



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

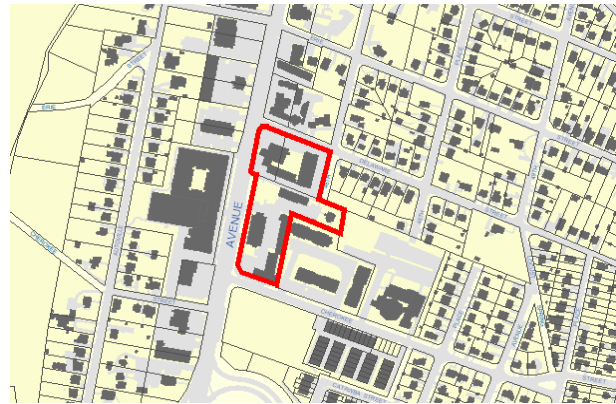
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Detailed Site Plan 9113 Baltimore Avenue

DSP-22015

REQUEST	STAFF RECOMMENDATION
One mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial space.	With the conditions recommended herein: <ul style="list-style-type: none"> • Approval of Detailed Site Plan DSP-22015

Location: In the southeast quadrant of the intersection of Delaware Street and US 1 (Baltimore Avenue).	
Gross Acreage:	3.82
Zone:	LTO-E
Prior Zone:	M-U-I/D-D-O
Reviewed per prior Zoning Ordinance:	Section 27-1903(d)
Dwelling Units:	317
Gross Floor Area:	607,456 sq. ft.
Planning Area:	66
Council District:	03
Municipality:	College Park
Applicant/Address: RST Development, LLC 6110 Executive Boulevard Rockville, MD 20852	
Staff Reviewer: Mridula Gupta Phone Number: 301-952-3504 Email: Mridula.Gupta@ppd.mncppc.org	



Planning Board Date:	01/19/2023
Planning Board Action Limit:	01/19/2023
Staff Report Date:	01/05/2023
Date Accepted:	10/19/2022
Informational Mailing:	05/24/2022
Acceptance Mailing:	10/11/2022
Sign Posting Deadline:	12/20/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-22015
9113 Baltimore Avenue

The Urban Design Section has reviewed the detailed site plan for the subject property and recommends APPROVAL with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION

The property is within the edge area of the Local Transit-Oriented - Edge Zone (LTO-E) and was previously located within the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones. This application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1903(d) of the Zoning Ordinance. The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*;
- b. The requirements of the prior Prince George's County Zoning Ordinance for the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones;
- c. The requirements of Preliminary Plan of Subdivision 4-22007;
- d. The requirements of the 2010 *Prince George's County Landscape Manual*;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- g. Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommend the following findings:

- 1. Request:** The detailed site plan (DSP) requests to construct one mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial retail space.
- 2. Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Vacant	Multifamily Residential/Commercial Retail
Gross Tract Acreage	3.82*	3.67
Dedication		0.15
Lots	2	0
Parcels	1	1
Square Footage/gross floor area	35,059 sq. ft.	607,456 sq. ft. total 477,510 sq. ft. building 129,946 sq. ft. parking garage
Dwelling Units	0	317

Note: *The gross site area is listed on the DSP as 166,365 square feet, which calculates to 3.82 acres, instead of 3.81 acres. The gross acreage of the property shall be corrected in all notes and plans, where referenced.

Other Development Data

Parking Requirements per the 2010 *Approved Central US 1 Corridor Sector Plan*

	Requirement	Proposed
Total Residential (Walkable Node)	1 space per dwelling unit	317 parking spaces
Total Retail (Walkable Node)	3 spaces per 1,000 sq. ft.	3 x (3,296/1,000)= 10 parking spaces
Total Parking Required	327	
Total Parking Provided		360
On-site standard spaces (9.0 feet x 18 feet)**	-	344
Compact parking (9 feet by 16.5 feet)	-	16
Handicap Accessible	8	7
Handicap Van-accessible	2	2
Rideshare parking space	-	1
Electric Vehicle parking spaces	-	5

Note: **The applicable D-D-O Zone does not have a standard for required parking space size. The DSP proposes a parking space size of 9 feet by 18 feet, instead of the

standard 9.5 feet by 19 feet required by Section 27-558(a) of the prior Prince Zoning Ordinance. The applicant seeks a departure from this requirement per, Section 27-548.25(e) of the prior Zoning Ordinance, which does not require separate applications for such departures, but requires that the Prince George’s County Planning Board find that the departure conforms to all of the applicable development district standards. The reduced size of the parking spaces will contribute to the development district vision of pedestrian-friendly, concentrated, mixed-use development in this area. Therefore, staff recommend that the Planning Board approve this departure.

The parking deck plans show seven handicap-accessible parking spaces, instead of the required eight. In addition, the handicap-accessible parking spaces located on parking deck levels three through six are not provided with a minimum 5-foot-wide access aisle, adjacent to the parking space, as required by the Americans with Disabilities Act (ADA). The parking and loading calculations require several technical corrections, which shall be required to be made prior to signature approval.

Bicycle Spaces per the Sector Plan

Required (1 space per 3 parking spaces)	120
Provided	125
Interior	125

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

Multifamily Residential	2 spaces (12 feet x 33 feet)
Commercial Retail	1 space (12 feet x 33 feet)

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. The subject site plan proposes three loading spaces, in accordance with the requirements of Section 27-582(a) of the prior Zoning Ordinance, which lists the following requirement:

- One space per 100 to 300 multifamily dwelling units plus one for each additional 200 dwelling units (or fraction)
- One space per 2,000 to 10,000 square feet of gross floor area of retail sales and service (per store)

The loading space for commercial retail space is provided inside the structured parking garage. The DSP proposes that the height of the garage entrance, which accesses the loading space internal to the building, be 13.5 feet high and the ceiling clearance above the loading space is 14 feet high. Section 27-578(a) of the prior Zoning Ordinance requires that, for commercial uses with a gross floor area

exceeding 3,000 square feet, the height of the loading space must be 15 feet if the height is covered or obstructed. Section 27-578(b) of the prior Zoning Ordinance requires that the doorway entrance to an interior loading space must also be 15 feet high. The applicant requests a departure from this requirement, to allow a 1.5-foot reduction in the height of the doorway entrance and 1-foot reduction in the covered height of the loading space, in conjunction with the approval of the DSP.

The applicant seeks a departure from this requirement per Section 27-548.25(e) of the prior Zoning Ordinance, which does not require separate applications for such departures, but requires that the Prince George's County Planning Board find that the departure conforms to all of the applicable development district standards. The proposed height of the parking garage entrance is sufficient to accommodate the anticipated tenant of the commercial space, and there are two outdoor loading spaces with no height obstruction which are also capable of serving the needs of the commercial space, if required. Therefore, staff recommend that the Planning Board approve this departure. Staff, however, recommends a condition that a clearance bar be placed at the parking garage entrance to alert oversized vehicles.

3. **Location:** The subject site is located in the northeast quadrant of the intersection of US 1 (Baltimore Avenue) and Cherokee Street, in the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (US 1 Corridor Sector Plan and SMA). Further, it is noted that the property is located in the Walkable Node Character Area of the Upper Midtown Plan Area of the D-D-O Zone. The subject property is in Planning Area 66 and Council District 3, at 9113 and 9137 Baltimore Avenue, within the City of College Park. The site currently consists of commercial development, which is to be razed.
4. **Surrounding Uses:** The property is bound to the north by Delaware Street, with offices in the Local Transit-Oriented - Edge Zone (LTO-E) Zone and single family residential dwellings in the Residential, Single-Family - 65 Zone (RSF-65) beyond; to the west by US 1 (Baltimore Avenue) and a motel and mixed-use development in the LTO-E Zone beyond; to the east by a church in the RSF-65 Zone, an apartment building in the LTO-E Zone, and by unimproved public roadway 48th Street, with single family residential dwellings and vacant land in the RSF-65 Zone beyond; and to the south by Cherokee Street, with vacant land proposed for mixed-use development in the LTO-E Zone beyond.
5. **Previous Approvals:** The subject site is 3.82 acres and is currently improved with three hotels. The total tract is made up of one parcel and two lots, which includes Parcel A of Sims Tract, recorded in the Prince George's County Land Records in Plat Book NLP 97, page 49; and Lots 34 and 35 of Daniels Park, recorded in County Land Records in Plat Book LIB A, page 59.

On September 8, 2022, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-22007 (PGCPB Resolution No. 2022-95), for development of 331 multifamily dwelling units and 3,937 square feet of commercial development, on one consolidated parcel.

6. **Design Features:** The applicant proposes to construct one mixed-use building, with 317 multifamily dwelling units and 3,296 square feet of commercial retail uses. The building is oriented towards US 1 and has pedestrian access from both Delaware Street and Cherokee Street. The building is a six- to seven-story building and approximately 76 feet in

height. The main pedestrian entrance and lobby are located on the west elevation of the building facing US 1, and the entrance is accented by a canopy, glass windows, and a sign over the entrance.

This development will be designed to achieve or exceed National Green Building Standard (NGBS) certification standards required for a silver rating, including solar and ventilation standards, utilize energy star appliances and LED lighting, and propose drought-tolerant vegetation. Dedicated parking spaces for charging electric vehicles are provided in the parking garage. Other sustainable design features being employed in the project include avoiding surface parking areas; use of grass pavers; use of bioretention facilities to provide environmental site design, to the maximum extent practicable; and manage on-site stormwater runoff.

The site drops in elevation from north to south and from east to west, with the elevation along US 1 falling approximately 14 feet between Delaware Street and Cherokee Street and falling approximately 16 feet from US 1 to 48th Avenue. As such, the building is cut into the slope and one level of parking is below grade on the southern portion of the site, adjacent to Cherokee Street. While the main vehicle access to the structured parking garage is located off Cherokee Street, one right-out only exit from the garage is located off US 1. There are several pedestrian access points provided to the building from US 1 and Cherokee Street. 48th Avenue will be improved to provide access to the loading and service areas located in the rear of the building. The building's frontage on the south will include ground-level commercial/retail space. The drop in elevation across the property is utilized to gain an additional floor along the eastern and southern portions of the building. The principal building, however, still conforms to the six-story maximum building height permitted by the sector plan in the Walkable Node Character Area (page 234).

The proposed streetscape includes a 12-foot-wide sidewalk along the frontage of US 1, 8-foot-wide sidewalks along the frontages of Delaware Street and Cherokee Street, and 4- to 5-foot-wide sidewalks along the frontage of 48th Street. A 6.5-foot-wide bicycle path is also included along the frontage of US 1, per the recommendations of the sector plan. In addition, street trees and lighting, benches, bicycle racks, trash receptacles, and a landscape strip with planting are also proposed along the main streetscape of US 1.

The ground floor of the building has residential units in the northern and southern portions of the building. Also, on the ground floor located along US 1, are the main residential entrance and lobby, a fitness center, a multipurpose room, and restrooms. Ground-floor commercial retail uses are located on the southern portion of the building, facing Cherokee Street. Floors two through six are proposed with residential units, and a number of units include Juliet or full-size balconies.

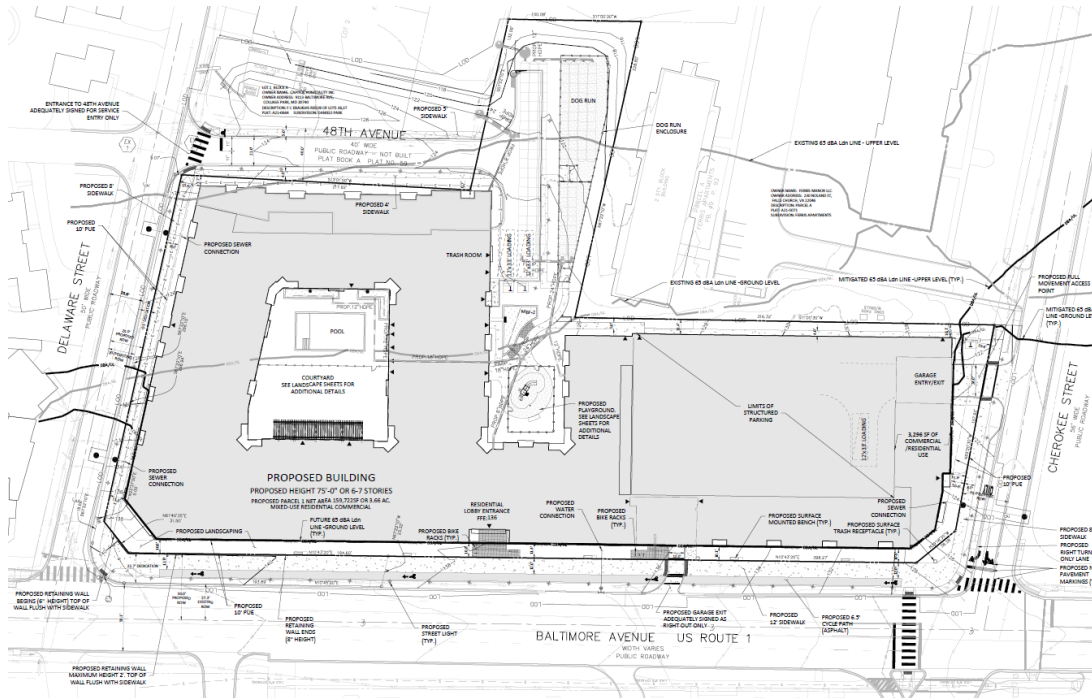


Figure 1: Site Plan

The building includes six levels of structured parking that are accessed from Cherokee Street, which are screened by ground-floor commercial, lobby space, and dwelling units along the building’s frontage. The layout of the parking garage has been provided and shows the dimensions of the parking spaces with 24-foot drive aisles.



Figure 2: East Elevation Showing Structured Parking

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.

Charcoal brick veneer is used on the lower level of the building to provide a change in material and architectural interest. Brick veneer in a lighter and warmer color is used on

the upper residential levels, along one portion of the façade along US 1, while fiber cement panels and siding of both light and dark colors are used on the upper levels, along the remaining façades. The windows on levels three, four, and five are accentuated with fiber cement panels of contrasting orange color. Along the ground floor fronting on US 1, the building elevations propose large floor-to-ceiling glass windows highlighting the commercial and lobby spaces, in conformance with the requirement in the Walkable Node Character Area of the D-D-O Zone. The shopfront treatment, however, is not consistent along the entire ground floor fronting US 1. Residential units are proposed along one portion of the ground floor, between the parking exit and Cherokee Street, and the applicant is requesting an amendment to the mandatory shop frontage required along US 1, at this location. This section of the D-D-O Zone also requires a build-to line of zero feet; the building is set back from US 1 by approximately 10 feet, to accommodate a public utility easement (PUE), grade change, landscaping, and streetscape amenities. The applicant is requesting an amendment for the building setback requirements, as discussed in Finding 7 below.



Figure 3: West Elevation along US 1 – North Building

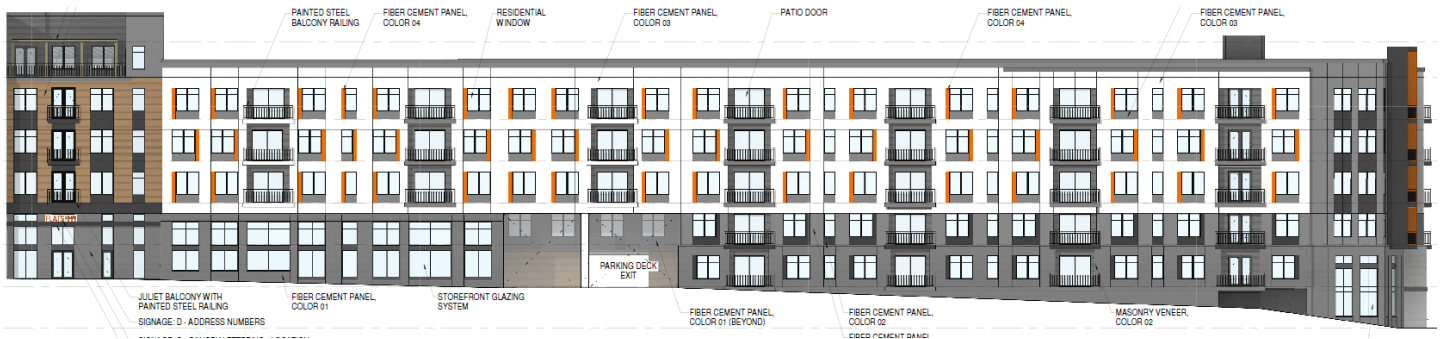


Figure 4: West Elevation along US 1 – South Building



Figure 5: Perspective Elevations

Recreational Facilities

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

- a. An outdoor courtyard space including a pool, a landscaped courtyard, outdoor seating areas, grilling stations, and furniture
- b. A gated outdoor play area, with a play structure and benches
- c. An outdoor dog park including a separate area for small dogs, pet waste station, and a dog drinking fountain
- d. A multipurpose room
- e. A fitness center

The applicant is also proposing a sunroom, a library/café, a business center, a game room, a kitchenette, and a bike storage area, with a repair station. While adequate details are provided regarding the amenities to be provided in the outdoor recreation areas, the applicant does not provide enough information regarding the size and amenities for the indoor recreational facilities proposed. Furthermore, the location of the proposed sunroom, the library/café, the game room, and the kitchenette are not depicted on the plans. Additional details are needed for the proposed indoor facilities. It is also noted that some of the items listed on the recreational amenity list cannot be included, such as the business center and the bicycle storage area, with a repair station. These items do not provide any recreational value and should be removed from the amenity list. Therefore, a condition has been included herein, requiring that these items be removed from the list and revise the recreational value to only include those items that provide recreational value. A condition is also included requiring the applicant to provide more details regarding the indoor recreational facilities.

Signage

The applicant proposes multiple building-mounted signs: one back-lit, channel-letter, building-mounted marquee sign will be located on a projecting metal canopy at the northwest corner of the building, facing the intersection of US 1 and Delaware Street, as shown in Figure 6. Another vertical, back-lit, sign will be mounted on the western building façade that will be visible from US 1, as shown in Figure 7. Other building-mounted, back-lit, channel-letter signs are proposed along US 1 and Cherokee Street, above the residential, commercial, and parking garage entrances. No sign is proposed for a residential entrance located off Delaware Street. In addition, no sign is proposed at the southwest corner of the building, to identify it for travelers coming up US 1. Additional signs should be provided at both of these locations. The submitted sign details for the project includes the square footage for each sign, but not all the details required to fully evaluate conformance with the sign requirements of the D-D-O Zone (page 254 of the sector plan). The maximum gross area of signs, on a given façade, shall 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. A condition has been included requiring the applicant to demonstrate conformance with the applicable sign requirements.

A - BUILDING MARQUEE

112.625 SQ FEET

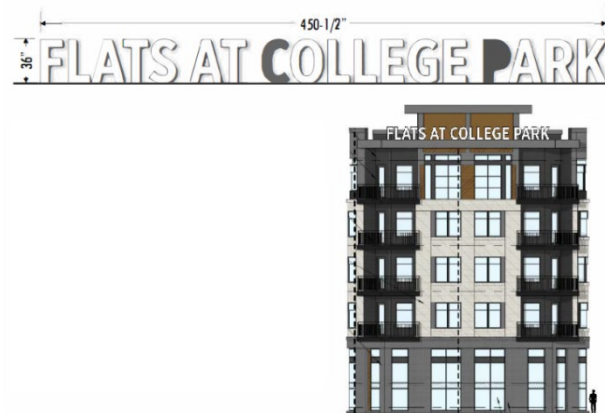


Figure 6: Wall sign located on the northwest corner of building

B - BLADE SIGN

9 SQ FEET

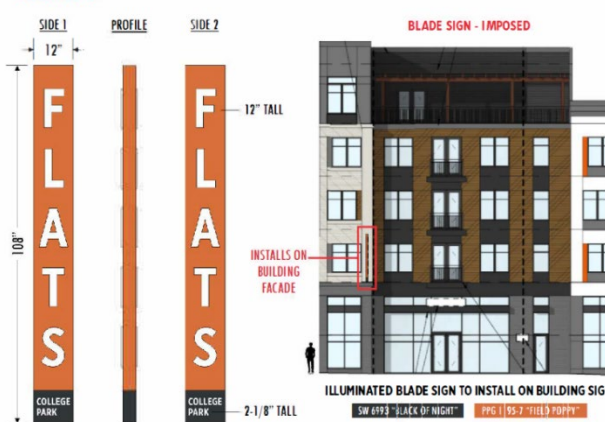


Figure 7: Vertical sign located along US 1

C - CANOPY LETTERING

LOCATION 1 - 11.22 SQ FEET
LOCATION 2 - 6.75 SQ FEET



Figure 8: Sign above residential entrances

Lighting

The DSP application proposed to integrate building-mounted, pole-mounted, and other accent lighting, such as bollards, sconces, and other architectural lighting, throughout the site. Staff 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. The labels for the various luminaires, as well as the symbol for luminaire L2, are not easily readable, since these are drawn in gray color on the photometric plan. A condition has been included herein requiring the applicant to make these labels and the symbol darker in color, to increase their legibility. The details of the proposed lighting have been included in the application.

Loading and Trash Facilities

Loading spaces are proposed on the site, two for the multifamily building and one for the commercial retail uses. Two loading spaces are located on the eastern portion of the site, at the rear of the building, while the third loading space is located within the structured parking, close to the commercial retail space. The three loading spaces proposed with this application meet the required number of spaces and are appropriately screened from the public rights-of-way by the building and landscaping. Trash facilities will be located internal to the building.

Noise Mitigation

The applicant submitted an analysis of transportation noise impact upon the proposed multifamily building. This analysis accounted for noise impact from US 1, MD 193 (University Boulevard), and the nearby entrance and exit ramps at their intersection. Staff notes that the prior Subdivision Regulations and Zoning Ordinance require evaluation of traffic nuisances from existing or planned roadways of arterial classification or higher, or an existing or planned transit right-of-way. MD 193, a master-planned arterial roadway, is approximately 1,000 feet away from the southernmost edge of the property, and US 1 is classified as a major collector roadway. The analysis predicts that, with the shielding provided by the proposed building, the noise will not exceed 65 dBA for any proposed outdoor activity, such as the courtyard and play area, and therefore no engineered noise barriers are required. The noise analysis identified dwelling units located on the north, south, and west elevations, which will require mitigation to reduce interior noise levels to 45 dBA Ldn or less. To mitigate interior noise levels for the proposed buildings, upgraded windows and doors will be required. Per the study, modifications to the proposed exterior wall construction will not be necessary. The areas of the building elevations, which require upgraded windows and doors, are identified on the architectural elevations and color coded in blue and red. The mitigated noise lines are also depicted on the site plan.

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, walkable nodes, corridor infill, existing neighborhoods, and natural areas, to examine issues, opportunities, and formulate recommendations for the area. 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 Upper Midtown Plan Area and is within the Walkable Node Character Area. The Walkable Node Character Area consists of higher-density mixed uses, buildings that accommodate retail, offices, row houses, and apartments, with emphasis on nonresidential land uses, particularly on the ground level, to provide a sense of place with urban design practices used along the Central US 1 Corridor. One of the implementation tools set forth in the plan is the 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 sector 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, 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 accordance with Section 27-548.25(c) of the prior Zoning Ordinance, Site Plan Approval, if an 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. This application generally meets the standards of the development district, such as the building form and coverage requirements. However, the applicant is requesting the following modifications from the development district standards in Character Area 5a–Walkable Node (all page numbers reference the sector plan):

- a. **Mandatory Shop frontage and Build-to-Lines of Zero Feet (page 229):** Map 26, on page 229 of the sector plan, shows areas within the corridor where mandatory shopfronts are required. One such area is on the east and west sides of US 1, from MD 193 to Erie Street. Mandatory shopfront is defined on page 269 as: “Buildings within an area designated for a mandatory shop frontage shall design and build the ground floor as shopfronts.” The mandatory shop frontage requirement, however, does not require that space to be filled with commercial uses, but be designed to mimic shopfront, in appearance. While the DSP substantially conforms to this requirement, the applicant is proposing to provide commercial/retail uses on the southern end of the proposed development, adjacent to Cherokee Street, and residential amenity space designed to appear like shopfront along the northern end of the proposed development, adjacent to Delaware Street. The total percentage of frontage along US 1, exclusive of the opening of the parking garage, is 60 percent of the entire frontage. To the extent that this percentage is not 100 percent, as required, the applicant is requesting an amendment to this development district standard, based upon several factors.

First, the topography of the property drops significantly from Delaware Street to Cherokee Street, making the provision of commercial uses along the entire road frontage very challenging. Second, the parking garage is located along the southern end of the development, along Cherokee Street. The parking garage will provide parking for commercial customers. Due to the length and topography of the property frontage, access to the garage cannot be provided from Delaware Street. Finally, the adjacent approved and proposed developments have oriented their commercial components toward the intersection of Cherokee Street and US 1, where a traffic signal is located. In particular, the development across the street does not provide shopfronts along its northern frontage on US 1, as it exhibits a similar topography to the subject property. The applicant has, however, concentrated its residential amenity spaces along the northern portion of the property, to not only increase the percentage of mandatory shopfront, but also to increase the percentage of nonresidential use. The combination of these efforts substantially satisfies the intent of the sector plan, will benefit the development and the development district, and will not substantially impair implementation of the sector plan.

The subject property is in an area designated as a Walkable Node Character Area, where a front build-to line, along principal roadways, is required to be 0 to 10 feet. However, in areas designated as mandatory shopfront, buildings are required to have a build-to line of zero feet. In this instance, the building is set back 10 to 11.4 feet from the US 1 right-of-way line (with the exception of a recess to accommodate the building entrance and four recesses to accommodate balconies). This setback requires an amendment to the development district standards. The setback is necessary to provide a 10-foot-wide PUE, which was not contemplated in the sector plan, when it required a zero-foot build-to line. The PUE is required by Condition 3c of PPS 4-22007, which was approved for the subject property. Due to the requirement to establish the PUE, the applicant is not able to conform to the zero-foot build-to line requirement.

Staff finds that this request will not substantially impair implementation of the sector plan and recommends **approval** of this amendment, for these reasons.

- b. **Building Form/Setback (page 234):** In the Walkable Node Character Area, the front build-to line shall be a maximum of 12 feet for secondary roadways, such as Delaware Street and Cherokee Street.

- SETBACKS**
1. The façades and elevations of principal buildings shall be distanced from the lot lines as shown.
 2. Façades shall be built along the principal frontage to the minimum specified by the frontage buildout.

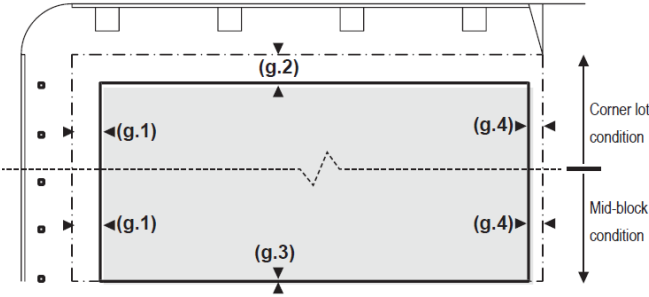


Figure 9: Building Form exhibit from the Sector Plan

Along Delaware Street, the building is set back between 11.5 feet and 15.6 feet from the right-of-way line. Along Cherokee Street, the building is set back between 11.9 feet and 29.6 feet from the right-of-way line. The applicant is requesting an amendment of 3.6 feet for the build-to line requirement along Delaware Street and 17.6 feet to the setback requirement along Cherokee Street.

Regarding the request for setback along Cherokee Street, the applicant states that the requirement of a PUE, the existing alignment of Cherokee Street, and the inability to angle the entrance to the parking garage have led to the building being set back more than 12 feet from the right-of-way line. The liner buildings screening the garage are constructed at the same angle as the garage and do not parallel Cherokee Street. The slightly greater setback will be beneficial, as it avoids creating a tunnel effect at the corner, particularly for pedestrians living further down Cherokee Street. As a result, in this instance, the requested amendment will benefit the development and the development district and will not substantially impair implementation of the sector plan. Along Delaware Street, the building is pushed back an additional 3.9 feet to allow sufficient separation between the building and existing electrical lines. This modification will not negatively impact the project or alter the intent of the standard to construct buildings close to the street.

As a result, in this instance, the requested amendment will benefit the development and the development district and will not substantially impair implementation of the sector plan. Therefore, staff recommend **approval** of this amendment.

- c. **Building Form/Setback (page 234):** In the Walkable Node Character Area, the rear setback shall be a minimum of 10 feet. The property is adjacent to a platted alley that is under the jurisdiction of the City of College Park. The building is set back from the alley 0.7 to 7.7 feet. Staff notes that the site is constrained by this alley and US 1. If the width of the alley is calculated into the rear setback, the building is more than 40 feet from the adjacent property, which is developed with a single-family detached residential dwelling which is to be razed and maintained as a landscape buffer by the applicant. Given the existing space constraints and adjacent use, staff recommend **approval** of this amendment.
- d. **Building Form/Step-back Transitions and Landscape Buffers (page 238):** The sector plan requires that buildings in the Walkable Node Character Area be stepped down through the block, to a maximum height of two or three stories, when they are adjacent or across the street from an existing residential area. For the subject property, existing residential development is located east of 48th Avenue, and step-back requirements are applicable to the proposed development, at this location.

The sector plan provides that landscape buffers, in combination with step down transitions, are appropriate when Walkable Node Character Areas share a property line with existing residential areas. The building is designed to step down to five stories abutting 48th Avenue, instead of a maximum of three stories. To further reduce the impact of the development and provide a transition to the existing residential development to the east, the applicant proposes to maintain a transition area between the proposed development and the residential homes to the east. This transition is proposed to be in the form of a landscape buffer located on Lots 1

and 9, which abut the eastern right-of-way line of 48th Avenue. Both of these lots are off-site and are not included in this DSP, however, these lots and the subject property are under common ownership. While Lot 9 is vacant, the existing dwelling on Lot 1 is proposed to be razed by the applicant, to provide the necessary landscape buffer. The applicant proposes to sign a Declaration of Covenant with the City of College Park for perpetual maintenance of the landscape buffer. The combination of the building step down and the provision of a landscape buffer on off-site Lots 1 and 9 will ensure an appropriate transition between the proposed development and the existing residential area. A detail depicting the landscaping proposed on Lots 1 and 9 is included with the DSP and will be reviewed by the City of College Park.

Staff finds that the proposed step down to five stories and provision of a landscape buffer will not substantially impair implementation of the sector plan and recommends **approval** of this amendment, for these reasons.

- e. **Building Form/Parking (page 239):** 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 sector plan provides that any deviation, from the required parking figures, shall require a modification.

The D-D-O Zone includes parking criteria that specify the required number of parking spaces. The parking structure proposes a total of 360 spaces, which exceeds the required 328 parking spaces. The proposed parking garage allows adequate spaces for residents, guests, and future tenants, based on the current market and spaces for retail uses on-site. The site plan proposes universal parking standards of 9 feet by 18 feet for parking spaces, except the proposed ADA-accessible parking spaces. Compact parking spaces for smaller vehicles are also proposed at the size of 9 feet by 16 feet. Designated spaces for long-term bicycle parking are being provided within the parking structure, including a bicycle repair station. A bike room in the parking structure, with space for 125 bicycles, meets the requirements of the D-D-O Zone. The applicant has indicated that the proposed dimensions of the parking spaces optimize the amount of parking for the proposed multifamily building and are consistent with similar projects.

As a result of these reasons and the sector plan's emphasis on walkability, staff recommend **approval** of this amendment.

- f. **Building Form/Parking Access (page 241):** While the sector plan permits access from primary street frontages, it discourages this practice, to the fullest extent practicable, where alternative access is available. The property is proposed to have two access points. Primary access will be from Cherokee Street, with a secondary access from US 1, limited to right-out movements only.

Primary access to the parking structure is proposed via a full-access entrance from the secondary street, Cherokee Street, which is encouraged by the D-D-O Zone. The signalized intersection at Cherokee Street and US 1 will help facilitate the operations of the primary access to the site. Secondary access to the parking structure is provided via Delaware Street, to facilitate the residential rideshare activities and all vehicles accessing the loading spaces. Access from Delaware Street exceeds the

minimum 22 feet wide recommended by the D-D-O Zone. The access is proposed at 24 feet, to allow adequate space for truck turning movements. The proposed loading areas on-site are not visible and are located at an adequate distance from sidewalks. As a result of these reasons and the sector plan's emphasis on walkability, staff recommend **approval** of this amendment.

- g. **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. The proposed parking structure is set back 48.5 to 48.7 feet from the property line abutting US 1, only 1.5 to 1.3 feet short of the required setback. With this reduced setback, the building still meets the required rear setback and provides the liner building a minimum of two stories in height, as required by the sector plan. 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. Staff recommend **approval** of this amendment, for this reason.
- h. **Architectural Elements/Façades and Shopfronts (page 246):** The sector plan requires that residential units have a raised finish floor at least 24 inches above the sidewalk grade. In this case, three units along US 1 and two units along Delaware Street will be less than 24 inches above sidewalk grade. This is primarily due to existing grading constraints. For these dwelling units, privacy blinds will be provided to ensure that these units have an appropriate level of privacy. The building itself will be secure and only accessible to residents and guests. For these reasons, the modification in this instance is justified and will not impair implementation of the sector plan. Staff, therefore, recommend approval of this amendment.
- i. **Architectural Elements/Materials (page 251):** The sector plan provides a list of siding materials which are encouraged to be used, including wood or composition board such as Hardi Plank. The sector plan does not specifically mention fiber cement board, which is a type of composition board, and is the siding materials proposed 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 for revitalization in the Walkable Node Character Area. The use of fiber cement siding and panels will not impair implementation of the sector plan. As a result of these reasons, staff recommend approval of this amendment.
- j. **Sustainability and the Environment/Leadership in Energy and Environmental Design (LEED) Certification (page 256):** To allow for NGBS silver certification.

Within the Walkable Node, all development shall obtain a minimum of silver certification in one of the applicable LEED rating systems. The applicant indicated that they do not intend to pursue LEED certification and, instead propose to meet the NGBS certification criteria at the silver level. Scorecards for both certification systems were provided for comparison. In general, both NGBS and LEED are green building rating systems that set standards and scoring criteria for evaluating energy performance measures associated with construction and operation of new or renovated buildings. While there are some differences, both ranking programs require evaluation of similar building systems and design features to determine

efficiency levels and apply a score. Furthermore, this is consistent with the Planning Board's decisions on DSP-19054, DSP-20031, and DSP-21024, to support NGBS standards as a measure of sustainability. Staff believe that this amendment will benefit the development and the development district by providing green design techniques and will not substantially impair implementation of the sector plan. Therefore, staff recommend **approval** of this amendment request.

- k. **Streets and Open Spaces/Lighting Types and Configuration (page 267):** The sector plan requires lighting fixtures to be appropriately chosen for the character area, within which they are located. The Walkable Node Character Area requires column and double-column streetlights.

The applicant proposes to use the post lighting fixtures that are consistent with the lighting fixtures chosen for the area along US 1, between MD 193 and 1-95/I-495 (Capital Beltway). This modification will benefit the development and the development district by providing a consistent streetscape design, as implemented by the City of College Park and the Maryland State Highway Administration (SHA).

Staff find that this will not substantially impair implementation of the sector plan and recommends **approval** of this request.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I and D-D-O Zones.

Section 27-546.19(c), Site Plans for Mixed Uses, of the prior 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 Central US 1 Corridor Sector Plan and SMA, except those 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. The existing or recently approved uses are compatible with the proposed mixed-use residential development, and are similar in height and density, as envisioned by the sector plan.

(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;

To the south, across Cherokee Street, is a vacant lot which has been approved for development of a five-story multifamily building. To the west, across US 1, is a five-story mixed-use development. Across US 1, from the northwest corner of the property, is a three-story Super 8 Motel, flanked by parking lots. To the north of the property, across Delaware Street, exists two-story retail development fronting on US 1 and a one-story single-family detached home at the corner of Delaware Street and 48th Avenue. On the east, across the right-of-way of 48th Avenue, are one- to two-story single-family detached dwellings and a vacant lot. The other two lots, abutting the property to the east, front on Cherokee Street. One lot is improved with a three-story apartment complex and the other lot is improved with the Berwyn Baptist Church and School, which are two-story in height.

The proposed building and uses are in keeping with the vision and intent of the sector plan and the development district, and are compatible in size, height, and massing to existing and future buildings on adjacent properties. The residential lots, immediately abutting 48th Avenue, are under common ownership with the subject property and, while these are not included in the application, the applicant proposes to use these lots to provide an appropriate transition to the residential community to the east. The proposed 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;

The primary façade of the building faces US 1, which creates an active pedestrian experience that ties into the existing surrounding development, based on the building design and frontage improvements. This ensures that existing public walkways are connected to the new public walkways. On-site vehicular access is limited to one access point from Cherokee Street and one exit-only point at US 1. Pedestrians will cross the driveway aprons, and a condition has been included herein requiring pavement in these areas to include a different treatment, to alert pedestrians to vehicular traffic at the crossings.

- (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 DSP indicates that the proposed lighting design will minimize glare, light, and visual intrusion onto nearby properties and buildings. In addition, it is noted that lighting is proposed in locations that accent the building and provide well-lit areas, consistent with Crime Prevention Through Environmental Design practices.

- (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 face the proposed building are compatible with those utilized in similar-scaled developments recently constructed within the development district. The materials proposed include a mix of brick veneer and fiber cement siding and panels, with extensive glazing at shopfront level. Trim, coping, and other detail elements are provided in complementary tones and materials and include two outdoor plazas along US 1, enhancing the streetscape and pedestrian realm.

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

A condition has been included herein, requiring additional landscaping or decorative screening around a transformer located adjacent to Cherokee Street. The screening shall meet the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Screening treatment shall be reviewed and approved by the City of College Park.

- (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**

A condition has been included herein, requiring additional information to demonstrate that the proposed 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 City of College Park will control the surrounding rights-of-way and will limit the hours of operation and deliveries, as deemed necessary. The proposed development will have minimal impact on adjacent properties, as trash facilities are located in the interior of the building, loading for any deliveries to the dwelling units is located at the rear of the building, and loading space for commercial retail space is located in the parking garage.

(ii) Location of activities with potential adverse impacts;

Loading for any deliveries to the dwelling units is located at the rear of the building, and the proposed trash facilities are located internally to the building, with adequate space proposed in the parking garage to provide for any deliveries to the commercial retail spaces.

(iii) Location and use of trash receptacles;

The proposed trash receptacles are located internally to the buildings and have no adverse impact on adjacent properties. Trash facilities are proposed within the building, at two different locations, for residential and commercial retail uses.

(iv) Location of loading and delivery spaces;

The applicant proposes two loading spaces at the rear of the building and is not visible from US 1, and one loading space within the parking garage. There is sufficient room in the garage to serve any deliveries for the proposed commercial retail space.

(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 proposed buildings.

(vi) Location and use of outdoor vending machines.

The subject DSP does not propose any outdoor vending machines.

- 9. Preliminary Plan of Subdivision 4-22007:** PPS 4-22007 was approved by the Planning Board on September 8, 2022 (PGCPB Resolution No. 2022-95), subject to 10 conditions. The conditions applicable to the review of this DSP are, as follows:

2. Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 1836-2022, and any subsequent revisions.

A copy of an approved stormwater management (SWM) concept plan and letter were submitted with the subject DSP. The Environmental Planning Section reviewed the SWM concept plan and the subject DSP for consistency, and found that no further information is required regarding SWM for this application.

3. Prior to approval, the final plat of subdivision shall include:

a. Right-of-way dedication along all roadways, in accordance with the approved preliminary plan of subdivision, as follows:

i. For US Route 1 (Baltimore Avenue), dedicate 50 feet from the centerline;

ii. For Delaware Street, dedicate 25 feet from the centerline;

The right-of-way dedication along US 1 and Delaware Street has been reflected on the DSP, as approved with the PPS.

b. The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the City of College Park for the public use of any portion of frontage sidewalk on the subject property, as determined necessary, at the time of detailed site plan. The easement agreement shall be approved by the City of College Park, recorded in Prince George's County, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement.

The applicant has provided a public use easement plan, which highlights public use easement areas in blue. Conformance to this condition will be further reviewed at the time of final plat.

c. The dedication of 10-foot-wide public utility easements along all abutting public rights of-way, except along 48th Avenue, for which a variation has been approved.

Ten-foot-wide PUEs are shown on the DSP, along all public rights-of-way, except along 48th Avenue. Conformance to this condition will be further reviewed at the time of final plat.

4. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

a. Signage and design features to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the driveway design and exact details/profiles of the signage.

The design of a limited right-out only access driveway is shown on the DSP, but no signage has been provided. A condition has been included herein requiring that signage be shown, prior to signature approval of the DSP.

b. Dedicated space for rideshare activities.

Space for dedicated rideshare pick-up/drop-off area, within the parking garage, is shown on the architectural floor plans.

c. A note indicating that a vehicular access point along US 1 (Baltimore Avenue), is limited to a right-out only access.

A note has been provided on the DSP for “adequate signage,” which meets the requirement of Condition 4c.

d. A note indicating service areas and move-in/out vehicles only along 48th Avenue.

A note, as required by Condition 4d, was not provided on the DSP. This condition has been carried forward and needs to be satisfied before signature approval of the DSP.

e. Delineate the extent and location of any public use easement necessary to facilitate pedestrian access of any public pedestrian facilities located on-site.

The applicant has provided a public use easement plan, which highlights public use easement areas in blue. Conformance to this condition will be further reviewed at the time of final plat.

f. Place a note on the landscape plan that, at the time of development, efforts shall be made to save Tree T4, a Willow Oak, including installing tree protection fencing during construction.

g. Place a note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures such as installing tree protection fencing during construction, root pruning, and vertical mulching.

Several notes are provided on Sheet L401F of the landscape plan, satisfying Condition 4f. However, notes should be provided on Sheet L001 with other general notes, as required by Conditions 4f and 4g.

5. Prior to approval of the first building permit for the subject property, the applicant and the applicant’s heirs, successors, and/or assignees shall have permitted for construction and have an agreed upon timetable to construct 48th Avenue along the property’s frontage to its ultimate condition, in accordance with the operating agencies’ design standards.

This condition will be further evaluated at the time of building permit; however, the extent and design of 48th Avenue are shown on the DSP. The DSP shows a 4-foot-wide sidewalk along the property's frontage, along 48th Street, which does not meet ADA requirements and the current standards for a public street. In addition, the DSP shows a 5-foot-wide sidewalk, along the northside of 48th Street, which does not conform with Condition 6 of the PPS which requires a minimum 6-foot-wide sidewalk.

6. The applicant and the applicant's heirs, successors, and/or assignees shall construct the following facilities and show these facilities on a pedestrian and bikeway facilities plan, as part of the detailed site plan, prior to its acceptance:

- a. A minimum 12-foot-wide sidewalk and associated ADA curb ramps and crosswalks along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide sidewalk along Delaware Street, Cherokee Street, and 48th Avenue, unless modified by the operating agency, with written correspondence.**

The site plan shows a 12-foot-wide sidewalk along the property frontage of US 1 and 8-foot-wide sidewalks along the frontages of Delaware Street and Cherokee Street, to satisfy Condition 6a. However, the DSP shows a 4-foot-wide sidewalk on the south side and a 5-foot-wide sidewalk on the north side of 48th Street, which does conform to Condition 6a. As a condition of approval, staff recommend that the applicant update the DSP to include a 6-foot sidewalk on both sides of 48th Street or provide written correspondence from the operating agency, if a modification is permitted.

- b. A minimum 5-foot-wide sidewalk or wide sidewalk throughout the site where feasible, including ADA curb ramps and associated crosswalks.**

The applicant provided a pedestrian and vehicular circulation plan, which addresses these conditions. The DSP shows 5-foot-wide sidewalks, crosswalks, and curb ramps throughout the site.

