sector plan. The uses of adjacent properties include residential, commercial and civic/institutional.

(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 properties to the north, across Navahoe Street, are developed with a single-story fast-food restaurant and a seven-story multifamily building. The property to the east is developed with two-story townhomes. The properties to the south, across Melbourne Place, are developed with a two-story fire station and a two-story office building. Across US 1, from the west side of the subject property, are several student apartments, ranging in height from 7 to 16 stories. The approved building and uses are in keeping with the vision and intent of the sector plan and development district, and are compatible in size, height, and massing to existing and future buildings on adjacent properties. This is also discussed above in Finding 6. Therefore, the approved building is compatible with other similar redevelopment projects in the Central US 1 Corridor and 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;

Based on the building design and frontage improvements, the primary façade of the building faces US 1, which creates an active pedestrian experience that ties into the existing surrounding development. Sidewalks are provided on the streets

to the north, south and west of the approved building. On the east side of the building, the applicant also provides a sidewalk to offer external access to the townhouse units. These townhouse units are designed to reflect those townhouses in the Lakeland Community. The creation of these sidewalks ensures connection to the existing public walkways.

Two separate on-site vehicular access points are limited to one from Melbourne Place and one from Navahoe Street, minimizing conflicts with pedestrians. The former is for access to a parking structure, and the latter is for loading spaces and trash collection.

(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 this DSP indicates that the lighting design will minimize glare, light, and visual intrusion onto nearby properties and buildings. In addition, it is noted that lighting is designed to accent the building and provide well-lit areas, for the purposes of security and safety during the evening hours.

(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 building materials and colors selected to cover the approved building are compatible with those utilized in similar-scale developments recently constructed, within the development district. These materials include a mix of colored bricks, cementitious panels, composite wood panels, cast stones, concrete masonry units, and glass. Trim, coping, and other detail elements are provided in complementary tones and materials. Detailed information is discussed in Finding 6, above.

(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 include outdoor storage areas. Mechanical equipment is mostly located internally and, if located outdoors, will be screened to minimize 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**

Signs included in this development are in conformance with the applicable development district standards, as discussed in Finding 6, above.

- (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;**

Both main entrances to the building and to the parking garage are located on Melbourne Place, away from US 1. The approved development includes a service driveway that is in front of the building's main entrance and out of the public ROW. Activities that occur in the service driveway, such as package and food deliveries, will not impede traffic. In addition, two loading spaces are located internally on the north side of the building and are accessed from Navahoe Street. Loading and unloading will occur when people are moving in or out. Given the locations of these areas away from any existing residential uses, the approved development will have minimal impact. It is not necessary for this development to have limits to the hours of operation and deliveries.

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

The occurrence of activities, such as deliveries and on- and off-loading, is out of the ROW or within the building. Access to these locations is oriented to facing commercial uses and is away from the abutting residential use, the Lakeland Community, located to its east. Therefore, no potential adverse impacts will occur to the community,

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

Trash receptacles included in the development are located internally to the north side of the buildings.

These trash receptacles will be used by those who live in the building. Trash will be collected on the trash collection dates.

(iv) Location of loading and delivery spaces;

Two loading spaces are located internally and next to the trash receptacles. The delivery space is the service driveway located in front of the building's main entrance, on Melbourne Place. The location of these areas is away from any residential uses and oriented towards existing commercial uses, located to the north and south of the subject property.

(v) Light intensity and hours of illumination; and

The photometric plan submitted with the application shows on-site lighting, confirming that there are minimal adverse impacts on adjacent properties and the surrounding neighborhood, from the approved buildings.

(vi) Location and use of outdoor vending machines.

The subject DSP does not include any outdoor vending machines.

- b. The subject application is located within APA-4 and APA-6 under the traffic pattern for the small general aviation airport, College Park Airport. The applicable regulations regarding APA-4 and APA-6 are discussed, as follows:

Section 27-548.38. Regulated uses in Aviation Policy Areas.

(4) In APA-4 and APA-6, development densities and intensities are the same as in the underlying zone.