- c. Shared road pavement markings along the property frontage of Cherokee Street, unless modified by the operating agency, with written correspondence.**

Shared road pavement markings are not included along Cherokee Street. The applicant provided a response that this condition would be addressed with the City of College Park, at the time of permitting. However, conformance with this condition shall be addressed with the DSP, with concurrence from the operating agency. This condition has been carried forward and needs to be satisfied before signature approval of the DSP.

- d. Provide ADA curb ramps and crosswalks crossing all vehicular access points.**

The applicant provided a pedestrian and vehicular circulation plan, which addresses these conditions. The DSP shows ADA crosswalks and curb ramps at all vehicular access points.

- e. **Provide the pedestrian and bicycle facilities and amenities where applicable, as described in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.**

The applicant has provided the applicable design amenities, per the sector plan, and a justification matrix for any modifications to satisfy Condition 6e.

- f. **A minimum 5-foot-wide bicycle lane or 6.5-foot-wide cycle tracks along the property frontage of US 1 (Baltimore Avenue), unless modified by the operating agency, with written correspondence.**
- g. **A minimum 4.5-foot-wide landscape amenity panel along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide landscape amenity panel along the property's frontage along Delaware Street and Cherokee Road, unless modified by the operating agency, with written correspondence.**

These conditions are addressed on the DSP and landscape plans. Per Condition 6f, a 6.6-foot-wide cycle track is proposed along the property frontage of US 1 and meets the condition. Per Condition 6g, the appropriate landscape panels have been proposed and meet the condition.

- h. **Long- and short-term bicycle parking within the multifamily building and near the building entrance, and short-term bicycle parking provided near the entrances of the retail, in accordance with AASHTO guidelines.**
- i. **Bicycle fix-it station on-site.**

These conditions are addressed on Sheet L101 of the landscape plan. Long-term bicycle storage is proposed within the parking garage and short-term parking is proposed along the frontage of US 1, which satisfies Condition 6h. Per Condition 6i, a bicycle repair station is included on the architecture sheets.

- 7. **In accordance with prior Section 24-135 of the 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.**
- 9. **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 Parks and Recreation Facilities Guidelines, with the review of the site plan. Timing for construction shall also be determined at the time of detailed site plan.**

Adequate on-site recreational facilities are provided, in accordance with PGCPB Resolution No. 2022-95. However, a business center and bike storage do not count towards recreation. In addition, the timing for construction of recreation facilities is not provided on the recreational facility chart. All facilities should be constructed, prior to issuance of a use and occupancy permit for the building. Proposed on-site recreational facilities are evaluated in detail under Finding 6 above.

10. **Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.**

A bond for the recreational facilities will be required, prior to approval of a building permit.

PPS 4-22007 and development of this site is supported by and subject to Certificate of Adequacy ADQ-2022-039, which was approved in August 2022, with five conditions. The conditions relevant to the review of this DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one, in plain text:

1. **Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 188 AM peak-hour trips and 239 PM peak-hour vehicle trips.**

The site plan proposed no modifications to the land use and density anticipated per PPS 4-22007 and, therefore, does not exceed the trip cap.

2. **Prior to the issuance of the first building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

- a. **A single through-left lane and exclusive right turn lane configuration along the westbound approach of the Cherokee Street and US Route 1 intersection.**

Conformance to this condition will be evaluated at the time of building permit.

3. **The applicant shall provide details of the on-site pedestrian and bicycle amenities and improvements consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision as part of the Site Plan submission.**

The applicant has provided details of the on-site pedestrian and bicycle amenities and improvements, on page L203 of the landscape plan, which meets the requirements in Condition 3 and staff find acceptable.

4. **The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and**

bicycle adequacy improvements approved with ADQ-2022-039, consistent with Section 24-4506(c)(G) of the Prince George’s County Subdivision Regulations as part of the Site Plan submission.

The applicant provided a bicycle and pedestrian facilities plan, consistent with ADQ-2022-039, which meets the requirements in Condition 4 and staff find acceptable.

5. **Prior to issuance 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 crosswalks along US Route 1 on Indian Lane and Fox Street.**

b. **Install crosswalk and associated pedestrian signals along US Route 1 at Cherokee Street along the north and east legs of the intersection.**

The bicycle and pedestrian impact statement (BPIS) off-site improvements required per Condition 5 were shown in a bicycle and pedestrian facilities plan, as part of the DSP submission. Condition 5 will be further evaluated at the time of building permit.

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 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, 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 the transformers and mechanical equipment proposed near the loading spaces because adequate screening with evergreen shrubs and trees is provided. However, a third electrical transformer, located at the southeast corner of the building, is not screened. The plans also conform to the requirements of Section 4.4 for trash, since the trash room will be located on the interior of the building and not visible from the public realm. However, it is noted that the loading spaces, located adjacent to the dog park, will not be adequately screened with the proposed planting, and this is recommended. Conditions requiring additional planting or screening at this location and a general note regarding conformance to Section 4.4 of the Landscape Manual have been included herein.

11. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is less than 40,000 square feet in size. A standard Letter of Exemption (S-008-2022) from the WCO was issued for this site and expires on January 25, 2024.

12. **Prince George’s County Tree Canopy Coverage Ordinance:** The subject site is located in the M-U-I Zone, and a 10 percent tree canopy coverage (TCC) requirement applies, per Section 25-128(b) of the Tree Canopy Coverage Ordinance. This amounts to approximately 0.381 acre, or 16,634 square feet, to be provided in TCC. The subject DSP provides the appropriate schedule and shows an adequate number of plantings on-site, in conformance with the requirements. However, the proposed planting sizes for deciduous ornamental trees and columnar evergreen trees do not conform to the minimum required for credit. The minimum caliper size of ornamental deciduous trees, at the time of planting, should be between 2.5 to 3 inches, whereas the plant schedule shows the caliper size of Canadian Serviceberry trees as 1.5 inch minimum. Similarly, the minimum height of small evergreen trees, at the time of planting, should be 10 to 12 feet. The plant schedule, however, lists the minimum planting height of Nigra Cedar and Emerald Arborvitae evergreen trees as 8 feet and 6 to 8 feet, respectively. Appropriate conditions have been included herein, which require the plant schedule and the tree canopy coverage schedule to be revised, prior to signature approval of the DSP.
13. **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**—In a memorandum dated October 24, 2022 (Stabler, Smith, and Chisholm to Gupta), the Historic Preservation Section concluded that 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.
 - b. **Community Planning**—In a memorandum dated December 5, 2022 (Hartsfield to Gupta), 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 Central US 1 Corridor Sector Plan and SMA, and supported the proposed alternative development district standards requirements, which are discussed in Findings 7 and 8 above.
 - c. **Transportation Planning**—In a memorandum dated December 22, 2022 (Smith to Gupta), the Transportation Planning Section offered an analysis of the prior approvals, which is incorporated into the findings above.

Master Plan Roads

The subject site has frontage along master-planned roadway US 1 (Baltimore Avenue), which is designated in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The latest site plan submission conforms to the MPOT recommendations and is consistent with the approved PPS.

Master Plan Pedestrian and Bicycle Facilities

The subject property fronts the recommended master-planned bicycle lane along US 1. The operating agency, SHA, has constructed cycle tracks along portions of the US 1 roadway and are recommended along the property frontage.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element on page 10 of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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.

This development is also subject to the Sector Plan, which proposes bicycle lanes along US 1 as an interim facility, until a cycle track along US 1 and a shared use roadway along Cherokee Street are constructed. The following policies and strategies are provided for pedestrian and bicyclist facilities.

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle and pedestrian friendly through appropriate design, including traffic calming techniques. (page 135)

Policy 2: Implement a comprehensive wayfinding system to complement the street network and orient residents, visitors, students, and through traffic to the area. (page 136)

Policy 2: Facilitate bicyclists along entire corridor and through development so that bicycle routes are enhanced or established. (page 141)

The latest DSP submission conforms to the recommendations of the master plan roadways and provides pedestrian and bicycle facilities and amenities to further the intent of the master plan goals and recommendations.

Based on the findings presented above, it was determined that the multimodal transportation site access and circulation of this plan is acceptable, and consistent with the underlying conditions of approval, as conditioned herein. In addition, it was noted that the DSP meets the site design guidelines, pursuant to Section 27-283 of the prior Zoning Ordinance and the findings required by Section 27-274(a) of the prior Zoning Ordinance.

- d. **Subdivision**—In a memorandum dated December 20, 2022 (Heath to Gupta), the Subdivision Section provided an analysis of the subject DSP’s conformance with the prior approvals, as included in Finding 9 above.
- e. **Environmental Planning**—In a memorandum dated December 19, 2022 (Juba to Gupta), the Environmental Planning Section offered the following:

Natural Resources Inventory/Existing Conditions

The site has an approved Natural Resources Inventory (NRI-013-2022), which correctly shows the existing conditions of the property. Three specimen trees are located on-site, along the site boundary. This site is not associated with any regulated environmental features (REF), such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area.

Woodland Conservation

The site is exempt from the provisions of the WCO because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan (TCP) approvals. A standard Letter of Exemption (S-008-2022) from the WCO was issued for this site and expires on January 25, 2024. No additional information is required, regarding woodland conservation.

Specimen Trees

In accordance with approved NRI-013-2022, three specimen trees have been identified on the subject property, along the eastern property boundary. There are additional specimen trees located off-site, immediately east of the site. Although this site is exempt from the WCO, preservation of as many specimen trees, as practicable, should be considered during the final site design process. Particular care should be made to protect specimen trees on adjoining properties through the use of best management practices on-site, such as root pruning. Coordination with neighbors to implement additional stress reduction measures, prior to construction, including vertical mulching, is encouraged. No further information is required regarding specimen, champion, or historic trees.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0-5 percent slopes), Sassafras-Urban land complex (5-15 percent slopes), and Urban Land-Sassafras complex (0-5 percent slopes).

No soils containing Marlboro clay are mapped on or within the immediate vicinity of this site; however, unsafe soils containing Christiana complexes have been identified on and within the immediate vicinity of this property. The soils containing Christiana complexes are contained in previously disturbed urban soils, on relatively flat slopes. There are no geotechnical concerns with this project.

Correspondence from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), demonstrating conformance with Section 24-131 of the Subdivision Regulations, for unsafe soils is not required at this time, and no further action is needed, as it relates to this application. The County may require a soils report, in conformance with Prince George's County Council Bill CB-94-2004, during future phases of development and/or at the time of permit.

Stormwater Management

An approved SWM Concept Plan (1836-2022-00) and letter was submitted with this application, and expires on August 11, 2025. Within the area of this DSP application, the approved SWM concept plan shows the use of two proposed micro-bioretenion stormwater devices, a green roof, bay saver cartridges, and a bypass environmental site design. No further information is required regarding SWM with this application.

- f. **Permit Review Section**—In a memorandum dated November 21, 2022 (Glascoe to Gupta), the Permit Review Section noted that the application did not address the standards and requirements for the proposed signage. The applicant provided revised information 35 days prior to the Planning Board hearing, which included this information.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In an email dated November 30, 2022 (Thompson to Gupta), DPR offered an analysis of the prior conditions of approval and summarized the recreational facilities on-site. DPR indicated that the Urban Design Section shall review the on-site recreational facilities for adequacy and proper siting.
- h. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, comments have not been received from the Fire/EMS Department, regarding the subject project.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated December 1, 2022 (Giles to Gupta), DPIE provided one comment regarding the proposed BPIS improvements. It is noted that BPIS improvements were reviewed and approved with PPS 4-22007, and any revision to the approved BPIS improvements will require reconsideration of the PPS.
- j. **Prince George’s County Police Department**—At the time of the writing of this technical staff report, comments have not been received from the Police Department, regarding the subject project.
- k. **Prince George’s County Health Department**—In a memorandum dated October 27, 2022 (Adepoju to Gupta), the Health Department offered a health impact assessment of the proposed development and offered numerous recommendations, which have been acknowledged or addressed through revisions to the plan.
- l. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, SHA offered no comments on the subject application.
- m. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated October 27, 2022 (Snyder to Gupta), WSSC offered comments, regarding the subject project, which indicated that public water and sewer facilities are available to serve the development.
- n. **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 December 13, 2022, and final action is expected during its January 10, 2023 meeting. City staff provided the following recommendations, on the subject application, in their staff report to the City Council:

- “1. SUPPORT the three requested Departures:
 - a. Parking space dimensions from 9.5 feet x 19 feet to 9 feet x 18 feet.
 - b. Height of garage entrance from 15 feet clearance to 13.5 feet clearance.
 - c. Height of ceiling above loading space from 15 feet clearance to 14 feet clearance

- “2. SUPPORT the following alternative development district standards, as noted below:

(Note: The page numbers are referenced in the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment)

 - a. Mandatory Build-to-Line (BTL) (page 229) – To increase setback from 0 feet to 10 feet to allow for Public Utility Easement.
 - b. Front Build-to-Line (BTL), Secondary (page 234)- To increase the setback requirement by 17.6. from a maximum 12 feet to 29.6 feet along Cherokee St. and increase the setback requirement by 2.6 feet along Delaware St.
 - c. Parking, number of spaces (page 239) – To increase the number of spaces by 32 spaces from 327 to 359 spaces.
 - d. Parking Access (p. 241) – To increase the width of access drives from 22 feet in width to 24 feet.
 - e. Architectural Elements (p. 245-250) – To allow 3 units along Baltimore Ave. and 2 units along Delaware St. to not be 24-inches above the sidewalk.
 - f. Architectural Elements/Siding (p. 252) – To allow fiber cement panel as a siding material.
 - g. Sustainability and the Environment (p. 256) – To use an alternative certification system (NGBS-Silver) but equivalent to LEED Silver.
 - h. Mandatory Shopfront (page 229) – To not provide mandatory shop frontage along Baltimore Avenue.

- i. Building Form, Step-Back Transition and Landscape Buffers (page 238)-To not provide a step-back transition of the building to 2-3 stories where it adjoins a residential area.

“3. DO NOT SUPPORT: Section 4.4 of Landscape Manual (page 60)-To not screen a transformer.”

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

“4. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Site Plan to:

- a. Identify a micro-mobility parking area on Baltimore Avenue or Cherokee Street.
- b. Provide a ‘Do Not Enter’ sign at the Baltimore Avenue exit and add a median to Baltimore Avenue at the garage exit, subject to approval of SHA.
- c. Provide details of signage along 48th Avenue such as ‘Service Entry Only’ and restrictions for resident vehicles including information regarding move-ins/outs.
- d. Provide tabletop crosswalks in front of the garage entrance/exit on Cherokee Street and exit on Baltimore Avenue subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or another material to distinguish these crosswalks.
- e. Re-label the site plan to remove ‘residential use’ from the 3,296 square foot commercial area along Cherokee Street.
- f. Provide a right-in/right-out access from the parking garage to Baltimore Avenue, subject to Planning Board approval of a reconsideration of Preliminary Plan 4-22007, if required.

“5. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Architectural Plans to:

- a. Remove the shopfront treatment where residential uses extend to the ground floor.
- b. Remove the spandrel at level three along Baltimore Avenue to improve the shopfront treatment.
- c. Use predominantly dark colors for the base and predominantly light colors for the upper stories of the building.

- d. For the east elevation along the rear yard, the color of the horizontal masonry veneer panels for the parking garage should be the same color as the adjoining fiber cement panels used on the building walls. The precast panels on the ramped portion of the parking garage should be a lighter color.
 - e. Change the building identification sign over the entrance to the Cherokee Street commercial space to identify the commercial user (Sheet A202, Detail F1).
 - f. Indicate a clearance bar with dimensioned height be placed at the parking garage entrance.
- “6. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Landscape Plan to:
- a. Provide an artistic treatment detail to be applied to all sides of the ground transformer located at the southeast corner of the south building.
 - b. Revise fencing proposed on the north side of 48th Avenue to comply with the City fence ordinance (the first 25 feet from Delaware Street should not exceed 3 feet in height and be open and transparent such as the picket fence shown on Sheet L301, detail 11).
 - c. Clarify which of the existing trees will be removed and which will remain on Sheet L401B and any other relevant sheet.
 - d. Consider tree substitutions for the following problematic species:
 - 1) Boxwoods
 - 2) Otto Luyken-Consider Juniper horizontalis, abelia, or Cornus sericea
- “7. Prior to Planning Board approval of the DSP, execute a Declaration of Covenants and Agreement with the City that includes, at a minimum, the following provisions:
- a. Provide a retail use or other commercial use approved by the City, if Meals-on-Wheels does not occupy the designated commercial space.
 - b. Construction and maintenance of improvements to the City’s unimproved 40-foot-wide right-of-way known as 48th Avenue, for approximately 219 feet west of Delaware Street, in accordance with City design standards (including installation of a roadbed, roadway, curb, gutter, and a five-foot-wide sidewalk on the east side and four-foot-wide sidewalk on the west side). ‘No Through Street’ and ‘No Parking’ signs shall be posted and enforced by the City.

- c. A public access easement to the City for the 'T-shaped' hammerhead turn-around located on the Applicant's property at the end of 48th Avenue-See Public Use Easement Plan.
- d. A public access easement to the City, to accommodate the sidewalk along Delaware Street-See Public Use Easement Plan.
- e. Construction of an exclusive right turn lane on Cherokee Street between the site access and US Route 1 in accordance with City and SHA standards.
- f. Installation of high visibility (piano keys), crosswalks along US Route 1 on Indian Lane and Fox Street, as indicated in the BPIS, subject to any required SHA approval.
- g. Installation of pedestrian signals and high visibility crosswalks (piano keys) along the US 1 and Cherokee Street intersection, as indicated in the BPIS, subject to any required SHA approval.
- h. PILOT to City if the property becomes tax exempt.
- i. Unitary management and condominium conversion requirements.
- j. Acknowledgement of responsibility for maintenance of pedestrian light fixtures, landscaping, and sidewalks.
- k. Restrictions related to construction staging and hours of operation, if needed.
- l. If feasible, provision of an outdoor public art feature, which can be matched by City funds (up to \$15,000).
- m. Evidence of NGBS SILVER certification."

Appropriate conditions are included herein to address the City's recommended Conditions 4, 5, and 6, except Condition 4f. Providing a right-in/right-out access from the parking garage to US 1 will require a reconsideration of the applicable PPS 4-22007, and reevaluation of the access point for vehicular circulation. Transportation adequacy was evaluated with the PPS, and the proposed right-out only exit at US 1 was found adequate. Staff did not review recommended Condition 8, since this pertains to the Declaration of Covenants and agreement between the applicant and the City.

- 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), 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 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 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 REF will be impacted by the proposed development, and it is determined that the REF has been preserved and/or fully restored in a natural state, to the fullest extent possible, in accordance with the requirement.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and recommend approval of the application, as follows:

- A. APPROVAL of the alternative development district standards for:
1. **Mandatory Shop Frontage and Build-to-Lines of Zero Feet (page 229):** To allow the shop frontage to be less than 100 percent of the width of the building. To allow a front build-to line on a primary street to be a maximum of 11.4 feet.
 2. **Building Form/Setback (page 234):** To allow a front build-to line on a secondary street to be a maximum of 29.6 feet.
 3. **Building Form/Setback (page 234):** To allow a rear setback to be a minimum of 0.7 feet.
 4. **Building Form/Step-back Transitions and Landscape Buffers (page 238):** To allow building height to exceed three stories facing existing residential development.
 5. **Building Form/Parking (page 239):** To increase the number of parking spaces provided on-site by 32 spaces.
 6. **Building Form/Parking Access (page 241):** To allow access to structured parking from a primary street. To allow the vehicular access drive of the parking garage to be wider than 22 feet.
 7. **Building Form/Structured Parking (page 243):** To allow a parking structure within 50 feet of the property line.

8. **Architectural Elements/Facades and Shopfronts(page 246):** To allow doors or entrances for public access to be provided at intervals greater than 50 feet. To allow less than 12 feet of habitable space behind each shopfront, along the building frontage. To allow the ground-floor residential units to have a raised finish floor less than 24 inches above the sidewalk grade.
 9. **Architectural Elements/Materials (page 251):** To allow fiber cement boards as siding material.
 10. **Sustainability and the Environment/Leadership in Energy and Environmental Design (LEED) Certification(page 256):** To allow National Green Building Standard silver certification.
 11. **Streets and Open Spaces/Lighting Types and Configuration (page 267):** To allow alternative treatment of the lighting type and configuration, as determined by the operating agency.
 12. A reduction in the standard parking space size to 9 feet by 18 feet.
 13. A reduction in the height of the garage entrance, which accesses the loading space internal to the building, to 13.5 feet and the ceiling clearance above the loading space to 14 feet.
- B. APPROVAL of Detailed Site Plan DSP-22015 for 9113 Baltimore Avenue, 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) Revise the gross site area to 3.82-acres.
 - (2) Revise the title of the project to “9113 Baltimore Avenue.”
 - (3) Revise General Note 2 to list M-U-I and D-D-O as prior zones.
 - (4) Revise General Note 11 to provide the correct approval date for the stormwater management concept plan.
 - (5) Revise the sheet index to match the sheet numbers and titles of individual landscape architecture sheets.
 - (6) Add a general note listing the proposed residential density for the project.

- b. Revise the parking area requirements on the coversheet, as follows:
 - (1) Revise the reference to the 2002 *Central US 1 Corridor Sector Plan* to reference the 2010 *Central US 1 Corridor Sector Plan*.
 - (2) Include a table for required and provided Americans with Disabilities Act (ADA) accessible parking spaces.
 - (3) List the dimensions of the parking spaces provided, including the dimensions for and number of compact parking spaces.
 - (4) Revise the residential loading space requirement to list one space for 17 units over 300, instead of one space for 31 units over 300.
- c. Provide details for the proposed retaining wall near the corner of US 1 (Baltimore Avenue) and Delaware Street.
- d. Provide a sign table listing the number of signs, size, material, lighting, and their location on the façades, in accordance with the applicable Development District Overlay (D-D-O) Zone standards.
- e. Provide a sign at the southwest corner of the building facing the intersection of US 1 (Baltimore Avenue) and Cherokee Street.
- f. On the photometric plan, revise the labels for the various luminaires, as well as the symbol for Luminaire L2, to make them darker in color.
- g. Revise the proposed recreational amenity list located on Sheet DSP-1, to remove the business center and bicycle storage, with repair station, and update the total value of the proposed on-site recreational facilities. Add a note below the table, stating that all facilities shall be constructed, prior to issuance of a use and occupancy permit for the building.
- h. Provide a list of amenities to be included in the proposed sunroom, the library/café, the multipurpose room, the fitness center, the game room, and the kitchenette. Show the location of the proposed sunroom, the library/café, the game room, and the kitchenette on the architectural floor plan.
- i. Update the DSP to include specific details and profiles for the striping and signage for the designated pick-up/drop-off space for rideshare vehicles.
- j. Show shared road pavement markings along Cherokee Street, unless modified by the operating agency, with written correspondence.
- k. Provide 6-foot-wide sidewalks on both sides of 48th Street, unless modified by the operating agency, with written correspondence.
- l. Provide a detail for the proposed bicycle repair station.

- m. Identify a micro-mobility parking area on US 1 (Baltimore Avenue) or Cherokee Street.
 - n. Provide a “Do Not Enter” sign to facilitate a limited right-out only access driveway from the site, along US 1 (Baltimore Avenue), including the profiles of the signage. Add a median to US 1 at the garage exit, subject to approval by the Maryland State Highway Administration.
 - o. Provide details of signage along 48th Avenue, such as “Service Entry Only” and restrictions for resident vehicles, including information regarding move-ins/outs.
 - p. Provide tabletop crosswalks in front of the parking garage entrance/exit on Cherokee Street and the parking garage exit on US 1 (Baltimore Avenue), subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or decorative paving (e.g., scored or stamped concrete) to distinguish these crosswalks.
 - q. Remove the label “residential use” from the 3,296-square-foot commercial area along Cherokee Street.
2. Prior to certification, the applicant shall revise the landscape plan, as follows:
- a. Provide a note on the landscape plan that states “The trash, loading facilities, and mechanical equipment are interior to the building or have been appropriately screened, in conformance with Section 4.4 of the 2010 *Prince George’s County Landscape Manual*.”
 - b. Provide an artistic treatment detail, to be applied to all sides of the ground transformer located at the southeast corner of the south building.
 - c. Add a general note on the landscape plan that, at the time of development, efforts shall be made to save Specimen Tree T4, a Willow Oak, including installing tree protection fencing during construction.
 - d. Add a general note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures, such as installing tree protection fencing during construction, root pruning, and vertical mulching.
 - e. Revise the plant schedule and the tree canopy coverage schedule on the landscape plan to provide the minimum required planting sizes for all landscape trees credited, to meet the tree canopy coverage requirement.
 - f. Revise the fencing proposed on the north side of 48th Avenue, to comply with the City of College Park fence ordinance (for the first 25 feet from Delaware Street, the fencing should not exceed 3 feet in height and be open and transparent, such as the picket fence shown on Sheet L301, Detail 11).

- g. Clarify which of the existing trees will be removed and which will remain, on Sheet L401B and any other relevant sheet.
 - h. Consider tree substitutions for the following problematic species:
 - (1) Boxwoods
 - (2) Otto Luyken-Consider Juniper horizontalis, Abelia, or Cornus sericea
3. Prior to certification, the applicant shall revise the architectural plans and elevations, as follows:
- a. Revise the building elevation keys on Sheet A102, to remove overlapping text.
 - b. Label the size, material, and color for the proposed canopies at the building entrances.
 - c. To the parking garage notes on Sheet AP101, add the dimensions of the proposed compact parking spaces.
 - d. On the floor plan for the Level 1 parking deck, label and dimension the proposed loading space.
 - e. On the floor plans for Levels 3 to 6 parking decks, show the required access aisle, adjacent to the Americans with Disabilities Act (ADA) parking space.
 - f. Remove the shopfront treatment where residential uses extend to the ground floor.
 - g. Remove the spandrel at level three, along US 1 (Baltimore Avenue), to improve the shopfront treatment.
 - h. Use predominantly dark colors for the base and predominantly light colors for the upper stories of the building.
 - i. For the east elevation along the rear yard, the color of the horizontal masonry veneer panels of the parking garage should be the same color as the adjoining fiber cement panels used for the building walls. The precast panels on the ramped portion of the parking garage should be a lighter color.
 - j. Change the building identification sign over the entrance to the Cherokee Street commercial space, to identify the commercial user (Sheet A202, Detail F1).
 - k. Indicate a clearance bar, with dimensioned height, be placed at the parking garage entrance.
 - l. Indicate that ground-floor residential amenity areas and retail glass windows will be transparent.

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 are operational.
5. Prior to approval of the final plat of subdivision, the applicant shall submit evidence that a Declaration of Covenants has been signed with the City of College Park, which includes responsibility for maintenance of the landscape buffer located between 48th Avenue and abutting existing residential development.

9113 BALTIMORE AVENUE

Detailed Site Plan

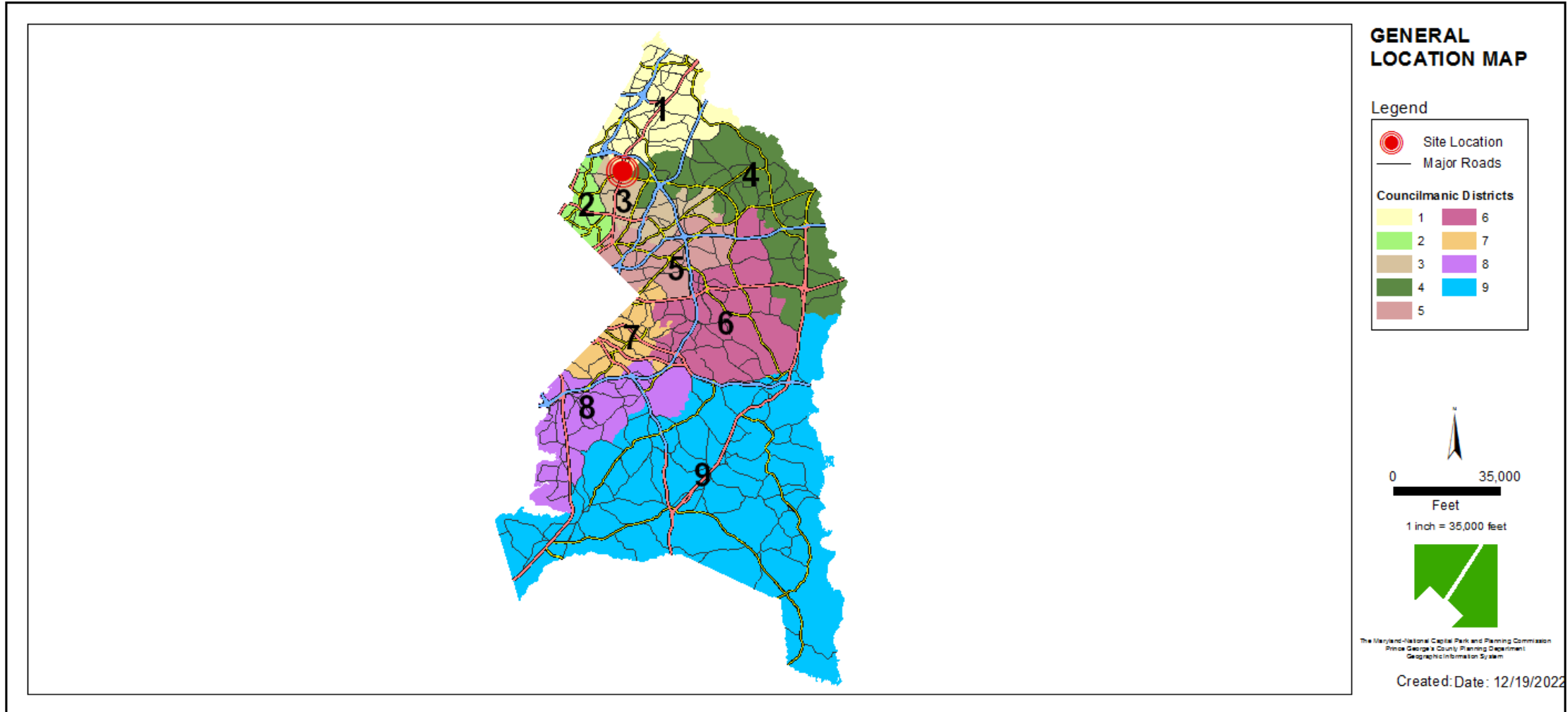
Staff Recommendation: APPROVAL with conditions



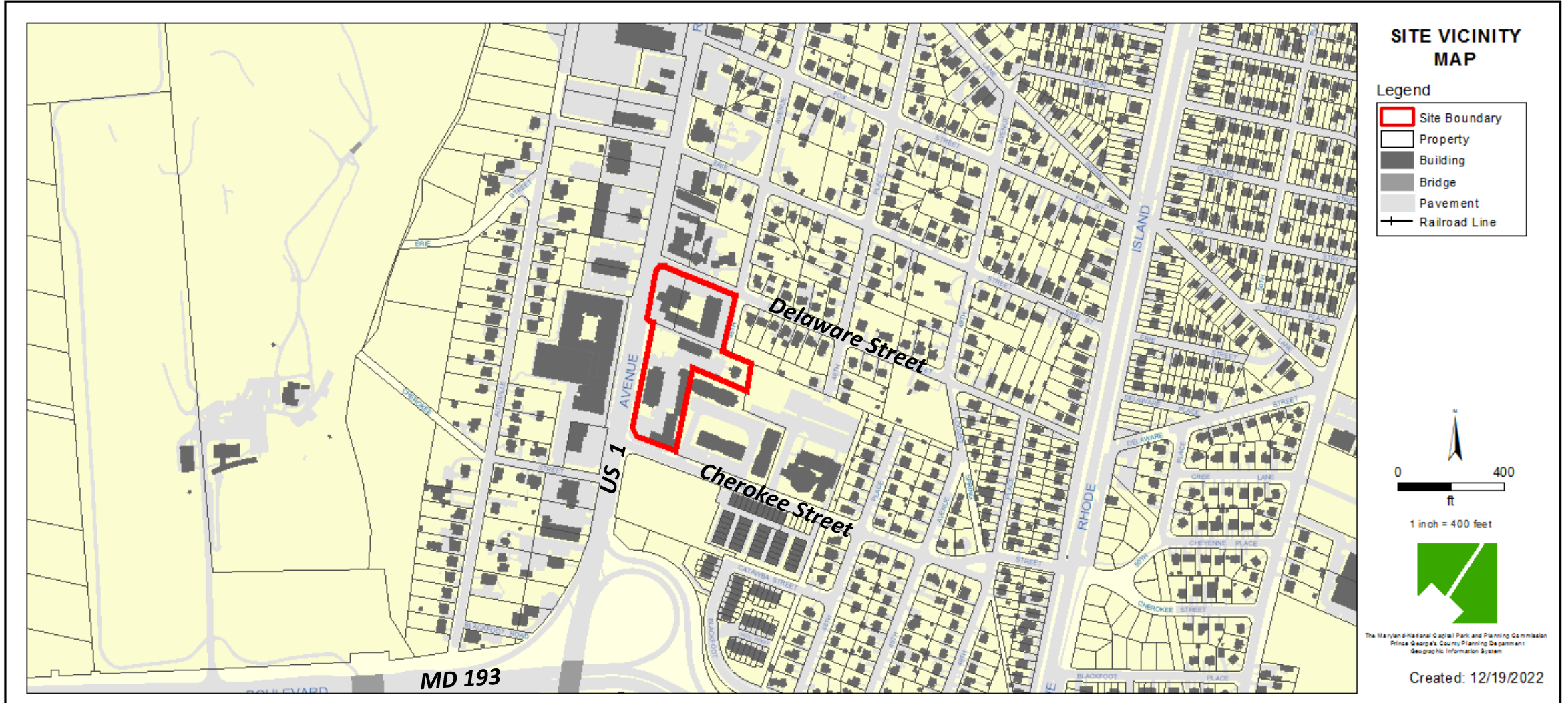
GENERAL LOCATION MAP

Council District: 03

Planning Area: 66



SITE VICINITY MAP

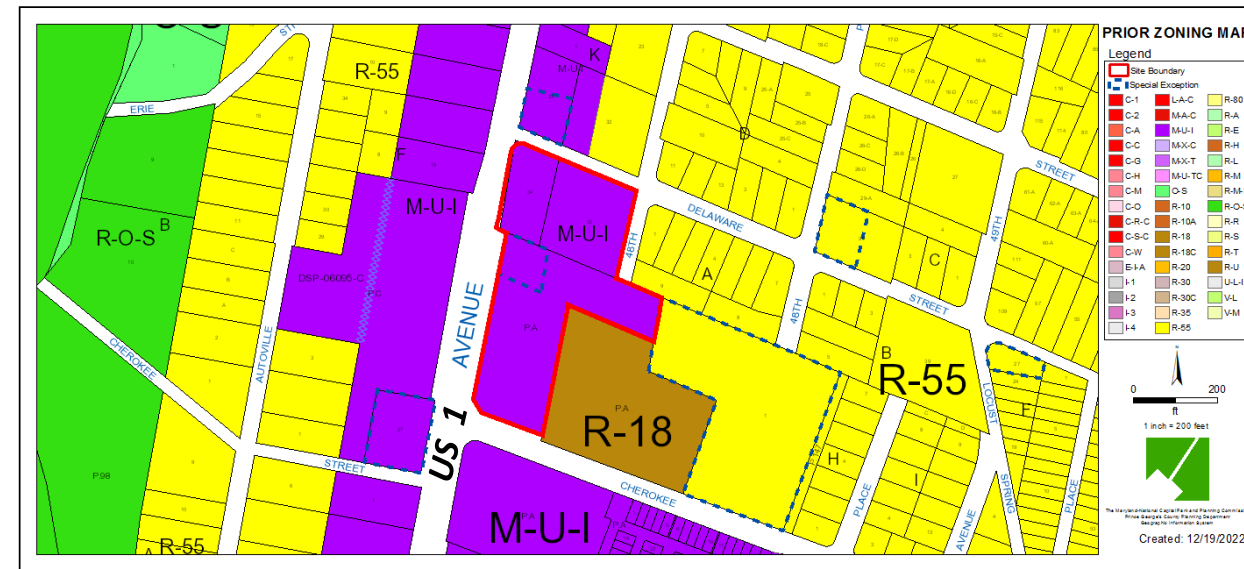
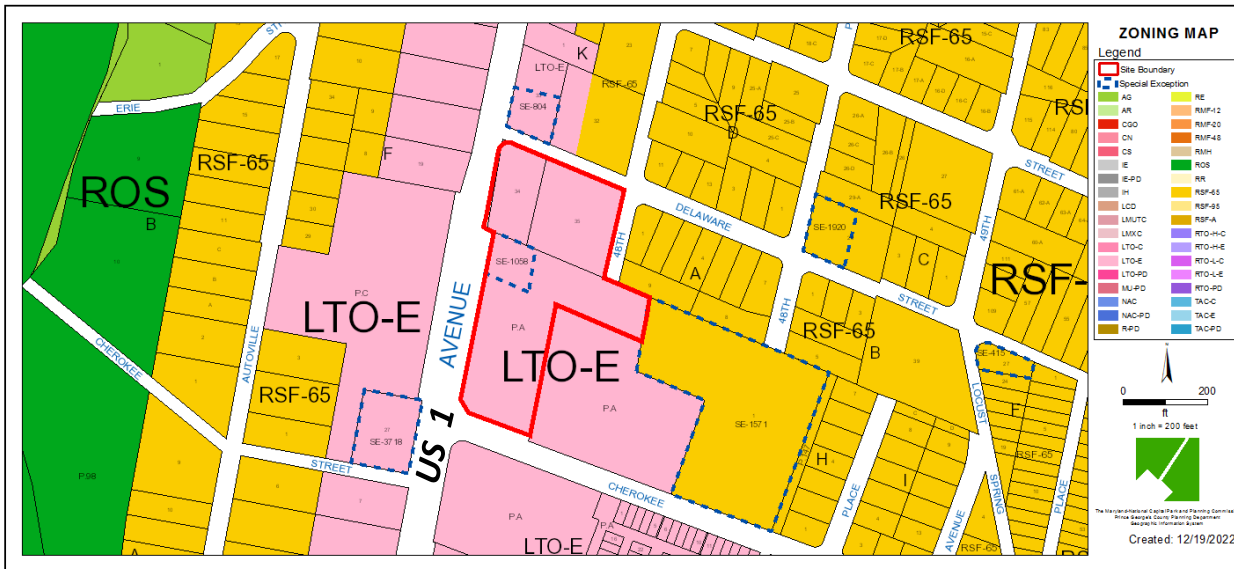


ZONING MAP (CURRENT & PRIOR)

Current Property Zone: LTO-E
 Prior Property Zone: M-U-I

CURRENT ZONING MAP

PRIOR ZONING MAP



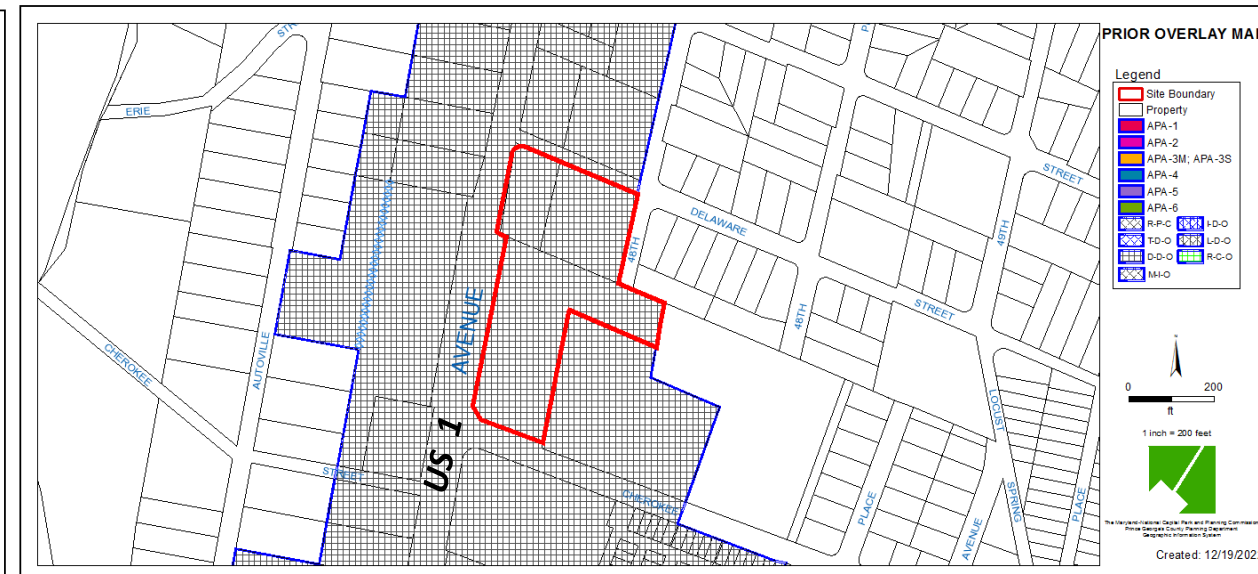
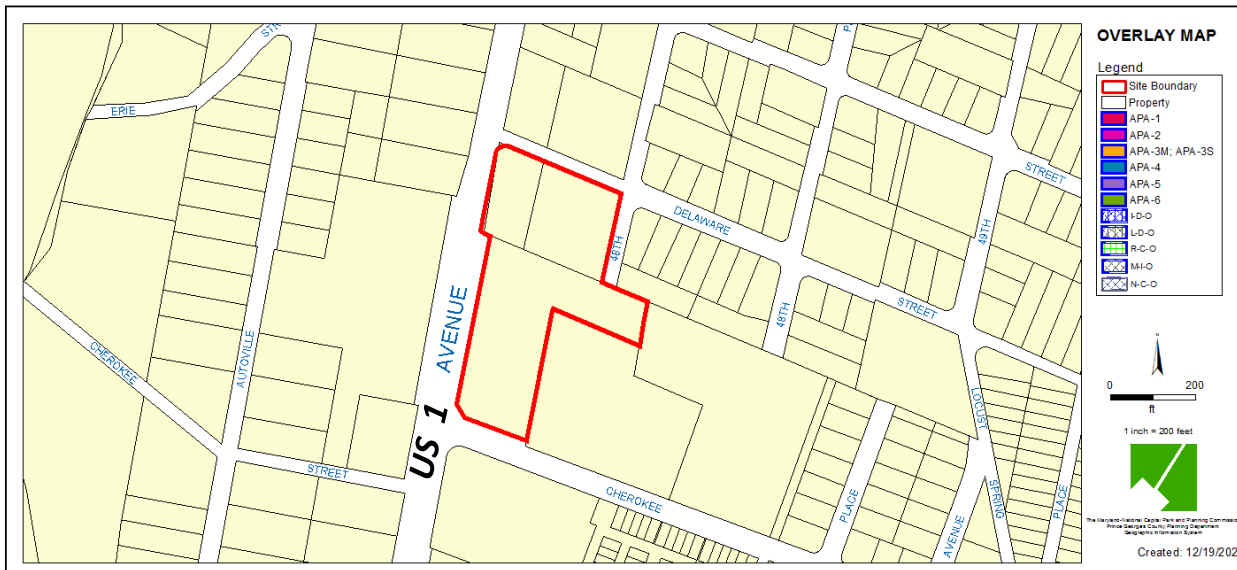
OVERLAY MAP

Current Property Overlay: N/A

Prior Property Overlay: D-D-O

CURRENT OVERLAY MAP

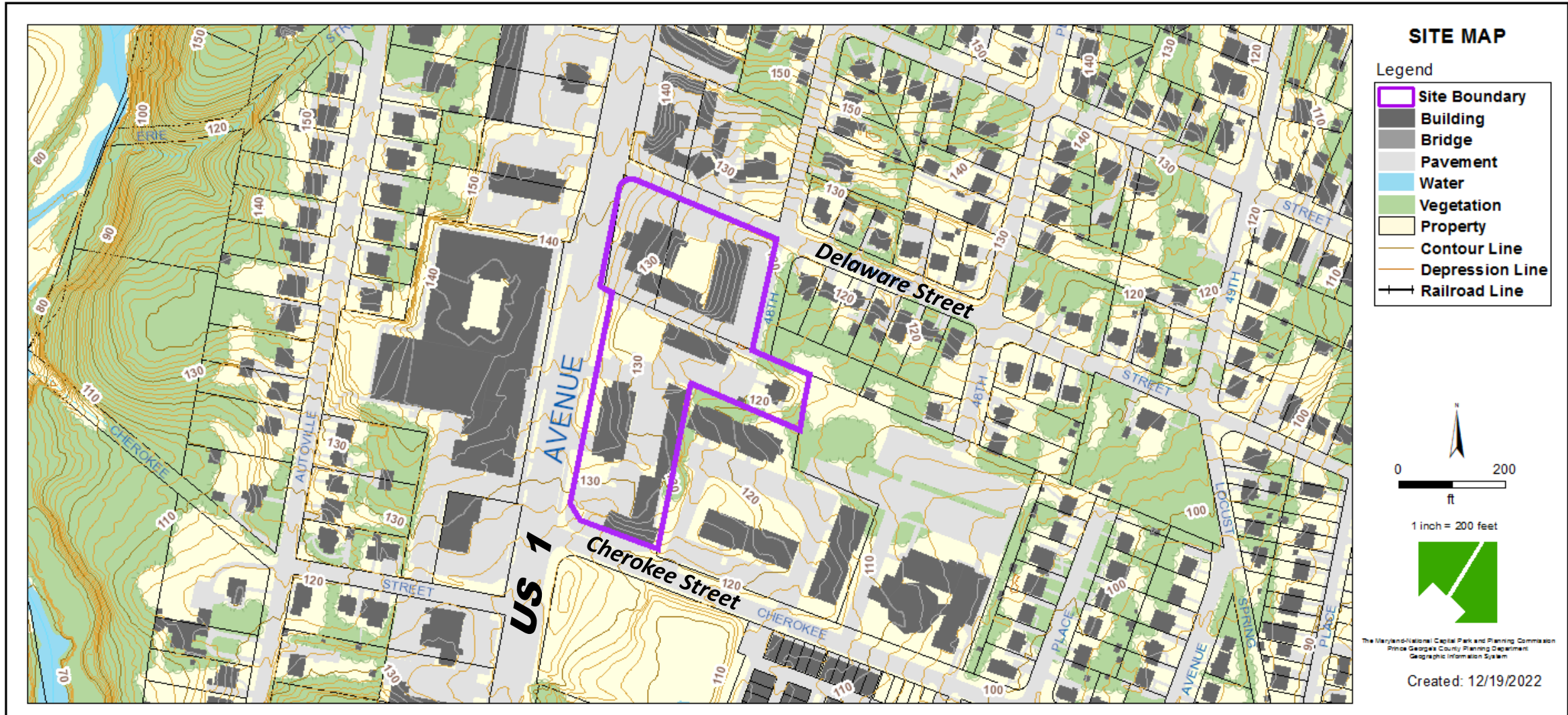
PRIOR OVERLAY MAP



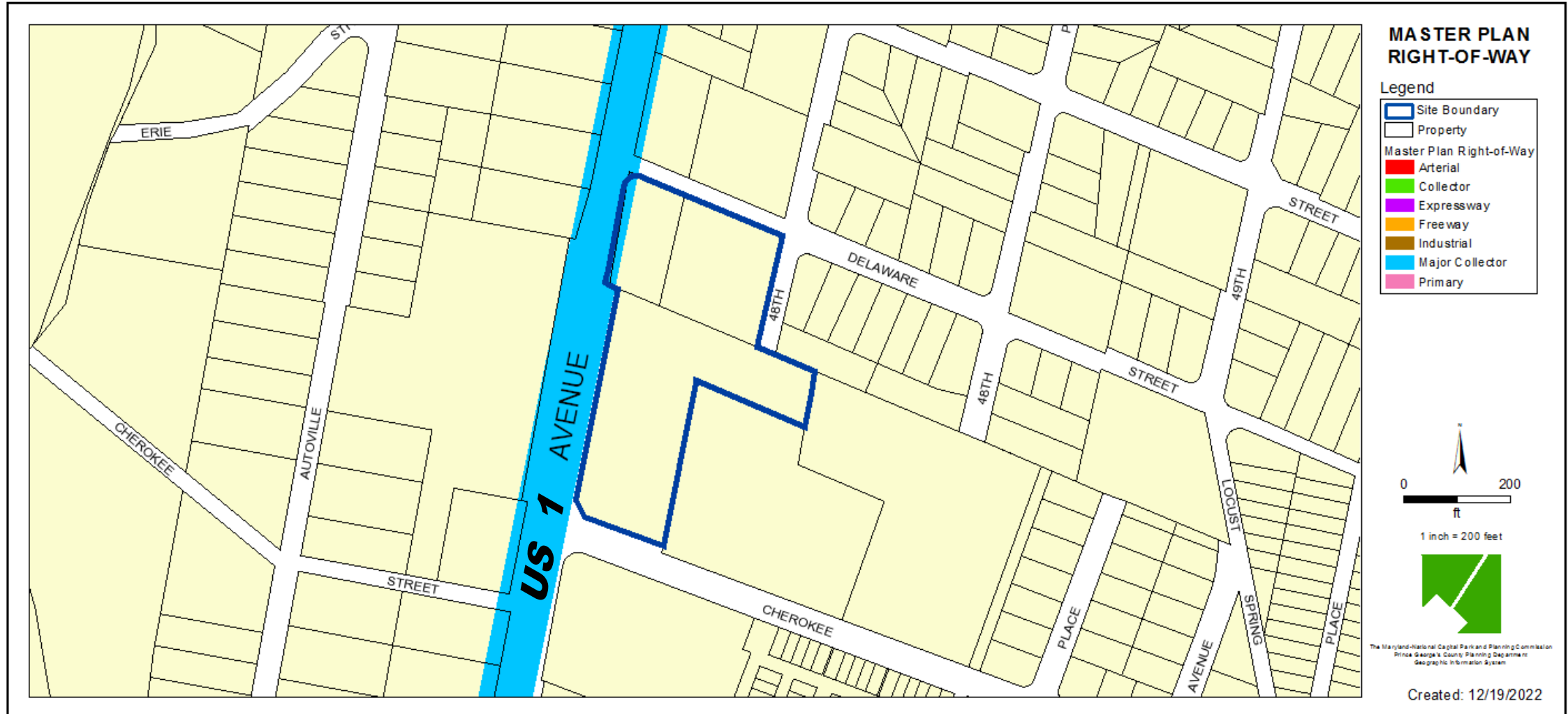
AERIAL MAP



SITE MAP



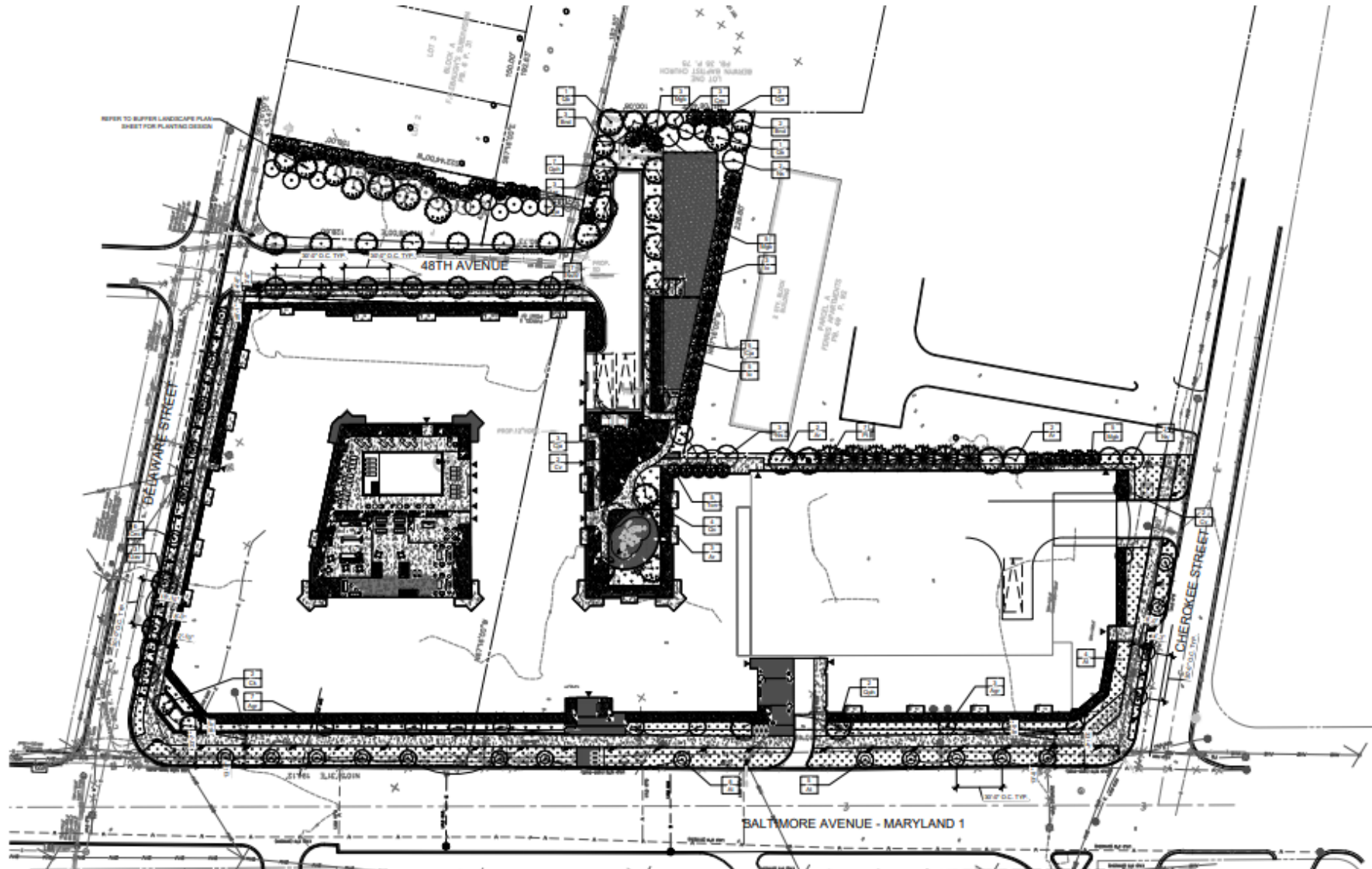
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



LANDSCAPE PLAN



PERSPECTIVE VIEW (US 1 & DELAWARE STREET)



NOTE:

PERSPECTIVE VIEW (US 1 & CHEROKEE STREET)



PERSPECTIVE VIEW (CHEROKEE STREET)



PERSPECTIVE VIEW (DELAWARE STREET & 48TH AVENUE)



EXTERIOR ELEVATION – ALONG US 1



F1 WEST ELEVATION ALONG BALTIMORE AVE. - NORTH BLDG



EXTERIOR ELEVATIONS



ALONG CHEROKEE STREET

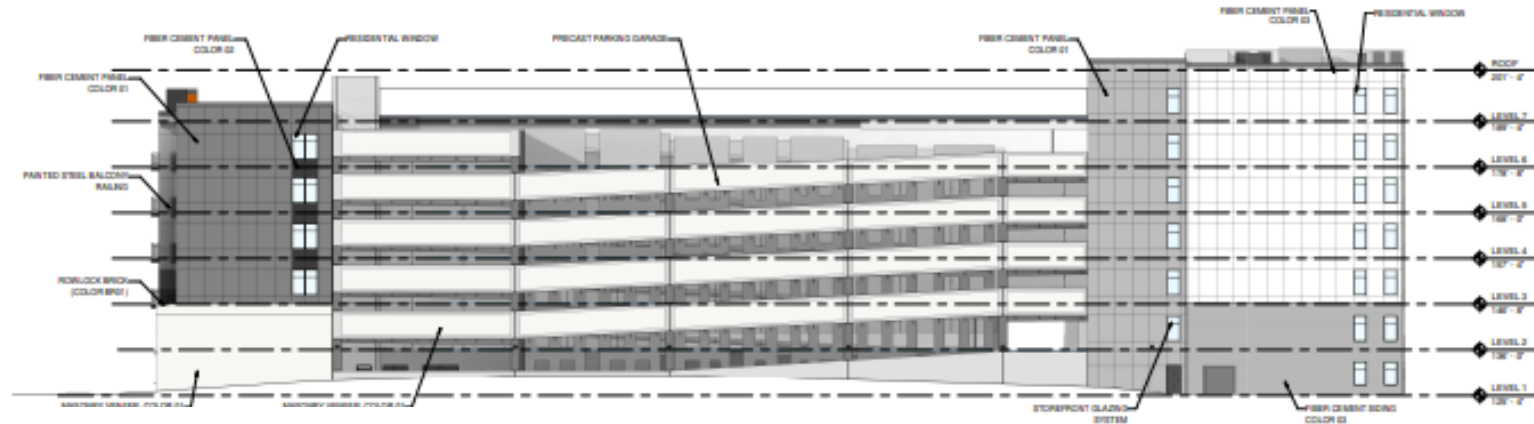


CORNER OF US 1 & DELAWARE STREET



ALONG DELAWARE STREET

EXTERIOR ELEVATION



REAR ELEVATION – PARKING GARAGE



ALONG 48TH AVENUE

EXTERIOR ELEVATIONS – INTERIOR COURTYARD



F1 SOUTH COURTYARD - WEST ELEVATION



F7 NORTH COURTYARD - WEST ELEVATION



EXTERIOR ELEVATIONS – INTERIOR COURTYARD



F1 NORTH COURTYARD - NORTH



F8 SOUTH COURTYARD - SOUTH



SIGNAGE

A - BUILDING MARQUEE 112.625 SQ FEET



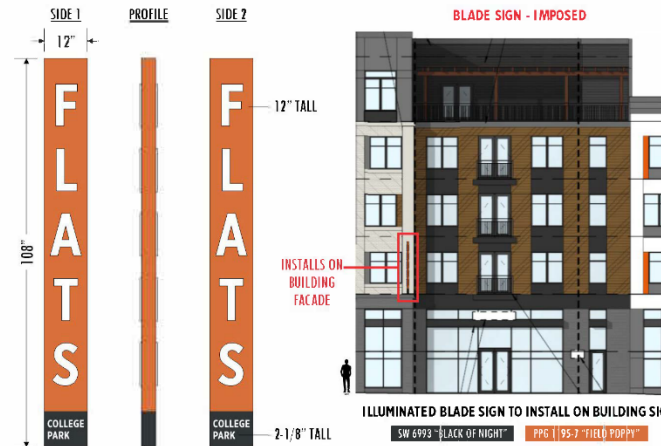
**DIMENSIONAL ILLUMINATED
 BOTTOM-MOUNTED MARQUEE LETTERING**

Signage Summary

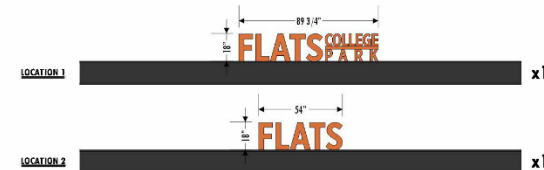
Signage Type	Total Proposed Area (SF)
A - Building Marquee	113 SF
B - Blade Sign	9 SF
C - Canopy Lettering Location 1	11 SF
C - Canopy Lettering Location 2	7 SF
D - Address Number	1 SF
E - Garage Lettering	7 SF
Total Proposed Area	147 SF



B - BLADE SIGN 9 SQ FEET

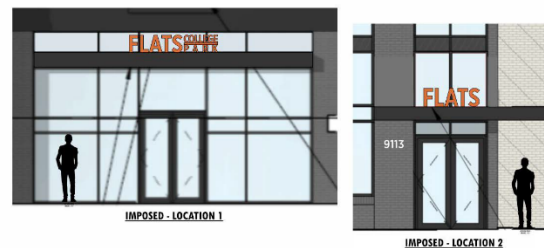


C - CANOPY LETTERING LOCATION 1 - 11.22 SQ FEET LOCATION 2 - 6.75 SQ FEET



18" TALL "FLATS" AND 18" TALL "COLLEGE PARK" BOTTOM-MOUNTED LETTERING WITH 2" BAR TO INSTALL ONTO EXISTING CANOPY LOCATIONS

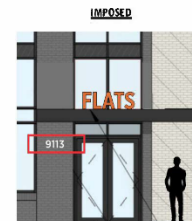
PPG 1195-7 "FIELD POPPY"



D - ADDRESS NUMBERS 1.06 SQ FEET



DIMENSIONAL 8" TALL WHITE ADDRESS NUMBERS TO INSTALL FLUSH ON EXISTING BRICK FACADE



E - GARAGE LETTERING 6.73 SQ FEET



14" TALL DIMENSIONAL LETTERING TO INSTALL ONTO EXISTING BUILDING FACADE



STAFF RECOMMENDATION

APPROVAL with conditions

- DSP-22015

Major Issues:

- N/A

Applicant Required Mailings:

- Informational Mailing: 05/24/22
- Acceptance Mailing: 10/11/2022

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EDWARD C. GIBBS, JR.
THOMAS H. HALLER

JUSTIN S. KORENBLATT

December 2, 2022

The Honorable Peter A. Shapiro
Chair
Prince George's County Planning Board
of the Maryland-National Capital Park
and Planning Commission
County Administration Building
Upper Marlboro, Maryland 20772

Re: The Flats at College Park; DSP-22015

Dear Chairman Shapiro:

I represent the Applicant, RST Development, LLC in the referenced Detailed Site Plan. The last date within the 70-day review period for a Planning Board hearing is January 12, 2023. On behalf of my client, we are in agreement that the case be moved to the January 19, 2023 to accommodate the Planning Board's calendar. As a result, we waive the 70-day review limit set forth in Section 27-285(c) of the prior Zoning Ordinance. It is further my understanding that the Resolution embodying the Planning Board decision will be adopted on January 26, 2023. Please let me know if you have any questions.

Very truly yours,

GIBBS AND HALLER



Thomas H. Haller

cc: Mridula Gupta

STATEMENT OF JUSTIFICATION
THE FLATS AT COLLEGE PARK
DSP-22015
AUGUST 12, 2022
REVISED NOVEMBER 15, 2022

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1.0 INTRODUCTION/OVERVIEW

The Applicant, RST Development, LLC (the "Applicant"), is pleased to present Detailed Site Plan Application DSP-22015. RST Development, LLC is a private, family-owned multifamily real estate development company providing market rate and affordable apartment units throughout the Mid-Atlantic and Southeast. The Applicant has extensive experience in the multifamily market, having developed approximately 10,000 multifamily units since its founding in 1996. As explained below, the Applicant proposes the development of a multifamily building with ground floor retail along the Route 1 Corridor in College Park.

Set forth below is a description of the property, a summary of the development proposal, an analysis of conformance to prior conditions of approval and the Detailed Site Plan requirements, an analysis of the Development District Overlay Zone ("DDOZ") Development Standards set forth in the Central US 1 Corridor Sector Plan applicable to the property, and how the property conforms with each standard. In the event an amendment of an applicable standard is required, a justification for such amendment from the DDOZ Development Standards is provided.

2.0 PROPERTY DESCRIPTION

The property which is the subject of the referenced Detailed Site Plan consists of approximately 3.815 acres located at 9113 and 9137 Baltimore Avenue in College Park (the

"Property"). The Property is located on the east side of Baltimore Avenue between Cherokee Street on the south and Delaware Street on the north. The Property is zoned LTO-e (formerly M-U-I/DDO). The Applicant proposes to develop the property pursuant to the provisions of the M-U-I/DDO Zone.

The Property consists of three subdivided record lots. The first property, located at 9113 Baltimore Avenue, is referenced as Parcel A in a subdivision known as "Sim's Tract" which is depicted on a plat recorded among the Land Records of Prince George's County at Plat Book NLP 97, Plat 49. Parcel A is currently improved with two hotels, a Howard Johnson and a Days Inn. The second property, located at 9137 Baltimore Avenue, is referenced as Lot 34 and Lot 35 in a subdivision known as "Daniel's Park" which are depicted on a plat recorded among the Land Records of Prince George's County in Plat Book LIB A, Plat 59. Lot 34 and Lot 35 are improved with a Red Roof Inn hotel.

To the south, across Cherokee Street, is a vacant lot which has been approved for a development known as Metropolitan at College Park. This property is now zoned LTO-e but was approved for development in the M-U-I/DDO Zone under the prior Zoning Ordinance. The development includes a multifamily building with 238 dwelling units and 4,133 square feet of commercial space as well as 55 townhouses. The 55 townhouses are located to the east of the multifamily building and these units have been

constructed. Thus, the DSP is vested. The multifamily building is 4-6 stories in height and the ground floor retail is oriented toward Baltimore Avenue and the corner of Cherokee Street and Baltimore Avenue, which is currently served with a traffic signal.

To the west, across Baltimore Avenue, is a mixed-use development known as Monument consisting of 247 dwelling units and 4,800 square feet of commercial/retail space in a 5-story building. This property is also zoned LTO-e but was developed in the M-U-I/DDO Zone under the prior Zoning Ordinance. The commercial component is concentrated in the southeast corner of the building oriented toward the intersection of Baltimore Avenue and Cherokee Street. Across Baltimore Avenue from the northwest corner of the Property is a Super 8 Motel in the LTO-e Zone.

To the north of the Property across Delaware Street is existing retail development fronting on Baltimore Avenue and one single family detached home at the corner of Delaware Street and 48th Avenue. The commercially developed properties are zoned LTO-e and the single-family home is zoned RSF-65. Both properties are in common ownership as of December 27, 2021.

The Property is bounded on the east by the right of way of 48th Avenue and four other lots. Across 48th Avenue are two undeveloped lots owned by the Applicant. The lot located at the

corner of 48th Avenue is zoned RSF-65 and is improved with a single-home. The adjacent property is also zoned RSF-65 but is undeveloped. Although under common ownership with the Property, these lots are not included in the application but will be utilized to ensure an appropriate transition to the residential community to the east. Currently, 48th Avenue is improved as a street to the north but transitions into a parking lot currently serving one of the hotels on the Property. The Applicant intends to work with the City of College Park to extend 48th Avenue to an appropriate terminus to allow access to the service areas at the rear of the Property.

The other two lots abutting the Property to the east front on Cherokee Street. One lot is improved with an apartment complex known as Faris Manor. This property is zoned LTO-e (formerly R-18/DDO). The other lot is improved with the Berwyn Baptist Church and School in the RSF-65 (formerly R-55) Zone.

3.0 SUMMARY OF DEVELOPMENT PROPOSAL

The Applicant proposes to raze the three existing hotels and will redevelop the property with a single building containing up to 317 multifamily units, 3,296 square feet of commercial space and a stand-alone parking garage with access to Baltimore Avenue and Cherokee Street. As discussed in greater detail below, the commercial space will be supplemented with an 800 square foot storage room located adjacent to the loading

dock and next to the bicycle storage room. The building will be six stories in height consistent with the designation of the Property in the Walkable Node of the US 1 Corridor Sector Plan and consistent with the buildings approved and improved across Cherokee Street and Baltimore Avenue. A question regarding the height of the proposed building was raised during the SDRC meeting. The building is five stories along Cherokee Street, six stories along U.S. 1, and six to seven stories on Delaware street as the site falls topographically. At 48th Avenue, the building is stepped down to five stories to allow for a transition with the residential neighborhood to the east. The rear of the building internal to the site is seven stories, again to account for the falling topography from U.S. 1 to the rear of the site. The Central U.S. 1 Sector Plan is very specific about how the height of buildings are to be measured. The definition is set forth on Page 261 of the Sector Plan.¹ In this case, the enfronting sidewalk is U.S. 1, and the building varies in height between 5-6 stories. Even on Delaware Street, while a portion of the building contains 7 stories as the grade falls, the building height at the average grade is 6 stories. Thus, the building conforms to the height requirements of the

¹ Building height: The vertical extent of a building measured in stories, not including a raised basement or a habitable attic. Building-height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures. Building height shall be measured from the average grade of the enfronting sidewalk.

Sector Plan and no amendment to the Development District Standard is required.

The commercial component will be in the southwest corner of the building at the intersection of Cherokee Street and occupies much of the Cherokee Street frontage and a small part of the U.S. 1 frontage. A comment was made at SDRC that the commercial space should be reoriented to face U.S. 1. However, the location and orientation of the commercial space was intentional and best serves the project and the development. As noted above, the intersection of Cherokee Street and Baltimore Avenue is served by a traffic signal and the commercial components of the Monument and the Metropolitan at College Park developments are also oriented to this intersection. With the additional square footage proposed in this application, a concentration of commercial space will be constructed at this intersection. Access to the commercial space is important. The garage entrance on Cherokee Street provides immediate access to both the garage and the loading are adjacent to it. Access to US 1 is limited to a right-out exit only. Further, due to the falling topography along U.S. 1 from Delaware Street to Cherokee Street, the U.S. 1 frontage is above the Cherokee Street frontage. The proposed location of the commercial allows patrons and employees to easily access the space on the same level. Reorienting it to U.S. 1 would require patrons to drive into the garage to an

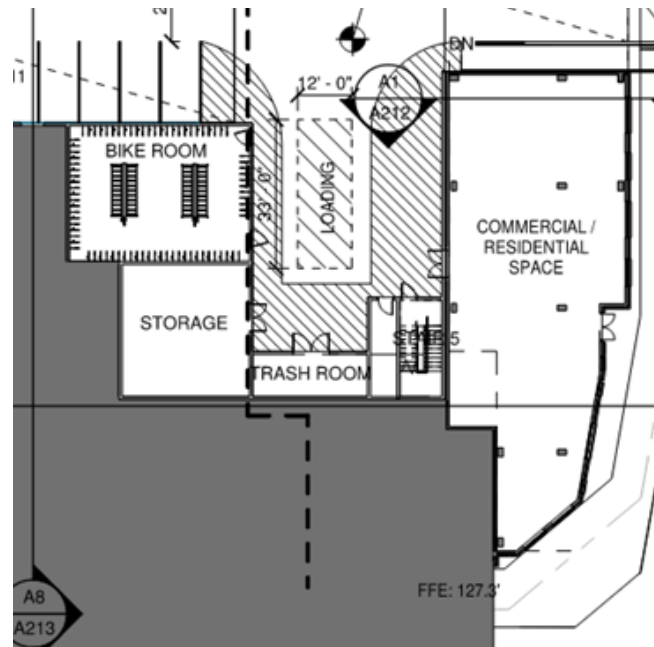
upper level, making it less accessible both for patrons and loading. Finally, the proposed tenant will be best served by the proposed location.

Prior to filing the application, the Applicant has engaged in community outreach. As part of the discussions with the community, the Applicant was made aware that the College Park Meals on Wheels program is seeking new space for its operations. Meals on Wheels operates a catering establishment which provides nutritional meals to seniors, people with disabilities, and other vulnerable populations 3 times a day the immediate vicinity. Meals on Wheels commenced its operation in 1974 and operated out of the College Park United Methodist Church since that time. However, they were no longer able to operate in that space and are temporarily operating out of the Elks Lodge in Riverdale. Meals on Wheels is seeking a new permanent location in the City of College Park. The Subject Property is less than a mile from the former location.

The Applicant believes that Meals on Wheels is the ideal commercial component for the proposed project, as it synthesizes many of the purposes of the proposed development, which will provide affordable housing to the community. The space will include a kitchen and administrative offices. In the Development District Overlay Zone, a catering establishment "for food preparation and administrative offices only" is permitted.

No meals will be served on site. All food prepared on site will be taken off site to customers.

The Applicant is currently working with Meals on Wheels to finalize the details of the space utilization. The commercial space is 3,296 square feet and Meals on Wheels is also in need of additional storage space for supplies. An 800 square foot area is being allocated for this purpose. These spaces are depicted on the image below:



The space works well for the use because it is immediately adjacent to the loading area, which will facilitate the loading of meals for delivery off-site. Access to the space will be provided from both inside the parking garage and from the sidewalk on Cherokee Street. This accessibility would not be possible at any other location within the building.

In the event that Meals on Wheels elects not to occupy the space in this project, the Applicant intends to utilize the space as community coworking space. Coworking space is office space which provides numerous private and shared workspaces for members of the community to rent. The space would include individual work pods, small conference rooms, and a larger conference/collaboration space. All members of the community would be able to utilize the space, including residents of the proposed development. The coworking model was envisioned by the Applicant prior to being contacted by Meals on Wheels as an appropriate commercial component.

The parking schedule and traffic study reflect this commercial space as retail space to provide flexibility for future uses. For example, as office space, 2 parking spaces per 1000 square feet would be required, but 3 spaces per 1,000 square feet are required for retail. The Meals on Wheels program is likely required to park at the rate for a retail use. Thus, if parking is provided on site at that rate, sufficient parking will be required regardless of whether the use transitions to an office use or is utilized by a traditional retail use at some point in the future. The Applicant wants to ensure that sufficient parking is provided and that any trip cap applied during review of the preliminary plan of subdivision does not preclude any future use.

4.0 CONFORMANCE WITH GENERAL PURPOSES OF DETAILED SITE PLANS

The general purposes of Detailed Site Plans are contained in Section 27-281(b) of the Zoning Ordinance. These purposes are as follows:

(b) General Purposes.

(1) The general purposes of Detailed Site Plans are:

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient, and economical development contained in the General Plan, Master Plan or other approved plans;**
- (B) To help fulfill the purposes of the zone in which the land is located;**
- (C) To provide for development in accordance with the site design guidelines established in this Division; and**
- (D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.**

The 2002 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment rezoned the Property to the M-U-I Zone to encourage redevelopment. The 2010 SMA retained the Property in the M-U-I Zone. Standards for such redevelopment were established in the form of the DDOZ Development District Standards. As explained in further detail below, the Applicant proposes to develop the Property substantially in conformance to the standards of the DDOZ.

The design concept presented in this Detailed Site Plan capitalizes on the location of the Property within the Innovation Corridor and in proximity to the University of Maryland. The Central US 1 Corridor began to redevelop following the adoption of the 2002 Sector Plan. As a result, this area is now a hub of economic development for the County. In fact, the General Plan identifies College Park as an economic submarket which is targeted specifically for growth and redevelopment. For example, page 128 of the General Plan states that "it will be particularly important to encourage significant multifamily development in our economic submarkets, especially those with strong office markets, such as College Park" The development proposed by the Applicant will certainly fulfill this vision of the General Plan. The Applicant submits that the Detailed Site Plan is substantially in conformance with the design principles of the Central US 1 Corridor Sector Plan and the General Plan. As such, the proposal conforms to the general purposes of Detailed Site Plans.

5.0 CONFORMANCE WITH PURPOSES OF THE M-U-I ZONE

Paragraph (b) (1) (B) of Section 27-282 expresses that a DSP proposal must ". . . help fulfill the purposes of the zone in which the land is located." As previously noted, the Property is in the M-U-I Zone. The purposes of the M-U-I Zone are outlined in Section 27-546.15(a) and (b):

- (a) The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans or requested by a municipality, a mix of residential and commercial uses as infill development in areas which are already substantially developed. The M-U-I Zone may be approved on properties which adjoin developed properties or otherwise meet plan recommendations and which have overlay zone regulations requiring site plan review, or on property owned by a municipality which requests the zone.
- (b) The specific purposes of the M-U-I Zone are:
- (1) To implement recommendations in approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where properties are already developed;
 - (2) To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;
 - (3) To encourage innovation in the planning and design of infill development;
 - (4) To allow flexibility in the process of reviewing infill development;
 - (5) To promote smart growth principles by encouraging efficient use of land and public facilities and services;
 - (6) To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses; and
 - (7) To permit redevelopment, particularly in areas requiring revitalization, of property owned by a municipality.

The proposed development conforms with the general purposes of the M-U-I Zone in that the Property is in an area which is already substantially developed. Moreover, the Property was

rezoned to the M-U-I Zone for the purpose of encouraging redevelopment and, in particular, mixed-use redevelopment such as that which is proposed by the Applicant.

The proposed development also meets the specific purposes of the M-U-I Zone. The M-U-I Zone provides the flexibility needed to implement a redevelopment project of the type proposed. This is particularly significant for the subject Property, which contains older uses and is in an area targeted for revitalization. For example, since the Applicant is proposing a mix of uses, the M-U-I Zone permits an increase in multifamily density. Moreover, the flexibility of the M-U-I Zone will allow for a complete elimination of existing surface parking. This will enhance the urban streetscape envisioned by the Sector Plan and will result in a more pedestrian friendly environment.

The Sector Plan contains a Future Land Use Map (Map 7, Page 59) which shows the Subject Property as "mixed use commercial." On Page 57 of the Sector Plan, "mixed-use commercial" is described as "Properties that contain a mix of uses that are predominantly non-residential on the ground floor, including commerce, office, institutional, civic and recreational uses. These properties may include a residential component but are predominantly commercial in nature." Consistent with this designation and the mandatory shopfront designation, the

Applicant has concentrated its nonresidential components on the first floor of the building and lined the Baltimore Avenue, Cherokee Street and Delaware Street frontages with either commercial, recreational or amenity space. The proposed Meals on Wheels/coworking space, the recreational areas, the leasing office and other such uses are concentrated along Baltimore Avenue, Cherokee Street and Delaware Street to provide the shopfront frontage envisioned in the Sector Plan and provide "eyes on the street". Over 63 percent of the street frontage is occupied by non-residential uses. The overall percentage of ground floor nonresidential use is less, given that the property extends further from Baltimore Avenue along its northern half toward the residential community to the east. The back end of the building surrounds a courtyard which provides private recreational amenities for the residents. This extension of the building has no frontage on a primary street and would be inappropriate for commercial use. Overall, the square footage of the ground floor of the proposed building is 84,906 square feet. The non-residential components on the ground floor comprise 43,720 square feet, or 51.5%. Thus, as configured, the proposed development conforms to the land use designation and intent of the Sector Plan. It is also noted that the configuration is consistent with the development across

Baltimore Avenue, which is also designated as mixed-use commercial.

6.0 CONFORMANCE WITH CONDITIONS OF 4-22007

Preliminary Plan of Subdivision 4-22007 was approved for the Subject Property on September 29, 2022. The approval is reflected in Prince George's County Planning Board Resolution PBCPB No. 2022-95. The Preliminary Plan was approved subject to 10 conditions, each of which is addressed below:

1. **The preliminary plan of subdivision shall be revised to provide the following:**
 - a. **Add bearings and distances to dedicated area along US I (Baltimore Avenue) and Delaware Street.**
 - b. **A note indicating access is for services areas and move-in/out vehicles only along 48th Avenue.**

COMMENT: This information will be added at the time of certification of the preliminary plan.

2. **Development of the site shall be in conformance with the Stormwater Management Concept Plan (1836-2022), once approved, and any subsequent revisions.**

COMMENT: The DSP is in conformance with the approved SWM Concept Plan.

3. **Prior to approval, the final plat of subdivision shall include:**
 - a. **Right-of-way dedication along all roadways, in accordance with the approved preliminary plan of subdivision, as follows:**

- i. For US Route I (Baltimore Avenue), dedicate 50 feet from the centerline;
- ii. For Delaware Street, dedicate 25 feet from the centerline;

COMMENT: Dedication of 50 feet from the centerline of Baltimore Avenue and 25 feet from that centerline of Delaware Street will be reflected on the final plat.

- b. The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the City of College Park for the public use of any portion of frontage sidewalk on the subject property, as determined necessary, at the time of detailed site plan. The easement agreement shall be approved by the City of College Park, recorded in Prince George's County, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement.

COMMENT: A Public Use Easement will be entered into with the City of College Park and recorded prior to the recordation of the final plat.

- c. The dedication of 10-foot-wide public utility easements along all abutting public rights-of-way, except along 48th Avenue, for which a variation has been approved.

COMMENT: Public utility easements will be shown on the final plat for Cherokee Street, Delaware Street and Baltimore Avenue.

4. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- a. **Signage and design features to facilitate a limited right-out only access driveway from the site along US I (Baltimore Avenue), including the driveway design and exact details/profiles of the signage.**

COMMENT: The DSP reflects the right out only access onto Baltimore Avenue.

- b. **Dedicated space for rideshare activities.**

COMMENT: Dedicated space for rideshare activities is noted on the DSP.

- c. **A note indicating that a vehicular access point along US I (Baltimore Avenue), is limited to a right-out only access.**

COMMENT: The DSP includes a note indicating the right out only access onto Baltimore Avenue.

- d. **A note indicating service areas and move-in/out vehicles only along 48th Avenue.**

COMMENT: The DSP includes a note indicating service areas and use of 48th Avenue for those activities.

- e. **Delineate the extent and location of any public use easement necessary to facilitate pedestrian access of any public pedestrian facilities located on-site.**

COMMENT: The DSP identifies areas where public use easements are necessary, and these will be included in the Public Use Easement entered into with the City of College Park.

- f. Place a note on the landscape plan that, at the time of development, efforts shall be made to save Tree T4, a Willow Oak, including installing tree protection fencing during construction.

COMMENT: A note has been added to the landscape plan regarding tree protection measures for Tree T4.

- g. Place a note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures such as installing tree protection fencing during construction, root pruning, and vertical mulching.

COMMENT: A note has been added to the landscape plan regarding tree protection measures for the adjacent specimen trees.

5. Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall have permitted for construction and have an agreed upon timetable to construct 48th Avenue along the property's frontage to its ultimate condition, in accordance with the operating agencies' design standards.

COMMENT: This condition will be addressed at the time of the first building permit with the City of College Park.

6. The applicant and the applicant's heirs, successors, and/or assignees shall construct the following facilities and show these facilities on a pedestrian and bikeway facilities plan, as part of the detailed site plan, prior to its acceptance:

- a. A minimum 12-foot-wide sidewalk and associated ADA curb ramps and crosswalks along the property frontage of US I (Baltimore Avenue), and a minimum 6-foot-wide sidewalk along Delaware Street, Cherokee Street, and 48th Avenue, unless

modified by the operating agency, with written correspondence.

COMMENT: The DSP reflects the minimum 12-foot-wide sidewalk and a minimum 6-foot-wide sidewalk along Delaware Street and Cherokee Street.

- b. A minimum 5-foot-wide sidewalk or wide sidewalk throughout the site where feasible, including ADA curb ramps and associated crosswalks.**

COMMENT: Noted, the DSP reflects a minimum 5-foot-wide sidewalk or wide sidewalk throughout the site with the exception of 48th Avenue, where a 4-foot-wide sidewalk extends to the rear of the building. The improvements within 48th Avenue have been reviewed by the City of College Park. It should be noted that on the west side of 48th Avenue, although not within the boundaries of this DSP, the City has requested a 5' sidewalk to be provided. This will also be constructed in conjunction with the improvement of 48th Avenue.

- c. Shared road pavement markings along the property frontage of Cherokee Street, unless modified by the operating agency, with written correspondence.**

COMMENT: This condition will be addressed with the City of College Park at the time of building permit.

- d. **Provide ADA curb ramps and crosswalks crossing all vehicular access points.**

COMMENT: ADA curb ramps and crosswalks crossing all vehicular access points will be constructed are reflected on the DSP.

- e. **Provide the pedestrian and bicycle facilities and amenities where applicable, as described in the 2010 Approved Central US I Corridor Sector Plan and Sectional Map Amendment.**

COMMENT: All on-site pedestrian and bicycle facilities are addressed on the DSP. BPIS improvements are shown on a separate exhibit.

- f. **A minimum 5-foot-wide bicycle lane or 6.5-foot-wide cycle tracks along the property frontage of US 1 (Baltimore Avenue), unless modified by the operating agency, with written correspondence.**

COMMENT: A 6.5-foot cycle track is shown along the property frontage of US 1 (Baltimore Avenue. Since no cycle track exists north or south of the Subject Property, an appropriate dismount area is provided near Delaware Street.

- g. **A minimum 4.5-foot-wide landscape amenity panel along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide landscape amenity panel along the property's frontage along Delaware Street and Cherokee Road, unless modified by the operating agency, with written correspondence.**

COMMENT: A minimum 4.5 foot landscape panel is provided along US 1 and a 6-foot-wide landscape panel is provided along Delaware and Cherokee Streets.

- h. Long- and short-term bicycle parking within the multifamily building and near the building entrance, and short-term bicycle parking provided near the entrances of the retail, in accordance with AASHTO guidelines.

COMMENT: Bicycle parking is provided and shown on the DSP.

- i. Bicycle fix-it station on-site.

COMMENT A bicycle fix-it station is shown on the DSP.

- 7. In accordance with prior Section 24-135 of the 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.

COMMENT: Adequate on-site recreational facilities are included with and depicted on the Detailed Site Plan.

- 8. Prior to submission of the final plat of subdivision, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.

COMMENT: A private RFA will be provided prior to Final Plat.

9. 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 Parks and Recreation Facilities Guidelines, with the review of the site plan. Timing for construction shall also be determined at the time of detailed site plan.

COMMENT: The Applicant is providing an extensive assortment of both indoor and outdoor recreational facilities that far exceed the requirements for mandatory dedication. The list of facilities provided (and the estimated cost) is set forth below:

- Exterior Outdoor Pool \$190,000
- Exterior Outdoor Courtyard \$35,000
- Exterior Playground \$75,000
- Exterior Dog Park \$85,000
- Exterior Grilling areas \$35,000
- Exterior Outdoor Terrace \$35,000
- Interior Sunroom (Lounge with a coffee bar overlooking the exterior courtyard) \$35,000
- Interior Library / Café \$35,000
- Interior Business Center \$15,000
- Interior Mutli-Purpose Room \$50,000
- Interior Fitness Center \$75,000
- Interior Game Room \$20,000
- Interior Kitchenette \$20,000
- Interior Bike Storage with Fix-it Station \$10,000

The amount required to be spent to satisfy the mandatory dedication requirements is \$294,247. Thus, the recreational facilities provided (\$715,000) far exceed the minimum requirement.

10. Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.

COMMENT: The performance bond will be provided prior to the approval of a building permit.

7.0 CONFORMANCE WITH CONDITIONS OF ADQ-2022-039

In addition to the conditions of approved with the Preliminary Plan of Subdivision, the Subject Property was also the subject of an adequacy analysis assigned the number ADQ-2022-039. This application was approved subject to five conditions, each of which is addressed below:

1. Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 188 AM peak-hour trips and 239 PM peak-hour vehicle trips.

COMMENT: The development proposed in the Detailed Site Plan does not exceed the trip cap.

2. Prior to the issuance of the first building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. A single through-left lane and exclusive right turn lane configuration along the westbound approach of the Cherokee Street and US Route 1 intersection.

COMMENT: The lane configurations required by this condition are depicted on the Detailed Site Plan and will be addressed at the time of building permit.

2. The applicant shall provide details of the on-site pedestrian and bicycle amenities and improvements consistent with Section 24-4506(c) (G) of the Prince George's County Subdivision as part of the Site Plan submission.

COMMENT: The Detailed Site Plan includes details of the on-site pedestrian and bicycle amenities and improvements.

3. The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicycle adequacy improvements approved with ADQ-2022-039, consistent with Section 24-4506(c) (G) of the Prince George's County Subdivision Regulations as part of the Site Plan submission.

COMMENT: A bicycle and pedestrian facilities plan is included with the Detailed Site plan that illustrates the details of the BPIS improvements approved with ADP-2022-039

5. Prior to issuance 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 crosswalks along US Route 1 on Indian Lane and Fox Street.
 - b. Install crosswalk and associated pedestrian signals along US Route 1 at Cherokee Street along the north and east legs of the intersection.

COMMENT: The BPIS improvements will be addressed at the time of building permit.

8.0 CONFORMANCE WITH SPECIFIC PURPOSES OF DETAILED SITE PLANS

Section 27-281(c) lists the specific purposes of Detailed Site Plans. There are four specific purposes listed, each of which is addressed below:

Sec. 27-281(c)(1)(A): To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site.

COMMENT: The submitted Detailed Site Plan demonstrates the location of the commercial retail and the residential uses proposed for the Property. The proximity of the uses and access points will create functional relationships with both the uses on the Property as well as the surrounding uses.