The subject DSP complies with this regulation because the site plan, as approved, shall set out the regulations to be followed when an owner seeks to construct a mix of residential and commercial uses on a single lot or parcel in the M-U-I Zone, in accordance with Section 27-546.18.

Section 27-548.41. Open area guidelines.

(b) In each Aviation Policy Area, the following minimum open area percentages should be retained:

(4) APA-4, Outer Safety Area: thirty percent (30%) open area.

The subject site has been developed with commercial uses. The redevelopment of the site will not reduce the open space available in the area that is within APA-4. Pages 11 and 12 of the SOJ, submitted by the applicant, provide detailed analysis of this regulation. The Planning Board finds that approximately 58 percent (16.4 acres) of the open space retained in the area would permit a successful emergency landing, without hitting an occupied structure, and allow aircraft occupants to survive the landing without serious injury.

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-4 and APA-6. The applicant has provided a letter received from the Federal Aviation Administration (dated June 22, 2023). This letter serves as proof of compliance with Federal Aviation Regulation, Part 77, determining that the approved development would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. A condition is included herein requiring the applicant to note on the plan the building height, in terms of site elevation, above ground level, or above mean sea level.

Section 27-548.43. - Notification of airport environment.

- (b) Every zoning, subdivision, and site plan application that requires approval by the Planning Board, Zoning Hearing Examiner, or District Council for a property located partially or completely within an Aviation Policy Area shall be subject to the following conditions:**
 - (2) Developments without a homeowners' association: A disclosure clause shall be placed on final plats and deeds for all properties that notifies prospective purchasers that the property has been identified as within approximately one mile of a general aviation airport. The disclosure clause shall include the cautionary language from the General Aviation Airport Environment Disclosure Notice.**

This requirement will be met at the time of the final plat. A condition is included herein requiring the applicant to add such information on the plat.

9. **Preliminary Plan of Subdivision 4-23002:** PPS 4-23002 was approved by the Planning Board on April 18, 2024 (PGCPB Resolution No. 2024-026), subject to 10 conditions. The conditions relevant to the review of this DSP are listed below in **bold** text. The Planning Board's analysis of the project's conformance to the conditions follows each one, in plain text:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 2152-2023-00 and any subsequent revisions.**

The subject DSP application is in conformance with Stormwater Management (SWM) Concept Plan 2152-2023-00.

4. **The applicant and the applicant's heirs, successors, and/or assignees shall show the following facilities on the detailed site plan, prior to its acceptance:**

- a. **A minimum 5-foot-wide bicycle lane along the site's frontage of US 1, unless modified by the operating agency with written correspondence.**
- b. **Short- and long-term bicycle parking, as shown on the circulation plan (Sheet 4 of the preliminary plan of subdivision).**

The submitted plans show the minimum 5-foot-wide bicycle lane along the site's US 1 frontage. One hundred thirty-four long-term bicycle parking spaces are provided in the garage, and eight short-term bicycle parking spaces are provided along the site's US 1 frontage.

5. **In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant, and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, adequate on-site recreational facilities.**

The applicant plans a linear, elevated, covered promenade with tables and chairs, two courtyards with various amenities and landscaping, and a gym on level three; and a terrace, with tables and chairs, on level seven. The location of these amenities is shown on the plans. However, details of some amenities, such as tables and chairs, are missing. A condition is included herein requiring the applicant to provide details of all amenities listed in the Recreational Facilities Schedule on the coversheet.

6. **The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Timing for construction shall also be determined at the time of DSP.**

As discussed in Finding 6 above, the subject DSP shows the provision of adequate and appropriate public and private on-site recreational facilities, in accordance with the *Park and Recreation Facilities Guidelines*. On the coversheet, the Recreational Facilities Notes provide a trigger for construction of all on-site private recreational facilities as being “the final use and occupancy permit.” Conditions are included herein requiring the applicant to revise the note to read, “prior to the issuance of a final certificate of occupancy” and also note that the inspection of these recreational facilities needs to be completed and released by the Urban Design Section of the Development Review Division of the Prince George’s County Planning Department, prior to the issuance of a final certificate of occupancy.