Sec. 27-281(c)(1)(B): To show specific grading, planting, sediment control, tree preservation, and stormwater management features proposed for the site.

COMMENT: The submitted Detailed Site Plan shows specific grading and landscape planting areas proposed for the site. The Applicant has also submitted a Stormwater Management Concept Plan which is presently under review.

Sec. 27-281(c)(1)(C): To locate and describe the specific recreational facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site.

COMMENT: The submitted architectural elevations as well as the Detailed Site Plan included in this application demonstrate the specific recreational facilities and building form. Street furnishings are also detailed on the DSP. As can be seen on the architectural elevations, the Applicant proposes an attractive building façade with a mix of contemporary colors and materials.

Sec. 27-281(c)(1)(D): To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

COMMENT: The submitted DSP, Landscape Plan, and Architectural Elevations demonstrate the necessary infrastructure and building form to be implemented.

9.0 CONFORMANCE WITH ZONING ORDINANCE SECTION 27-546.18

Section 27-546.18 sets forth certain regulations applicable to development in the M-U-I Zone. Specifically, the section provides as follows:

(a) Except as provided in Subsection (b), the regulations governing location, setbacks, size, height, lot size, density, and other dimensional requirements in the M-U-I Zone are as follows:

(1) R-18 Zone regulations apply to all uses in Section 27-441(b)(3), Miscellaneous;

COMMENT: Does not apply.

(2) R-18 Zone regulations apply to all uses in Section 27-441(b)(6), Residential/Lodging, except hotels and motels;

COMMENT: Does not apply.

- (3) C-S-C Zone regulations apply to hotels and motels and all other uses; and**

COMMENT: Does not apply.

- (4) Multifamily residential densities up to forty-eight (48) units per acre are permitted.**

COMMENT: Does not apply.

- (b) Where an owner proposes a mix of residential and commercial uses on a single lot or parcel in the M-U-I Zone, the site plan as approved shall set out the regulations to be followed. The approved regulations may reduce parking requirements by thirty percent (30%), where evidence shows that proposed parking will be adequate, notwithstanding provisions in Part 11.**

COMMENT: Since the owner is proposing a mix of residential and commercial uses in this Detailed Site Plan, the site plan shall set out the regulations to be followed, consistent with the development regulations set forth in the Central US 1 Corridor Sector Plan. The Sector Plan sets forth the number of parking spaces to be provided. The Property is within the Walkable Node Character Area. As noted in the attached Compliance Matrix, parking is required at a ratio of one (1) parking space per dwelling unit and three (3) spaces per 1,000 square feet of retail space in the Walkable Node. Under this formula, 329 spaces would be required. There are also provisions for utilizing a shared parking space formula. The Applicant proposes 359 parking spaces. As discussed below, a modification from the parking requirements is requested.

**10.0 CONFORMANCE WITH THE DEVELOPMENT DISTRICT OVERLAY
ZONE STANDARDS OF THE CENTRAL US 1 CORRIDOR SECTOR
PLAN AND REQUEST FOR MODIFICATIONS**

The Central US 1 Corridor DDOZ contains certain Development District Standards. As set forth in the DDOZ, the standards are organized into four main categories: (1) Building Form; (2) Architectural Elements; (3) Sustainability and the Environment; and (4) Streets and Open Spaces. Attached hereto as Exhibit "A" is a Development District Standards Analysis. This analysis evaluates conformance of the Detailed Site Plan with each standard applicable to the Property. While these standards define the character of new development sought for the area, they vary depending on the location of the property. As noted above, the Property is in the Walkable Node Character Area. While most of the proposed development conforms to the Walkable Node Design Standards, there are certain Design Standards which cannot be met. Thus, modifications are sought where necessary.

As explained in Exhibit "A," the design team has addressed conformance with each of the applicable design standards. The analysis indicates where modifications from the Design Standards are required. Modifications of the Development District Standards are permitted through the process described in Section 27.548.25(c) of the Zoning Ordinance:

If the applicant so requests, the Planning Board may apply development standards which differ from the approved Development District Standards, unless the

Sectional Map Amendment provides otherwise. The Planning Board shall find that the alternative Development District Standards will benefit the development and the development district and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

The modifications of the Development District Standards requested by the Applicant are addressed below.

10.1 MANDATORY SHOPFRONT AND BUILD-TO-LINE: DEVELOPMENT CHARACTER NORTH OF MD 193 (p. 229)

The Sector Plan contains a map (Map 26) that shows areas within the corridor where mandatory shopfronts are to be located. One such area is on the east and west sides of Baltimore Avenue from MD 193 to Erie Street. Mandatory shopfront is defined on Page 269 of the Sector Plan as: "Buildings within an area designated for a mandatory shop frontage shall design and build the ground floor as shopfronts." The Applicant substantially conforms to this requirement. The Applicant is proposing to provide commercial/retail uses on the southern end of the proposed development adjacent to Cherokee Street and amenity space designed as shop frontage along the northern end of the proposed development adjacent to Delaware Street. The total percentage of the frontage along Baltimore Avenue, exclusive of the opening of the garage, is 60% of the entire frontage. To the extent that this percentage is not 100%, the Applicant requests an amendment to the Development

District Standard. This request is influenced by several factors.

First, the topography of the Property drops significantly from Delaware Street to Cherokee Street, making the provision of commercial uses along the entire road frontage very challenging. Second, the parking garage is located along the southern end of the development along Cherokee Street. The parking garage will provide parking for the commercial customers. Due to the length and topography of the property frontage, access to the garage cannot be provided from Delaware Street. Finally, the adjacent approved and proposed developments have oriented their commercial components toward the intersection of Cherokee Street and Baltimore Avenue, where a traffic signal is located. In particular, the Monument development across the street does not provide shopfronts along its northern frontage on Baltimore Avenue, as it exhibits a similar topography to the subject Property. The Applicant has, however, concentrated its amenity spaces along the northern portion of the property to not only increase the percentage of mandatory shopfront, but also to increase the percentage of non-residential use. The combination of these efforts substantially satisfies the intent of the Sector Plan, will benefit the development and the development district, and will not substantially impair implementation of the Sector Plan.

As referenced above, the Subject Property is in an area designated as a Walkable Node. In the Walkable Node, a front build-to-line along principal roadways is 0-10 feet. However, in areas designated as mandatory shopfront, buildings are required to have a build-to-line of zero feet. In this instance, the building is set back 10 feet from the right of way line (with the exception of a recess to accommodate the building entrance and four recesses to accommodate balconies). This setback requires an amendment to the Development District Standards. The 10' setback is necessary to provide a 10' public utility easement, which was not contemplated in the Sector Plan when it required a zero-foot build-to-line. The public utility easement was required by Condition 3(c) of Preliminary Plan of Subdivision 2-22007, which was approved for the Subject Property. Due to the requirement to establish the PUE, the Applicant is now not able to conform to the zero-foot build-to-line-requirement.

10.2 BUILDING FORM: WALKABLE NODES; FRONT BTL SECONDARY (p. 234)

The Sector Plan contains specific requirements for building setbacks in each of the Character Areas. From principal roadways, a building setback of 0'-10' is required. This setback is addressed in Section 10.1 above. For secondary roadways, such as Delaware Street and Cherokee Street, the

setback requirement is 0'-12'. Along Delaware Street, the building is setback between 11.5' and 15.6' from the right of way line. Along Cherokee Street, the building is setback between 11.9' and 29.6' from the right of way line. An amendment of 3.6' for the build-to line requirement along Delaware Street is requested and 17.6' to the setback requirement along Cherokee Street is requested.

Cherokee Street does not intersect with Baltimore Avenue at a right angle. Rather, it angles in a southeasterly direction from its intersection with Baltimore Avenue. The entrance to the parking garage is located on Cherokee Street. The garage will be a precast structure which is rectangular. As such, it does not follow the angle of Cherokee Street. At the corner of Baltimore Avenue and Cherokee Street, the building is 11.9 feet from the property line to provide the PUE required by Condition 3(c) of the Preliminary Plan but is 29.6' at the southeastern corner of the building. As a result, an amendment from the build-to line setback is required. In this instance, the additional setback is justified. The topography of the property makes Cherokee Street the only viable location for the parking garage. The design of the parking garage does not allow it to follow the angle of Cherokee Street. The liner buildings screening the garage are constructed at the same angle as the garage and does not parallel Cherokee Street. The slightly

greater setback will be beneficial as it avoids creating a tunnel effect at the corner, particularly for pedestrians living further down Cherokee Street. As a result, in this instance, the requested amendment will benefit the development and the development district and will not substantially impair implementation of the Sector Plan

Along Delaware Street, an electrical line extends from Baltimore Avenue along the north side of Delaware Street but then crosses Delaware Street to the south side approximately midway between Baltimore Avenue and 48th Avenue. Where there is no electrical line along Delaware Street, the building complies with the BTL requirement of 12'. However, where the telephone pole and overhead electrical line are located on the south side of Delaware Street, the building is pushed back an additional 3.9' to provide room to allow the building to be constructed and to provide sufficient separate from the building (and balconies) to the electrical lines. Thus, the existing condition forces a minor amendment to the Development District Standard to ensure safe clearance. This is a minor modification which will not negatively impact the project or alter the intent of the standard to construct the buildings close to the street. As a result, in this instance, the requested amendment will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

10.3 BUILDING FORM: STEP-BACK TRANSITIONS & LANDSCAPE BUFFERS (p. 238)

The Sector Plan requires that buildings be stepped back when they are located across the street from, or share a rear property line with, "existing residential areas". Map 26 on Page 229 of the Sector Plan identifies the location of "existing residential" within the Sector Plan boundaries. None of the existing residential areas abut the Subject Property. Thus, it is the Applicant's understanding that the step-back requirements are not applicable to the proposed development.

During the pre-application meeting, however, one of the comments received was "A stepback transition will be required along the 48th Street frontage across from the existing residential area per DDO standard (page 238)." If it is determined that the residentially developed area across 48th Avenue is considered an "existing residential area" even though it is not designated as such in the Sector Plan, the Applicant would request an amendment from the stepback transition requirement.

The rear property line is across from residentially zoned and developed lots across 48th Avenue. Significantly, the two immediately abutting lots across 48th Avenue (Lots 1 and 9 in the Daniel's Park Subdivision) are being acquired by the Applicant. Lot 1 is improved with a house while Lot 9 is unimproved. The

Applicant intentionally excluded these lots from the proposed development to maintain a transition area between the proposed development and other residential homes further to the east. Therefore, the impacts to residential areas which the Sector Plan seeks to avoid will be greatly minimized.

In response to the pre-application comments and preliminary feedback from the City of College Park, the Applicant has designed a stepback and landscape buffer into the project but in a manner that is different than as specified in the Sector Plan. When a stepback is applicable, the Sector Plan (Page 238) states that "a stepback transition and/or a landscape buffer shall be required." The Sector Plan further states that where a block that fronts US 1 is across the street from an existing residential block, "the tallest buildings shall be located fronting US 1" and "the development shall step down through the block to a maximum height of two or three stories facing existing residential development". The Sector Plan also provides that landscape buffers in combination with stepback transitions are appropriate when walkable node areas share a property line with existing residential areas.

The Subject Property is unique in a number of respects. First, the northeastern boundary of the Subject Property abuts the right of way for 48th Avenue. However, 48th Avenue is not improved as a street. Rather, the western half is used as a

parking lot for the existing hotels. The Applicant proposes to improve 48th Avenue to a standard approved by the City of College Park that will provide vehicular and pedestrian access to the rear of the proposed development. Second, the property falls topographically from the northern property line on Baltimore Avenue to the southern property line on Cherokee Street. The property also falls topographically from Baltimore Avenue. As initially designed, the proposed building was five stories at the corner of Baltimore Avenue and Delaware Street and six stories at the corner of Baltimore Avenue and Cherokee Street. To accommodate the drop in grade from west to east, the building was seven stories in the rear along 48th Avenue. The Applicant has revised the building design to reduce the height of the building along 48th Avenue to five stories. While this is greater than the three-story height referenced in the Sector Plan, the Applicant is proffering to utilize Lots 1 and 9 as a landscaped buffer between the existing residential and the proposed development. The Applicant will be entering into covenants with the City of College Park related to the maintenance of 48th Avenue, which will be constructed in the public right of way but will be maintained by the Applicant as it will only serve the proposed development. The covenant will ensure that the Applicant will landscape Lots 1 and 9 and maintain that landscaping. The initial landscape plan for these

lots showed the landscaping concentrated on Lot 1. The City requested that the landscaping be extended in an eastern direction along the northern boundary of Lot 9 in order to provide additional screening for the homes fronting on Delaware street. The combination of the building stepback, the distance from the proposed building to the nearest residential structure and the landscaping of Lots 1 and 9 will ensure an appropriate transition between the walkable node and the existing residential area. A detail depicting the landscaping proposed on Lots 1 and 9 is included with the Detailed Site Plan.

The DDOZ regulations allow for reasonable amendments to the Design Standards provided that they do not substantially impair implementation of the Sector Plan. The Applicant submits that the proposed stepback and landscape buffer will implement the intent of the Sector Plan but in a manner that is different than envisioned by the Sector Plan. The Applicant submits that a modification of the step-back requirement would benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

10.4 BUILDING FORM: PARKING (p. 239)

The Sector Plan provides a formula for calculating required parking. In the Walkable Node, one space is required per dwelling unit, and three spaces are required for every 1,000 square feet of retail commercial space. Given that the Applicant

proposes 317 multifamily dwelling units and 3,510 square feet of commercial retail space, 329 spaces would be required. The Applicant proposes 359 total spaces, 30 more than are required. The Sector Plan provides that any deviation from the required parking figures shall require a modification. The Applicant has proposed additional spaces to allow for market-appropriate residential parking, sufficient parking for the commercial space, and possible guest and/or future tenant parking. All parking will be located within a single structured parking garage as encouraged by the Sector Plan. As a result, the Sector Plan's goals of reducing surface parking will still be met while providing sufficient parking to future residents and retail customers. The Applicant submits that this modification will therefore benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

10.5 BUILDING FORM: PARKING ACCESS (p. 241)

While the Sector Plan permits access from primary street frontages, it discourages this practice to the fullest extent practicable where alternative access is available. The Property is proposed to have two access points. The primary access will be from Cherokee Street and a secondary access will be from Baltimore Avenue. During the processing of the Preliminary Plan of Subdivision, access was addressed. It was determined that

the full access to the site will occur to the parking garage from Cherokee Street and the Baltimore Avenue access will be limited to right-out movements only. The garage is designed to allow primary access from Cherokee Street because the intersection at Baltimore Avenue is controlled by a signal. Vehicles will be able to enter the garage on Cherokee Street, drive up the ramp to a drop off area and exit onto Baltimore Avenue. The drop off area will allow Uber/Lyft drivers and delivery vans easy access to the building under cover. The primary access is also oriented to Cherokee Street as this will be the location of the commercial/retail portion of the building. Due to the relatively shallow depth of the property, if access were only provided from Cherokee Street, then there may not be sufficient room at the traffic signal for vehicles to exit. The exit onto Baltimore Avenue addresses this concern. The secondary egress on Baltimore Avenue also improves the function of the Cherokee Street intersection because it does not force all turning movements into or out of the site to utilize this intersection. Finally, due to the topography of the site and the location of the garage along the southern end of the building, access to the parking garage cannot be provided from Delaware Street. Delaware Street is, however, used to access 48th Avenue, which will provide access to the service areas and remove them from Baltimore Avenue. It should also be noted that

Baltimore Avenue currently has four points of access, all of which are full movement, serving the three existing hotels. The proposed development will reduce the number of access points from four full movement entrances to a single right-out only egress from the garage. This will remove multiple existing points of potential traffic conflict and substantially improve the exiting condition. Therefore, by reducing the number of access points, the proposed development still satisfies the intent of the Sector Plan.

The Sector Plan further requires that access drives to parking lots or garages be no wider than 22 feet. The Applicant is proposing that the access from Delaware street be 24-feet in width. Thus, a modification is required. The width of the entrance on Delaware Street is requested because this entrance also serves as the access to the commercial space and the loading space serving the commercial space. All residents, all delivery vehicles, all Uber/Lyft drivers and all vehicles accessing the loading space will exclusively use this entrance for increases. Also, vehicles exiting the building to travel south on Baltimore Avenue will also utilize this entrance to exit the garage. Allowing a modest amount of additional room will facilitate vehicle movement and truck ingress and egress, particularly for those vehicles exiting the loading space, and ensure that safe ingress and egress are provided.

10.6 ARCHITECTURAL ELEMENTS: FACADES & SHOPFRONTS
(p. 246)

The Sector Plan requires that residential units have a raised finish floor at least 24 inches above the sidewalk grade. In this case, roughly 3 units along Baltimore Avenue and roughly 2 units along Delaware Street will be less than 24 inches above sidewalk grade. This is primarily due to grading constraints. For these units, privacy blinds will be provided to ensure that these units have an appropriate level of privacy. The building itself will be secure and only accessible to residents and guests. For the reasons, the Applicant submits that a modification in this instance is justified and will not impair implementation of the Sector Plan.

10.7 ARCHITECTURAL ELEMENTS: MATERIALS (p. 251)

The Sector Plan provides a list of siding materials which are encouraged to be used, including composition board such as Hardiplank siding. The siding materials proposed by the Applicant include horizontal lap siding made of fiber cement as well as fiber cement panels. The Sector Plan permits vertical wood board and batten siding but does not specifically mention fiber cement board. The Applicant submits that the use of cement fiber panel will not impair implementation of the Sector Plan. As shown on the architectural elevations submitted with this plan, the building will be constructed with an attractive

and distinctive design aesthetic that otherwise satisfies the Sector Plan vision for revitalization in the Walkable Node Character Area.

10.8 SUSTAINABILITY AND THE ENVIRONMENT (p. 256)

The Sector Plan states that LEED-Silver certification is desired for all new development. The proposed development will pursue certification under an alternative rating system, National Green Building Standard Silver (NGBS Green-Silver Level Certification). Information about the program can be found at https://www.homeinnovation.com/services/certification/green_homes/multifamily_certification. Thus, while the Applicant is not seeking LEED Silver certification, it is seeking certification through an alternate standard which substantially complies with the intent of the Sector Plan. Therefore, the modification of the standard proposed in this instance will benefit the development and the development district and will not substantially impair implementation of the Sector Plan.

11.0 DEPARTURES FROM DESIGN STANDARDS

Pursuant to Section 27-548.25(e), "if a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards." A structured parking garage will be provided to meet the parking needs of the

proposed development. The Applicant is proposing two modifications to the requirements of the Zoning Ordinance which require a departure. First, the Applicant proposes to include 9' X 18' parking spaces rather than the 9.5' X 19' spaces typically required by Section 27-558 of the Zoning Ordinance. Second, the Applicant proposes that the height of the garage entrance which accesses the loading space internal to the building be 13'6" high and the ceiling clearance above the loading space is 14' high. Section 27-578(a) of the prior Zoning Ordinance provides that for commercial uses with a gross floor area exceeding 3,000 square feet, the height of the loading space must be 15 feet if the height is covered or obstructed. Section 27-578(b) states that the doorway entrance to an interior loading space must also be 15 feet high. The Central US 1 Corridor Sector Plan does not modify the size of parking spaces required by the Zoning Ordinance or the height of loading spaces, and therefore the normal requirements would apply. As a result, this Departure from Design Standards is requested to allow a 1'6" reduction in the height of the doorway entrance and 1' in the covered height of the loading space in conjunction with the approval of the DSP.

CRITERIA FOR APPROVAL

The Planning Board is authorized to grant departures from the parking and loading space size requirements in accordance

with Section 27-548.25(e) and Section 27-239.01. Section 27-239.01(b)(9)(A) sets forth the following findings the Planning Board must make to grant a departure:

- (i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Part 11 of the Zoning Ordinance addressing Parking and Loading are found in Section 27-550. For parking, the primary purpose is to ensure that all buildings and uses provide off street parking which is "...sufficient to serve the parking and loading needs of all persons associated with the buildings and uses." The Applicant submits that the purposes of the parking and loading regulations will be equally well or better served by the proposed site plan. The modification to the size of the parking spaces ensures a consistent parking space size accessible to all residents and guests. The height of the parking garage entrance is sufficient to accommodate the anticipated tenant of the space and there are two outdoor loading spaces with no height obstruction which are capable of serving the needs of the commercial space. The Applicant submits that the proposed use and site plan are also in harmony with the purpose of the Zoning Ordinance. Section 102(a) of the Zoning Ordinance lists the purposes of the Zoning Ordinance.

- (1) **To protect and promote the health, safety, morals, comfort, convenience and welfare of the present and future inhabitants of the County;**

COMMENT: The proposed development will assist in implementing several recommendations of the DDOZ by redeveloping older commercial uses and replacing them with development consistent with the DDOZ Development Standards. The building will be designed and constructed in accordance with all applicable regulations, ensuring that the health, safety, and welfare of the present and future inhabitants of the County are protected. Permitting a modified parking space size or reducing the height of the loading space access and obstructed height by the amount requested feet will not impact any of these factors.

- (2) **To implement the General Plan, Area Master Plans, and Functional Master Plans;**

COMMENT: Conformance with the DDOZ is addressed elsewhere in this justification. The alteration of parking space sizes and the height of one loading space has no impact on the implementation of the General Plan or DDOZ.

- (3) **To promote the conservation, creation and expansion of communities that will be developed with adequate public facilities and services;**

COMMENT: Adequate public facilities has been addressed as part of the preliminary plan of subdivision and DSP approved for the Property. The modification of parking space sizes and the

height of one loading space has no impact on adequate public facilities and services.

- (4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry and business;**

COMMENT: The Applicant has addressed how the proposed development implements several recommendations of the DDOZ herein. The Property is zoned M-U-I and the approval processes required for this use ensure orderly growth and development is considered.

- (5) To provide for adequate light, air, and privacy;**

COMMENT: All of these issues are addressed as part of this companion Detailed Site Plan.

- (6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from the adverse impacts of adjoining development;**

COMMENT: Providing adequate off-street parking allows the Applicant to ensure that the most beneficial relationship between the proposed use and the existing community be provided. Larger parking spaces would reduce the efficiency of the design of the parking structure. This requested departure achieves the balance of an efficient parking layout and provision of adequate parking. Three loading spaces are provided to serve the building. Two of the spaces are not covered or obstructed. The

space that is covered is adequate to serve the needs of the proposed tenant.

(7) To protect the County from fire, flood, panic and other dangers;

COMMENT: All of these issues are addressed as part of this Detailed Site Plan and the departure has no impact on these issues.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

COMMENT: The proposed use will provide affordable housing in College Park consistent with the recommendations of the DDOZ.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

COMMENT: The proposed development will replace three older motels consistent with the goals of the DDOZ for the US 1 Corridor and will also increase the tax base of the County.

(10) To prevent overcrowding of the land;

COMMENT: The proposed use will add housing where existing public facilities are located. Modified parking space sizes will assist in ensuring the lot will not be overcrowded.

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

COMMENT: The proposed use will have sufficient parking spaces and access to the site will be provided to allow convenient

access to the parking garage. This will ensure congestion on the street will not occur. There are additional loading spaces provided with no height obstruction should one ever be needed.

(12) To insure the social and economic stability of all parts of the County;

COMMENT: Upgrading land uses in the Baltimore Avenue corridor consistent with the Sector Plan will improve the social and economic stability of the County.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas and other similar features;

COMMENT: The departures requested do not impact these matters, but they are addressed as part of the companion DSP.

(14) To provide open space to protect scenic beauty and natural features of the County, as well as provide recreational space; and

COMMENT: These matters are not impacted by the proposal to provide smaller sized parking spaces or to alter the height of one of the loading spaces.

(15) To protect and conserve the agricultural industry and natural resources.

COMMENT: The proposed use will have no negative impact on the agricultural industry or natural resources.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The departure from Section 27-558(a) sought by the Applicant for its proposed 9' x 18' parking spaces is the minimum necessary given the specific circumstances of this request. By providing universal sized parking spaces within the garage, the design of the garage is more consistent and ensures that vehicles will fit within every space in the garage. The departure from the required standard car size is necessary to maximize the efficiency of the parking garage and provide the requisite number of parking spaces for the proposed use.

The departure from Sections 27-578(a) and (b) is the minimum necessary related to the specific circumstances of this request. Parking will be provided in a precast garage. Full ingress and egress to the garage will be provided from Cherokee Street. An exit onto US 1 is being provided as well. The Subject Property slopes approximately 20 feet from its intersection with Delaware Street to the garage access on Cherokee Street. The slope impacts the ability to provide the full height of 15 feet at the access to the garage. The Applicant has consulted with the tenant to ensure that the height which can be provided (13'6" for the entrance and 14' for the obstructed height) is sufficient to accommodate the needs of the use. It is also important to note that there are two other

loading spaces provided to serve the project. The other two loading spaces are not restricted by height. Thus, if the need to accommodate a higher truck were to occur, it can be easily accommodated by these other two loading spaces.

(iii) The departure is necessary in order to alleviate circumstances which are unique to this site or prevalent in areas of the County developed prior to November 29, 1949;

COMMENT: This criterion is inapplicable to this application.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;

COMMENT: The Applicant is proposing 9' X 18' parking spaces for all the parking spaces with the exception of the handicap parking spaces. Moreover, the off-street parking proposed by the Applicant exceeds the number required by the DDOZ and is adequate to serve the needs of all persons associated with the building or use. The use of universal sized parking space has become the more common standard in modern zoning ordinances. Although this application is filed pursuant to the old Zoning Ordinance, the current Zoning Ordinance standard for parking space size is 9 feet by 18 feet. Thus, the departure requested in this case is consistent with the new requirement. This creates a more efficient and functional parking layout within the garage and will serve the purposes of the subtitle equally well.

The project is required to provide three loading spaces. Per Section 27-582(a), for multifamily dwelling, one loading space is required for a project between 100-300 dwelling units and one additional space is required for each additional 200 dwelling units or fraction thereof. The proposed project contains 317 dwelling units, thus requiring two loading spaces. For retail sales and services uses, one loading space is required for spaces between 2,000-10,000 square feet. The project proposes 3,296 square feet, requiring a third loading space. Two of the loading spaces will be located behind the building and accessed from 48th Avenue. The third loading space is in the garage adjacent to the commercial space. It is anticipated the loading spaces behind the building will primarily serve the residents for move-ins and move-outs and for the delivery of large items like furniture. The loading area will have access to the entire building, including the commercial space. It is anticipated that the loading space in the garage will predominantly serve the commercial space, as it is located immediately adjacent to it. The Applicant has consulted with the projected tenant to ensure that the height of the access to the loading space will not impair the functionality of the use. As noted above, the loading spaces to the rear of the building will also be available to serve the commercial space if needed.

12.0 REQUIRED FINDINGS FOR DETAILED SITE PLANS

The required findings which the Planning Board must make when approving a Detailed site Plan are set forth in Section 27-285(b) of the Zoning Ordinance. Each of the required findings is addressed below:

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.**

COMMENT: The Applicant submits that the proposed plan represents a reasonable alternative for satisfying the site design guidelines. In this case, the site design guidelines are established by the Design Standards set forth in the DDOZ, which have been addressed above.

- (2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).**

COMMENT: This criterion is not applicable as no Conceptual Site Plan is required in the M-U-I Zone.

- (3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for**

**grading, reforestation, woodland conservation,
drainage, erosion, and pollution discharge.**

COMMENT: This criterion is inapplicable as the proposed site plan is not a Detailed Site Plan for Infrastructure.

(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).

COMMENT: The Preliminary Plan of Subdivision (4-22007) has been approved and the Planning Board found that there were no regulated environmental features impacting the Subject Property. As a result, the Planning Board can find conformance with the requirements of Subtitle 24-130(b)(5).

13.0 CONCLUSION

Based on the above, the Applicant submits that with the modifications requested, the proposed development conforms with the DDOZ Design Guidelines and Standards. In addition, the proposed Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. Therefore, the Applicant respectfully requests approval of the Detailed Site Plan.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'T. Haller', enclosed in a thin black rectangular border.

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THE FLATS AT COLLEGE PARK
RST Development, LLC
DSP-22015
Development District Standards Analysis
Central US 1 Corridor Approved Sector Plan
and Sectional Map Amendment
August 12, 2022
Revised 11.18.22

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Central US 1 Corridor - Approved Sector Plan and Sectional Map Amendment – June 2010

Chapter 6: Implementation Recommendations

Item #	Section	Location in Sector Plan	Description	Applicant Comment	District Standards Analysis
1	Building Form/ Orientation	P. 231	<p>Primary and Secondary Streets US 1, Rhode Island Avenue, and Autoville Drive shall function as primary frontage streets at all times. In the event a lot has frontage on both US 1 and Autoville Drive, the primary frontage for that lot shall be US 1. Other streets may be designated primary frontage streets if requested by the applicant and approved by the Planning Board and District Council (as appropriate) as an amendment to the development district standards at the time of detailed site plan review.</p> <p>All east–west oriented streets in the study area shall function as secondary frontage streets or side streets when a corner lot is located at the intersection of major north– south and east–west streets.</p> <p>When mid-block lots front east–west oriented streets, the east–west oriented street serves as the primary frontage street for that lot.</p>	<p>A: This project is located on US 1 between Cherokee Street and Delaware Street. These east-west oriented streets are therefore side streets. The development is oriented toward US 1 as its primary frontage.</p>	Complies

2	Building Form/ Orientation	P. 231	<p>Building Orientation</p> <p>Buildings and lots have fronts, sides, and backs. Fronts display a building's façade and shall face the public realm. The backs of buildings and lots, which are the private or service side, shall face mid-block and be screened from view. Sides of buildings and lots may face either the public realm or may be concealed mid-block.</p> <p>Frontage streets and side streets shall be faced with the fronts or sides of buildings and lots.</p> <p>Rear alleys and mid-block parking areas shall be faced with the backs or sides of buildings and lots.</p>	<p>A: This project has frontage on three streets, with US 1 being a primary street and Delaware and Cherokee Streets being side streets. The building also has frontage on 48th Avenue, which is a Secondary Urban street. The building is oriented with the front facing US 1 and fronts or sides facing the side streets.</p>	Complies
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3	Building Form/ Character area 5a	P. 234	<p>Walkable Nodes</p> <p>BUILDING CONFIGURATION</p> <ol style="list-style-type: none"> 1. Building height shall be measured in number of stories, excluding attics and raised basements. 2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial use, which must be a minimum of 11 ft. with a maximum of 25 ft. 3. Height shall be measured to the eave or roof deck. 4. Expression lines shall be as shown in the Architectural Elements Section. <p>SETBACKS</p> <ol style="list-style-type: none"> 1. The facades and elevations of buildings shall be distanced from the lot lines as shown. 2. Facades shall be built along the principal frontage to the minimum specified by the frontage buildout. <p>PARKING PLACEMENT</p> <ol style="list-style-type: none"> 1. Uncovered parking spaces may be provided within the third layer or setback at least 20 feet from the BTL. 2. Covered parking shall be provided within the third layer. 3. Trash containers shall be stored within the third layer. 	<p>A: The maximum building height along Baltimore Ave. and Cherokee St. is 6 stories.</p> <p>The max building height along Delaware St. and 48th St. is 6 stories above a basement level.</p> <p>Each residential story does not exceed 14'-0" and our ground floor commercial space is maximum 18'-0" ceilings.</p> <p>The building is set back 10 feet on Baltimore Avenue, 29.6 feet on Cherokee Street and a maximum of 15.6 feet on Delaware Street. The BTL on Baltimore Avenue is 0 feet (see Mandatory Shopfront standard p. 229) and the BTL on Cherokee Street and Delaware Street is 0-12 feet max. An amendment is required.</p> <p>All parking is located within a structured parking deck within the required setbacks.</p> <p>All trash is located within the building.</p> <p>The frontage buildout is 86% at the build-to line</p> <p>The lot coverage is 68%</p>	AMEND- MENT REQUIRED
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29.



Walkable Nodes

BUILDING CONFIGURATION

Principal building height	6 stories max, 2 min.
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LOT OCCUPATION

Frontage buildout	80% min. at BTL
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Lot coverage	80% max.
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SETBACKS - BUILDING

(g.1) Front BTL principal	0 ft. min. 10 ft. max.
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(g.2) Front BTL secondary	0 ft. min. 12 ft. max.
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(g.3) Side setback	0 ft. min. 24 ft. max.
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(g.4) Rear setback	10 ft. min.
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PRIVATE FRONTAGES (See page 236)

Common lawn	not permitted
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Porch & fence	not permitted
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Terrace or L.C.	permitted
-----------------	-----------

Forecourt	permitted
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Stoop	permitted
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Shopfront & awning	permitted
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Gallery	permitted
---------	-----------

Arcade	permitted
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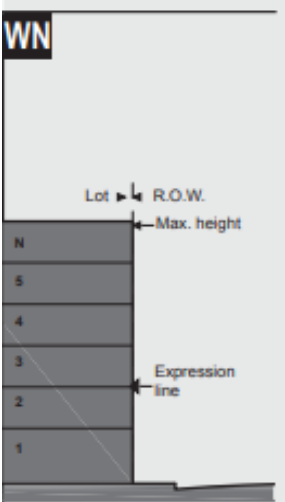
"N" stands for any stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

"BTL" stands for "build-to line."

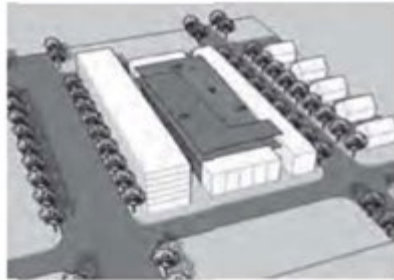
Up to eight additional feet may be added to the Front BTL principal build-to line only for the provision of cycle tracks along Baltimore Avenue (US 1).

4	Building Form/ Private Frontages	P. 234	<p>The following images illustrate the different possible arrangements of the private frontage along the primary frontage street, according to the appropriate character area. All of the following elements are permitted to encroach into the setback; galleries and arcades are permitted to encroach into the right-of-way (R.O.W.), with the permission from the applicable transportation agency. The combination of building form and private frontages adds flexibility, diversity, and interest to the built environment.</p>	<p>A: The proposed building has private balconies along the building frontage which is a permitted private frontage.</p> <p>There are no building elements that encroach into the right-of-way.</p>	Complies
			Porch and Fence	Not Applicable to Walkable Node	N/A
			<p>Terrace or Lightwell: A frontage wherein the facade is setback from the frontage line by an elevated terrace or a sunken lightwell. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: dooryard.</p>	<p>A: This building has no lightwells</p>	N/A
			<p>Forecourt: A frontage wherein a portion of the facade is close to the frontage line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other frontage types. Large trees within the forecourts may overhang the sidewalks.</p>	<p>A: This building has no forecourt</p>	N/A

		<p>Stoop: A frontage wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p>	<p>A: This building has no entry stoops</p>	<p>N/A</p>
		<p>Shop Front A frontage wherein the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that should overlap the sidewalk to within two feet of the curb. Syn: retail frontage.</p>	<p>A: This building has a commercial shop front at the corner of Baltimore Ave. and Cherokee St. An amendment is requested for Mandatory Shopfront along entire frontage of property.</p>	<p>Amendment Requested</p>
		<p>Gallery A frontage wherein the façade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 10 feet wide and should overlap the sidewalk to within two feet of the curb.</p>	<p>A: This building has no Galleries</p>	<p>N/A</p>
		<p>Arcade A colonnade supporting habitable space that overlaps the sidewalk, while the façade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use. The arcade shall be no less than 12 feet wide and should overlap the sidewalk to within two feet of the curb.</p>	<p>A: This building has no Arcade</p>	<p>N/A</p>

5	Building Form/ Massing	P.237	<p>Massing requirements are shown for new construction up to ten stories and are designed to ensure new development is responsive to issues of scale, natural lighting, and pedestrian comfort. An expression line is required in the corridor infill and walkable node character areas above the second story. Buildings shall include a step-back after eight stories. The maximum height of an arcade varies with building heights.</p> <p>Please note that "N" stands for any stories above those shown, up to the maximum. Refer to specific character area charts on pages 233–235 for exact minimums and maximums.</p> <p>Building heights in excess of those specified in the development district standards shall be considered detrimental to the vision of the sector plan and the goals of this development district.</p> 	<p>A: There is a building expression line in the form of change in material, building plane, and color to express the second floor datum along all frontage roads at level 2. See elevations.</p> <p>This building is less than 8 stories, therefore requires no building step-back</p>	Complies
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6	Building Form/ Step-Back Transitions & Landscape Buffers	P.238	<p>Generally, compatible buildings and uses should be located adjacent to each other. However, along historically commercial strips, tall buildings often share rear lot lines with residential buildings. Where corridor infill and walkable node areas are across the street from or share a rear property line with an existing residential area, a step-back transition and/or a landscape buffer shall be required for all new development within the corridor infill and walkable node areas.</p> <p>Step-back transitions are appropriate where corridor infill and walkable node areas are across the street from existing residential areas. This scenario is illustrated in the top two diagrams on this page, where a block that fronts US 1 is across the street from an existing residential block. The tallest buildings shall be located fronting US 1. The development shall step down through the block to a maximum height of two or three stories facing existing residential development. The top image illustrates the use of a mid-block parking garage that is masked by a residential liner building, while the middle image illustrates a surface parking lot that is similarly screened by townhouse liner buildings.</p> <p>Landscape buffers in combination with step-back transitions are appropriate when corridor infill and walkable node areas share a property line with existing residential areas. This scenario is illustrated in the bottom image on the next page. The buffer area shall be consistent with the standards of the Landscape Manual.</p>	<p>A: An amendment is requested from the step-back requirement. The DSP depicts a setback and landscape buffer into the project but in a manner that is different than as specified in the Sector Plan. The rear property line abuts a residential area to the east across 48th Avenue. The Applicant owns the two lots immediately across 48th Avenue (Lots 1 and 9), including a single-family detached residence. These lots were not included in the subject DSP so that they can be retained as a transitional area for the residences located further east.</p> <p>When a setback is applicable, the Sector Plan (Page 238) states that "a setback transition and/or a landscape buffer shall be required." The Sector Plan further states that where a block that fronts US 1 is across the street from an existing residential block, "the tallest buildings shall be located fronting US 1" and "the development shall step down through the block to a maximum height of two or three stories facing existing residential development". The Sector Plan also provides that landscape buffers in combination with setback transitions are appropriate when walkable node areas share a property line with existing residential areas. The Applicant has reduced the height of the building along 48th Avenue to five stories, which is greater than the three-story height referenced in the Sector Plan and the Applicant is proffering to raze the existing dwelling on Lot 1 and utilize Lots 1 and 9 as a landscaped buffer between the existing residential and the development.</p>	Does not comply. Amendment Requested.
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Stepback transition with a mid-block parking structure and residential liner buildings.



Stepback transition with a mid-block parking lot and townhouse liner buildings.



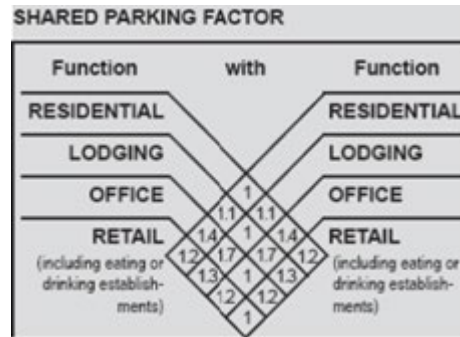
Landscape buffer between corridor infill development and an existing residential area.

7	Building Form/ Parking	P.239	<p>1- The number of parking spaces required in the Central US 1 Corridor sector plan area is specified in this section for residential, lodging, office, and retail (including eating or drinking establishments) use. Any deviation from this standard shall require a modification of the development district standards.</p> <p>2- The number of parking spaces required for uses not listed here shall be reduced fifty percent from the number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. Any deviation from this standard shall require a modification of the development district standards.</p>	<p>A: The development will provide roughly 359 spaces. This is 31 spaces more than the required parking. This allows for market-appropriate residential parking, required retail parking, and possible guest/future tenant parking.</p> <p>Required Residential Parking = 317 spaces (1 per Dwelling) (317 Dwellings proposed)</p> <p>Required Retail Parking = 11 spaces (3 spaces / 1,000 sf) (3296 sf proposed)</p>	Does not comply Amendment Requested.
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3- Within a public parking district established by a public entity, required parking may be waived if a fee-in-lieu is paid on a per-space basis to the public entity that manages the parking district, at a rate to be determined by the public entity and based on a preliminary engineering cost estimate for the parking facility, provided that public parking is available within one-quarter mile of the development.

4- Within the corridor infill and walkable node areas, a minimum of one bicycle parking space shall be provided within the public or private frontage for every three vehicular spaces. Bicycle racks shall be placed in highly visible locations along the street or within parking garages as appropriate.

5- Mixed-use development may use the shared parking factor (see diagram on this page) to determine appropriate reductions in parking for shared usage. The required parking is calculated by adding the total number of spaces required by each separate function and dividing the total by the appropriate factor. When three functions share parking, use the lowest factor.