10. **At the time of detailed site plan review, the applicant shall evaluate opportunities to provide publicly accessible outdoor seating and eating areas, walking areas, fitness areas, and/or open play areas as part of the recreational facilities. If the opportunity for public accessibility is determined to be feasible and appropriate, a public use easement or covenant shall be established at the time of final plat.**

The Recreational Facilities Schedule on the coversheet contains a list of on-site recreational facilities included in this development, with the details shown on subsequent sheets of the submittal. However, the table does not identify which amenities are intended for public use. A condition is included herein requiring the applicant to specify which amenities are intended for public use. In addition, a public use easement along US 1 and Melbourne Place is shown on the plans, yet the entire limits of this easement are unclear. Conditions are included herein requiring the applicant to clearly delineate the limits of the public use easement on the plans as well as note which facilities are covered by this easement and are intended to be publicly accessible.

10. **Certificate of Adequacy ADQ-2023-002:** ADQ-2023-002 was approved by the Planning Director on April 3, 2024, subject to four conditions. The conditions relevant to the review of this DSP are listed below in **bold** text. The Planning Board’s analysis of the project’s conformance to the conditions follows each one, in plain text:

2. **Total development within the associated Preliminary Plan of Subdivision shall be limited to uses which generate no more than 148 AM peak-hour trips and 220 PM peak-hour trips.**

The trip cap established under ADQ-2023-002 was approved for a 1,011-bed, student housing complex, with 13,684 square feet of retail use and 2,219 square feet of community meeting space. The Planning Board finds that the subject DSP is within the trip cap established with ADQ-2023-002.

3. **The applicant and the applicant's heirs, successors, and/or assignees shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the on-site and off-site pedestrian and bicycle adequacy**

improvements consistent with Section 24-4506(c)(l)(G) of the Prince George's County Subdivision Regulations prior to acceptance of the detailed site plan.

The applicant's submission contains a bicycle and pedestrian facilities plan, indicating improvements associated with ADQ-2023-002 and PPS 4-23002. Specifically, the plan accurately indicates a bicycle lane along the site's US 1 frontage, sidewalks along all frontages, long- and short-term bicycle parking, micro-mobility parking, crosswalks crossing the drive aisles at all points of vehicle entry, and additional crosswalks originating along the site's frontage crossing Navahoe Street, US 1, and Melbourne Place.

- 4. 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 24-4506 of the Subdivision Regulations ("Required Off-Site Facilities"), have (a) full financial assurances, (b) been permitted for construction through the applicable operating agency's access permit process, and (c) an agreed-upon timetable for construction and completion with the appropriate agency:**

- a. Install two solar powered rectangular rapid flashing beacon (RRFB) warning system (double sided) at the Berwyn Road and Rhode Island Avenue Trolley Trail with 2 pole design. (BPIS, p.36, Improvement 1)**
- b. Three pedestrian ramp upgrades to ADA-compliance at the following locations (BPIS, p.37, Improvement 2 -Improvement 2b noted as an alternative below):**
 - (i) Northeast corner of Berwyn Road and 48th Avenue.**
 - (ii) Southeast corner of Berwyn Road and 48th Avenue.**
 - (iii) Southeast corner of Berwyn Road and Rhoe Island Avenue.**

In the event that one of the above ramp upgrade locations above cannot be completed, the following alternative location shall be used:

- (iv) Northeast corner of Quebec Street and 49th Avenue (BPIS, p.37, Improvement**

The submission includes a bicycle and pedestrian facilities plan, shown on Sheet C-901, with the entirety of this condition noted on the plan. This condition remains and will be addressed at the time of the first building permit.

- 11. 2010 Prince George's County Landscape Manual:** The sector plan states that Sections 4.2, 4.3, and 4.7 of the Landscape Manual do not apply within the development district (page 226).

Therefore, the approved development is only subject to the requirements of Sections 4.1, 4.4, and 4.9 of the Landscape Manual, and schedules have been provided for Sections 4.1 and 4.9. The submitted plans are in conformance with the requirements, with the exception of revisions that are needed, and have been conditioned herein. In addition, it is noted that the plans conform to the requirements of Section 4.4, Screening Requirements, for loading and trash/recycling facilities, which are located internally to the building. Most of the mechanical equipment is also located inside the building and, if located outdoors, will be properly screened.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size but contains less than 10,000 square feet of existing woodland. The site has an approved Standard Letter of Exemption, S-051-2023, from the WCO, which was approved on March 30, 2023, and will expire on March 30, 2025.
13. **Prince George's County Tree Canopy Coverage Ordinance:** The subject site is located in the LTO-E/NAC Zones. Per Section 25-128(b) of the Prince George's County Code, there is a 10 percent tree canopy coverage (TCC) requirement. The subject site is approximately 2.71 acres, and the required TCC is approximately 0.27 acre or 11,805 square feet. The subject DSP provides the appropriate schedule, and shows an adequate number of plants on-site, to comply with the requirements. However, there are discrepancies between the TCC schedule and the landscape schedule. Conditions are included herein for technical corrections to be made, requiring the applicant to add the project name and other required information to the TCC schedule.
14. **Referral Comments:** 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 has reviewed and adopts the memorandum dated May 6, 2024 (Stabler, Smith and Chisholm to Huang). The Historic Preservation Section noted the probability of archeological sites within the subject property is low. A Phase I archaeology survey is not recommended. The subject property is located within Lakeland Historic Community (Documented Community 66-000) and contains Town Hall Liquors (Documented Property 66-044). But it does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.
 - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated May 14, 2024 (Hartsfield to Huang). The Community Planning Division provided an analysis of the subject DSP's conformance with the recommendations of the 2014 *Plan Prince George's 2035 Approved General Plan* and the sector plan, and supported the applicant's alternative development district standards, which are discussed in Findings 7 and 8, above.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated May 30, 2024 (Ryan to Huang). The Transportation Planning

Section offered an analysis of the prior approvals and required departure and modifications to development standards, which is incorporated into Findings 2, 7, 9 and 10 above.

Master Plan Roads

The subject property has frontage on US 1 (MC-200), along the western bounds of the site. Page 260 of the sector plan identifies the ROW for this portion of US 1, located between the Capital Beltway and College Avenue, as 88–92 feet wide. The submitted plans accurately display this portion of US 1 as a variable width ROW. No additional dedication is required along US 1.

The subject property also has frontage along Melbourne Place, along the southern bounds of the subject site, and Navahoe Street, along the northern bounds of the subject site. Neither the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) nor the sector plan contains ROW recommendations for Melbourne Place or Navahoe Street. The submitted plans display both Melbourne Place and Navahoe Street as two-lane roadways with 50 feet of ROW, which are maintained by the City of College Park.

Master Plan Pedestrian and Bike Facilities

The MPOT recommends the following master planned facilities:

Planned Bicycle Lane: Baltimore Avenue

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The sector plan provides a recommended street section for properties located along US 1, between I-95/495 (Capital Beltway) and College Avenue, which is the location of the subject site (page 260).

The sector plan calls for a 6.5-foot-wide bicycle lane at this location. The applicant has provided correspondence with the Maryland State Highway Administration (SHA),

District 3, as well as an SHA-approved signage and pavement marking plan, indicating SHA's plan to construct a 5-foot-wide bicycle lane along the site's frontage of US 1. The applicant's submission accurately shows a 5-foot-wide bicycle lane along US 1.