Mixed-use Parking calculation

317 sp residential

+11 sp retail

328 total sp required / residential: retail factor 1.2 = 274 spaces

			<p>Residential (in WN) The number of dwellings on each lot is limited by the requirement of 1 parking place for each dwelling.</p>	<p>A: See response above</p>	
			<p>Retail (in WN) (including eating or drinking establishments) Retail buildings are limited in square footage to what is required to provide three assigned parking places per 1,000 square feet of net retail space.</p>	<p>A: See response above</p>	

8	Building Form/ Parking Access	P.241	<p>Parking Access</p> <p>- When present, alleys shall be the primary source of access to off-street parking. Parking along alleys may be head-in, diagonal, or parallel.</p> <p>1. Alleys may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the alley shall be maintained. Access between parking lots across property lines is also encouraged.</p> <p>2. When alleys are not present, secondary frontage or side streets may be used as the primary source of access to off-street parking.</p> <p>3. When neither alleys, secondary frontage, or side streets are present, primary frontage streets may be used as the primary source of access to off-street parking, with a driveway that either passes to the side of the building or through the building. See Figures 3 and 4. This condition should be avoided to the fullest extent possible to reduce the number of driveways.</p> <p>4. Circular drives shall be prohibited for all uses except for civic buildings.</p> <p>5. The vehicular access drive of a parking lot or garage shall be no wider than 22 feet.</p>	<p>A: All parking is located in a structured precast parking deck, located towards the rear yard setback. A full movement 24' wide entrance/exit is provided on Cherokee Street and a right-out only exit is provided on Baltimore Avenue.</p> <p>The 24 foot wide vehicular access drive on Cherokee is 24 feet wide.</p>	Does not comply Amendment Requested
9	Building Form/ Parking Lots, Loading, & Service Areas	P.242	<p>Parking Lots</p> <p>- Off-street surface parking shall be set back a minimum of 20 feet from all property lines along streets, except along alleys.</p> <p>- Parking lots shall be masked from the primary frontage street and the secondary frontage or side street by a liner building whenever possible. Where this is not possible, a street screen, such as a wall, a fence, or a hedge, should be provided to mask parked cars.</p>	<p>A: All structured parking is set back more than 20 feet from any street fronting setbacks.</p> <p>All parking deck elevations that front primary and secondary streets are masked by building façade for the entire length and height of the deck.</p>	Complies

			<p>Parking Lots Landscaping Requirement</p> <ul style="list-style-type: none"> - Interior planting shall be required for any parking lot that is 6,000 square feet or larger. At least six percent of the lot shall be interior planting area. - Landscape strips at least six feet in width shall be provided between parking isles of either head-in or diagonal parking. A minimum of one tree shall be provided every 60 feet along landscape strips. - Landscape islands may be used in lieu of landscape strips. No more than six consecutive parking stalls are permitted without a landscape island at least six feet wide and extending the entire depth of the parking stall. A minimum of one tree shall be planted in each landscape island. - Durable pervious surfaces are recommended for surface parking lots. However, gravel and other coverings prone to dust shall be prohibited. 	<p>A: This project has structured parking only so this is not applicable</p>	<p>N/A</p>
			<p>Loading and service areas</p> <ul style="list-style-type: none"> - 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. - Loading and service areas should be hidden from public view by street screens. 	<p>A: All loading and Service areas are not visible from street and are a minimum of 30 feet from sidewalks</p>	<p>Complies</p>

10	Building Form/ Structured Parking	P.243	<p>Structured Parking</p> <ul style="list-style-type: none"> - Parking structures shall be set back a minimum of 50 feet from the property lines of all adjacent thoroughfares (except rear alleys) to reserve room for liner buildings between the parking structure and the lot frontage. - Liner buildings shall be a minimum of two stories in height and may be attached or detached from parking structures. - Parking structures shall be built of durable, high-quality materials, such as brick, decorative cast concrete panels, and natural or quality synthetic stone. The materials and design of the structure should reflect that of the associated building. 	<p>A: The parking structure is set back and liner buildings exceeding two stories screen the structure from all adjacent thoroughfares. The parking structure is precast concrete and decorative brick will be provided on spandrels in the rear where the garage is not lined with units.</p>	Complies
11	Architectural Elements/ Facades and Shop Fronts	P.245	<p>Certain design elements are common to all styles of architecture and building types, such as opening compositions, shop fronts, and overall façade articulation—some of these are illustrated below. In general, each floor of any building facing a street, park, or square shall contain transparent windows covering between 20 to 70 percent of the wall area, as measured between finished floors.</p>	<p>A: See submitted elevations. All residential levels will have a minimum 20 percent containing transparent windows</p>	Complies

12	Architectural Elements	P.245-250	<p>Facades and Shop Fronts</p> <p>In order to provide clear views of merchandise in stores and to provide natural surveillance of exterior street spaces, the ground floor along the building frontage shall have untinted transparent storefront windows and doors covering between 50 percent and 70 percent of the wall area (between the finished floors).</p> <p>Low emissivity glass with high visual light transmittance may be permitted, but tinted glass shall not be permitted. The top of store front window sills shall be between one and three feet above the sidewalk grade.</p> <p>Storefront windows shall extend to at least eight feet above the adjacent sidewalk.</p> <p>Storefronts shall remain unshuttered at night and shall provide clear views of interior spaces lit from within.</p> <p>Doors or entrances for public access shall be provided at intervals no greater than 50 feet.</p> <p>A minimum of 12 feet of habitable space shall be provided behind each shop front along the building frontage.</p>	<p>A: See submitted elevations. All ground floor shop front programs will have a minimum 50 percent containing transparent windows.</p> <p>All shopfront glazing will be a minimum of 8 feet above adjacent sidewalk</p>	Complies
			<p>Each floor of any building facing a frontage street or open space shall contain transparent windows covering from 20 percent to 70 percent of the wall area, as measured between finished floors.</p> <p>Ground-floor residential units should have a raised finish floor at least 24 inches above the sidewalk grade to provide sufficient privacy for ground-floor residents.</p>	<p>A: See submitted elevations. All ground floor Residential units will have a minimum 20 percent containing transparent windows.</p> <p>Due to grade constraints, roughly 3 units along Baltimore Ave. and roughly 2 units along Delaware St. will not be 24 inches above the sidewalk.</p>	Does not comply Amendment Requested

		<p>Awnings</p> <p>Minimum awning depth = 5' (measured perpendicular to wall face).</p> <p>Minimum underside clearance = 8' from the sidewalk.</p> <p>The above requirements apply to first-floor awnings.</p> <p>Awnings above the first floor have no minimum requirements.</p> <p>Awnings may occur forward of the minimum setback and may encroach within the right-of-way with the approval of the pertinent agency but shall not extend closer to the curb line than two feet.</p> <p>Awnings shall be made of durable fabric and may either be fixed or retractable. High-gloss or plasticized awnings are prohibited. Backlit awnings are also prohibited.</p>	<p>A: See submitted elevations. All awnings will be a minimum of 8 feet above sidewalks and not encroach into the right-of-way</p>	<p>Complies</p>
		<p>Galleries, and Arcades</p> <p>Minimum gallery depth = 5' (measured perpendicular to the wall face).</p> <p>Minimum arcade depth = 12' (measured from building face to outside column face).</p> <p>Minimum underside clearance = 8' from the sidewalk.</p> <p>Galleries shall only be one story in height and may have flat or pitched roofs. Open balconies are permitted above the sidewalk level.</p> <p>Arcades shall be three to five stories in height with a one-story, open air colonnade on the ground level.</p> <p>Galleries and arcades may occur forward of the minimum setback and may encroach within the right-of-way with the approval of the pertinent agency but shall not extend closer than two feet to the curb line.</p> <p>Galleries and arcades shall only be constructed where the minimum depth can be achieved.</p> <p>When used, galleries and arcades should extend over the entire length of a façade unless other constraints preclude them.</p>	<p>A: This development has no Galleries or Arcades</p>	<p>N/A</p>

		<p>Marquees</p> <p>Minimum marquee depth = 6' (measured perpendicular to the wall face).</p> <p>Minimum underside clearance = 8' from the sidewalk.</p> <p>The above requirements apply to first floor marquees. Marquees above the first floor shall not be permitted.</p> <p>Marquees may occur forward of the minimum setback, and may encroach within the right-of-way with the approval of the pertinent agency but shall not extend closer to the curb line than two feet.</p> <p>Marquees typically are used above the primary entrances to buildings. They may be cantilevered (with the structure hidden internally) or supported from above by suspension cables or chains.</p>	<p>A: This development has no Marquee</p>	<p>N/A</p>
		<p>Balconies</p> <p>Minimum balcony depth = 3' (measured perpendicular to the wall face).</p> <p>Minimum underside clearance = 8' from the sidewalk.</p> <ul style="list-style-type: none"> • Balconies may occur forward of the minimum setback but may not encroach within the right-of-way. • Balconies shall be permitted to have roofs but are required to be open, unair-conditioned parts of buildings. • On corners, balconies shall be permitted to wrap around the side of the building facing the street. 	<p>A: All balconies are a minimum depth of 5.5 feet. No balconies encroach into the Right-of-way.</p> <p>All balconies are open air and covered by balcony above or roof.</p>	<p>Complies</p>

			<p>Porches Minimum porch depth = 8' (measured from building face to outer column face.) Minimum underside clearance = 8' from the finished porch floor.</p> <ul style="list-style-type: none"> • Front porches may occur forward of the minimum setback but may not extend into the right-of-way. • Side porches may extend past the side setback requirements but not into any easement. • Porches shall match the architectural style and detailing of the primary building. 	A: This development has no Porches	N/A
			<p>Stoops Minimum stoop depth = 4' (measured from building face to edge of the uppermost riser). Minimum stoop width = 4'</p> <ul style="list-style-type: none"> • Stoops may occur forward of the minimum setback but may not extend into the right-of-way. • Stoop stairs may run to the front or to the side. • Stoops shall match the architectural style and detailing of the primary building. 	A: This development has no Stoops	N/A
			Street Screens (Garden Walls, Fences, & Hedges)		
13	Architectural Elements/ Materials	P.251	<p>Building wall materials shall be combined on each facade horizontally only, with the heavier materials (stone, brick, concrete with stucco, etc.) below and supporting the lighter materials (wood, siding, etc.). Any change in materials shall preferably occur at the floor or sill level.</p>	A: This development is primarily a mix of fiber cement panel and lap siding above 1-4 stories of brick base along the public street frontages.	Complies

			<p>Siding</p> <p>Permitted siding types include:</p> <ul style="list-style-type: none"> - Horizontal lap, of wood or composition board (such as Hardiplank®). - Vertical wood board and batten. <p>All siding types shall incorporate vertical corner boards on outside building corners. Corner boards shall be a minimum of 3" in width.</p> <p>Vinyl and aluminum siding shall not be permitted.</p>	<p>A: This development will have both Fiber Cement panel and horizontal lap siding (commonly known as Hardie board and hardie plank siding). Fiber Cement Panel is not included in the list of permitted siding.</p>	<p>Does not comply Amendment Requested</p>
			<p>Stucco</p> <p>Surfaces finished in stucco should be smooth and hand trowelled in texture and painted. Sprayed-on stucco finishes and exterior insulation and finish systems (EIFS) are discouraged.</p>	<p>A: This development has no Stucco</p>	<p>N/A</p>
			<p>Masonry</p> <p>Masonry walls, whether load bearing or veneer, may only be of brick or natural stone. Masonry is encouraged as the primary building material for all development in the walkable node and corridor infill areas.</p>	<p>A: This development will have up to 2 brick veneer colors at the base of all street fronting elevations. Brick will be limited at all internal courtyards and back yard setbacks</p>	<p>Complies</p>

14	Architectural Elements/ Brick Detailing	P.252	<p>Header</p> <p>The horizontal member spanning the top of an opening.</p> <ul style="list-style-type: none"> - All openings in masonry construction should be spanned by headers. - Acceptable header types include stone or concrete lintels, brick segmental or semicircular arches, and brick jack arches. - Headers should always be slightly wider than the openings they span. 	A: All brick veneer masonry openings will have lintels and brick headers	Complies
			<p>Sill</p> <p>The horizontal member at the base of a window opening.</p> <ul style="list-style-type: none"> - All window openings in masonry construction should have a sill. - Sills are generally rectangular in form and are sloped slightly away from the window opening to shed water. - Sills should be a minimum of two (2) inches in height and should project from the wall surface a minimum of one inch. - Sills should be slightly wider than the window opening. 	A: All brick veneer masonry openings will have masonry sills	Complies
			<p>Cap</p> <p>The protective top layer of a masonry structure exposed to weather from above.</p> <ul style="list-style-type: none"> - A cap should protect the tops of all masonry structures exposed to the weather, including garden walls, stair treads, planter edges, and freestanding piers. - Caps should project past the edge of the brick structure by a minimum of half an inch. 	A: All brick veneer masonry walls will have masonry caps where applicable.	Complies

15	Architectural Elements/ Landmark Features	P.253	<p>Landmark Features</p> <p>Landmark features should be provided in the landmark locations designated on the development character maps. Landmark features are designed in response to the prominence and visibility of their sites. A landmark feature can be an architectural element such as a tower or a lantern, described below. If the landmark feature is located in a park or plaza, it may be a gateway feature, sculpture, or other work of public art.</p>	<p>A: A landmark feature is not required in this location along the corridor. See elevations for architectural features that are provided.</p>	N/A
16	Architectural Elements/ Signage	P.253	<p>Commercial Signs</p> <ul style="list-style-type: none"> - All signs shall be attached to the facade. Signs may be flat against the facade or mounted projecting or hanging from the facade. Signs may also be mounted on the roof of landmark or civic buildings in certain cases. Free standing signs shall not be permitted. - Signs shall be externally lit from the front with a full-spectrum source. Internal and back lighting are permitted as an exception only for individual letters or numbers, such as for "channel letter" signage (panelized back lighting and box lighting fixtures are prohibited). Signage within a shop front may be neon lit. - Building numbers are required (commercial buildings require building numbers in both the front and rear). - The maximum gross area of signs on a given facade shall not exceed ten percent of the façade area of the commercial portion of the building. Architectural signs or signage painted on a building façade or mounted on the roof may exceed this limit in certain cases, to be determined at the time of site plan review. - Signs mounted on the facade shall maintain a minimum clear height above sidewalks of eight feet. - Signs shall not extend within two feet of the curb line. - The maximum area of any single sign mounted perpendicular to a given facade shall not exceed nine square feet. - A single external sign band may be applied to the façade of each building, provided that such signs shall not exceed three feet in height. 	<p>A: See elevations for suggested signage locations.</p> <p>The development is currently planning for (2) Residential signage locations at the intersection of Baltimore Ave. and Delaware St., as well as (1) signage location along the Baltimore Ave. frontage.</p> <p>The development is planning (1) additional signage location for the Commercial/Residential shop front along Cherokee St.</p> <p>All signage will be attached to the façade and either externally lit or internally lit "channel letter" signage</p> <p>All signage will meet the minimum clear height and maximum gross Area requirements stated in this section.</p>	Complies

17	Sustainability and the Environment	P. 256 - 258	<p>Leadership in Energy and Environmental Design (LEED®) Certification</p> <ul style="list-style-type: none"> - LEED® standards for building, as set forth by the U.S. Green Building Council, should be reviewed and integrated into the design and construction process for all new development and re-ovation projects. LEED-Silver or better certification is desired for all new development. - All development within the walkable nodes shall obtain a minimum of silver certification in one of the following applicable LEED® rating systems: new construction and major renovations, existing buildings, commercial interiors, core and shell, schools, retail, healthcare, and homes. - LEED-Gold or platinum certification under an applicable LEED® rating system is encouraged for all development when feasible. - Developments composed of several buildings should pursue LEED® for Neighborhood Development certification. 	<p>A: This development will be achieving NGBS-Green (Silver) as a basis of design in lieu of LEED Silver.</p>	<p>Does not comply Amendment Requested</p>
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			<p>Passive Solar & Ventilation Design</p> <ul style="list-style-type: none"> - Provide shade for south-facing façades by designing properly-sized overhangs on south facing glazing. Mature trees can also fulfill the need for shade on south facing facades. - Solar tubes and skylights can reduce the need for electric lighting or provide sunlight to rooms that have few or no windows. These are encouraged because they provide natural day lighting to interior spaces. - Maximize opportunities to align fenestration on opposite façades of buildings in order to facilitate cross-ventilation. Minimize floor plate sizes so that rooms may have access to light and air. 	<p>A: this development will be designed achieve or exceed NGBS solar and ventilation standards required for a silver rating.</p>	<p>Complies</p>
			<p>Materials</p> <p>Wherever possible, green materials shall be used in both the structure and interior finishes of buildings. These include: recycled or salvaged materials, rapidly renewable materials (derived from plants with a fast growth cycle), Forest Stewardship Council® certified wood, and materials harvested or manufactured locally.</p>		

		<p>On-Site Energy Generation and Efficiency</p> <ul style="list-style-type: none"> - In the case of pitched roofs, place photovoltaic panels on the slope that has the highest amount of solar gain. - In the case of flat-roofs, place photovoltaic panels behind a parapet so that they are not visible from the street, and orient them as closely as possible to the ideal angle for solar gain. Sun-tracking panels are encouraged. - Roof-mounted solar hot water and/or photovoltaic panels are encouraged to reduce grid demand energy use. - Proposed plantings and/or building additions that will shade preexisting solar panel installations on adjacent properties should be avoided. - Phase out fossil-fuel climatization systems, such as oil heating. Renewable energy sources, such as wind, solar, and geothermal generation, should be pursued. - Air-conditioning systems and appliances should be of the highest efficiency ratings. Wherever possible, use Energy Star appliances. - All lighting should use high-performance or LED lighting systems. 	<p>A: This development will utilize energy star appliances and LED lighting.</p> <p>This development will be designed to achieve or exceed the NGBS efficiency standards required for a silver rating</p>	<p>Complies</p>
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			<p>Landscaping</p> <p>Minimize lawn or turf area. Turf should only be used in areas where it provides functional benefits.</p> <ul style="list-style-type: none"> - Use drought-tolerant and/or slow-growing hardy grasses, native and indigenous plants, shrubs, ground covers, and trees appropriate for local conditions. - Permanent irrigation systems shall only utilize captured rainwater and/or building gray water (with approved filtration systems). Potable water use shall not be permitted in permanent irrigation systems. - Use mulches to minimize evaporation, reduce weed growth, and slow erosion. - Encourage on-site food production by planting fruit-bearing trees adapted to the local climate. Set aside areas and construct composting areas and planting beds for the cultivation of fruits, vegetables, and herbs. 	<p>A: Lawn/ turf area will be minimal on this project and drought tolerant plants are specified. No permanent irrigation system is proposed. Planting areas will utilize mulch. Fruit bearing trees are not recommended for this mixed-use development.</p>	<p>Complies</p>
			<p>Water Efficiency and Recharge</p> <ul style="list-style-type: none"> - Surface parking areas, alleyways, and driveways should be constructed with durable pervious paving materials (grass paver systems or pervious asphalt) to promote groundwater recharge and reduce stormwater runoff quantity and flow rates. Gravel is discouraged because of issues related to dust generation. - All at-grade walks (excluding public sidewalks) and pathways shall be constructed with pervious materials. - Capture slow runoff using exfiltration tanks, drainage swales, and other devices. - Use low-flow water closets, faucets, showerheads, washing machines and other efficient water-consuming appliances. 	<p>A: No surface parking areas are included in this project. Grass pavers are being considered for a portion of the T-turnaround. Bioretention facilities are providing environmental site design to the maximum extent practicable and will manage on-site runoff.</p>	<p>Complies</p>

			<p>Stormwater Management and Paint Branch</p> <ul style="list-style-type: none"> -All new development within floodplains shall comply with all adopted county, state, and federal environmental regulations to prevent unnecessary runoff and pressure on the Paint Branch and the greater watershed. - Underground or above-grade cisterns shall be integrated into the site plan for all new development within or abutting the Paint Branch buffer. These cisterns will both reduce the amount of stormwater flowing into the Paint Branch and will help to store water on on-site for uses, such as landscape irrigation. -Site grading, paving, and planting shall be done in a manner that minimizes off-site stormwater runoff. -Suburban stormwater management measures such as regional storage and drainage ponds shall be prohibited. 	<p>A: No 100-year floodplain exists on-site and the site is not within the Paint Branch Buffer. Sediment control measures will be utilized to minimize runoff and small scale ESD stormwater management practices are being used.</p>	<p>Complies</p>
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		<p>Food Production</p> <p>-This table shows ways of incorporating types of local food production throughout the Central US 1 Corridor. Cities are increasingly allowing urban agriculture and the raising of animals for household use to encourage lower-cost food supplies and reduction in energy consumption for food transport.</p> <p>-Community gardens provide a focus for recreation and sociability greater than that of private yards. They are also welcomed by apartment-dwellers who enjoy gardening. Community garden plots are not sold but rather let under municipal or private administration.</p> <p>-Green roofs also provide opportunities for food production, even as they mitigate carbon emissions and reduce stormwater runoff. They may be incentivized by giving developers bonuses for installing them.</p> <p>-As tree preservation and planting regulations are introduced, fruit trees ay be included and designated for oval food production.</p>	<p>A: No food production areas to be provided on this project.</p>	<p>N/A</p>
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18	Street and Open Spaces	P. 259	Street Sections	<p>Condition 6 of Preliminary Plan 4-22007 establishes requirements for the streetscape sections as follows:</p> <ul style="list-style-type: none"> a) 12' wide sidewalk on US 1 & 6' on Delaware Street, Cherokee Street and 48th Avenue unless modified by operating agency; b) 6.5' wide cycle track along US 1 frontage; c) 4.5' landscape panel on US 1 and 6' on Delaware and Cherokee 	Complies (NB—the City of College Park has approved a 4' wide sidewalk on the west side of 48 th Avenue and required a 5' wide sidewalk on the east side of 48 th Avenue)
19	Street and Open Spaces	P. 262	<p>Streetscape</p> <p>Streetscape refers to the area between the private property line and the edge of the vehicular lanes. General streetscape arrangement types are described below, tied closely to their corresponding character area. More detailed information about each streetscape arrangement type is included on the following page.</p>	A: Streetscape design to comply.	Complies
20	Street and Open Spaces	P. 263	<p>Detailed streetscape arrangement types are included below. This table includes descriptions and dimensions for each element of the streetscape, from the full assembly to the specific curb, walkway, and planter. Additional information about street trees and street lighting is included on pages 265–267.</p>	A: Streetscape design to comply. Details and dimensions to be provided.	Complies

Required Streetscape Elements by Character Area

CHARACTER AREA Public Frontage Type	ER CI ST-DR-AV	CI WN ST-DR-AV-BV	WN WNU CS-DR-AV-BV	WN WNU CS-DR-AV-BV
Assembly: The principal variables are the type and dimension of curbs, walkways, planters, and landscape.				
Total Width	12-18 feet	12-18 feet	18-24 feet	18-30 feet
Curb: The detailing of the edge of the vehicular pavement, incorporating drainage.				
Type	Raised curb	Raised curb	Raised curb	Raised curb
Radius	5-10 feet	5-10 feet	5-20 feet	5-20 feet
Walkway: The pavement dedicated exclusively to pedestrian activity. Sidewalk widths may vary where necessary to fulfill the vision of the sector plan				
Type	Sidewalk	Sidewalk	Sidewalk	Sidewalk
Width	4-8 feet	4-8 feet	12-20 feet	12-30 feet
Planter: The layer which accommodates street trees and other landscape.				
Arrangement	Regular	Regular	Regular	Opportunistic
Species	Alternating	Single	Single	Single
Planter type	Continuous planter	Continuous planter	Continuous planter	Tree well
Planter width	8 feet-12 feet	8 feet-12 feet	4 feet-6 feet	4 feet-6 feet
Landscape: Refer to Street Trees section.				
Lighting: Refer to Street Lighting section.				

Streetscape design to comply with table.

Complies

21	Street and Open Spaces	P. 264	<p>Streetscape, Amenities, and Adequate Public Facilities Sidewalks Additional detail on streetscapes, including sidewalks treatments, pedestrian and bicyclist amenities, and decorative elements essential to creating a strong sense of place, are specified below.</p> <ul style="list-style-type: none"> - At the time of development, the developer/property owner (including the developer and the applicant's heirs, successors, and/or assignees) is required to install sidewalks. - Special decorative paving materials, such as brick, precast pavers, Belgium block, or granite pavers, are recommended in the walkable nodes and at appropriate locations within the corridor infill areas. - Sidewalk materials should be continued across driveways whenever possible, and accent paving should be used to define pedestrian crossings. 	<p>A: Streetscape design to comply. Details, furniture specs, and dimensions to be provided.</p>	Complies
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		<p>Streetscape Amenities Amenities, such as benches, bicycle racks, trash receptacles, water fountains, sculpture/artwork, game tables, moveable seating, public mailboxes, and bus shelters, shall be required for all development. Streetscape amenities shall be consistent in design within a development project and should be consistent within each distinct walkable node, corridor infill area, or existing residential neighborhood. All proposed streetscape amenities shall be indicated on detailed site plan submittals and shall include information of location, spacing, quantity, construction details, and method of illumination.</p> <p>Adequacy of Transportation Facilities Within the Central US 1 Corridor Development District, the transportation facilities adequacy standard shall be Level-of-Service E, based on the average peak period levels of service for all signalized intersections in three designated segments of the Central US 1 Corridor. These segments are (1) Capital Beltway south to MD 193; (2) MD 193 south to Paint Branch Parkway/Campus Drive; and (3) Paint Branch Parkway/Campus Drive south to Guilford Drive. Outside the Capital Beltway, the transportation facilities adequacy standard for any new development or redevelopment shall be peak period Levels-of-Service E, for individual intersections calculated in accordance with procedures outlined in the guidelines maintained by the Transportation Planning Section of the Planning Department.</p>	<p>A: Streetscape design to comply. Details, furniture specs, and dimensions to be provided.</p>	<p>Complies</p>
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22	Street and Open Spaces	P. 265	<p>Street trees</p> <p>Street trees are required in all character areas at a minimum spacing of 30 feet on center. The appropriate location, arrangement, and planter type for street trees in each character area is described in further detail in the Streetscape Standards of the Streets and Open Spaces Section, found on pages 262-264, as well as in the individual street sections, found on pages 259–261. Refer to the Landscape Manual for appropriate street tree species.</p>	<p>A: Streetscape design to comply. Tree spacing to be located 30 feet on center minimum. Locations to work around and existing utilities.</p>	Complies
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23	Street and Open Spaces	P. 266	<p>Street Lighting General Standards</p> <p>A combination of pedestrian-scaled streetlight fixtures and intersection streetlight fixtures may be required to ensure a well-lit street area and to establish a unifying element along the street.</p> <ul style="list-style-type: none"> - Pedestrian-scaled fixtures shall be used on all streets. - Street lights shall be placed aligned with the street tree alignment line (generally between two and a half to four feet from the back of the curb). Placement of fixtures shall be coordinated with the organization of sidewalks, landscaping, street trees, building entries, driveways, and signage. - The height of light fixtures shall be kept low (generally not taller than 15 feet) to promote a pedestrian scale to the public realm and to minimize light spill to adjoining properties. Light fixtures in the walkable node and corridor infill areas shall be closely spaced (generally not more than 30 feet on center) to provide appropriate levels of illumination. - In the walkable nodes, business owners are encouraged to assist with lighting the sidewalk and accent their business location by leaving display-window and interior lighting on at night. - Light poles may include armatures that allow for the hanging of banners or other amenities (e.g., hanging flower baskets, artwork, etc.). - Consideration of security and pedestrian comfort shall be prioritized by increasing illumination low to the ground in public parking lots, at building entries, in public plazas, and at transit stops. - Use Louis Poulsen Nyhavn lighting fixtures as selected by the City of College Park along any US 1 frontage. 	<p>A: Streetscape design to comply. Lighting to be provided for pedestrian node and streetscape as necessary.</p>	Complies
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24	Street and Open Spaces	P. 266	<p>Specific Uses of Lighting</p> <p>To increase safety, help with orientation, and highlight the identity of an area, the street elements specified below are recommended to be lit.</p> <ul style="list-style-type: none"> - Transit stops: People feel more secure when transit stops are well-lit. Lighting also draws attention to and encourages use of such amenities. - Edges: Edges of a park or plaza shall be lit to define and identify the space. - Architectural details: Lighting entrances, archways, cornices, columns, and other features can call attention to the uniqueness of a building or place. Lighting of building entrances also contributes to safety. - Focal points: Lighted sculptures, fountains, and towers in a neighborhood, especially those visible to pedestrians and vehicles, provide a form of wayfinding. 	A: Streetscape design to comply. Lighting to be provided for pedestrian node and streetscape as necessary.	Complies
25	Street and Open Spaces	P. 267	<p>Lighting Types and Configurations</p> <p>Lighting fixtures shall be appropriately chosen for the character area within which they are located; the diagram and standards below shall be used as a guide to selecting fixtures.</p> <ul style="list-style-type: none"> - Variety in character is good to establish identity and uniqueness. However, there shall be consistency along the Central US 1 Corridor, creating a unifying scheme of illumination that is appropriate to the scale of the street and the level of nighttime activity. Lamp styles shall not be mixed along any one particular block of a street. - Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution. - Energy-efficient lamps shall be used for all public realm lighting in order to conserve energy and reduce long-term costs. 	A: Streetscape design to comply. Lighting to be provided for pedestrian node and streetscape as necessary. Lighting specs and details to be provided.	Complies

26	Street and Open Spaces	P. 268	<p>Open Space</p> <p>Park: A natural preserve available for unstructured recreation. A park does not need to be fronted by buildings. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lined, following the trajectories of natural corridors.</p> <p>Green: An open space available for unstructured recreation. A green may be spatially defined by landscaping rather than buildings fronting it along the edges. Its landscape shall consist of lawn and trees, naturalistically disposed.</p> <p>Square: An open space available for unstructured recreation and public gatherings. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares should be located at the intersection of important thoroughfares.</p> <p>Plaza: An open space available for public gatherings and outdoor markets. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets</p>	A: Streetscape design to comply. Project to provide GREEN open space only.	Complies
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Countywide Planning Division
Historic Preservation Section

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301-952-3680

October 24, 2022

MEMORANDUM

TO: Mridula Gupta, Urban Design Section, Development Review Division

VIA: Thomas Gross, Acting Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **Age**

SUBJECT: DSP-22015; 9113 Baltimore Avenue

The subject property comprises 3.81 acres located in the southeast quadrant of the intersection of US Route 1 (Baltimore Avenue) and Delaware Street. The subject property is zoned LTO-e and located within the 2010 *Approved Central US 1 Corridor Sector Plan* area. The subject application proposes the construction of a six-story multifamily building with 238 dwelling units, 4,133 square feet of ground floor retail, and 55 single-family attached townhouse units.

The subject property is within the 2010 *Approved Central US 1 Corridor Sector Plan* area. The master plan contains goals and policies related to Historic Preservation (pages 193-202). However, these are not specific to the subject site or applicable to the proposed development.


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 designated Prince George's County Historic Sites or resources. Historic Preservation Section staff recommend approval of DSP-22015, 9113 Baltimore Avenue, without conditions.

December 5, 2022

MEMORANDUM

TO: Mridula Gupta, Planner III, Countywide Planning Section, Development Review Division

VIA: David A. Green, MBA, Planner IV, Long -Range Planning, Community Planning Division 

FROM: Christina Hartsfield, AICP, Planner III, Placemaking Section Community Planning Division 

SUBJECT: DSP-22015 9113 Baltimore Avenue

FINDINGS

Community Planning Division staff finds that, pursuant to Section 27-548.26(b)(5) of the Prior Zoning Ordinance, the proposed amendments to the Approved Central US 1 Corridor Development District Overlay Zone conforms with the purposes and recommendations for the Development District, as stated in the *Approved Central US 1 Corridor Sector Plan* and does not otherwise substantially impair the implementation of the plan.

BACKGROUND

Application Type: Detailed Site Plan in a Development District Overlay Zone

Location: 9113 Baltimore Avenue

Size: Approximately 4.26 acres

Existing Use: Commercial. Multiple Hotels

Proposal: Multi-family building with 320 units and 3,937 square feet of ancillary retail

GENERAL PLAN, MASTER PLAN, AND ZONING

General Plan: The subject property is in the Innovation Corridor and within one of four designated Employment Area of Plan 2035. Employment Areas have the highest concentration of economic activity in the County's targeted industry clusters and is where Plan 2035 recommends supporting business growth, concentrating new business development near transit where possible, improving

transportation access and connectivity, and creating opportunities for synergies (Plan 2035, p. 19). The proposed application aligns with the growth policy of Employment Areas of the general plan by concentrating residential and commercial development near existing economic activity and existing industry clusters.

Master Plan: The 2010 Approved Central US 1 Corridor Sector Plan recommends Mixed-Use Commercial land uses on the subject property.

The subject property is in the Walkable Node character area of the 2010 *Approved Central US 1 Corridor Sector Plan*. The Walkable Nodes “consist 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. It has fairly small blocks with wide sidewalks and buildings set close to the frontages” (p. 228). The land use and urban design policies of these areas are to 1) develop a series of pedestrian-friendly, transit-oriented, mixed-use walkable nodes at appropriate locations along the Central US 1 Corridor (p. 65); to establish a strong sense of place by ensuring the highest quality of development (p. 67); and to create appropriate transitions between the nodes and existing residential neighborhoods (p. 68).

Planning Area: 66

Community: College Park-Berwyn Heights & Vicinity

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone

SMA/Zoning: The 2010 *Approved Central US 1 Corridor Plan and Sectional Map Amendment* retained the subject property in the Development District Overlay/Mixed-Use Infill (D-D-O/M-U-I) Zone. The D-D-O/M-U-I zone permits multifamily and retail uses.

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (“CMA”) which reclassified the subject property from M-U-I to Local Transit- Oriented-edge (LTO-e) effective April 1, 2022

DEVELOPMENT DISTRICT MANDATORY STANDARDS

The Community Planning Division finds that, pursuant to Section 27-548.25(b), this application is not in strict conformance with the mandatory requirements of the 2010 Approved Central US 1 Corridor Development District Overlay Zone. Modifications are requested. Community Planning’s determinations are as follows:

1. *Mandatory shopfront is required. (p. 229)* Community Planning supports the deviation from 100% shop frontage along Baltimore Avenue to 60%. **CPD Response:** This modification will not substantially impair implementation of the TDDP.
2. *A build-to line of zero feet is required (p. 229).* **CPD Response:** Community Planning supports the setbacks requested to accommodate the required PUE and irregular site geometry. This modification will not substantially impair implementation of the TDDP.
3. *A stepback transition and/or a landscape buffer shall be required when new development abuts an existing residential area.* **CPD Response:** Community Planning supports the reduction of the building’s height in rear and the additional landscape indicated on the site

plan to create a buffer and reduced the impact of the building to the surrounding residential area.

4. *A total of 329 spaces are required.* **CPD Response:** Community Planning supports the modification to provide an additional 30 parking spaces to meet anticipated market demand. This modification will not substantially impair implementation of the TDDP.
5. *Access drives to parking garages shall be no more than 22' (p. 241).* **CPD Response:** Community Planning supports the deviation to increase the width of the drive aisle to 24' to assist the turning movements of vehicles into the garage. This modification will not substantially impair implementation of the TDDP.
6. *Residential units have a raised finish floor at least 24 inches above the sidewalk grade.* **CPD Response:** Community Planning supports the modification to reduce the finish floor height and to use additional strategies to provide privacy to ground-floor units.
7. **CPD Response:** Community Planning supports the proposed materials and does not find them to be in conflict with the standards of the TDDP (p. 251).
8. *LEED-Silver should be integrated into the design of new buildings (p. 256).* **CPD Response:** Community Planning supports the use of an alternative rating system to meet advanced sustainability standards for the building's design.

Community Planning Division staff finds that all other elements of this application meet the requirements of Section 548.25(b).

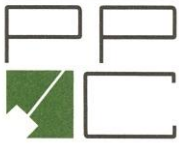
COMPATIBILITY WITH SITE DESIGN PRACTICES

Community Planning Division staff finds that pursuant to Section 27-290.01(b)(5) of the Zoning Ordinance, this Detailed Site Plan application is compatible with site design practices or standards delineated in the *Approved Central US 1 Corridor Sector Plan and Development District Overlay Zone*.

c: Long-range Agenda Notebook

Adam Dodgshon, Planning Supervisor, Placemaking Section, Community Planning Division

MN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Countywide Planning Division
Transportation Planning Section

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December 22, 2022

MEMORANDUM

TO: Mridula Gupta, Urban Design Review Section, Development Review Division

FROM: Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

VIA:  William Capers III, PTP Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-22015, 9113 Baltimore Avenue

Proposal

The subject detailed site plan (DSP) application proposes the development of 331 multifamily dwelling units, 3,937 square feet of ancillary ground floor retail space, and an above grade structured parking. The Transportation Planning Section's (TPS) review of the subject application has been evaluated under the prior Zoning Ordinance, Subtitle 27.

Prior Conditions of Approval

The site is subject to the approved preliminary plan of subdivision (PPS) application, 4-22007 and certificate of adequacy application, ADQ-2022-039, which include the following conditions related to this application:

4-22007

3. Prior to approval, the final plat of subdivision shall include:
 - a. Right-of-way dedication along all roadways, in accordance with the approved preliminary plan of subdivision, as follows:
 - i. For US Route 1 (Baltimore Avenue), dedicate 50 feet from the centerline;
 - ii. For Delaware Street, dedicate 25 feet from the centerline;
 - b. The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the City of College Park for the public use of any portion of frontage sidewalk on the subject property, as determined necessary, at the time of detailed site plan. The easement agreement shall be approved by the City of College Park, recorded in Prince George's County, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement.

Comment: The aforementioned conditions will be satisfied at the time of final plat approval, however the latest DSP submission, appropriately shows the extent of the right-of-way dedication along US 1 (Baltimore Avenue) and Delaware Street consistent with the PPS approval. Furthermore, the DSP provides the limits of public use easements for all public transportation facilities situated on the subject property which staff finds acceptable.

4. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Signage and design features to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the driveway design and exact details/profiles of the signage.
 - b. Dedicated space for rideshare activities.
 - c. A note indicating that a vehicular access point along US 1 (Baltimore Avenue), is limited to a right-out only access.
 - d. A note indicating service areas and move-in/out vehicles only along 48th Avenue.
 - e. Delineate the extent and location of any public use easement necessary to facilitate pedestrian access of any public pedestrian facilities located on-site.

Comment: The latest site plan submissions shows the driveway along US Route 1 designed to facilitate a right-out only movement, which meets some of the requirements for condition 4a. A note is included on the site plan for "adequate signage" which meets condition 4c, however no details of the signage is provided to meet condition 4a. Dedicated space for rideshare activities within the parking garage is provided on the architecture plans within the DSP submission to meet condition 4b. Condition 4d was not satisfied with the latest DSP submission. Lastly, a public use easement exhibit was included and meets condition 4e.

5. Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall have permitted for construction and have an agreed upon timetable to construct 48th Avenue along the property's frontage to its ultimate condition, in accordance with the operating agencies' design standards.

Comment: This condition will be further evaluated at the time of building permit; however the extent and design of 48th Avenue are shown on the latest DSP submission. The DSP shows a four-foot sidewalk along the property's frontage along 48th street which staff finds does not meet ADA requirements and the current standards for a public street. Additionally, the DSP shows a five-foot sidewalk along the northside of 48th which does not conform with condition 6 of the referenced PPS which requires a minimum six-foot side walk which is discussed in more detail below.

6. The applicant and the applicant's heirs, successors, and/or assignees shall construct the following facilities and show these facilities on a pedestrian and bikeway facilities plan, as part of the detailed site plan, prior to its acceptance:

- a. A minimum 12-foot-wide sidewalk and associated ADA curb ramps and crosswalks along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide sidewalk along Delaware Street, Cherokee Street, and 48th Avenue, unless modified by the operating agency, with written correspondence.
- b. A minimum 5-foot-wide sidewalk or wide sidewalk throughout the site where feasible, including ADA curb ramps and associated crosswalks.
- c. Shared road pavement markings along the property frontage of Cherokee Street, unless modified by the operating agency, with written correspondence.
- d. Provide ADA curb ramps and crosswalks crossing all vehicular access points.
- e. Provide the pedestrian and bicycle facilities and amenities where applicable, as described in the *2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.
- f. A minimum 5-foot-wide bicycle lane or 6.5-foot-wide cycle tracks along the property frontage of US 1 (Baltimore Avenue), unless modified by the operating agency, with written correspondence.
- g. A minimum 4.5-foot-wide landscape amenity panel along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide landscape amenity panel along the property's frontage along Delaware Street and Cherokee Road, unless modified by the operating agency, with written correspondence.
- h. Long- and short-term bicycle parking within the multifamily building and near the building entrance, and short-term bicycle parking provided near the entrances of the retail, in accordance with AASHTO guidelines.
- i. Bicycle fix-it station on-site.

Comment: The latest site plan submission includes 12-foot-wide sidewalk along the property frontage of US Route 1 and eight-foot-wide sidewalk along the frontages of Delaware Street and Cherokee Street to satisfy condition 6a. However, as previously mentioned the DSP shows a four-foot sidewalk on the southside and a five-foot sidewalk on the northside of 48th street which does conform to condition 6a. As a condition of approval, staff recommends the applicant update the DSP to include a six-foot sidewalk on both sides of 48th street or provide written correspondence from the operating agency if a modification is permitted.

The latest DSP shows five-foot-wide sidewalks, crosswalks and curb ramps throughout the site which satisfies condition 6b and 6d. Shared Road pavement markings are not included along Cherokee Street and shall be addressed with concurrence from the operating agency to satisfy condition 6c. The applicant as provided the applicable design amenities per the sector plan and a justification matrix for any modifications to satisfy condition 6e. Per condition 6f, a 6.6-foot-wide cycle track is proposed along the property frontage of Us Route 1 and meets the condition. Per condition 6g, the appropriate landscape panels have been proposed and meets the condition. Long-term bicycle storage is proposed withing the parking garage and short-term parking is proposed

along the frontage of US Route 1 and satisfies condition 6h. Per condition 6i, a bicycle-fix-it station is included on the architecture detail plan sheets and meets the condition.

ADQ-2022-039

1. Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 188 AM peak-hour trips and 239 PM peak-hour vehicle trips.
2. Prior to the issuance of the first building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. A single through-left lane and exclusive right turn lane configuration along the westbound approach of the Cherokee Street and US Route 1 intersection.
3. The applicant shall provide details of the on-site pedestrian and bicycle amenities and improvements consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision as part of the Site Plan submission.
4. The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicycle adequacy improvements approved with ADQ-2022-039, consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision Regulations as part of the Site Plan submission.
5. Prior to issuance 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 crosswalks along US Route 1 on Indian Lane and Fox Street.
 - b. Install crosswalk and associated pedestrian signals along US Route 1 at Cherokee Street along the north and east legs of the intersection.

Comment: The site plan proposed no modifications to the land use and density assumed in the ADQ application, and therefore does not exceed the trip cap and meets condition 1. Conditions 2 and 5 will be evaluated at the time of building permit. However, the BPIS offsite improvements provided in condition 5 where shown in a bicycle and pedestrian facilities plan as part of the DSP submission which meets the requirements in conditions 3 and 4, and to which staff finds acceptable.

Master Plan Compliance

Master Plan Roads

The subject site has frontage along master planned roadway US Route 1 (Baltimore Avenue), which is designated in the 2009 approved Master Plan of Transportation (MPOT). The latest site plan submission conforms to the master plan (s) recommendations and is consistent with the approved PPS.

Master Plan Pedestrian and Bicycle Facilities

This application is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The subject property fronts the recommended master planned bicycle lane along US Route 1. The operating agency, the State Highway of Administration (SHA) has constructed cycle tracks along portions of the US Route 1 roadway and are recommended along the property frontage.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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*.

This development is also subject to 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*, which also proposes bicycle lanes along US Route 1 as an interim facilities until a cycle track is constructed, and a shared use roadway along Cherokee Street. The following policies and strategies are provided for pedestrian and bicyclist facilities (pg. 141)

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US Route 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle and pedestrian friendly through appropriate design, including traffic calming techniques. (pg. 135)

Policy 2: Implement a comprehensive wayfinding system to complement the street network and orient residents, visitors, students, and through traffic to the area. (pg. 136)

Policy 2: Facilitate bicyclists along entire corridor and through development so that bicycle routes are enhanced or established. (pg. 141)

Comment: The latest DSP submission conforms to the recommendations of the master plan roadways and provides pedestrian and bicycle facilities and amenities to further the intent of the master plan goals and recommendations.

Zoning Ordinance Compliance

Development District Overlay Zone

The property is also subject to the Development District Overlay (DDO) standards per the area sector plan and Section 27-548.06. The design standards for the DDO begin on page 239 of the sector plan. According to Section 27-548.08, modifications to the standards are permitted. The applicant has submitted a detailed matrix of the standards that have been met, modified, or are not applicable

The DDO includes parking criteria that specify the required amount of parking spaces. The parking structure proposes a total of 360 spaces, which exceeds the required 327 parking spaces. The proposed parking allows adequate spaces for residents, guest, and future tenants, based on the current market and spaces for the retail uses on site. The latest site plan proposes universal parking standards of 9-feet by 18-feet for parking spaces except the proposed ADA accessible parking spaces. Compact parking spaces for smaller vehicles are also proposed at the size of 9-feet by 16-feet. Designated spaces for long-term bicycle parking are being provided within the parking structure to include bicycle-fix-it station. Bike rooms with an occupancy of 125 bicycles in various floors of the parking structure meets the requirements of the DDO. The applicant has indicated that the proposed dimensions of the parking spaces optimize the amount of parking for the proposed multifamily building and is consistent with similar projects. The primary access to the parking structure is proposed via a full access entrance from the secondary street, Cherokee Street, which is encouraged by the DDO. The signalized intersection at Cherokee Street and US Route 1 will help facilitate the operations of primary access to the site. Secondary access to the parking structure is provided via Delaware Street to facilitate the residential, rideshare activities and all vehicles accessing the loading spaces. Access from Delaware Street exceeds the minimum 22-foot-wide recommended by the DDO. The access is proposed at 24-feet to allow for adequate space for truck turning movements. The DDO also requires parking structures to be setback a minimum of 50-feet, to which is being met with the location of the parking structure. The proposed loading areas on site are not visible and are located adequate distance from sidewalks. Staff find the latest site plan submission acceptable to meet the parking requirements of the DDO.

The proposed streetscape includes 12-foot-wide sidewalk along the frontage of US Route 1, 8-foot-wide along the frontages of Delaware Street and Cherokee Street and 4 and 5-foot-wide along the frontage of 48th Street as approved by the operating agency. A 6.5-foot-wide cycle track is also included along the frontage of US Route 1 per the recommendations of the master plan and DDO. Additionally, benches, bicycle racks, trash receptacles and the required landscape strip with planting are also proposed along the main streetscape of US Route 1. Staff find the latest site plan submission acceptable to meet the streetscape requirements of the DDO.