As discussed above, long-term bicycle parking is provided in the garage, and short-term bicycle parking is provided along the US 1 frontage. In addition, the applicant has provided a location for micromobility parking along the US 1 frontage. A crosswalk crossing each point of vehicle entry is also shown. At the southwest bounds of the subject site, a crosswalk is shown crossing US 1, and an additional crosswalk is shown crossing Melbourne Place. At the northwest bounds of the subject site, an existing crosswalk crossing Navahoe Street is shown. Lastly, a raised crosswalk is shown at the northeast bounds of the subject site, which provides an additional crosswalk crossing Navahoe Street.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated May 29, 2024 (Bartlett to Huang). The Subdivision Section provided an analysis of the subject DSP's conformance with the prior approvals, as included in Findings 9 and 10 above.
- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated May 27, 2023 (Meoli to Huang). The Environmental Planning Section offered the following:

Natural Resources Inventory

Previously, the Natural Resources Inventory, NRI-008-2019, was approved for the site in the form of an equivalency letter; however, NRI-008-2019-01 is a full Natural Resources Inventory (NRI) and was submitted with this application. The entire 2.71-acre site is within the 100-year floodplain. There are no other regulated environmental features, such as streams, stream buffers, wetlands, or wetland buffers on-site, and the site does not contain existing woodland. No additional information is required regarding the NRI.

Specimen Trees

The site does not contain specimen trees.

Soils

The predominant soils found to occur according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Urban land-Woodstown complex (0 to 5 percent slopes). According to available mapping information, unsafe soils containing Marlboro clay or Christiana complexes do not occur on this property.

Stormwater Management

The approved SWM Concept Plan (2152-2023-00) was submitted with the application materials, which shows the use of seven planter box micro-bioretenment facilities and an underground stormwater detention system. This SWM plan was approved on January 9, 2024, and will expire on January 9, 2027. The entire site is within the primary

management area (PMA) associated with the 100-year floodplain. Development within the floodplain requires a waiver issued by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). An approved Floodplain Waiver, 14795-20223-0, dated December 18, 2023, was issued by DPIE and submitted with the application materials.

- f. **Permit Review Section**—The Planning Board has reviewed and adopts the memorandum dated May 2, 2024 (Meneely to Huang). The Permit Review Section offered no comments on this application.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—In an email dated May 29, 2024 (Thompson to Huang), DPR noted the approved private recreation amenities provide adequate recreation for future residents, and has no additional comments on the subject application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated May 7, 2024 (De Guzman to Huang). DPIE provided comments pertaining to approval of SWM. DPIE also noted that water and sewer lines abut and traverse the subject property.
- i. **Prince George's County Fire/EMS Department**—The Planning Board has reviewed and adopts the memorandum dated April 22, 2024 (Reilly to Huang). The Fire/EMS Department offered no comments on this application.
- j. **Prince George's County Police Department**—The Police Department did not offer comments on this application.
- k. **Prince George's County Health Department**—The Health Department did not offer comments on this application.
- l. **Maryland State Highway Administration (SHA)**—SHA offered no comments on the subject application.
- m. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated May 9, 2024 (Russell to Huang), WSSC offered comments regarding the subject project, which indicated that public water and sewer facilities are available to serve the development.
- n. **Public Utilities**—The subject DSP was referred to the Potomac Electric Power Company, Comcast, AT&T, Verizon, and Washington Gas on May 23, 2023, for review and comments. No correspondence had been received from these public utility companies.
- o. **City of College Park**—The subject property is located within the geographical boundary of the City of College Park. The DSP application was referred to the municipality for review. The application was heard at the City Council meeting on June 3, 2024, with final

action during its June 11, 2024 meeting. City staff provided the following recommendations, on the subject application, in their staff report to the City Council:

- “1. SUPPORT for a departure from the Parking Space Dimension Standard set for by the prior Zoning Ordinance under Section 27-558(a) to construct parking spaces that are 9-feet by 18-feet rather than 9.5-feet by 19-feet.”
- “2. SUPPORT for a departure from the number of loading spaces required by the prior Zoning Ordinance under Section 27-588(a) to allow 2 loading spaces rather than 3.”
- “3. SUPPORT the following alternative development district standards as noted below:

(Note: The page number references are from *the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.)