Given the analysis of the DDO standards provided above, staff finds that the submitted site plan is acceptable and meets the requirements and standards per Section 27-548.06 if conditions are met.

Transportation Planning Review

Based on the findings presented above, staff does not object to the proposed transportation-related modifications to the Development District Overlay standards and concludes that the site access and circulation of the subject DSP are acceptable. Furthermore, staff finds that the application meets the findings required by Subtitle 27 for a site plan for transportation purposes and conforms to the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* if the following conditions are met:

1. Prior to the certification of the detailed site plan, the applicant and his/her assignees shall revise the detailed site plan to include the following:
 - a. Signage details to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the profiles of the signage.
 - b. A note indicating service areas and move-in/out vehicles only along 48th Avenue.
 - c. Shared road pavement markings along Cherokee Street unless modified by the operating agency with written correspondence.

- d. Six-foot sidewalks on both sides of 48th Street unless modified by the operating agency with written correspondence.

December 20, 2022

MEMORANDUM

TO: Mridula Gupta, Planner III, Subdivision Section
VIA: Sherri Conner, Supervisor, Subdivision Section *SC*
FROM: Antoine Heath, Planner II, Subdivision Section *AH*
SUBJECT: DSP-22015; 9113 Baltimore Avenue

The subject property is 3.81 acres in area, located on Tax Map 25 in Grids E3 and D3, and consists of one parcel and two lots known as Parcel A of Sims Tract, recorded in the Prince George's County Land Records in Plat Book NLP 97 page 49, and Lots 34 and 35 of Daniels Park in Plat Book LIB A, page 59. This application for a detailed site plan (DSP) proposes 317 multifamily dwellings units, and 3,296 square feet of commercial use. The property is located within the Local Transit-Oriented Edge (LTO-E) Zone. However, this DSP is being reviewed pursuant to the prior Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones.

The subject property is the subject of Preliminary Plan of Subdivision (PPS) 4-22007 which was approved by the Planning Board in September 2022 (PGCPB Resolution No. 2022-95). The PPS approved one parcel for the development of 331 multifamily dwelling units, 3,937 square feet of commercial use.

PPS 4-22007 was approved with 10 conditions, of which the conditions relevant to the review of this DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

- 2. Development of the site shall be in conformance with the approved Stormwater Management Concept Plan, 1836-2022, and any subsequent revisions.**

A copy of an approved Stormwater Management (SWM) Concept Plan and letter were submitted with the subject DSP. The Environmental Planning Section should further review the SWM Concept Plan and the subject DSP for consistency.

- 3. Prior to approval, the final plat of subdivision shall include:**

- a. **Right-of-way dedication along all roadways, in accordance with the approved preliminary plan of subdivision, as follows:**
 - i. **For US Route 1 (Baltimore Avenue), dedicate 50 feet from the centerline;**
 - ii. **For Delaware Street, dedicate 25 feet from the centerline;**

The right-of-way dedication along Baltimore Avenue and Delaware Street has been on the DSP in accordance as approved with the PPS.

- b. **The applicant and the applicant's heirs, successors, and/or assignees shall enter into a Public Use Easement Agreement with the City of College Park for the public use of any portion of frontage sidewalk on the subject property, as determined necessary, at the time of detailed site plan. The easement agreement shall be approved by the City of College Park, recorded in Prince George's County, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement.**

The applicant has provided a Public Use Easement Plan, which highlights public use easement areas in blue. Conformance to this condition will be further reviewed at the time of final plat.

- c. **The dedication of 10-foot-wide public utility easements along all abutting public rights-of-way, except along 48th Avenue, for which a variation has been approved.**

10-foot-wide public utility easements are shown on the DSP along all public rights-of-way except along 48th Avenue. Conformance to this condition will be further reviewed at the time of final plat.

- 4. **At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. **Signage and design features to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the driveway design and exact details/profiles of the signage.**

The design of a limited right-out only access driveway is shown on the DSP but no signage has been provided. Conformance to this condition should be further reviewed by the Transportation Planning Section, and a condition incorporated to require the signage.

- b. **Dedicated space for rideshare activities.**

Space for dedicated rideshare pick-up/drop-off area is shown on the floor plans. Conformance to this conditions should be further reviewed by the Transportation Planning Section.

- c. A note indicating that a vehicular access point along US 1 (Baltimore Avenue), is limited to a right-out only access.**

A note has been provided on the DSP. Conformance to this conditions should be further reviewed by the Transportation Planning Section.

- d. A note indicating service areas and move-in/out vehicles only along 48th Avenue.**

A note has been provided on the DSP. Conformance to this conditions should be further reviewed by the Transportation Planning Section.

- e. Delineate the extent and location of any public use easement necessary to facilitate pedestrian access of any public pedestrian facilities located on-site.**

The applicant has provided a Public Use Easement Plan, which highlights public use easement areas in blue. Conformance to this condition will be futher reviewed at the time of final plat.

- f. Place a note on the landscape plan that, at the time of development, efforts shall be made to save Tree T4, a Willow Oak, including installing tree protection fencing during construction.**
- g. Place a note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures such as installing tree protection fencing during construction, root pruning, and vertical mulching.**

Notes are provided on sheet L401F of the landscape plan. Conformance with these conditions should be further reviewed by the Environmental Planning Section.

- 6. The applicant and the applicant's heirs, successors, and/or assignees shall construct the following facilities and show these facilities on a pedestrian and bikeway facilities plan, as part of the detailed site plan, prior to its acceptance:**
 - a. A minimum 12-foot-wide sidewalk and associated ADA curb ramps and crosswalks along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide sidewalk along Delaware Street, Cherokee Street, and 48th Avenue, unless modified by the operating agency, with written correspondence.**
 - b. A minimum 5-foot-wide sidewalk or wide sidewalk throughout the site where feasible, including ADA curb ramps and associated crosswalks.**

The applicant provided a pedestrian and vehicular circulation plan, which addresses these conditions. Conformance to these conditions should be further reviewed by the Transportation Planning Section.

- c. Shared road pavement markings along the property frontage of Cherokee Street, unless modified by the operating agency, with written correspondence.**

The applicant provided a response that this condition would be addressed by the City of College Park at the time of permitting. However, conformance with this condition shall be addressed with the DSP. Conformance with this condition should be further reviewed by the Transportation Planning Section.

- d. Provide ADA curb ramps and crosswalks crossing all vehicular access points.**

The applicant provided a pedestrian and vehicular circulation plan, which addresses these conditions. Conformance to this conditions should be further reviewed by the Transportation Planning Section.

- e. Provide the pedestrian and bicycle facilities and amenities where applicable, as described in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.**

Conformance with this conditions should be reviewed by the Transportation Planning Section.

- f. A minimum 5-foot-wide bicycle lane or 6.5-foot-wide cycle tracks along the property frontage of US 1 (Baltimore Avenue), unless modified by the operating agency, with written correspondence.**
- g. A minimum 4.5-foot-wide landscape amenity panel along the property frontage of US 1 (Baltimore Avenue), and a minimum 6-foot-wide landscape amenity panel along the property's frontage along Delaware Street and Cherokee Road, unless modified by the operating agency, with written correspondence.**

These conditions are addressed on the DSP and landscape plans. Conformance to these conditions should be further reviewed by the Transportation Planning Section.

- h. Long- and short-term bicycle parking within the multifamily building and near the building entrance, and short-term bicycle parking provided near the entrances of the retail, in accordance with AASHTO guidelines.**
- i. Bicycle fix-it station on-site.**

These conditions are addressed on sheet L101 of the landscape plan. Conformance to these conditions should be further reviewed by the Transportation Planning Section.

7. **In accordance with prior Section 24-135 of the 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.**

9. **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 Parks and Recreation Facilities Guidelines, with the review of the site plan. Timing for construction shall also be determined at the time of detailed site plan.**

Adequate on-site recreational facilities are provided in accordance with PGCPB Resolution No. 2022-95. However, a business center should not count towards recreation. Additionally, timing for construction of recreation facilities are not provided on the recreational facility chart. All facilities should be constructed prior to issuance of a use and occupancy permit for the building. Conformance to these conditions should be further reviewed by the Urban Design Section.

10. **Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.**

A bond for the recreational facilities will be required prior to approval of a building permit.

PPS 4-22007 and development of this site is supported by and subject to Certificate of Adequacy ADQ-2022-039, which was approved in August 2022 with 5 conditions. The conditions relevant to the review of this DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

1. **Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 188 AM peak-hour trips and 239 PM peak-hour vehicle trips.**

The uses and the total gross floor area (GFA) proposed in this application are within the development anticipated per PPS 4-22007. The Transportation Planning Section should further evaluate the application for conformance with this condition.

3. **The applicant shall provide details of the on-site pedestrian and bicycle amenities and improvements consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision as part of the Site Plan submission.**

The applicant has provided details of the on-site pedestrian and bicycle amenities and improvements on page L203 of the landscape plan. Conformance to these conditions should be further reviewed by the Transportation Planning Section.

4. **The applicant shall provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications, and details of the pedestrian and bicycle adequacy improvements approved with ADQ-2022-039, consistent with Section 24-4506(c)(G) of the Prince George's County Subdivision Regulations as part of the Site Plan submission.**

A bicycle and pedestrian facilities plan has been provided by the applicant, consistent with ADQ-2022-039. Conformance to these conditions should be further reviewed by the Transportation Planning Section.

Additional Plan Comments

1. The 65 dBA Ldn Unmitigated Noise Contour overlaps the parcel. The applicant submitted a noise study dated November 22, 2022. According to the noise study the western, southern, and northern elevations require noise mitigation to reduce the interior noise levels to 45 decibels or less. The architectural elevation package submitted incorporates the units identified in the noise study that require upgraded windows and doors. Additionally, both the modeled unmitigated and mitigated noise lines should be depicted on the DSP.

Recommended Conditions

1. Prior to certification, the detailed site plan shall be revised to:
 - a. Provide a General Note indicating that upgraded windows and doors are required for noise attenuation on the western, southern, and northern building elevations.
 - b. Depict and label the modeled unmitigated and mitigated noise lines.
 - c. Remove "Business Center" from the recreational facilities list.
 - d. Indicate that all recreational facilities shall be complete prior to the issuance of a use and occupancy permits, under the recreational facilities list.
2. Prior to certification of the detailed site plan, the applicant shall provide and show on the appropriate plan all bicycle and pedestrian details required in accordance with Conditions 4 and 6 of Preliminary Plan of Subdivision 4-22007.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision with the recommended conditions. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.

Countywide Planning Division
 Environmental Planning Section

301-952-3650

December 19, 2022

MEMORANDUM

TO: Mridula Gupta, Planner III, Urban Design Section

VIA: Maria Martin, Acting Supervisor, Environmental Planning Section *MM*

FROM: Marc Juba, Planner III, Environmental Planning Section *MJ*

SUBJECT: 9113 Baltimore Avenue; DSP-22015

The Environmental Planning Section (EPS) has reviewed the above referenced Detailed Site Plan (DSP-22015) initially received on October 19, 2022. Comments were provided to the applicant at the Subdivision and Development Review Committee (SDRC) meeting on November 11, 2022. Additional documents were submitted by the applicant in response to these comments on November 28, 2022. The EPS recommends approval of DSP-22015, with the recommended finding listed at the end of this memorandum.

BACKGROUND

The following applications and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
N/A	NRI-013-2022	Staff	Approved	4/12/2022	N/A
N/A	S-008-2022	Staff	Approved	1/25/2022	N/A
4-22007	N/A	Planning Board	Approved	9/8/2022	2022-95
DSP-22015	N/A	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

The current application is for the construction of a six to seven story building with 318 multifamily dwelling units and 3,296 square feet of commercial space. The current zoning for the site is Local Transit-Oriented-Edge (LTO-E); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the Mixed-Use Infill (M-U-I) Zone.

GRANDFATHERING

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 because the project is subject to Preliminary Plan 4-22007.

REVIEW OF PRIOR APPROVALS

No prior conditions of approval are directly related to the subject application.

ENVIRONMENTAL REVIEW

Natural Resources Inventory/Existing Conditions Plan

The site has an approved Natural Resources Inventory Plan (NRI-013-2022), which correctly shows the existing conditions of the property. Three specimen trees are located on-site along the site boundary. This site is not associated with any regulated environmental features (REF), such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area (PMA).

Woodland Conservation

The site is exempt from the provisions of the Woodland Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and has no previous tree conservation plan (TCP) approvals. A standard letter of exemption from the WCO was issued for this site (S-008-2022), which expires on January 25, 2024. No additional information is required regarding woodland conservation.

Specimen Trees

In accordance with approved NRI-013-2022, three specimen trees have been identified on the subject property along the eastern property boundary. There are additional specimen trees located off-site immediately east of the site as well. Although this site is exempt from the WCO, preservation of as many specimen trees as practicable should be considered during the final site design process. Particular care should be made to protect specimen trees on adjoining properties through the use of best management practices on-site, such as root pruning. Coordination with neighbors to implement additional stress reduction measures prior to construction, including vertical mulching, is encouraged. No further information is required regarding specimen, champion, or historic trees.

Preservation of Regulated Environmental Features/Primary Management Area

Section 27-285(b)(4) of the Zoning Ordinance requires the following finding: "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 regulated environmental features (REF) exist on-site; therefore, none will be impacted by the proposed development, and staff finds that the REF have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirement of Section 27-285(b)(4).

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Russett-Christiana-Urban land complex (0-5 percent slopes), Sassafras-Urban land complex (5-15 percent slopes), and Urban Land-Sassafras complex (0-5 percent slopes).

No soils containing Marlboro clay are mapped on or within the immediate vicinity of this site; however, unsafe soils containing Christiana complexes have been identified on and within the immediate vicinity of this property. The soils containing Christiana complexes are contained in previously disturbed urban soils on relatively flat slopes. There are no geotechnical concerns with this project.

Correspondence from the Department of Permitting, Inspections and Enforcement (DPIE) demonstrating conformance with Section 24-131 of the Subdivision Regulations for unsafe soils is not required at this time, and no further action is needed as it relates to this application. The County may require a soils report in conformance with CB-94-2004 during future phases of development and/or at time of permit.

Stormwater Management

An approved Stormwater Management (SWM) Concept Letter and Plan (#1836-2022-00) was submitted with this application, which expires on August 11, 2025. Within the area of this DSP application, the approved SWM concept plan shows the use of two proposed micro-bioretenion stormwater devices, a green roof, bay saver cartridges, and a bypass ESD.

No further information is required at this time regarding SWM with this PPS application.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The Environmental Planning Section recommends approval of DSP-22015, subject to the following finding.

Recommended Finding:

1. The property does not contain any regulated environmental features.

November 21, 2022

MEMORANDUM

TO: Gupta Miridula , Urban Design

FROM: Joanna Glascoe, Permit Review Section, Development Review Division

SUBJECT: Referral Comments for **DSP-22015 9113 BALTIMORE AVENUE**

1. No Signs addressed

Gupta, Mridula

From: Thompson, Ivy
Sent: Wednesday, November 30, 2022 10:32 AM
To: Gupta, Mridula
Cc: Holley, Edward; Quattrocchi, Dominic
Subject: RE: REVISED ACCEPTANCE REFERRAL: DSP-22015 9113 BALTIMORE AVENUE

Good morning Mridula, The following comments are provided in reference to DSP-22015 9113 Baltimore Avenue:

DPR staff has reviewed and evaluated DSP-22015 for conformance with the requirements considered in our recommendations of PPS-22007; as they pertain to public parks and recreation. This approximately 4-acre parcel, zoned Legacy Transit-Oriented-edge (LTO-e), is located on the northeast side of Baltimore Avenue between Cherokee and Delaware Streets. The property is being developed per the standards of the old Zoning Ordinance for MUI and DDO projects. This application is for the mixed-use development of 320 multifamily dwellings and 3,937 square feet of ancillary commercial retail space. Preliminary Plan of Subdivision (PPS) 4-22007 was approved by the Prince George's County Planning Board on September 8, 2022. Conditions 7-10 of PGCPB Resolution No. 2022-95 require onsite private recreational facilities to be reviewed by the Urban Design Section of the Development Review Division (DRD). DPR has no additional comments.

Ivy R. Thompson, AICP

*Development Review Coordinator | Land Acquisition/Management & Development Review Section
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Stay connected:



From: Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>
Sent: Tuesday, October 25, 2022 3:53 PM
To: Thompson, Ivy <Ivy.Thompson@pgparks.com>
Subject: FW: REVISED ACCEPTANCE REFERRAL: DSP-22015 9113 BALTIMORE AVENUE
Importance: High

Hi Ivy,
As requested.

ATTACHMENT 1

City Staff Review and Recommendation

Detailed Site Plan DSP-22015
RST - The Flats at College Park
9113 Baltimore Avenue

Project Description

This request is for Detailed Site Plan (DSP-21024) review for a 5-7-story, mixed-use development comprising 317 multi-family residential units and 3,296 square feet of commercial space. The project will be affordable housing financed with State of Maryland Low Income Housing Tax Credits. The property consists of approximately 3.81 acres and fronts on the east side of Baltimore Avenue between Delaware and Cherokee Streets. A six-level, 360-space parking garage will be provided on site with full access from Cherokee Street and right-out only onto Baltimore Avenue. Right-of-way ranging in width from 18-23 feet will be dedicated to SHA along the Baltimore Avenue frontage (50 feet from the centerline). Five feet of right-of-way will be dedicated to the City along Delaware Street (25 feet from the centerline). Currently, the site contains three motels: Days Inn, Howard Johnson's, and Red Roof Inn, which will be razed.

Conformance with Previous Approvals

The Planning Board approved Preliminary Plan of Subdivision (4-22007) on September 29, 2022 (Resolution 2022-95) with conditions. The conditions listed below relate to the detailed site plan review.

1. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Signage and design features to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the driveway design and exact details/profiles of the signage.

Comment: A right-out only exit is shown on Sheet DSP-4. A "Do Not Enter" Sign should be located at this exit and a small median placed in US 1, subject to SHA approval.

- b. Dedicated space for rideshare activities.

Comment: This is shown on Sheet AP101.

- c. A note indicating that a vehicular access point along US 1 (Baltimore Avenue), is limited to a right-out only access.

Comment: This is shown on Sheet DSP-4.

d. A note indicating service areas and move-in/out vehicles only along 48th Avenue.

Comment: Sheet DSP-4 notes that "Entrance to 48th Avenue adequately signed for Service Entry Only" but additional details are needed.

e. Delineate the extent and location of any public use easement necessary to facilitate pedestrian access of any public pedestrian facilities located on-site.

Comment: This is shown on the Public Use Easement Plan.

f. Place a note on the landscape plan that, at the time of development, efforts shall be made to save Tree T4, a Willow Oak, including installing tree protection fencing during construction.

Comment: This has been shown on the plan, however, after review by the City Arborist, staff recommends that this tree be removed. See landscaping section for details.

g. Place a note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures such as installing tree protection fencing during construction, root pruning, and vertical mulching.

Comment: Tree protection measures are shown; however, the City Arborist recommends that these trees be removed with permission from the property owner. See landscaping section for details.

In addition, a Certificate of Adequacy for off-site bicycle and pedestrian improvements, ADQ-2022-039, was approved on 8/24/2022 with 5 conditions. This approval is consistent with the City's recommendation.

Zoning of Property and Adjacent Uses

The subject site was rezoned on April 1, 2022, from M-U-I/DDOZ to Local Transit-Oriented Edge (LTO-e) but will be reviewed under the prior Zoning Ordinance and Subdivision Regulations pursuant to Section 24-1703(a) of the 2018 Subdivision Regulations and under the 2010 Approved US 1 Corridor Sector Plan.

The site is surrounded by existing development as shown in the following table:

Direction from subject property	Use	Prior Zone	New Zone
North (North Side of Delaware Street)	Retail/Service and Single-Family	MUI, DDOZ and R-55	LTO-E (Local Transit-Oriented-Edge) and RSF-65
South (South Side of Cherokee Street)	Undeveloped but Approved for Multi-Family and Retail	MUI, DDOZ	LTO-E (Local Transit-Oriented-Edge)

East	Multi-Family (Ferris Manor), Church (Berwyn Baptist), Single-Family	R-18 and R-55	LTO-E (Local Transit-Oriented-Edge) and RSF-65
West (West Side of Baltimore Avenue)	Multi-Family and Retail (Monument Village)	MUI, DDOZ	LTO-E (Local Transit-Oriented-Edge)

Detailed Site Plan (DSP-22015) – Conformance with Development District Standards

Central US 1 Corridor Sector Plan Vision

The Central US 1 Corridor Sector Plan and Sectional Map Amendment (Sector Plan) placed the site in the Walkable Node (WN) character area. The WN character area is defined as consisting of higher-density mixed-use buildings that accommodate retail with small blocks, wide sidewalks and buildings set close to the frontages (p. 228). The WN allows a maximum height of 6 stories.

Mandatory Shop Frontage (p. 229)

The Sector Plan shows “mandatory shop frontage” along the entire Baltimore Avenue frontage of this property (p. 229 and p. 246). The Applicant is requesting a modification to reduce the amount of commercial “to the extent that this percentage is not 100%.” The Applicant writes on page 29-31 of his Statement of Justification that he will “provide commercial/retail uses on the southern end of the proposed development adjacent to Cherokee Street and amenity space designed as shop frontage along the northern end of the proposed development. The Applicant argues that providing retail is challenging due to the topography and the location of the garage at the southern end of the site. The Applicant further explains that it is more logical to concentrate retail development around the signalized intersection at Baltimore Avenue and Cherokee Street where existing and proposed retail are located/proposed.

The Applicant shows 3,296 square feet of commercial/residential space along Cherokee Street. The Applicant is offering this space rent-free to Meals-on-Wheels, and they are in negotiations. If this does not work out, the Applicant states they will use it for a co-working space.

Comment: The intent of the Mandatory Shop Frontage requirement in a Walkable Node is to provide ground-floor retail space, not just make the building look like it has storefronts. Under the MUI zone, there is a requirement in the Zoning Ordinance to provide a mix of uses if proposed residential density exceeds 48 dwelling units/acre. While the Zoning Ordinance does not specify the percentage of mixed-use required, the Sector Plan is clear about the ground floor commercial storefront requirement for this project. It is intended to provide the opportunity for this area to transition to a pedestrian-oriented area with a mix of uses. The residential density of this project is 83 dwelling units/acre with only 0.5% of the total GSF (607,456 GSF) designated for commercial use. While the partnership with Meals-on-Wheels, if realized, is fantastic, it is not a public-facing use and does not provide an amenity to the larger community. Staff acknowledges the challenge of the site’s topography, therefore could support a modification of this requirement if the four-ground floor residential units shown south of the parking exit on US 1 are removed and replaced with commercial use. The site plan should also be revised to remove “residential use” from the 3,296 square foot commercial area intended for Meals-on-Wheels.

Step-Back Transition (p.238)

The Sector Plan requires a stepback transition for this project meaning development “shall step down through the block to a maximum height of two or three stories facing existing residential development” and can provide a landscape buffer in combination with the stepback. There is existing residential development along the east side of 48th Avenue, along the north side of Delaware Street at 48th Avenue, and behind the proposed building extending to Cherokee Street. The Applicant is requesting a modification to the step-back standard to allow the building at the northeast corner to step down to five stories. The Applicant owns two lots along the east side of 48th Avenue (Lot 1 and Lot 9 in Block A in the F.C. Ebaugh’s Subdivision). Lot 1 (8,102 square feet) currently contains a home which will be razed, and Lot 9 (11,238 square feet) is undeveloped and will remain undeveloped. The building height at US 1 is 5-6 stories and along Cherokee Street the building is 6 stories high. The Delaware Street elevation shows the building at 6 stories along the western side of the building then it increases to 7 stories as the grade drops moving east. Then the building steps down to 5 stories as it approaches 48th Avenue. While this is greater than the 3 stories required in the Sector Plan, the Applicant is proffering to utilize Lots 1 and 9 as a landscape buffer. No step down is provided along the property line shared with the existing apartment building.

Comment: The Applicant states that the stepback provision is only applicable to property that is designated as existing residential within the DDOZ boundary, Staff disagrees with this interpretation and believes the intent of the standard is to protect existing residential areas that abut property proposed for redevelopment. This is consistent with past interpretations. Staff is willing to support the requested modification for the following reasons: 1) The property falls topographically from west to east as well as north to south; 2) The Applicant is proffering to landscape and maintain the two residential lots, a total of 19,340 square feet (0.44 acres) with 77 trees, a berm and fencing; 3) The property adjoining the southeastern property line is multifamily, not single family; and 4) The property at the northeast corner of Delaware Street and 48th Avenue while single family is within the DDOZ and likely to be rezoned and redeveloped in the future.

Vehicular/Parking Access, p.241

Full vehicular site access to and from the parking garage is provided from Cherokee Street. A right-in, right-out only exit from the parking garage to Baltimore Avenue is also provided.

Comment: A “Do Not Enter” sign should be posted on the building exterior at the Baltimore Avenue exit and a small median installed in Baltimore Avenue, subject to SHA approval, to prevent left turns to and from this location. Staff is recommending tabletop crosswalks in front of the garage entrance/exit on Cherokee Street and exit on Baltimore Avenue subject to engineering/grading/permitting feasibility. If the tabletop crosswalk in front of the garage entrance/exit is not feasible, provide other decorative paving to distinguish this crosswalk in front of the garage.

Pedestrian Access

The Applicant provided a pedestrian and vehicular circulation plan (Sheet labeled Circ-1). Sidewalks are provided along all street frontages. There is only one access to the building from Baltimore Avenue at the lobby entrance and one access from Cherokee Street to the commercial space. There is pedestrian access shown from the garage to the building interior and outdoor amenity spaces on level two (residents only).

Comment: It is unclear how pedestrians will exit the parking garage. A pedestrian path needs to be shown along the drive aisles or otherwise provided for at Baltimore Avenue and Cherokee Street.

Setbacks

The front (western) setback (Baltimore Avenue) ranges from 10 to 11.4-feet, the southern (Cherokee Street) setback ranges from 15 to 29.6-feet, the eastern (48th Street) setback ranges from 1-foot to 7.7 feet and the northern (Delaware Street) setback 11.5 to 15.6 feet. A modification is being requested from the front building setback since the Sector Plan requires 0 feet and the Applicant is proposing 11.4-feet. Modifications are also being requested from the southern and northern setbacks since the Sector Plan requires 0-12 feet and the Applicant is proposing to exceed these building setbacks by 3.6 feet along a section of Delaware Street and by 17.6 feet for a section of Cherokee Street.

Comment: Staff supports these setback modifications since they are necessary to meet the 10-foot Public Utility Easement (PUE) requirement, allows for appropriate spacing from electrical lines, allows for the placement of a transformer along Cherokee Street, and reconciles the geometric difference between the building and the angle of the roads.

Lot Coverage and Frontage Buildout

Lot coverage is 68% which complies with the 80% maximum allowed lot coverage. Frontage buildout is 86% complying with the minimum 80% at the build-to line.

Architecture

This is a single building with a 600-foot-long frontage along Baltimore Avenue. The building entrance is approximately in the center and a 6-story parking garage resides within the southern portion of the building and is screened on all but the eastern elevation. The northern portion of the building contains an interior courtyard with a pool. The building ranges in height from 5-7 stories due to grade changes. The Sector Plan defines building height as: "The vertical extent of a building measured in stories, not including a raised basement or a habitable attic. Building height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures. Building height shall be measured from the average grade of the enfronting sidewalk" p. 269. M-NCPPC staff has determined that since the building does not exceed 6-stories along the primary street frontage (Baltimore Avenue) it complies with the height limit.

The front building façade is arranged to appear as two buildings with the northern portion having 6 stories of residential and a continuous shopfront appearance at the ground level but no doors, and the southern portion having 5 stories of residential including at the ground floor level. Materials include fiber cement siding and panels, masonry veneer and glass. The color scheme is charcoal, white, grey, and burnt orange. At the northwest corner, the Applicant shows signage on the top floor and a small tower feature.

Comment: While an attempt has been made to modulate the extremely long building frontage, it is not entirely successful. Where residential uses extend to the ground floor, they should not have a shopfront treatment. The remaining shopfronts should appear as one story which could be achieved by removing the spandrel at level three. The lobby entrance could be enhanced by adding a canopy that extends to the sidewalk. Staff recommends using dark colors for the base and light colors for the upper stories and only using the orange accent panels on one portion of

the building. The bracketing that surrounds come of the balconies should be extended to include all balconies that are vertically stacked, particularly along the Baltimore Avenue frontage.

Garage façade (Sheet R103 and Sheet A203)

The garage is precast concrete with brick veneer panels.

Comment: Staff recommends that the color of the veneer panels match up with the color of the adjoining building walls. As stated above, the base should be dark and the upper floors lighter. In addition, it is recommended that a metal screen grid be installed to enable planting to create a green screen given the close proximity of the garage to the adjoining apartments.

Finished Floor of Ground Floor Residential Units

The Applicant is requesting a modification from the requirement that ground-floor residential units be raised at least 24 inches above the sidewalk grade to provide sufficient privacy. The Applicant states that this requirement cannot be met due to grading constraints. The Applicant states that 2 units along Baltimore Avenue and 3 units along Delaware Street will be less than 24 inches above sidewalk grade. The two units on Baltimore Avenue are units 212 and 213. The three units on Delaware Street are units 214, 119 and 121. The finished floor elevation of these units is actually below grade. Unit 212 is 3.2 feet below grade, Unit 213 is 3.2-feet below grade, Unit 214 is 0.42-feet below grade, Unit 119 is 1.9-feet below grade and unit 121 is 0.5-feet below grade. However, all the units have windows that have a minimum sill height of 4-feet above the finished floor elevation, so they will have natural light. The windows in these units will have privacy blinds to address the privacy issue. These units can only be accessed from inside the secured building.

Comment: Staff supports this modification since the intent of the requirement has been adequately addressed.

Architectural Material

The Applicant is requesting a modification to the permitted siding material. The Applicant is proposing to use fiber cement siding and fiber cement panel, which is not specifically specified in the Sector Plan, although Hardiplank siding is specified.

Comment: Fiber cement siding and fiber cement panel have been used in College Park previously without a modification being needed. Staff has consulted with M-NCPC staff, and they concluded that this modification is not necessary.

Signage

The sign plan shows three building-mounted signs and one blade sign to identify the project, and a sign to identify the parking garage on Cherokee Street.

Comment: All signage proposed conforms to the development district standards. Staff recommends substituting a commercial sign for the building identification sign at the entry on Cherokee Street since it is not an entrance to the residential portion of the building. An additional building-mounted sign to identify the project could be added to the upper story along the southern façade.

Vehicular and Bicycle Parking and Loading Spaces

Vehicular Parking

The Applicant used the shared parking formula to determine that 327 parking spaces are required. The Applicant is requesting a modification to increase the number of parking spaces by 30 to provide a total of 357-360 parking spaces (there is a discrepancy between Sheet DSP-1 and the SOJ pages 37-38) to provide sufficient parking for residents, for guests, and for retail use. A residential gate is proposed in the parking garage to separate residential parking from that of the public.

The Applicant is also requesting a modification to increase the width of the access drive to the garage from 22-feet to 24-feet to facilitate vehicle movement and truck ingress and egress to and from the garage.

Comment: Staff supports the requested modifications.

Bike Parking

The number of bicycle parking spaces required is 120. The Applicant exceeds this requirement by providing 125 bicycle parking spaces in a bike room in the parking garage along with two bike fix-it stations. In addition, 6 bike racks will be installed along the Baltimore Avenue frontage and can be used for micro-mobility parking.

Loading Spaces

3 loading spaces (1 for retail and 2 for multi-family over 300 units) are required. The Applicant is providing 2 loading spaces at the end of 48th Avenue and one inside the parking garage.

Comment: The locations of the loading spaces are acceptable to staff.

Landscaping

The Central US 1 Sector Plan states (page 226) that the provisions of the Landscape Manual regarding alternative compliance, commercial and industrial landscape strip requirements, parking lot requirements, and buffering incompatible uses do not apply within the D-D-O Zone. All other standards and regulations of the Landscape Manual apply as necessary. For this application, the following sections of the Landscape Manual apply: Sections 4.1-Residential Requirements for Multifamily Development, 4.4-Screening, and 4.9-Sustainable Landscaping Requirements.

Section 4.1 Residential Requirements for Multifamily requires 54 shade trees. The Applicant exceeds this requirement by providing 59 shade trees, 54 ornamental trees and 48 evergreen trees.

Section 4.4 Screening Requirements requires screening loading, trash facilities, and mechanical equipment. Loading is proposed inside the parking garage and via two spaces located at the rear of building off 48th Avenue that will not be visible to the public.

No outside trash facility is being proposed and most of the mechanical equipment is stored internal to the building or is screened. However, one electrical transformer located at the southeast corner of the building is not screened.

Comment: No modification was requested for screening of the ground transformer. Staff

recommends the Applicant provide an artistic treatment to all sides of the ground transformer with details provided to City staff prior to implementation.

Section 4.9 Sustainable Landscaping requires that 50% or 30 of the 59 shade trees, and 27 of the 54 ornamental trees be native. Additionally, 30% or 14 of the 48 evergreens and 261 of the 870 shrubs be native. The Applicant exceeds this requirement by providing 46 native shade trees, 29 native ornamental trees, 31 native evergreen trees and 315 native shrubs.

Tree Canopy Coverage Conformance

A 10% tree canopy is required, which calculates to 16,596 square feet for the 165,964 square foot site. The Applicant exceeds this requirement by providing 19,100 square feet of tree canopy or 126 trees (24 major shade trees, 19 minor shade trees, 25 ornamental trees, 10 deciduous, columnar shade trees, 12 evergreen columnar trees, 29 evergreen small trees, and 7 evergreen large trees).

The City Horticulturist and City Arborist reviewed the landscape plans and provided the following comments:

1. On the Landscape Plans, in particular, L401B, clarify which of the existing trees will be removed and which will remain.
2. Consider tree substitutions for the following problematic species:
 - a. Boxwoods
 - b. Otto Luyken-Consider Juniper horizontalis, abelia, or Cornus sericea
3. The existing tree (T-4) Willow Oak and (5) other trees along the property line are in poor condition. The pavement is pushing up in places. In particular, T-4 has many branch sprouts and few viable branches. Ten feet is not an adequate buffer to save this tree. Consider obtaining permission from the adjacent owner and removing T-4 and the other (5) trees. Add (2) Swamp White Oaks in location of T-4 if removed.

Comment: While staff previously recommended saving as many specimen trees as possible, based on the additional review by the City Arborist, it is believed that the likelihood of these trees surviving construction is very low. Staff now recommends removing these trees and planting new trees

Recreational Facilities and Open Space

According to the formula for determining the value of recreational facilities, the Applicant is required to provide recreational facilities that are valued at a minimum of \$294,247. The Applicant is proposing to exceed this requirement by providing recreational facilities valued at \$715,000. The outdoor facilities include: a pool, a courtyard, a playground, a dog park, grilling areas, and an outdoor terrace. Indoor facilities include: a sunroom lounge with coffee bar overlooking the exterior courtyard, a library with a café, a business center, a multi-purposed room, a fitness center, a game room, a kitchenette, and bike storage with two fix-it stations.

Sustainability and the Environment

The Sector Plan requires all development within the walkable nodes obtain a minimum of silver certification in one of the LEED rating systems and goes on to state: "LEED-Gold or platinum certification under an applicable LEED rating system is encouraged for all development when feasible." p. 256. The Applicant is requesting a modification to use an alternative certification

system, specifically, the National Green Building Standard (NGBS) at the silver level. The Applicant has submitted both a LEED scorecard and an NGBS scorecard. Both show that the Applicant will be able to achieve the equivalent of LEED Silver certification.

Comment: The City has reviewed several multi-family housing projects recently and has supported using an alternative licensing authority, such as NGBS, as long as the Applicant adheres to a Silver standard. Of note, the Applicant is proposing to provide 6 EV charging stations in the parking garage, one per floor and an EV van charging station on one of the levels. Staff recommends that the Applicant consider adding a green roof to the flat roof portions of the building.

Streets Improvements and Streetscapes

The Sector Plan requires the provision of sidewalks, street trees, pedestrian lighting, and amenities such as bicycle racks, benches, and trash receptacles along street frontages (Baltimore Avenue, Cherokee Street, Delaware Street, and 48th Avenue).

Baltimore Avenue

Along the Baltimore Avenue frontage, the Applicant is dedicating 23 feet to SHA to establish 50-feet from the centerline of the right-of-way. The street section shows a 4-foot-wide landscape strip from the Baltimore Avenue curb, a 6.5-foot asphalt cycle path with dismount areas, a 12-foot-wide sidewalk, and a 10-foot-wide Public Utility Easement (PUE) with landscaping. Pedestrian streetlights and street trees will be installed every 30-feet. In addition, 5 benches, 6 bike racks and 2 trash cans are shown.

Comment: While the proposal conforms with the illustrative streetscape section in the Sector Plan, it is not consistent with what the SHA has proposed for future reconstruction of the corridor. While not designed or funded, it is SHA's intent to match the improvements that are currently under construction south of MD 193. The key difference is that SHA proposes an on-road bike lane rather than a cycle track. Future reconstruction is likely to change the location of the streetscape improvements that are shown.

The Applicant should identify a micro-mobility parking hub on either Baltimore Avenue or Cherokee Street.

Cherokee Street

Along the Cherokee Street frontage, the Applicant is installing a 4-foot-wide green space, an 8-foot-wide sidewalk, and a 10-foot-wide PUE. Also, pedestrian lights and street trees will be installed every 30-feet.

Delaware Street

Along the Delaware Street frontage, the Applicant is dedicating an additional 5-feet to the City to establish 25-feet of right-of-way from the centerline. The Applicant is installing an 8-foot-wide landscaped strip, an 8-foot-wide sidewalk and a 10-foot-wide PUE.

48th Avenue

48th Avenue is a 40-foot-wide, unimproved, City right-of-way along the eastern property line for approximately 220-feet. The Applicant is proposing to improve this street to City standards and use it for service access and loading. Along the western side of 48th Avenue, the Applicant is installing a 3-foot-wide green space, a 4-foot-wide sidewalk and green space along the building,

that varies in width from 0 to 8-feet due to an angled property line. Pedestrian light fixtures will be installed every 30-feet. Along the eastern side of 48th Avenue, the Applicant will install a 5-foot-wide sidewalk.

Comment: City staff supports the improvements proposed for Baltimore Avenue, Cherokee Street, Delaware Street and 48th Avenue. The Applicant will need to sign a Declaration of Covenants that will acknowledge responsibility for maintenance for the right-of-way and for pedestrian light fixtures, landscaping, and sidewalks.

Modifications to Development District Standards

The following table summarizes the requested modifications from the development district standards and staff's recommendations. This is permitted according to Section 27-548.25(c) which provides that an Applicant may request, and the Planning Board may apply, development standards that differ from the D-D-O Standards so long as the "alternate D-D-O Standards will benefit the development and the Development District and will not substantially impair implementation of the . . . Sector Plan."

Standard	Required	Proposed	Recommendation
¹ Section 4.4 of Landscape Manual (page 60)	Screening-Conceal mechanical equipment from adjacent properties, streets, outdoor living and recreation areas and parking facilities.	Not Screening Transformer	Do not support.
Mandatory Build-to-Line (BTL), (p. 229)	0 feet	10-11.4-feet on Baltimore Ave. to allow for a Public Utility Easement.	Support
Mandatory Shop Frontage (p. 229)	100% Mandatory Shop Frontage	Shopfront at corner of Baltimore Ave. and Cherokee St. (3,296 square feet).	Support with conditions
Front Build-to-Line (BTL), Secondary (p. 234)	Minimum 0 feet Maximum 12 feet	29.6-feet on Cherokee St. 15.6 feet on Delaware St.	Support
Building Form, Step-Back Transition and Landscape Buffers (p, 238)	Step-back transition to 2-3 stories when sharing a property line or across the street from existing residential area.	Stepback to 5 stories in part and provision a landscaped buffer.	Support with a condition
² Parking, number of spaces (p.239)	327 parking spaces (residential-317, retail-10)	357-360 parking spaces.	Support

Parking Access (p. 241)	Access drives no wider than 22 feet.	24-foot-wide access drive on Cherokee Rd.	Support
Architectural Elements (p. 245-250)	Ground-floor residential units should be raised finish floor at least 24 inches above sidewalk grade.	Due to grade constraints, 3 units along Baltimore Ave. and 2 units along Delaware St. will not be 24 inches above the sidewalk.	Support
³ Architectural Elements/Siding (p. 252)	Wood or Composition Board	Fiber Cement Panel	Support
Sustainability and the Environment (p. 256-258)	LEED (Leadership in Energy and Environmental Design) Silver Certification	NGBS (National Green Building Standard) Silver Certification	Support

¹Modification needed but not requested.

²Discrepancy between Sheet DSP-1, SOJ page 37-38 and Development District Analysis, page 13.

³This modification is not needed.

Departures (p. 42-43 of SOJ)

The Applicant is requesting three departures from the Zoning Ordinance:

1. Parking space dimensions from 9.5-feet x 19-feet to 9-feet x 18-feet.
2. Height of garage entrance from 15 feet clearance to 13.5 feet clearance.
3. Height of ceiling above loading space from 15-feet clearance to 14-feet clearance.

Regarding the parking space dimensions, the Applicant reasons that the current Zoning Ordinance parking space standard is 9-feet x 18-feet so while the proposed dimensions do not meet the former Zoning Ordinance (under which this application is being evaluated), they do meet the current Zoning Ordinance. Regarding the parking garage clearances, the Applicant states that the property slope impacts the ability to provide the full 15-foot height at the access to the garage and above the loading space.

Comment: Staff supports all three departures since they are minimal and should not impact the potential users. Staff recommends a condition that a clearance bar be placed at the parking garage entrance to alert oversized vehicles.

Detailed Site Plan Recommendation

City staff recommends supporting Detailed Site Plan-22015 subject to the following:

1. SUPPORT the three requested Departures:
 - a. Parking space dimensions from 9.5-feet x 19-feet to 9-feet x 18-feet.
 - b. Height of garage entrance from 15 feet clearance to 13.5 feet clearance.

- c. Height of ceiling above loading space from 15-foot clearance to 14-foot clearance
2. SUPPORT the following alternative development district standards, as noted below:
(Note: The page numbers are referenced in the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment)
 - a. **Mandatory Build-to-Line (BTL)** (page 229) – To increase setback from 0-feet to 10 feet to allow for Public Utility Easement.
 - b. **Front Build-to-Line (BTL), Secondary** (page 234)- To increase the setback requirement by 17.6. from a maximum 12-feet to 29.6 feet along Cherokee St. and increase the setback requirement by 2.6 feet along Delaware St.
 - c. **Parking, number of spaces** (page 239) – To increase the number of spaces by 30 spaces from 328 to 359 spaces.
 - d. **Parking Access** (p. 241) – To increase the width of access drives from 22-feet in width to 24-feet.
 - e. **Architectural Elements** (p. 245-250) – To allow 3 units along Baltimore Ave. and 2 units along Delaware St. to not be 24-inches above the sidewalk.
 - f. **Architectural Elements/Siding** (p. 252) – To allow fiber cement panel as a siding material.
 - g. **Sustainability and the Environment** (p. 256) – To use an alternative certification system (NGBS-Silver) but equivalent to LEED Silver.
 3. CONDITIONALLY SUPPORT the following alternative development standards:
 - a. **Mandatory Shopfront** (page 229) – To decrease mandatory shop frontage from 100% along Baltimore Avenue.
 - b. **Building Form, Step-Back Transition and Landscape Buffers** (page 238)-To not provide a step-back transition of the building to 2-3 stories where it adjoins a residential area.
 4. DO NOT SUPPORT: **Section 4.4 of Landscape Manual** (page 60)-To not screen a transformer.
 5. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Site Plan to:
 - a. Identify a micro-mobility parking area on Baltimore Avenue or Cherokee Street.
 - b. Provide a “Do Not Enter” sign at the Baltimore Avenue exit and add a median to Baltimore Avenue at the garage exit, subject to approval of SHA.
 - c. Provide details of signage along 48th Avenue such as “Service Entry Only” and restrictions for resident vehicles including information regarding move-ins/outs.
 - d. Provide tabletop crosswalks in front of the garage entrance/exit on Cherokee Street and exit on Baltimore Avenue subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or another material to distinguish these crosswalks.
 - e. Remove the 4-ground floor residential units (249-252) at the southern end of the building and provide commercial space/shopfronts.
 - f. Re-label the site plan to remove “residential use” from the 3,296 square foot area along Cherokee Street.
 6. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Architectural Plans to:
 - a. Remove the shopfront treatment where residential uses extend to the ground floor.

- b. Remove the spandrel at level three along Baltimore Avenue to improve the shopfront treatment.
 - c. Enhance the lobby entrance by adding a canopy that extends to the sidewalk.
 - d. Use dark colors for the base and light colors for the upper stories and only use the orange accent panels on one portion of the building.
 - e. Extend the bracketing that surrounds some of the balconies to include all the balconies in a vertical alignment, particularly along the Baltimore Avenue frontage.
 - f. For the garage façade, the color of the veneer panels should match up with the color of the adjoining building walls. The base should be dark and the upper floors lighter. In addition, a metal screen grid shall be installed to enable planting to create a green screen.
 - g. Change the building identification sign over the entrance to the commercial space to identify appropriately identify the space (Sheet A202, Detail F1).
 - h. Indicate a clearance bar with dimensioned height be placed at the parking garage entrance.
7. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Landscape Plan to:
- a. Provide an artistic treatment detail to be applied to all sides of the ground transformer located at the southeast corner of the south building.
 - b. Remove fencing proposed along 48th Avenue or revise to comply with the City fence ordinance (the first 25 feet from Delaware Street, the fencing should not exceed 3-feet in height and can be a picket fence as depicted on Sheet L301, detail 11). The screen fence shown across Lot 9 should be removed.
 - c. Clarify which of the existing trees will be removed and which will remain on Sheet L401B and any other relevant sheet.
 - d. Consider tree substitutions for the following problematic species:
 - 1) Boxwoods
 - 2) Otto Luyken-Consider Juniper horizontalis, abelia, or Cornus sericea
 - e. Consider removing T-4 and the other (5) specimen trees with permission from the adjacent owner. Add (2) Swamp White Oaks in location of T-4 if removed.
 - f. Provide a green roof on flat roof surfaces, where feasible.
8. Prior to Planning Board approval of the DSP, execute a Declaration of Covenants and Agreement with the City that includes, at a minimum, the following provisions:
- a. Construction and maintenance of improvements to the City's unimproved 40-foot-wide right-of-way known as 48th Avenue, for approximately 219 feet west of Delaware Street, in accordance with City design standards (including installation of a roadbed, roadway, curb, gutter, and a five-foot-wide sidewalk on the east side and four-foot-wide sidewalk on the west side). "No Through Street" and "No Parking" signs shall be posted and enforced by the City.
 - b. A public access easement to the City for the "T-shaped" hammerhead turn-around located on the Applicant's property at the end of 48th Avenue-See Public Use Easement Plan.
 - c. A public access easement to the City, to accommodate the sidewalk along Delaware Street-See Public Use Easement Plan.
 - d. Construction of an exclusive right turn lane on Cherokee Street between the site access and US Route 1 in accordance with City and SHA standards.
 - e. Installation of high visibility (piano keys), crosswalks along US Route 1 on Indian Lane and Fox Street, as indicated in the BPIS, subject to any required SHA approval.
 - f. Installation of pedestrian signals and high visibility crosswalks (piano keys) along the US

1 and Cherokee Street intersection, as indicated in the BPIS, subject to any required SHA approval.

- g. Acknowledgement of responsibility for maintenance of pedestrian light fixtures, landscaping, and sidewalks.
- h. Restrictions related to construction staging and hours of operation, if needed.
- i. If feasible, provision of an outdoor public art feature, which can be matched by City funds (up to \$15,000).
- j. Evidence of NGBS SILVER certification.



**CITY OF COLLEGE PARK, MARYLAND
ACTION ITEM COVER REPORT**

AGENDA ITEM: 23-x-xx

Prepared By: Miriam Bader
Senior Planner

Meeting Date: 01/10/2023

Presented By: Miriam Bader and Terry Schum

Proposed Consent: No

Originating Department: Planning and Community Development

Action Requested: Consideration of Detailed Site Plan DSP-22015 and related Departures from Parking Standards - The Flats at College Park, RST Development

Strategic Plan Objective: OKR #5: Plan and facilitate strategic economic development and smart growth to support a variety of businesses that can thrive and serve the diverse needs of our community.
OKR #8: Foster and sustain an affordable and stable city for individuals and families to live, work, play and retire here.

Background/Justification:

The Applicant, RST Development, LLC, has submitted Detailed Site Plan DSP-22015 to construct a 5-7 story, mixed-use building at 9113 Baltimore Avenue. The project includes 317 multi-family units, 3,296 square feet of commercial space intended to house the local Meals on Wheels program, and a six-level parking garage with 328 parking spaces. The Planning Board hearing is scheduled for January 19, 2023.

The Applicant is requesting several modifications to the US 1 Corridor Development District Standards which were discussed at the December 13 Worksession. Revised conditions (Attachment 1) reflect agreement between the staff and Applicant with the possible exception of condition # 5f which was added to address neighborhood traffic concerns about the sole point of ingress on Cherokee Street. M-NCPPC staff confirmed the possibility of submitting a reconsideration request to the Planning Board and the Applicant is researching the implications.

In addition, the Applicant performed a solar study (Attachment 3) to look at the impact of shadows cast by the proposed building. The results will be reviewed by the Applicant at the meeting.

Fiscal Impact:

Constructions costs are estimated to be around \$75-\$80 million. Real estate taxes are estimated to be about \$1.2-1.5 million per year.

Council Options:

1. Recommend support of DSP-22015 with revised conditions.
2. Recommend support with different conditions.
3. Do not support.

Staff Recommendation:

Option #1

Recommended Motion:

I move that the City Council support approval of DSP-21024 and related Departures with revised conditions as recommended by staff.

Attachments:

1. Revised Conditions
2. Declaration of Covenants and Agreement
3. Solar Study
4. Link to DSP 22015, RST:
<https://www.dropbox.com/sh/9sm51kg40ztkvhx/AAAT8UM5uu9-DvFG3qHLJwyja?dl=0>
5. Link to the M-NCPPC DSP staff report, when available: [Meeting Portal - The Maryland-National Capital Park & Planning Commission \(iqm2.com\)](#)

REVISED Detailed Site Plan Recommendation

City staff recommends supporting Detailed Site Plan-22015 subject to the following:

1. SUPPORT the three requested Departures:
 - a. Parking space dimensions from 9.5-feet x 19-feet to 9-feet x 18-feet.
 - b. Height of garage entrance from 15 feet clearance to 13.5 feet clearance.
 - c. Height of ceiling above loading space from 15-feet clearance to 14-feet clearance
2. SUPPORT the following alternative development district standards, as noted below:
(Note: The page numbers are referenced in the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment)
 - a. **Mandatory Build-to-Line (BTL)** (page 229) – To increase setback from 0-feet to 10 feet to allow for Public Utility Easement.
 - b. **Front Build-to-Line (BTL), Secondary** (page 234)- To increase the setback requirement by 17.6. from a maximum 12-feet to 29.6 feet along Cherokee St. and increase the setback requirement by 2.6 feet along Delaware St.
 - c. **Parking, number of spaces** (page 239) – To increase the number of spaces by ~~30~~32 spaces from ~~328~~327 to 359 spaces.
 - d. **Parking Access** (p. 241) – To increase the width of access drives from 22-feet in width to 24-feet.
 - e. **Architectural Elements** (p. 245-250) – To allow 3 units along Baltimore Ave. and 2 units along Delaware St. to not be 24-inches above the sidewalk.
 - f. **Architectural Elements/Siding** (p. 252) – To allow fiber cement panel as a siding material.
 - g. **Sustainability and the Environment** (p. 256) – To use an alternative certification system (NGBS-Silver) but equivalent to LEED Silver.
3. ~~CONDITIONALLY SUPPORT the following alternative development standards:~~
 - a. **Mandatory Shopfront** (page 229) – To ~~not provide decrease~~ mandatory shop frontage ~~from 100%~~ along Baltimore Avenue.
 - b. **Building Form, Step-Back Transition and Landscape Buffers** (page 238)-To not provide a step-back transition of the building to 2-3 stories where it adjoins a residential area.
4. DO NOT SUPPORT: **Section 4.4 of Landscape Manual** (page 60)-To not screen a transformer.
5. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Site Plan to:
 - a. Identify a micro-mobility parking area on Baltimore Avenue or Cherokee Street.
 - b. Provide a “Do Not Enter” sign at the Baltimore Avenue exit and add a median to Baltimore Avenue at the garage exit, subject to approval of SHA.
 - c. Provide details of signage along 48th Avenue such as “Service Entry Only” and restrictions for resident vehicles including information regarding move-ins/outs.
 - d. Provide tabletop crosswalks in front of the garage entrance/exit on Cherokee Street and exit on Baltimore Avenue subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or another material to distinguish these crosswalks.
 - e. ~~Remove the 4 ground floor residential units (249-252) at the southern end of the building~~

- ~~and provide commercial space/shopfronts.~~
- e. Re-label the site plan to remove “residential use” from the 3,296 square foot commercial area along Cherokee Street.
- f. Provide Submit a reconsideration to M-NCPPC staff for a right-in, right-out access from the parking garage in addition to the right-out from Baltimore Avenue subject to Planning Board approval of a reconsideration of Preliminary Plan 4-22007, if required.
6. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Architectural Plans to:
- a. Remove the shopfront treatment where residential uses extend to the ground floor.
- b. Remove the spandrel at level three along Baltimore Avenue to improve the shopfront treatment.
- c. ~~Enhance the lobby entrance by adding a canopy that extends to the sidewalk.~~
- d. Use predominantly dark colors for the base and predominantly light colors for the upper stories of the building. ~~and only use the orange accent panels on one portion of the building.~~
- e. ~~Extend the bracketing that surrounds some of the balconies to include all the balconies in a vertical alignment, particularly along the Baltimore Avenue frontage.~~
- f.e. For the east elevation along the rear yard, garage façade, the color of the horizontal masonry veneer panels for the parking garage should be the same color as the match up with the color of the adjoining fiber cement panels used for the building walls. The precast panels on the ramped portion of the parking garage base should be a dark and the upper floors lighter color. ~~In addition, a metal screen grid shall be installed to enable planting to create a green screen.~~
- g.f. Change the building identification sign over the entrance to the Cherokee Street commercial space to ~~identify appropriately~~ identify the commercial user space (Sheet A202, Detail F1).
- h.g. Indicate a clearance bar with dimensioned height be placed at the parking garage entrance.
7. Prior to certification of the Detailed Site Plan, the Applicant shall revise the Landscape Plan to:
- a. Provide an artistic treatment detail to be applied to all sides of the ground transformer located at the southeast corner of the south building.
- b. ~~Remove~~ Revise fencing proposed on the north side of along 48th Avenue ~~or revise to~~ comply with the City fence ordinance (the first 25 feet from Delaware Street, ~~the fencing~~ should not exceed 3-feet in height and ~~can~~ be open and transparent such as the a picket fence as depicted shown on Sheet L301, detail 11). ~~The screen fence shown across Lot 9 should be removed.~~
- c. Clarify which of the existing trees will be removed and which will remain on Sheet L401B and any other relevant sheet.
- d. Consider tree substitutions for the following problematic species:
- 1) Boxwoods
- 2) Otto Luyken-Consider Juniper horizontalis, abelia, or Cornus sericea
- e. ~~Consider removing T-4 and the other (5) specimen trees with permission from the adjacent owner. Add (2) Swamp White Oaks in location of T-4 if removed.~~
- f. ~~Provide a green roof on flat roof surfaces, where feasible.~~
8. Prior to Planning Board approval of the DSP, execute a Declaration of Covenants and Agreement with the City that includes, at a minimum, the following provisions:

- a. Provide a retail ~~space~~ use or other commercial use approved by the City Council, if the ~~space~~ for Meals-on-Wheels does not occupy the designated commercial space. ~~space is not used.~~
- a-b. Construction and maintenance of improvements to the City's unimproved 40-foot-wide right-of-way known as 48th Avenue, for approximately 219 feet west of Delaware Street, in accordance with City design standards (including installation of a roadbed, roadway, curb, gutter, and a five-foot-wide sidewalk on the east side and four-foot-wide sidewalk on the west side). "No Through Street" and "No Parking" signs shall be posted and enforced by the City.
- b-c. A public access easement to the City for the "T-shaped" hammerhead turn-around located on the Applicant's property at the end of 48th Avenue-See Public Use Easement Plan.
- c-d. A public access easement to the City, to accommodate the sidewalk along Delaware Street-See Public Use Easement Plan.
- d-e. Construction of an exclusive right turn lane on Cherokee Street between the site access and US Route 1 in accordance with City and SHA standards.
- e-f. Installation of high visibility (piano keys), crosswalks along US Route 1 on Indian Lane and Fox Street, as indicated in the BPIS, subject to any required SHA approval.
- g. Installation of pedestrian signals and high visibility crosswalks (piano keys) along the US 1 and Cherokee Street intersection, as indicated in the BPIS, subject to any required SHA approval.
- f-h. PILOT to City if the property becomes tax exempt.
- g-i. Unitary management and condominium conversion requirements.
- h-j. Acknowledgement of responsibility for maintenance of pedestrian light fixtures, landscaping, and sidewalks.
- i-k. Restrictions related to construction staging and hours of operation, if needed.
- j-l. If feasible, provision of an outdoor public art feature, which can be matched by City funds (up to \$15,000).
- k-m. Evidence of NGBS SILVER certification.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

December 1, 2022

TO: Mridula Gupta, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director *Mary Giles*
Site/Road Plan Review Division, DPIE

RE: 9113 Baltimore Avenue
DSP-22015

CR: Baltimore Avenue (MDSHA)
CR: Delaware Street (City of College Park)

This is in response to Detailed Site Plan DSP-22015 referral. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The proposed subdivision is located at 9113 Baltimore Avenue, at the intersection of Baltimore Avenue and Delaware Street.
- The applicant proposes construction of a 6 to 7 story building with 318 multifamily dwelling units and 3,296 square feet of commercial space
- DSP-22015 is consistent with the approved Site Development Concept Plan 1836-2022.
- DPIE Traffic provides the following comments for proposed Bicycle and Pedestrian Impact Statement (BPIS).
 - The applicant should provide Rectangular Rapid Flashing Beacon (RRFB) at the mid-block Paint Branch Trail crossing on Cherryhill Road in place of the proposed installation of pedestrian signals along US 1 on Cherokee Street. US-1 and Cherokee Steet signalized intersection is a frontage to the development and should not be included in the off-site pedestrian and bicycle improvement
- DPIE has no objection to DSP-22015.

If you have any questions or require additional information, please contact Mr. Steve Snyder, P.E, the District Engineer for the area, at (301) 883-5710.

cc: Rey de Guzman, P.E., Chief, S/RPRD, DPIE
Rene Lord Attivor, Chief Traffic, S/RPRD, DPIE
Steve Snyder, P.E., District Engineer, S/RPRD, DPIE
RST Development C/O Scott Copeland, 6110 Executive Boulevard, Rockville, MD 20852
Vika, Inc., 20251 Century Boulevard, Suite 400, Germantown, MD 20874



Division of Environmental Health/Disease Control

Date: October 27, 2022

To: Mridula Gupta, Urban Design, M-NCPPC

From: Adedola Adegboju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-22015, 9113 Baltimore Avenue

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for The Flats at College Park and has the following comments/recommendations:

1. Health Department permit records indicate there are seven carry-out/convenience store food facilities within a ½ mile radius and one markets/grocery stores within a one-mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. ***The plan proposes to designate commercial storage space for the Meals on Wheels program which helps provide nutritious meals to our vulnerable elderly population.***
2. Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian access to amenities in the adjacent communities.
3. There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.
4. During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
5. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction



Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health



Division of Environmental Health/Disease Control

activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



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1 - Sewer Manhole Comment

Created by: Matt Snyder
On: 10/27/2022 07:11 AM

The sewer manhole shall be located outside of the curb and gutter pan.

----- 0 Replies -----

2 - General Comments

Created by: Matt Snyder
On: 10/27/2022 01:26 PM

- 1)A proposed site development project was previously submitted to WSSC (DA7443Z22) and generated review comments. Contact Matt Snyder at (301) 206-8813 or Matthew.Snyder@wsscwater.com for information.
- 2)WSSC replacement - WSSC has ongoing system improvement program in the project vicinity. The Applicant must coordinate with WSSC Pipeline Design Division at 301-20-8577.
- 3)Submit an Excavation Support System Plan (ESS) to WSSC for review if your project involves subsurface features such as an underground parking garage or a deep excavation which will require tiebacks in the area of existing or proposed WSSC mains. This ESS Plan submission should be made at the time of Design Plan Submission. If, however, the excavation support work will be done before the Design Plan Submission, it will be necessary to submit the plan as a Non-DR Plan to WSSC. No work should be done in the vicinity of WSSC mains until the ESS Plans have been reviewed by WSSC. If no ESS Plans are required for the project, the engineer should provide a letter from the Project Structural Engineer certifying that the building does not require it.
- 4)Follow WSSC Demolition/Abandonment procedures to obtain a County Raze Permit. Note: Failure to obtain an SDC fixture credit permit inspection prior to the removal of existing fixtures will result in the issuance of Basic Credit Only. To obtain System Development Charge (SDC) credits for existing plumbing fixtures, an SDC Fixture Count Inspection MUST be completed by a WSSC Regulatory Inspector BEFORE REMOVAL OF FIXTURES OR DEMOLITION of the structure. The inspection requires a permit which can only be obtained through a WSSC Registered Master Plumber. SDC Fixture Credit Procedures are available at the WSSC Permit Services website.
- 5)Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.
- 6)Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.
- 7)WSSC facilities/structures cannot be located with a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.
- 8)Site Utility System reviews are required for projects with proposed water connections greater than 2-inch or sewer connections greater than 4-inch. Contact the WSSC Permit Services Unit on (301) 206-8650 for submittal requirements or view our website.

----- 0 Replies -----

3 - Easements

Created by: Matt Snyder
 On: 10/27/2022 01:27 PM

1.WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC 2017 Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

2.Private Street & Alley Easement Requirements. Service mains proposed for this project are located in roadways that are or may be private. Private water and sewer mains are preferred in private streets and alleys. If the applicant desires public water and sewer mains in these private streets and alleys, then the following criteria must be met:

- a.All separation requirements in the WSSC 2017 Pipeline Design Manual (PDM) must be met.
- b.A 10 foot Public Utility Easements (PUE) shall be provided on both sides of the private street -and/or alley or space within the private street will be provided to assure PDM separations are met and limiting utility crossings of the WSSC water and sewer lines.
- c.Blanket easements for other utilities (gas, electric, telephone, CATV, fiber optic, etc.) within the private street and/or alley parcel will not be allowed. The HOA documents shall not provide for a blanket easement across and under a private street and/or alley parcel.
- d.Dry utilities are to be located in the PUE or as described above. No dry utilities are to be placed within the WSSC easement for public water and sewer except to cross perpendicular to the public water and sewer mains.
- e.The storm drain system located in a private street and/or alley containing public water and sewer mains shall also be public and maintained by the County.

3.WSSCs minimum easement width for a normal (14-inch diameter or less) pipeline (water or sewer at normal depth) is 20-feet. When both water and sewer (normal diameter and depth) are installed in the same easement, the minimum width is 30-feet. Installation of deep or large water/sewer will require additional easement width.

4.The minimum horizontal clearance from a building to the outside diameter of a WSSC pipeline is 15-feet. The minimum spacing between adjacent buildings with both water and sewer lines between them must be 40-feet. In some cases where connections, fire hydrants, or deep water/sewer lines are involved, additional easement width is required.

5.Balconies or other building appurtenances must not encroach within WSSC easements. Water/Sewer pipeline alignment should maintain a minimum 5-foot horizontal clearance from storm-drain pipeline/structures and other utilities. Review of plan submitted does not meet these requirements.

6.A single water/sewer service connection for two or more buildings in a single lot/parcel requires a covenant. Should the property be subdivided or sold in the future, individual water/sewer connections for each building will be required.

----- 0 Replies -----

4 - Water

Created by: Matt Snyder
 On: 10/27/2022 01:27 PM

1.There is a 12-inch diameter water main located on or near this property. WSSC records indicate that the pipe material is Cast Iron (CI). Prior to submittal of Phase 2 System Integrity review, it is the applicant's responsibility to test pit the line and determine its exact horizontal and

vertical location as well as to verify the type of pipe material. The applicant's engineer is responsible for coordinating with WSSC for monitoring and inspecting test pits for this project.

2.A 12-inch water main is available to serve the proposed site. Contact the Permit Services Unit at (301) 206-8650 for details regarding applying for service connections or visit our website.

3.Existing water mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.

4.Realign water service connection(s) to avoid environmental, storm water management facilities, ESD Devices, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC 2017 Pipeline Design Manual Part Three, Section 3; Pipeline Crossings and Clearances.

5.Water pipelines 12-inch and smaller must have the greater of: a minimum of 15 feet horizontal separation from any building or dwelling or a 1:1 slope from the bottom of the foundation of the existing or proposed building to the bottom edge of the pipeline trench.

----- 0 Replies -----

5 - Meters

Created by: Matt Snyder
On: 10/27/2022 01:28 PM

1.Condominiums in Prince George's County. Pursuant to State law, condominium or cooperative ownership projects in Prince George's County (or conversions to condominium or cooperative ownership) may not be served by a master meter. Each unit must have a separate meter, account and shutoff valve in accordance with the WSSC 2019 Plumbing and Fuel Gas Code. See WSSC 2019 Development Service Code 702.5.1

2.METERING - Multi-Unit Buildings. In accordance with State law, the Commission shall require individual metering of residential units within a multi-unit condominium or cooperative ownership property located in Prince George's County. For all other multi-unit properties, WSSC shall allow either "Master Metering" or individual unit metering. Where individual metering is optioned, design and installation shall meet the provisions set forth in Sections 111.5.8.2 and 111.5.8.3 Where required solely by the owner, unit (private) water meters shall be furnished, installed, and maintained by the property owner. WSSC 2019 Plumbing & Fuel Gas Code 111.5.8

3.METERING - Mixed-Use Buildings.

Where both residential and commercial units in the same building are served by single water service connection or multiple service connections forming into a single system on property, a minimum of two meters shall be installed, as set forth below, to allow for the separate registering or computations of residential unit and commercial unit water consumptions at the building. For mixed-use properties located in Prince George's County, each residential unit must be metered separately. See 2019 Plumbing & Fuel Gas Code 111.5.8.1

4.OUTSIDE METERS - 3-inch and larger meter settings shall be furnished and installed by the utility contractor in an outside meter vault. Show and label vault and required WSSC easement. WSSC prefers an outside meter in a vault, however and indoor meter may be allowed under certain conditions. See WSSC 2019 Plumbing & Fuel Gas Code 111.5.7 & 603.4.1

----- 0 Replies -----

6 - Sewer

Created by: Matt Snyder
On: 10/27/2022 01:28 PM

1)8-inch gravity sewer mains are available to serve the proposed site. Contact the Permit

Services Unit at (301) 206-8650 for details regarding applying for service connections or visit our website.

2)Revise sewer design to provide a single sewer service connection. See WSSC Plumbing & Fuel Gas Code 111.2 Service Connection.

3)Existing sewer mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.

4)For sewer pipelines 12-inch and smaller in diameter, provide a minimum separation from a building or dwelling the greater of the following: fifteen (15) feet horizontal separation or a distance on a 1:1 slope from the bottom of the foundation of the existing or proposed building or dwelling to the bottom edge of the pipeline trench

5)Revise the plan to realign any sewer pipeline that conflicts with large storm drains, culverts, deep side ditches, etc. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC 2017 Pipeline Design Manual.

6)Realign sewer service connection(s) to avoid environmental, storm water management facilities, ESD Devices, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance. See WSSC 2017 Pipeline Design Manual Part Three, Section 3; Pipeline Crossings and Clearances.

7)If elevations do not allow gravity sewer, onsite pumping with ejector or grinder pumps may be required for sewer service.

8)This project is located in Northeast Branch Basin. Based on the Sewer Modeling analysis for this basin, projected flows during a 2 year design storm exceed the capacity of downstream sewers.

9)Projects within sewer basins that experience projected 2-year design storm sewer overflows will be modeled to determine whether they are upstream of these overflows. WSSC standard procedure ENG 11-01 may require sewer system improvements to alleviate these overflows, of which this project may become dependent on. This special review is performed during the Hydraulic Planning Analysis and will determine if downstream improvements or dependencies will be required.

----- 0 Replies -----

7 - 1. WSSC Plan Review Comments

Created by: Irene Andreadis

On: 10/24/2022 09:37 AM

DSP-22015 - 9113 Baltimore Avenue

----- 0 Replies -----

8 - 2.WSSC Standard Comments For All Plans

Created by: Irene Andreadis

On: 10/24/2022 09:37 AM

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.

2. Coordination with other buried utilities:

a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.

b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.

- c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
- d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSCs pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
- e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
- f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
- g. Upon completion of the site construction, utilities that are found to be located within WSSCs rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.

3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.

4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at <https://www.wsscwater.com/business--construction/developmentconstruction-services.html> for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

----- 0 Replies -----

R E S O L U T I O N

WHEREAS, Capitol Hospitality Inc./Royal Hospital Inc. is the owner of a 3.82-acre parcel of land known as Parcel A of Sims Tract and Lots 34 and 35 of Daniels Park said property being in the 21st Election District of Prince George's County, Maryland, and being zoned Local Transit-Oriented Edge (LTO-E) Zone; and

WHEREAS, on June 14, 2022, Capitol Hospitality Inc./Royal Hospital Inc. filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-22007 for 9113 Baltimore Avenue was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 8, 2022; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 of the Subdivision Regulations, subdivision applications submitted before April 1, 2024, may be reviewed and decided in accordance with the prior Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on September 8, 2022, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-22007, including a Variation from Section 24-122(a), for one parcel with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised to provide the following:
 - a. Add bearings and distances to dedicated area along US 1 (Baltimore Avenue) and Delaware Street.

7. In accordance with prior Section 24-135 of the 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.
8. Prior to submission of the final plat of subdivision, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.
9. 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 Parks and Recreation Facilities Guidelines, with the review of the site plan. Timing for construction shall also be determined at the time of detailed site plan.
10. Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the east side of US 1 (Baltimore Avenue) between Cherokee Street and Delaware Street and is 3.82 acres. The subject property is comprised of one parcel and two lots, which includes Parcel A of Sims Tract, recorded in the Prince George's County Land Records in Plat Book NLP 97, Page 49; and Lots 34 and 35 of Daniels Park, recorded in Prince George's County Land Records in Plat Book LIB A, Page 59. The property is within the Local Transit-Oriented Edge (LTO-E) Zone, and was previously located within the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones. This PPS was reviewed in accordance with the prior Prince George's County Zoning Ordinance and prior Prince George's County Subdivision Regulations, pursuant to Section 24-1900 of the Subdivision Regulations. In accordance with Section 24-1904(c) of the Subdivision Regulations, this preliminary plan of subdivision (PPS) is supported by and subject to approved Certificate of Adequacy ADQ-2022-039. The site is subject to the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (sector plan), Subtitles 24 and 27 of the prior Prince George's County Code, and other applicable plans, as outlined herein. This PPS includes one

parcel for development of 331 multifamily dwelling units and 3,937 square feet of commercial use. The site currently consists of commercial development, which is to be removed.

Section 24-122(a) of the Subdivision Regulations requires that 10-foot-wide public utility easements (PUEs) be provided along both sides of all public rights-of-way. The public right-of-way 48th Avenue abuts the site to the east. The applicant requested approval of a variation from the PUE requirements and proposed that any needed dry utilities will be placed within the right-of-way. This request is discussed further in this resolution.

3. **Setting**—The property is located on Tax Map 25 in Grids E3 and D3. The property is within Planning Area 66. The properties to the north beyond Delaware Street consist of mixed use and office development within the LTO-E and Residential, Single-Family-65 (RSF-65) Zones (formerly the M-U-I and One-Family Detached Residential (R-55) Zones). The properties to the east beyond 48th Avenue consist of single-family detached development and vacant land within the RSF-65 Zone (formerly the R-55 Zone). The abutting properties to the east consist of institutional and multifamily residential development within the RSF-65 and LTO-E zones (formerly the R-55 and Multifamily Medium Density Residential (R-18) Zones). The properties to the south beyond Cherokee Street consist of townhouse development and vacant land within the LTO-E Zone (formerly the M-U-I Zone). The properties to the west beyond US 1 consist of commercial and multifamily development within the LTO-E Zone (formerly the M-U-I Zone).
4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	LTO-E	LTO-E
Use(s)	Commercial	Residential/Commercial
Acreage	3.82	3.82
Lots	2	0
Parcels	1	1
Dwelling Units	0	331
Gross Floor Area	35,059 sq. ft.	3,937 sq. ft.

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on June 24, 2022.

5. **Previous Approvals**—No previous approvals are associated with this property.
6. **Community Planning**—The 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated, as follows:

Plan 2035

The subject property is in the Innovation Corridor and within one of four designated employment areas of Plan 2035. Employment areas have the highest concentration of economic activity in the

County's targeted industry clusters and is where Plan 2035 recommends supporting business growth, concentrating new business development near transit where possible, improving transportation access and connectivity, and creating opportunities for synergies (page 19). This PPS aligns with the growth policy of employment areas of the general plan by concentrating residential and commercial development near existing economic activity and existing industry clusters.

Sector Plan Conformance

The sector plan recommends mixed-use commercial land uses on the subject property. The subject property is in the walkable node character area of the sector plan. The walkable nodes "consist 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. It has fairly small blocks with wide sidewalks and buildings set close to the frontages" (page 228). The land use and urban design policies of these areas are to develop a series of pedestrian-friendly, transit-oriented, mixed-use walkable nodes at appropriate locations along the Central US 1 Corridor (page 65); to establish a strong sense of place by ensuring the highest quality of development (page 67); and to create appropriate transitions between the nodes and existing residential neighborhoods (page 68).

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the PPS conforms to the sector plan's recommended land use.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or an indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. An unapproved SWM Concept Plan (1836-2022) was submitted with this PPS, and dually submitted to the Prince George's County Department of Permitting, Inspections and Enforcement for review and approval. The SWM concept plan shows the use of two micro-bioretenion facilities, bay saver cartridges, and a green roof to detain, treat, and release stormwater leaving the site. An approved SWM concept plan will be required as part of the application at time of detailed site plan (DSP) review.

Development of the site, in conformance with SWM concept approval and any subsequent revisions to ensure that no on-site or downstream flooding occurs, will satisfy the requirements of Section 24-130 of the Subdivision Regulations.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the development plan, the sector plan, the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, the Subdivision Regulations, and prior approvals, as they pertain to public parks and recreation and facilities.

This PPS was reviewed for conformance to the master plan, per Sections 24-121(a)(5) and 24-122(b) of the Subdivision Regulations. The proposed development aligns with the master plan's intention to provide quality, safe, and convenient parks and recreational facilities within

mixed-use developments providing respite and contributing to the desirability and livability of the community for current and future residents.

Park and recreation amenities serving the subject property include the Paint Branch Golf Course, which is within 0.35 mile of the subject property. The golf course is developed with a golf driving range, 9-hole golf course, mini golf, a golf pro-shop, and clubhouse. The Acredale Park is 1.17 miles from the subject property and is developed with a dog area, picnic area, shelter, playground, horseshoe pit, and soccer and softball fields. The Paint Branch Trail also serves this area.

Separate from the evaluation of adequacy, the mandatory dedication of parkland requirements is applicable. This PPS is being reviewed per the provisions of Section 24-134 of the prior Subdivision Regulations, which pertains to the mandatory dedication of parkland, and provides for the dedication of land, the payment of a fee-in-lieu, or on-site recreational facilities, to meet the requirement. Based on the proposed density of development, 15 percent of the net residential lot area should be required to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks, which equates to 0.56 acre for public parklands. The subject property is not adjacent or contiguous to any property currently owned by M-NCPPC. The 0.56 acre of dedicated land would not be sufficient to provide for the types of active recreational activities that are needed. The current plan proposal calls for this requirement to be met with private on-site recreational facilities. In accordance with Section 24-135(b) of the Subdivision Regulations, the Planning Board may approve on-site recreational facilities, in lieu of parkland dedication, provided the following are met:

1. **Such facilities will be superior, or equivalent, to those that would have been provided under and the provisions of mandatory dedication;**
2. **The facilities will be properly developed and maintained to the benefit of future residents of the subdivision through covenants, a recreational agreement, or other appropriate means, that such instrument is legally binding upon the subdivider and his heirs, successors, and assignees, and that such instrument is enforceable, including enforcement by the Planning Board; and**
3. **No permit for construction or occupancy of dwellings will be issued unless the Planning Board is satisfied that the facilities have been, or will be, provided at the appropriate state of development.**

On a conceptual basis, the applicant has proposed an outdoor swimming pool, a courtyard, a playground, a dog park, an outdoor terrace (located adjacent to pool deck), a grilling area (located within the outdoor terrace), a sunroom (lounge with a coffee bar overlooking the exterior courtyard), a library/café, a business center, a multipurpose room, a fitness center, a game room, a kitchenette, and bike storage with a fix-it station as recreational facilities.

The Prince George's County Parks and Recreation Facilities Guidelines also set standards based on population. Based on the projected population for the development, the typical recreational needs are:

- (1) Picnic Area
- (1) Playground
- (1) Sitting Area
- (0.6) School Age Playground
- (1) Open Play Area
- (1) Fitness Trail (6 stations)
- (0.6) Basketball–Multipurpose Court
- (0.5) Tennis Court

The applicant's proposal to provide private on-site recreational facilities will meet the requirements of Section 24-135(b). The recreational facilities to be provided will be further reviewed at the time of DSP.

9. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the sector plan, to provide the appropriate transportation facilities.

Master Plan Right of Way

The subject site has frontage along master-planned roadway US 1, which is designated in the MPOT as MC-200 and is also a designated master plan roadway in the sector plan, which recommends an ultimate varying width right-of-way of 88–112 feet. Currently, US 1 has an existing varying right-of-way width of 27.3 to 50 feet from the centerline of US 1 along the property's frontage. The latest PPS submission shows a 22.7-foot-wide proposed right-of-way dedication along the western edge of the property and, with the current right-of-way configuration for existing Parcel A, demonstrates a total of 50-feet of ultimate right-of-way from centerline, which conforms to the sector plan's recommendations.

In addition, the site is bounded by nonmaster-planned public roadways, including Delaware Street on the north side of the site, with a proposed 24-foot right-of-way from centerline, which includes a dedication of 4 feet; Cherokee Street on the south side of the site, with an existing 35-foot right-of-way from centerline; and 48th Avenue on the east side of the site, which is plated as an existing 40-foot right-of-way. The latest PPS submission shows accurate right-of-way dedication along all roadways to facilitate the ultimate configuration within the limits of the PPS. Regarding 48th Avenue, the PPS shows that the roadway will be constructed to provide full movement access to the site. As a condition of approval, the applicant shall construct the portion of 48th Avenue shown on the PPS to public standards.

The site is also subject to the District Development Standards, which describe access to off street and structured parking (page 241). The primary source of access to off street parking should be limited to alleys and secondary streets when present. The site is bounded by two secondary streets, to which the primary access to parking will be designated to Cherokee Street. The

applicant proposed an additional site access point along the primary frontage street, US 1. The applicant agreed to evaluate and configure the access point along US 1 as an outbound access only, preventing that access from being the primary source of traffic to the site.

Master Plan Pedestrian and Bike Facilities

The subject property fronts a recommended master-planned bicycle lane along US 1. The operating agency, the Maryland State Highway of Administration, has constructed cycle tracks along portions of the US 1 roadway, which are also recommended along the property frontage.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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*.

This development is also subject to the sector plan, which also proposes bicycle lanes along US 1 as interim facilities until a cycle track is constructed, and a shared use roadway along Cherokee Street. The following policies and strategies are provided for pedestrian and bicyclist facilities (page 141).

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US Route 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle and pedestrian friendly through appropriate design, including traffic calming techniques. (page 135)

Policy 2: Implement a comprehensive wayfinding system to complement the street network and orient residents, visitors, students, and through traffic to the area. (page 136)

Policy 2: Facilitate bicyclists along entire corridor and through development so that bicycle routes are enhanced or established. (page141)

In addition, the sector plan includes design guidelines on pages 65, 260, and 264 regarding designated walkable nodes. The master plan's design elements and the MPOT policy recommendations shall be detailed and evaluated in subsequent site plans. However, the latest PPS submission shows that adequate right-of-way is provided to support the sector plan's recommended pedestrian and bicycle facilities.

The above policies, strategies, and recommendations all support a multimodal community. Per the area sector plan (pages 260 and 264), the frontage along US 1 should include a 12- to 18-foot-wide sidewalk where feasible, a 6.5-foot-wide cycle track and a minimum 4.5-foot-wide landscape strip along US 1, and a 6-foot-wide sidewalk along side streets, unless modified by the operating agency. The cross sections provided on the PPS will accommodate these recommendations if a public use easement is provided along the subject property to provide the wide sidewalk. All applicable streetscape amenities described in the sector plan (page 264) shall be provided along the property frontage of US 1.

In addition, shared pavement markings shall be provided along the property frontage of Cherokee Street, per the area sector plan, unless modified by the operating agency. The designated facility will create a multimodal connection to the surrounding areas.

The latest PPS proposes three vehicular access points to the buildings on-site via one full access point along Cherokee Street, one full access point for service vehicles and move-in/out vehicles along 48th Street, and a limited right-out only driveway along US 1. The limited access driveway to the site along US 1 will conform to the goals of the sector plan access design standards and will minimize pedestrian and vehicular conflicts along US 1. As part of a condition of approval, the applicant shall provide the appropriate signage at the designated service area and provide additional signage and a driveway design that ensures an outbound vehicular only access along US 1. The overall circulation and proposed roadway configurations are acceptable. In addition, given the residential nature of the site, designated space for rideshare activities shall be provided on-site. At the time of DSP, all pedestrian and bicycle facilities and amenities as described in the sector plan shall be provided on a facilities plan.

Based on the preceding findings, the transportation facilities will be in conformance with the MPOT, the sector plan, and the Subdivision Regulations.

10. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5). The sector plan provides goals and policies related to public facilities (pages 151–163), including the goal to “provide needed public facilities in locations that efficiently serve the population,” and the schools, libraries, and public safety policies and strategies. There are no police, fire and emergency medical service facilities, schools, parks, or libraries proposed on the subject property. This PPS is further supported by an approved certificate of adequacy (ADQ-2022-039), which ensures adequate public facilities to support the proposed land use. The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, none of which affect this site.
11. **Public Utility Easement**—Section 24-122(a) of the Subdivision Regulations requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is 10-feet-wide along both sides of all public rights-of-way. The subject site has frontage along the existing public rights-of-way of US 1, Cherokee Street, Delaware Avenue, and 48th Avenue. However, the applicant is proposing to remove the required PUE along its frontage of 48th Avenue.

The applicant requested a variation from the standard PUE requirement along this public right-of-way, in accordance with Section 24-113 of the Subdivision Regulations, which sets forth the following required findings for approval of a variation (in **BOLD**), followed by review comments:

Section 24-113 Variations

(a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

(1) **The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

Ten-foot-wide easements for public utilities are required along both sides of all public rights-of-way to ensure that utilities will be able to serve the subject site and surrounding development. However, the applicant is proposing to not provide the easement along the public right-of-way of 48th Avenue fronting the subject site. The right-of-way of 48th Avenue is currently unimproved and dead ends at the subject property’s frontage. The applicant is proposing to improve the right-of-way, to only serve the subject property as a rear service drive and for move-ins and move-outs. The applicant will provide utilities within the right-of-way, as needed. PUEs will be provided along all other public rights-of-way and will not preclude utility connection to other sites. Therefore, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property.

(2) **The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The conditions on which the variation is based are unique to the subject site and generally not applicable to other properties. The right-of-way of 48th Avenue is dedicated, but was never improved. It also is not a through right-of-way, and dead ends at the property frontage. The right-of-way currently functions as a parking lot for the existing commercial uses on-site. Once improved, the right-of-way will only serve as a rear service drive for move-ins and move-outs for the subject site. The property also has frontage on three other rights-of-way, which will all have PUEs.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and

No other applicable law, ordinance, or regulation was found that would be violated by this request. The approval of a variation, in accordance with Section 24-113, is unique to the Subdivision Regulations and under the sole authority of the Prince George's County Planning Board. This PPS and variation request was referred to the public utility companies and the City of College Park, none of which have opposed this request. Further approval of utilities locations will be required by the affected agencies during their review of applicable permits and site development.

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

As stated above, the property abuts four public rights-of-way, two of which require dedicated area which encroach the site. The property is also located within the walkable node of the sector plan, which encourages small blocks with wide sidewalks, buildings set close to the frontages, and access from side streets and alleys. Requiring a PUE along 48th Avenue would push the building back further from the street and reduce the amount of developable area. In addition, because 48th Avenue is a limited access roadway, a PUE in this location would not serve any substantial purpose, but could detract from the sector plans' recommendations for development of the site. These factors make it a hardship to provide a 10-foot-wide PUE along the public rights-of-way of 48th Avenue.

(5) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The subject property is not within any of the zones specified by this criterion; therefore, this provision does not apply.

Based on the proceeding findings, the variation from Section 24-122(a) for the provision of a PUE along the public right-of-way of 48th Avenue is approved.

12. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required. The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. The sector plan includes goals and policies related to historic preservation (pages 193-202). However, these are not specific to the subject site or applicable to the proposed development. This proposal will not impact any Prince George's County historic sites, historic resources, or known archeological sites.
13. **Environmental**—PPS 4-22007, 9113 Baltimore Avenue, was accepted for review on June 14,2022. Comments were provided in an SDRC meeting on June 24, 2022. Revised information was received on August 3, 2022. The following applications and associated plans have been reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
NA	NRI-013-2022	Staff	Approved	4/12/2022	NA
NA	S-008-2022	Staff	Approved	1/25/2022	NA
4-22007	NA	Planning Board	Approved	9/8/2022	2022-95

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 because this application is for a new PPS.

Plan 2035

The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035 and the established communities of the General Plan Growth Policy.

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Sector Plan

The site falls within the Upper Midtown portion of the sector plan, which does not indicate any environmental issues associated with this property.

Green Infrastructure Plan

This property is not within the designated network of *The Countywide Green Infrastructure Plan* of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*.

The site was entirely cleared, graded, and developed prior to the enactment of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO).

ENVIRONMENTAL REVIEW

Natural Resources Inventory

The site has an approved Natural Resources Inventory Plan (NRI-013-2022), which correctly shows the existing conditions of the property. Three specimen trees are located on-site along the site boundary. This site is not associated with any regulated environmental features, such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area.

Woodland Conservation

The site is exempt from the provisions of the 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-008-2022), which expires on January 25, 2024. No additional information is required regarding woodland conservation.

Soils

The soils on the site, as shown on the Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0–5 percent slopes), Sassafras Urban land complex (5–15 percent slopes), and Urban Land-Sassafras complex (0–5 percent slopes).

No soils containing Marlboro clay are mapped on or within the immediate vicinity of this site; however, unsafe soils containing Christiana complexes have been identified on and within the immediate vicinity of this property. The soils containing Christiana complexes are contained in previously disturbed urban soils on relatively flat slopes. There are no geotechnical concerns with this project.