- a. **Building Height** (pages 233–234) – To allow for six (6) stories along Baltimore Avenue and seven (7) stories behind.
- b. **Setbacks** (pages 233–234) – To allow minor encroachments of the building along Navahoe Street and Melbourne Place.
- c. **Parking, Number of Spaces** (page 239) – To allow 286 parking spaces rather than the required 355.
- d. **Loading and Service Areas** (page 242) – To allow the loading and service area to be only 15 feet away from a public sidewalk, but not visible.
- e. **Structured Parking** (page 243) – To allow the parking structure along Navahoe Street to be set back only 14 feet from the property line, but to be masked by the building façade.
- f. **Architectural Elements/Siding** (page 252) – To allow for fiber cement paneling for consistency with other projects within the City.
- g. **Water Efficiency and Recharge** (page 257) – To allow the sidewalk along the eastern edge of the project to be constructed of concrete.
- h. **Streetscape** (page 262) – To allow for adjusted widths and dimensions to accommodate existing conditions.”

City Staff also recommended the following conditions or approval in their staff report to the City Council:

- “4. Prior to Planning Board approval of the DSP, execute a Declaration of Covenants and Agreement with the City.”

The Planning Board did not review recommended Condition 4, since this pertains to the Declaration of Covenants and Agreement between the applicant and the City.

15. **Community Feedback:** The Planning Board did not receive any inquiries from the community, regarding the subject DSP.
16. **Planning Board Hearing:** The Planning Board held a public hearing on this application on June 27, 2024. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board’s procedures.

Prior to the hearing, and in accordance with the Planning Board’s procedures, the applicant provided an exhibit, known as Applicant Exhibit 1, which provided revised conditions regarding the technical staff report. The exhibit added Condition B.1.f “Remove the mid-block crosswalk on Navahoe Street” to the report and revised Condition B.3 to “Prior to issuance of the final certificate of occupancy, the applicant shall coordinate with the City of College Park to finalize the wall mural installed on the south elevation of the building, subject to approval of the City.” In addition, the City of College Park submitted an exhibit, titled Government Exhibit 1, which was included in pages 27 and 28 of the report.

The hearing began with a technical staff presentation, followed by the applicant’s presentation. Ms. Miriam Bader, Director of Development of Planning and Community Development for the City of College Park, spoke at the meeting and stated that the City Council voted to support the subject development at their June 11, 2024 meeting.

Following the discussion, the Planning Board voted to approve Detailed Design Plan DSP-23009, subject to the recommended conditions of approval within the technical staff report, as revised by Applicant Exhibit 1.

17. The subject application adequately takes into consideration the requirements of the D-D-O Zone and the sector plan. 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), 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 prior Prince George’s County Zoning Ordinance, the DSP, approved with conditions, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the prior Prince George’s County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

18. Per Section 27-285(b)(4) of the prior 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).

No additional impacts to REFs are included in this DSP application.

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 Detailed Site Plan DSP-23009 for the above-described land, subject to the following conditions:

A. APPROVAL of modification of the development district standards for:

1. **Building Form/Building Heights** (pages 233 and 234): To allow the approved building to be six stories along US 1 and seven stories in the portion that falls in the Corridor Infill Character Area, which are similar to the height of the nearby student apartment buildings.
2. **Building Form/Lot Coverage** (pages 233 and 234): To allow the maximum lot coverage to be 89 percent.
3. **Building Form/Setbacks-Building** (pages 233 and 234): To allow a portion of the building's setback on Navahoe Street, located in the Walkable Nodes Character Area, to be 12.6 feet, and to allow a portion of the building's setback, in the Corridor Infill Character Area, to be within 3.6 feet of the property line along Melbourne Place.
4. **Building Form/Parking** (page 239): To allow the provision of 284 parking spaces.
5. **Building Form/Parking Lots, Loading, and Service Area** (page 242): To allow the loading and service area, which is not visible from the street, to be located approximately 15 feet from the sidewalk
6. **Building Form/Structured Parking** (page 243): To allow the structured parking to setback approximately 13.7 feet from the property line on Navahoe Street.
7. **Architectural Elements/Materials** (page 251): To allow the use of fiber-cement panels as siding material.
8. **Sustainability and the Environment/Water Efficiency and Recharge** (page 257): To allow an at-grade concrete sidewalk to be constructed at the rear of the building.
9. **Streets and Open Spaces/Street Sections** (pages 262 and 263): To allow modifications from the prescribed dimensions of the streetscape arrangement types/elements to accommodate existing conditions.

10. A revision in the nonparallel standard parking space size to 9 feet by 18 feet.
 11. A reduction in the required number of loading spaces to two.
- B. APPROVAL of Detailed Site Plan DSP-23009 for Project Turtle, subject to the following conditions:
1. Prior to certification, the applicant shall revise the detailed site plan (DSP), as follows, or provide the specified documentation:
 - a. Revise the coversheet, as follows:
 - (1) In General Note 6, revise Section 27-1704 to Section 27-1903(c).
 - (2) In the Building Code Compliance List, correct Section 27-456.18(b) to Section 27-546.18(b) regarding residential density.
 - (3) Note on the plan the building height, in terms of site elevation, above ground-level, or above mean sea level.
 - b. Revise the approved recreational amenity list, as follows:
 - (1) In the Recreational Facilities Notes, revise the “final use and occupancy permit” to “prior to issuance of a final certificate of occupancy.”
 - (2) Add a note to the Recreational Facilities Notes, indicating the inspection of these recreational facilities needs to be completed and released by the Urban Design Section of the Development Review Division of the Prince George’s County Planning Department, prior to the issuance of a final certificate of occupancy.
 - (3) Provide a list of amenities to be included in the gym, with details.
 - (4) Provide details of all amenities listed in the Recreational Facilities Schedule on the coversheet.
 - (5) In the Recreational Facilities Schedule on the coversheet, specify which amenities are intended for public use.
 - (6) Delineate the limits of the public use easement along US 1 (Baltimore Avenue) and Melbourne Place.
 - (7) Note on the plans which facilities are covered by the approved easement that are intended to be publicly accessible.

- (8) Remove 6-foot-high dog fence, bike racks and trash receptacles from the Recreational Facilities Schedule.
 - (9) Clarify what “not used” means in the Recreational Facilities Schedule and, if not applicable, remove them from the schedule.
 - c. Revise information regarding parking, as follows:
 - (1) In the Building Code Compliance List, note the nonconformance to the requirement of the number of loading spaces.
 - (2) Correct the number of long-term bicycle parking spaces to 134, from 132, on Sheet A2-01.
 - (3) Provide at least two electric vehicle (EV) parking spaces for retail use.
 - d. Revise the signage requirements, as follows:
 - (1) Note on the signage plans that no panelized back lighting and box lighting fixtures are used for this application
 - (2) Demonstrate that the mounted retail entry blades meet a minimum clear height above sidewalks of 8 feet.
 - e. Note on the lighting plan that all light fixtures are fully cut-off and directed downward to reduce glare and light spill-over.
 - f. Remove the mid-block crosswalk on Navahoe Street.
2. Prior to certification, the applicant shall revise the landscape plan, as follows:
 - a. Update Schedule 4.1-4 with the version provided in the 2010 *Prince George’s County Landscape Manual*.
 - b. Revise the plant schedule to clearly organize plants by types and confirm that these plant types shall be consistent in all landscape schedules.
 - c. Update information contained in the landscape schedules for consistency.
 - d. Include a diagram showing the green area calculations.
 - e. In the tree canopy coverage schedule, update the information pertaining to shade and ornamental trees, to be consistent with the number and size of the shade and ornamental trees shown on the landscape schedule.
 - f. Complete the tree canopy coverage schedule with the required information.

3. Prior to issuance of the final certificate of occupancy, the applicant shall coordinate with the City of College Park to finalize the wall mural installed on the south elevation of the building, subject to approval by the City.
4. 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 operational and shall have the facilities inspected and released by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department.
5. In accordance with Condition 9 of Prince George's County Planning Board Resolution No. 2024-026, prior to approval of a final plat of subdivision, 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 prior Prince George's County 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. 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 Shapiro voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, June 27, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of July 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:TH:tr
APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: July 2, 2024