Specimen, Champion, or Historic Trees

In accordance with approved NRI-013-2022, three specimen trees have been identified on the subject property along the eastern property boundary. There are additional specimen trees located off-site immediately east of the site, as well. Although this site is exempt from the WCO, preservation of as many specimen trees as practicable should be considered during the final site design process. Particular care should be made to protect specimen trees on adjoining properties through the use of best management practices on-site, such as root pruning. Coordination with neighbors to implement additional stress reduction measures prior to construction, including vertical mulching, is encouraged. The applicant has proffered to take steps to save a Willow Oak specimen tree (T4) on-site with tree protection fencing during construction, as well as engage in

tree protection measures for specimen trees on adjoining properties. No further information is required regarding specimen, champion, or historic trees.

14. **Urban Design**—This PPS was evaluated for conformance with the applicable plans and requirements, as follows:

Sector Plan

The subject site is governed by the D-D-O standards approved with the sector plan, and the proposed commercial uses and multifamily dwellings are permitted on the property, subject to the approval of a DSP. In accordance with the sector plan, D-D-O standards replace comparable standards and regulations of the Zoning Ordinance, where applicable. Whenever a conflict exists between the D-D-O standards and the Zoning Ordinance or the 2010 *Prince George's County Landscape Manual* (Landscape Manual), the D-D-O shall prevail. For development standards not covered by the D-D-O Zone, the Zoning Ordinance or Landscape Manual shall serve as the requirements, as stated in Section 27-548.21 of the Zoning Ordinance. Conformance with the regulations and standards of the D-D-O Zone will be further reviewed at the time of DSP.

The D-D-O has more than 40 pages of development standards focused on criteria including building form, architectural elements, sustainability, streets, and open space requirements. While conformance with these requirements will be evaluated at the time of DSP, the applicant should be particularly mindful now of the D-D-O development standards that define spatial relationships within the subject site and with the surrounding neighborhood. Special attention should be paid to development standards on lot coverage, building siting, parking, and streetscape elements.

The applicant indicates that private recreational facilities are proposed to serve the needs of the new residents. However, given the site is located within the Walkable Node Character Area, an area for outdoor recreation is encouraged on-site, such as a pocket park or seating area. In addition, the applicant shall provide design elements on the mixed-use building that are compatible with the existing single-family homes in the area. An outdoor recreational area and compatibility of building design will increase the attractiveness of the area, improve the pedestrian walkability envisioned by the sector plan, and provide an appropriate transition from the vertical mixed-use development on US 1 to the adjacent residential neighborhoods. The recreational amenities and building design will be reviewed at the time of DSP.

Conformance with the 2010 Prince George's County Landscape Manual

The proposed development is subject to the Landscape Manual. The D-D-O Zone includes development district standards that replace many requirements of the Landscape Manual, and the project will be required to demonstrate conformance with the applicable development district standards and Landscape Manual requirements at the time of DSP.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. The prior M-U-I Zone requires a minimum 10 percent of the gross tract area to be in the tree canopy

coverage (TCC). Compliance with the TCC requirements will be evaluated at the time of DSP review.

15. **Municipalities**—The subject property is located within the municipal limits of the City of College Park. A statement from the City of College Park was read into the record at the Planning Board hearing, stating that the City of College Park City Council recommended approval of this PPS, subject to five conditions, consistent with those adopted by the Planning Board.

The subject site is within one mile of the geographical boundary of the City of Greenbelt and the Town of Berwyn Heights. This PPS was referred to both municipalities for review and comments on August 17, 2022. However, at the time of the of the Planning Board hearing, comments had not been received from these municipalities.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, and Shapiro voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, September 8, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 29th day of September 2022.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:jah

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: September 22, 2022

Additional Back-up

For

DSP-22015

9113 Baltimore Avenue

GIBBS and HALLER
ATTORNEYS AT LAW
1300 CARAWAY COURT, SUITE 102
LARGO, MARYLAND 20774
(301)306-0033
FAX (301) 306-0037
www.gibbshaller.com

EDWARD C. GIBBS, JR.
THOMAS H. HALLER

JUSTIN S. KORENBLATT

January 17, 2023

The Honorable Peter A. Shapiro
Chair
Prince George's County Planning Board
of the Maryland-National Capital Park
and Planning Commission
County Administration Building
Upper Marlboro, Maryland 20772

Re: The Flats at College Park; DSP-22015

Dear Chairman Shapiro:

I represent the Applicant, RST Development, LLC in the referenced Detailed Site Plan. Please accept the attached supplemental information into the record of the referenced application.

On January 10, 2022, the City of College Park voted unanimously to support the project subject to several conditions. The Applicant agrees with each of the conditions. One of the recommended conditions, however, requires additional context and information.

As currently designed, the project proposes 317 dwelling units and 3,297 square feet of commercial space. All parking for the project will be in a parking garage. The main access to the parking garage will be on Cherokee Street. Secondarily, the Applicant is proposing a right-out only exit from the garage onto Baltimore Avenue. Condition 4(f) recommended by the City requires the Applicant to revise the Detailed Site Plan to show a right-in turning movement from Baltimore Avenue into the parking garage. This would modify the access to the garage on Baltimore Avenue from right-out only to right-in/right-out. While such a modification is acceptable to the Applicant, the Preliminary Plan of Subdivision (4-22007) was approved subject to conditions which require the garage access to Baltimore

Avenue to be limited to a right-out only movement.

Specifically, Condition 4(a) provides that at the time of detailed site plan, the applicant was required to provide signage and design features to facilitate a limited right-out only access driveway from the site along US 1 (Baltimore Avenue), including the driveway design and exact details/profiles of the signage. In addition, Condition 4(c) requires that a note be provided on the detailed site plan indicating that the vehicular access point along US 1 (Baltimore Avenue), is limited to a right-out only access. As a result of these conditions, if the Planning Board adopts Condition 4(f) as recommended by the City, a reconsideration of the Preliminary Plan conditions will be required to ensure consistency between the Detailed Site Plan and the Preliminary Plan.

To assist the Planning Board in its consideration of the request, please find attached the following documents which will be referred to during testimony:

- Applicant's proposed revisions to Staff's recommended conditions incorporating the City of College Park's conditions;
- A copy of a portion of the initial preliminary plan of subdivision depicting the proposed location of a right-in/right-out entrance;
- A copy of Figure 13 (Page 26) of a Traffic Study dated April 6, 2022 showing the estimate 2025 total peak hour traffic volumes for the site. The total volume of trips utilizing the right in access to the parking garage originally proposed by the Applicant was 3 AM and 12 PM peak hour trips;
- A copy of a referral memorandum dated June 23, 2022 from the Community Planning Division identifying major issues following the SDRC meeting;
- A copy of a referral memorandum dated June 24, 2022 from the Transportation Planning Section identifying major issues following the SDRC meeting;
- A copy of Page 241 of the Approved US 1 Corridor Sector Plan;
- A copy of an email dated June 29, 2022 from State Highway conceptually supporting a right-in/right-out entrance to the parking garage;
- A copy of a portion of the revised preliminary plan of subdivision depicting the proposed location of a right-out only entrance;
- A copy of a referral memorandum dated August 12, 2022 from the Transportation Planning Section responding to

the final revisions made to the Preliminary Plan of Subdivision;

- A copy of Planning Board Resolution PGCPB No. 2022-95 approving Preliminary Plan 4-22007 for the Subject Property;

As reflected in the attached documents, the Applicant initially proposed a right-in/right-out access to the garage from US 1. The location of this access was reflected on the initial preliminary plan. A Traffic Impact Study prepared for the application provided an estimate of the trips which would be generated by the project. This TIS projected that 3 AM and 12 PM peak hour trips would use the right-turn into the garage from US 1. Both the Community Planning Division and the Transportation Planning Section objected to the right-in/right-out access, citing Page 241 of the US 1 Corridor Sector Plan. The Sector Plan provides that primary frontage streets should not be used as the primary source of access to off street parking when an alley, secondary frontage or side street are present. In an email dated June 29, 2022, the State Highway Administration stated that the proposed right-in/right-out access location was "conceptually acceptable."

On July 18, 2022, a meeting was held with the Transportation Planning Section which included representatives of the Applicant, the City of College Park and State Highway Administration. Transportation Staff expressed its position that a right-in/right-out point of access would be considered a "primary access", which was not supported by the Sector Plan. The Applicant expressed that the primary purpose of the access was to facilitate traffic movements in the parking garage. The traffic study indicates that the vast majority of trips entering the project will enter from Cherokee Street (even with the right-in access from US 1). The traffic would proceed up a ramp to the building entrance. At this location, a drop off for package delivery services and Uber/Lyft drivers would be provided. The exit onto US 1 would allow these vehicles to proceed north on US 1 without having to turn around in the garage. Park and Planning Staff noted that if the access was limited to right-out only, it would not be considered a primary access and such a movement could be supported.

It should be further noted that along with the recommendation to limit the access on US 1 to right-out only, the City of College Park Planning Department also requested that the Applicant construct a right turn lane on westbound Cherokee Street. Currently, Cherokee Street is one lane in each direction. If a vehicle is seeking to turn right from westbound Cherokee Street onto northbound US 1, it must wait for the signal to change if there is a vehicle also seeking to turn left

onto southbound US 1. While the right-turn lane was not required to support a finding of transportation adequacy, the Applicant agreed that providing the right-turn lane would not only benefit the project but would also benefit traffic flow in the neighborhood. The right turn lane prevents the backup which would occur for right turning vehicles. Without the right turn, a backup could occur that would block the entrance into the garage from Cherokee Street. The Applicant concluded that with the right turn lane, the right-turn entrance into the garage from US 1 could be eliminated. Thus, the Applicant agreed to revise the preliminary plan to reflect the right-out only access from the garage.

As noted above, the Preliminary Plan was approved with the limited access to US 1. The Planning Board Resolution included findings on Pages 8-10 stating that limiting the access to right-out only would prevent it from being a primary source of traffic to the site, in conformance with the Sector Plan and would minimize pedestrian and vehicular conflicts along US 1.

The Applicant appeared before the City of College Park at its meetings of December 12, 2022 and January 10, 2023. At these meetings, City Councilmembers inquired about the right-turn in movement into the garage and indicated a desire to revise the detailed site plan to include this movement. The Councilmembers noted that there was an increase in cut-through traffic utilizing Cherokee Street since the traffic signal at US 1 was constructed. It was also noted that another multifamily development is approved but not yet constructed on the south side of Cherokee Street on US 1. Traffic from that project, in addition to the subject development, will add additional traffic to the intersection. An additional entrance into the garage could pull traffic from Cherokee. For these reasons, the City Council adopted a condition that would require the Detailed Site Plan to be revised to reflect the right-turn in and which would require the reconsideration of the Preliminary Plan to allow such access.

As stated above, the Applicant supports the right-turn in movement, but is concerned about the impact of a reconsideration on the timing of the project. The preliminary plan has been approved and certified. Final plats have already been prepared and submitted for review. Final approval and certification of the detailed site plan must be completed to allow the plat to be approved. The Applicant has a deadline with the owner of the property to complete the closing on the transaction. A reconsideration of the preliminary plan would require the preliminary plan to be re-certified, which could delay the certification of the detailed site plan and the recordation of the final plat. Quite frankly, this delay jeopardizes the

project. Should the Planning Board agree to include the condition requiring the right turn into the garage, the Applicant would request that any reconsideration be expedited, especially since the merits of providing the right turn lane are being determined with this application.

Thank you for your consideration of this supplemental information.

Very truly yours,

GIBBS AND HALLER

A handwritten signature in blue ink, appearing to read 'T. H. Haller', with a long horizontal flourish extending to the right.

Thomas H. Haller

cc: Mridula Gupta
Suellen Ferguson, Esq.
Terry Schum

APPLICANT'S PROPOSED REVISIONS TO CONDITIONS
THE FLATS AT COLLEGE PARK
DETAILED SITE PLAN DSP-22015

- A. APPROVAL of Detailed Site Plan DSP-22015 for 9113 Baltimore Avenue, 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) Revise the gross site area to 3.82-acres.
 - (2) Revise the title of the project to "9113 Baltimore Avenue."
 - (3) Revise General Note 2 to list M-U-I and D-D-O as prior zones.
 - (4) Revise General Note 11 to provide the correct approval date for the stormwater management concept plan.
 - (5) Revise the sheet index to match the sheet numbers and titles of individual landscape architecture sheets.
 - (6) Add a general note listing the proposed residential density for the project.
 - b. Revise the parking area requirements on the coversheet, as follows:
 - (1) Revise the reference to the 2002 *Central US 1 Corridor Sector Plan* to reference the 2010 *Central US 1 Corridor Sector Plan*.
 - (2) Include a table for required and provided Americans with Disabilities Act (ADA) accessible parking spaces.
 - (3) List the dimensions of the parking spaces provided, including the dimensions for and number of compact parking spaces.
 - (4) Revise the residential loading space requirement to list one space for 17 units over 300, instead of one space for 31 units over 300.
 - c. Provide details for the proposed retaining wall near the corner of US 1 (Baltimore Avenue) and Delaware Street.
 - d. Provide a sign table listing the number of signs, size, material, lighting, and their location on the façades, in accordance with the applicable Development District Overlay (D-D-O) Zone standards.
 - e. Provide a sign at the southwest corner of the building facing the

intersection of US 1 (Baltimore Avenue) and Cherokee Street.

- f. On the photometric plan, revise the labels for the various luminaires, as well as the symbol for Luminaire L2, to make them darker in color.
- g. Revise the proposed recreational amenity list located on Sheet DSP-1, to remove the business center and bicycle storage, with repair station, and update the total value of the proposed on-site recreational facilities. Add a note below the table, stating that all facilities shall be constructed, prior to issuance of a use and **the final certificate of** occupancy permit for the building.
- h. Provide a list of amenities to be included in the proposed sunroom, the library/café, the multipurpose room, the fitness center, the game room, and the kitchenette. Show the location of the proposed sunroom, the library/ café, the game room, and the kitchenette on the architectural floor plan.
- i. Update the DSP to include specific details and profiles for the striping and signage for the designated pick-up/drop-off space for rideshare vehicles.
- j. Show shared road pavement markings along Cherokee Street, unless modified by the operating agency, with written correspondence.
- k. Provide 6-foot-wide sidewalks on both sides of 48th Street, unless modified by the operating agency, with written correspondence.
- l. Provide a detail for the proposed bicycle repair station.
- m. Identify a micro-mobility parking area on US 1 (Baltimore Avenue) or Cherokee Street.
- n. Provide a “Do Not Enter” sign to facilitate a limited right-out only access driveway from the site, along US 1 (Baltimore Avenue), including the profiles of the signage. Add a median to US 1 at the garage exit, subject to approval by the Maryland State Highway Administration.
- o. Provide details of signage along 48th Avenue, such as “Service Entry Only” and restrictions for resident vehicles, including information regarding move-ins/outs.
- p. Provide tabletop crosswalks in front of the parking garage entrance/exit on Cherokee Street and the parking garage exit on US 1 (Baltimore Avenue), subject to engineering/grading/permitting feasibility. If not feasible, provide a painted crosswalk or decorative paving (e.g., scored or stamped concrete) to distinguish these crosswalks.

- q. Remove the label “residential use” from the 3,296-square-foot commercial area along Cherokee Street.
 - r. **Provide a right-in, right-out access from the parking garage to Baltimore Avenue subject to Planning Board approval of a reconsideration of Preliminary Plan 4-22007, if required.**
2. Prior to certification, the applicant shall revise the landscape plan, as follows:
- a. Provide a note on the landscape plan that states “The trash, loading facilities, and mechanical equipment are interior to the building or have been appropriately screened, in conformance with Section 4.4 of the 2010 *Prince George’s County Landscape Manual*.”
 - b. Provide an artistic treatment detail, to be applied to all sides of the ground transformer located at the southeast corner of the south building.
 - c. Add a general note on the landscape plan that, at the time of development, efforts shall be made to save Specimen Tree T4, a Willow Oak, including installing tree protection fencing during construction.
 - d. Add a general note on the landscape plan that, to help the survivability of specimen trees on the adjoining property, the applicant shall engage in tree protection measures, such as installing tree protection fencing during construction, root pruning, and vertical mulching.
 - e. Revise the plant schedule and the tree canopy coverage schedule on the landscape plan to provide the minimum required planting sizes for all landscape trees credited, to meet the tree canopy coverage requirement.
 - f. Revise the fencing proposed on the north side of 48th Avenue, to comply with the City of College Park fence ordinance (for the first 25 feet from Delaware Street, the fencing should not exceed 3 feet in height and be open and transparent, such as the picket fence shown on Sheet L301, Detail 11).
 - g. Clarify which of the existing trees will be removed and which will remain, on Sheet L401B and any other relevant sheet.
 - h. Consider tree substitutions for the following problematic species:
 - (1) Boxwoods
 - (2) Otto Luyken-Consider Juniper horizontalis, Abelia, or Cornus sericea
3. Prior to certification, the applicant shall revise the architectural plans and elevations, as follows:
- a. Revise the building elevation keys on Sheet A102, to remove

overlapping text.

- b. Label the size, material, and color for the proposed canopies at the building entrances.
 - c. To the parking garage notes on Sheet AP101, add the dimensions of the proposed compact parking spaces.
 - d. On the floor plan for the Level 1 parking deck, label and dimension the proposed loading space.
 - e. On the floor plans for Levels 3 to 6 parking decks, show the required access aisle, adjacent to the Americans with Disabilities Act (ADA) parking space.
 - f. Remove the shopfront treatment where residential uses extend to the ground floor **on Delaware Street**.
 - g. Remove the spandrel at level three, along US 1 (Baltimore Avenue), to improve the shopfront treatment.
 - ~~h. Use predominantly dark colors for the base and predominantly light colors for the upper stories of the building.~~
 - i. For the east elevation along the rear yard, the color of the horizontal masonry veneer panels of the parking garage should be the same color as the adjoining fiber cement panels used for the building walls. The precast panels on the ramped portion of the parking garage should be a lighter color.
 - j. Change the building identification sign over the entrance to the Cherokee Street commercial space, to identify the commercial user (Sheet A202, Detail F1).
 - k. Indicate a clearance bar, with dimensioned height, be placed at the parking garage entrance.
 - l. Indicate that ground-floor residential amenity areas and retail glass windows will be transparent.
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 are operational.
 5. Prior to approval of the final plat of subdivision, the applicant shall submit evidence that a Declaration of Covenants has been signed with the City of College Park, which includes responsibility for maintenance of the landscape buffer located between 48th Avenue and abutting existing residential development

PARCEL A SIMS TRACT

PLAT BOOK NLP 97 PLAT NO. 49
98,236 SQ.FT. OR 2.25519 ACRES

EXISTING
COMMERCIAL
9113 BALTIMORE
AVE M-U-I
DAYS INN BY
WYNDHAM
COLLEGE PARK

ABF = 7949 SQ.FT.
2 STY. BLOCK
#9113

EXISTING
STRUCTURE
TO BE
REMOVED

PROPOSED RIGHT IN/RIGHT
OUT ACCESS POINT

BALTIMORE AVENUE US ROUTE 1

WIDTH VARIES
PUBLIC ROADWAY

M-U-I

EXISTING
COMMERCIAL



00 - MORNING PEAK HOUR
 (00) - EVENING PEAK HOUR

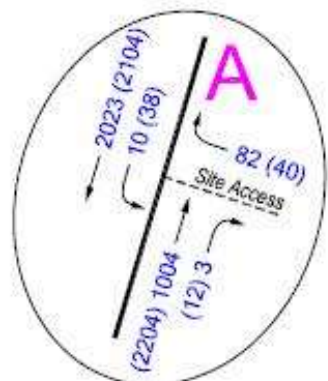
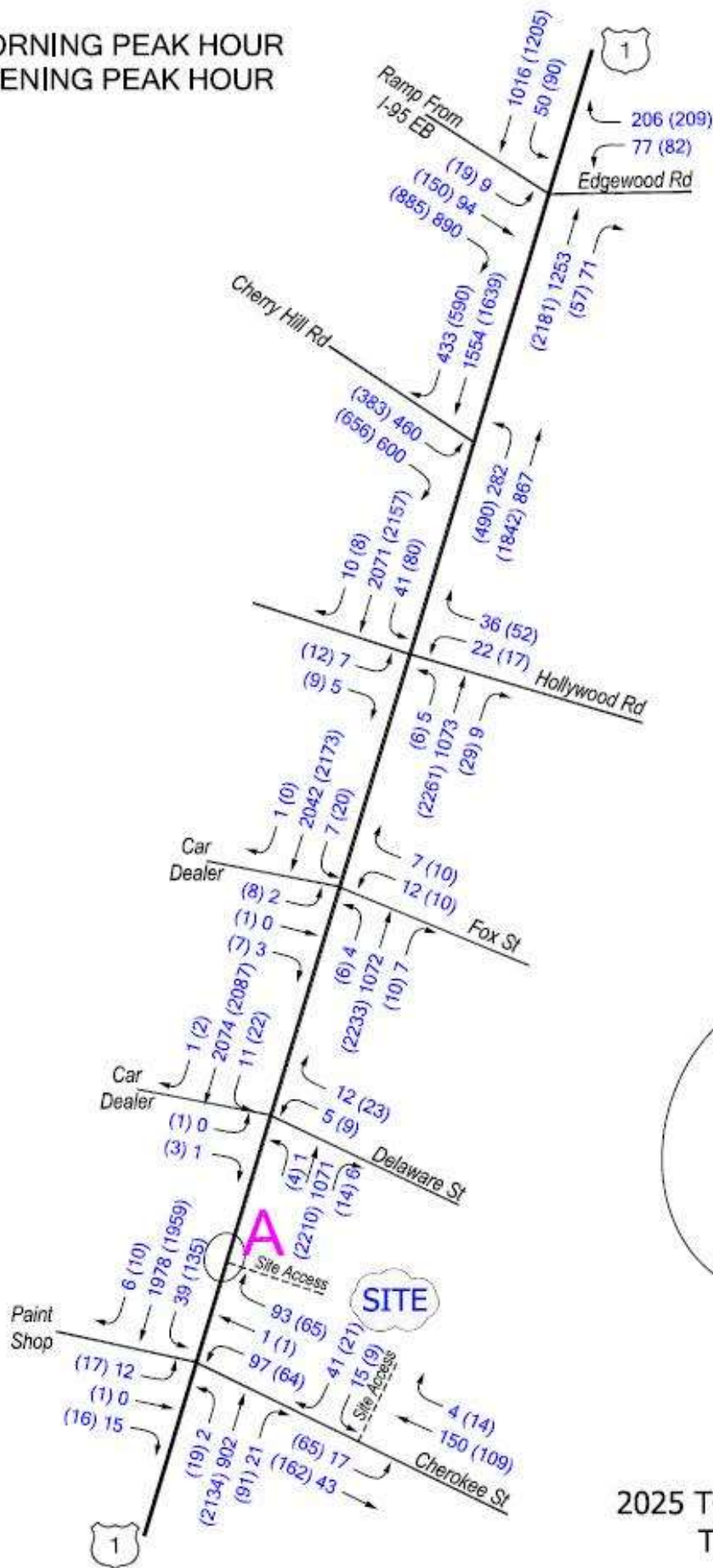
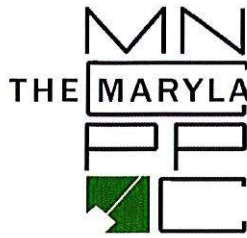


FIGURE 13
 2025 TOTAL PEAK HOUR
 TRAFFIC VOLUMES



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Community Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

301-952-3972

June 23, 2022

MAJOR ISSUES MEMORANDUM

TO: Antoine Heath, Planner II, Subdivision Section, Development Review Division
VIA: David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division *DG*
FROM: Christina Hartsfield, Planner III, Placemaking Section, Community Planning Division *CH*

SUBJECT: 4-22007 - 9113 BALTIMORE AVENUE

Location: 9113 BALTIMORE AVENUE

Size: Approximately 4.26 acres

Existing Use: Commercial. Multiple Hotels

Proposal: Multi-family building with 320 units and 3,937 square feet of ancillary retail

The Community Planning Division has no major issue with the application for a preliminary plan of subdivision.

However, as conformance to the Approved Central US 1 Corridor Sector Plan and Development District Overlay (D-D-O) standards is required at the time of the detailed site plan review, the applicant should be aware that the proposed site plan conflicts with the following development standards:

- Where...walkable node areas are across the street from or share a rear property line with an existing residential area, a step back transition and/or a landscape buffer shall be required for all new development (p. 238).
- US 1, Rhode Island Ave, and Autoville Drive shall function as primary frontage streets at all times (p. 231). 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 (p. 241).



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

June 24, 2022

MEMORANDUM

TO: Antoine Heath, Development Review Division

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division

SUBJECT: SDRC Major Issues
Case Number: 4-22007, 9113 Baltimore Avenue

The Transportation Planning Section has reviewed the referenced PPS application and offers the following comments:

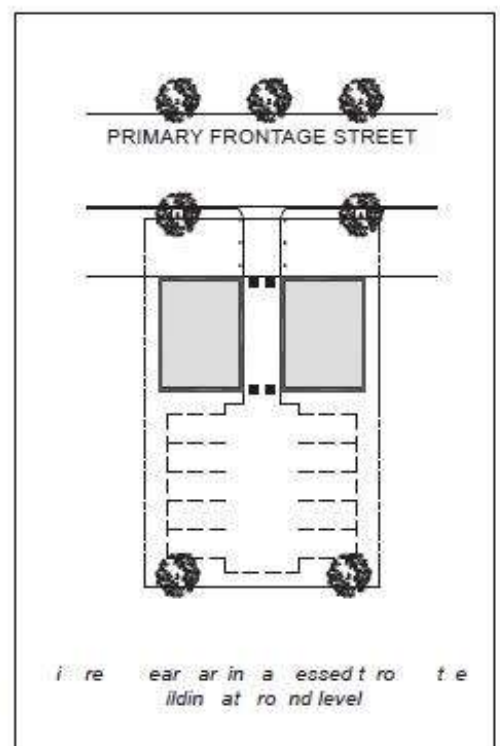
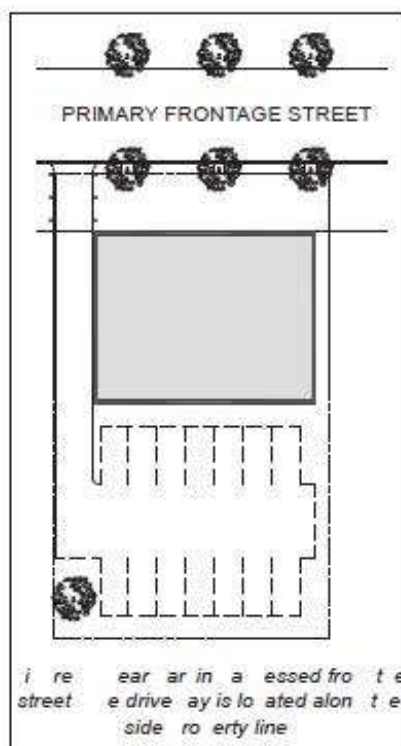
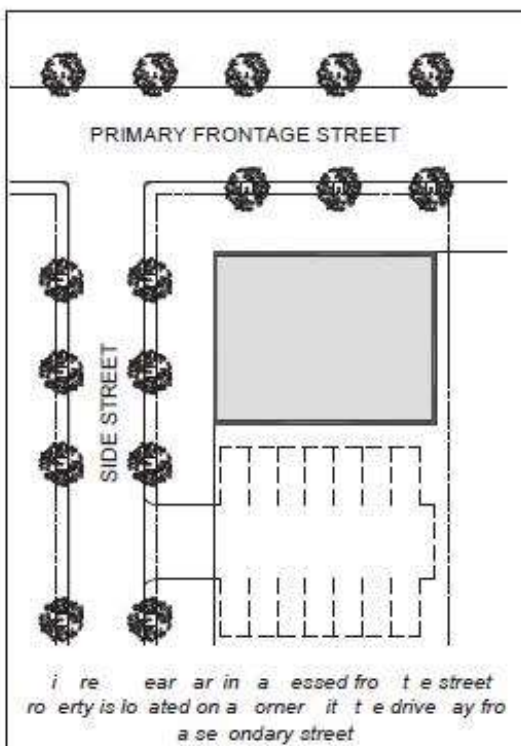
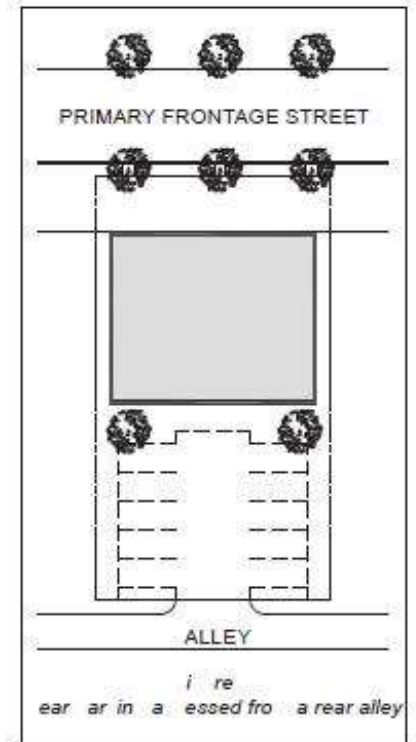
1. Traffic study was referred to outside agencies for comments.
2. The sector plan notes a minimum of 88' ROW and shall be demonstrated on the PPS.
3. Vehicular access to development should be limited to secondary streets. The sector plan encourages access to parking to be via alleys or secondary streets (pg. 241).
4. The following comments are in regard to the BPIS package. All improvements are subject to the approval of the operating agencies, as stated in impact statement:
 - a. The inflation should be adjusted to \$126,026.80 to reflect the rates of May 2022
 - b. Staff recommend improvements #2 - #6 be implemented
 - i. Please provide a map with location of proposed signage for improvements #4-6
 - c. Staff recommend that the bus shelters close to the subject site be constructed
 - i. A cost estimate per shelter will be required to evaluate how many will be within cost cap, that includes all improvements detailed in #2-#6.
5. At the time of DSP:
 - a. Provide a bicycle and pedestrian facilities plan that illustrates the location, limits, specifications and details of the pedestrian and bicycle adequacy improvements, consistent with Section 24-124.01 (f)
 - b. Provide all sidewalk/streetscape amenities and bicycle facilities per the 2010 *Approved Central US 1 Corridor Sector Plan and Sector Map Amendment* (pg. 65, 260 & 264) for walkable nodes, unless modified by the operating agency
 - i. 12-18' wide sidewalk along US 1
 - ii. 6'-10' wide sidewalk along side streets
 - iii. 4.5' - 6' wide landscape strip
 - iv. 6.5' wide bicycle track
 - c. Provide all sidewalk/streetscape amenities and bicycle facilities per the 2010 *Approved Central US 1 Corridor Sector Plan and Sector Map Amendment* (pg. 65, 260 & 264)
 - i. Decorative pavement & accent paving for crosswalks
 - ii. Benches, bicycle racks, trash receptacles etc.
 - d. Provide short- and long-term bicycle facilities. Short term parking should consist of inverted u-style racks near building entrance in accordance with DP 220110

- e. Provide a bicycle fix-it station on site
- f. Provide ADA curb ramps and crosswalks crossing all vehicular access points

Building Form | Parking Access

Access to Off-Street Parking Lots and Structured Parking

- When present, alleys shall be the primary source of access to off-street parking. Parking along alleys may be head-in, diagonal, or parallel. See Figure 1.
- Alleys may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the alley shall be maintained. Access between parking lots across property lines is also encouraged.
- When alleys are not present, secondary frontage or side streets may be used as the primary source of access to off-street parking. See Figure 2.
- When neither alleys, secondary frontage, or side streets are present, primary frontage streets may be used as the primary source of access to off-street parking, with a driveway that either passes to the side of the building or through the building. See Figures 3 and 4. This condition should be avoided to the fullest extent possible to reduce the number of driveways.
- Circular drives shall be prohibited for all uses except for civic buildings.
- The vehicular access drive of a parking lot or garage shall be no wider than 22 feet.



From: [Kwesi Woodroffe](#)
To: [Heath, Antoine](#)
Cc: [PPD-PGCR referrals](#)
Subject: RE: E-PLAN REFERRAL OF ACCEPTANCE FOR 4-22007 - 9113 BALTIMORE AVENUE; SHA; KW
Date: Wednesday, June 29, 2022 12:39:53 PM
Attachments: [image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image023.png](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Antoine,

I reviewed the subject referral and have the following comments:

- The location of the proposed right-in/ right-out access point is conceptually acceptable.
- Once more detailed engineering plans and supporting documents become available, the applicant will need to submit them to MDOTSHA District 3 Access Mgmt. for a comprehensive review.

Thanks, Kwesi

Kwesi Woodroffe
Regional Engineer
District 3 Access Management
MDOT State Highway Administration
KWoodroffe@mdot.maryland.gov
301-513-7347 (Direct)
1-888-228-5003 – toll free
Office Hours
M-Thurs.: 6:30a-3:30p
Fr: 6:30a-10:30a
9300 Kenilworth Avenue,
Greenbelt, MD 20770
<http://www.roads.maryland.gov>



STRUCTURE TO BE REMOVED

**PROPOSED
PARCEL 1
MIXED USE
RESIDENTIAL**

**159,989 sf
3.67 ac**

9113 BALTIMORE
AVE M-U-I
HOTEL INN

EXISTING
STRUCTURE
TO BE
REMOVED

EXISTING
COMMERCIAL

EXISTING
COMMERCIAL

EX. PARCEL:
PARCEL A
SIMS TRACT

PLAT BOOK NLP 97 PLAT NO. 49
98,236 SQ.FT. OR 2.25519 ACRES

EXISTING
COMMERCIAL

9113 BALTIMORE
AVE M-U-I
DAYS INN BY
WYNDHAM
COLLEGE PARK

EXISTING
STRUCTURE
TO BE
REMOVED

PROPOSED RIGHT OUT
ACCESS ONLY POINT

N10°43'20"E
398.27'

BALTIMORE AVENUE US ROUTE 1 (MAJOR COLLECTOR)

WIDTH VARIES



Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

301-952-3680

August 12, 2022

MEMORANDUM

TO: Antoine Heath, Urban Design Review Section, Development Review Division

FROM: Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

VIA: William Capers III, PTP, Transportation Planning Section, Countywide Planning Division

SUBJECT: **4-22007, 9113 Baltimore Avenue**

Proposal:

The preliminary plan of subdivision (PPS) application proposes the subdivision of land for the development of 331 multifamily dwelling units with 3,937 square feet of ancillary retail. The transportation planning section's review of the referenced Preliminary Plan of Subdivision (PPS) application was evaluated under the prior Subdivision Regulations, Subtitle 24.

Prior Conditions of Approval

The site is not subject to any prior development approvals.

Master Plan Compliance

Master Plan Right-of-Way

The subject site has frontage along the master planned roadway US Route 1 (Baltimore Avenue), which is designated in the 2009 approved Master Plan of Transportation (MPOT) as MC-200 and is also a designated master plan roadway in the 2010 Central US 1 Corridor Sector Plan which recommends an ultimate varying width right-of-way of 88-112 feet. Currently, US Route 1 has an existing varying right-of-way width of 27.3-50 feet along the property's frontage. The latest PPS submission shows a 22.7-foot-wide proposed right-of-way dedication along the western edge of the property and the current right-of-way configuration for existing parcel A, demonstrates a total of 50 feet ultimate right-of-way from the centerline which conforms to the master plan (s) recommendations.

Additionally, the site is bounded by non-master planned public roadways, Delaware Street on the north side of the site with a proposed 24-foot right-of-way from the centerline which includes a dedication of four feet; Cherokee Street on the south side of the site with an existing 35-foot right-of-way from centerline; and 48th Avenue on the east side of the site which is plated as an existing 40-foot right-of-way. The latest PPS submission shows accurate right-of-way dedication along all roadways to facilitate the ultimate configuration within the limits of the PPS application. Regarding 48th Avenue, the PPS shows that the roadway will be constructed to provide full movement access

to the site. As a condition of approval, staff recommends that the applicant construct the portion of 48th shown on the PPS to public standards.

The site is also subject to the District Development Standards (DDS), which describe access to off-street and structured parking (pg. 241). The primary source of access to off-street parking should be limited to alleys and secondary streets when present. The site is bounded by two secondary streets, to which staff recommended that the primary access to parking be designated to Cherokee Street as proposed. The applicant has proposed an additional site access point along the primary frontage street, US Route 1. However, staff and the applicant agreed to evaluate and configure the access point along US Route 1 as an outbound access only, preventing that access from being the primary source.

Master Plan Pedestrian and Bicycle Facilities

This application is subject to the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*. The subject property fronts the recommended master planned bicycle lane along US Route 1. The operating agency, the State Highway of Administration (SHA) has constructed cycle tracks along portions of the US Route 1 roadway and are recommended along the property frontage.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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*.

This development is also subject to the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*, which also proposes bicycle lanes along US Route 1 as an interim facility until a cycle track is constructed, and a shared use roadway along Cherokee Street. The following policies and strategies are provided for pedestrian and bicyclist facilities (pg. 141)

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US Route 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle and pedestrian friendly through appropriate design, including traffic calming techniques. (pg. 135)

Policy 2: Implement a comprehensive wayfinding system to complement the street network and orient residents, visitors, students, and through traffic to the area. (pg. 136)

Policy 2: Facilitate bicyclists along the entire corridor and through development so that bicycle routes are enhanced or established. (pg. 141)

Additionally, the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* include design guidelines on pages 65, 260, and 264 regarding designated walkable nodes. The master plans design elements and MPOT policy recommendations shall be detailed and evaluated in subsequent site plans. However, the latest PPS submission shows that adequate right-of-way is

provided to support the master plans recommended pedestrian and bicycle facilities.

Comment: The above policies, strategies, and recommendations all support a multimodal community. Per the area sector plan (pg. 260/264), the frontage along US Route 1 should include a 12 to 18-foot-wide sidewalk where feasible, a 6.5-foot-wide cycle track and a minimum 4.5-foot landscape strip along US Route 1, and a 6-foot sidewalk along side streets, unless modified by the operating agency. The cross sections provided on the PPS will accommodate these recommendations if a public use easement is provided along the subject property to provide the wide sidewalk. Staff also recommends that all streetscape amenities described in the sector plan (pg. 264) be provided along the property frontage of US Route 1.

Additionally, staff recommends that shared pavement markings be provided along the property frontage of Cherokee Street per the area sector plan unless modified by the operating agency. The designated facility will create a multimodal connection to the surrounding areas.

Transportation Planning Review

The latest PPS proposes three (3) vehicular access to the buildings on site via 1) one full access point along Cherokee Street, 2) one full access point for service vehicles and move-in/out vehicles along 48th Avenue and 3) a limited right-out only driveway along US Route 1. Staff finds that the limited access driveway to the site along US Route 1 will conform to the goals of the 2010 Central US 1 Corridor Sector Plan access design standards and will minimize pedestrian and vehicular conflicts along US Route 1. As part of a condition of approval, the applicant shall provide the appropriate signage at the designated service area and provide additional signage and a driveway design that ensures an outbound vehicular-only access along US Route 1. Staff finds that the overall circulation and proposed roadway configurations are acceptable. Additionally, given the residential nature of the site, staff recommend that designated space for rideshare activities be provided on-site.

At the time of the site plan, staff recommends that all pedestrian and bicycle facilities and amenities as described in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* be provided on a facilities plan. The recommended amenities and facilities support the policies of the MPOT, area master plan and Section 24-124.01, Section 24-4506, and the "Transportation Review Guidelines – 2022 Supplement".

Recommendations

Based on the findings presented above, staff concludes that the multimodal transportation facilities will exist to serve the proposed subdivision as required under Subtitle 24, and will conform to the 2009 *Countywide Master Plan of Transportation* and 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* if the following conditions are met:

1. Prior to certification of the preliminary plan of subdivision (PPS), the PPS should be revised to include the following:
 - a. A note indicating that the vehicular access point along US Route 1 shall be limited to a right-out only access.
 - b. A note indicating services areas and move-in/out vehicles only along 48th Avenue.
 - c. Shall demonstrate the extent and location of any public use easement to facilitate pedestrian access of any pedestrian facilities located on-site.

2. Before approval, the final plat of subdivision shall include
 - a. Right-of-way dedication along all roadways in accordance with the approved preliminary plan of subdivision.
 - b. A note indicating that the vehicular access point along US Route 1 is a right-out-only access.
 - c. A note indicating services areas and move-in/out vehicles only along 48th Avenue.
 - d. Recordation of a public use easement along the portion of pedestrian facilities provided onsite.
3. Signage and design features shall be provided to facilitate a limited right-out only access driveway from the site along US Route 1. The driveway design and exact details/profiles of the signage shall be provided as part of the site plan submission.
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 construct the portion of 48th Avenue shown on the approved preliminary plan to public standards in accordance with the operating agencies' design standards.
5. The applicant and the applicant's heirs, successors, and/or assigns shall construct the following facilities and show these facilities on a pedestrian and bikeway facilities plan as part of the site plan prior to its acceptance:
 - a. A minimum 12-foot-wide sidewalk and associated ADA curb ramps and crosswalks along the property frontage of US Route 1, and a minimum of 6-foot-wide sidewalk along Delaware Street, Cherokee Street and 48th Avenue, unless modified by the operating agency with written correspondence.
 - b. Minimum five-foot-wide sidewalk or wide sidewalk throughout the site where feasible, including ADA curb ramps and associated crosswalks.
 - c. Shared road pavement markings along the property frontage of Cherokee Street, unless modified by the operating agency with written correspondence.
 - d. Provide ADA curb ramps and crosswalks crossing all vehicular access points
 - e. Provide the pedestrian and bicycle facilities and amenities where applicable as described in the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.
 - f. Minimum five-foot-wide bicycle lane or 6.5-foot cycle tracks along the property frontage of US Route 1, unless modified by the operating agency with written correspondence.
 - g. Minimum 4.5 landscape amenity panel along the property frontage of US Route 1, and a minimum 6-foot landscape amenity panel along the property's frontage along Delaware Street, Cherokee Road, and 48th Avenue, unless modified by the operating agency with written correspondence.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

REC'D OCT 07 2022

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

October 4, 2022

RST Development c/o Scott Copeland
6110 Executive Boulevard
Rockville, MD 20852

Re: Notification of Planning Board Action on
Preliminary Plan of Subdivision 4-22007
9113 Baltimore Avenue

Dear Applicant:

This is to advise you that, on **September 29, 2022**, the above-referenced Preliminary Plan of Subdivision was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 23-401 of the Land Use Article of the Maryland Code, a petition for judicial review of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within 30 calendar days after the date of this final notice **October 4, 2022**. Please direct questions regarding this matter to Ms. Mahasin El Amin, Clerk of the Circuit Court, at 301-952-3318.

Sincerely,
James R. Hunt, Chief
Development Review Division

By: *Antoine Keatt*
Reviewer

Attachment: PGCPB Resolution No. **2022-95**

cc: Persons of Record

RESOLUTION

WHEREAS, Capitol Hospitality Inc./Royal Hospital Inc. is the owner of a 3.82-acre parcel of land known as Parcel A of Sims Tract and Lots 34 and 35 of Daniels Park said property being in the 21st Election District of Prince George's County, Maryland, and being zoned Local Transit-Oriented Edge (LTO-E) Zone; and

WHEREAS, on June 14, 2022, Capitol Hospitality Inc./Royal Hospital Inc. filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-22007 for 9113 Baltimore Avenue was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 8, 2022; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 of the Subdivision Regulations, subdivision applications submitted before April 1, 2024, may be reviewed and decided in accordance with the prior Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on September 8, 2022, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-22007, including a Variation from Section 24-122(a), for one parcel with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised to provide the following:
 - a. Add bearings and distances to dedicated area along US 1 (Baltimore Avenue) and Delaware Street.

7. In accordance with prior Section 24-135 of the 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.
8. Prior to submission of the final plat of subdivision, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.
9. 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 Parks and Recreation Facilities Guidelines, with the review of the site plan. Timing for construction shall also be determined at the time of detailed site plan.
10. Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the east side of US 1 (Baltimore Avenue) between Cherokee Street and Delaware Street and is 3.82 acres. The subject property is comprised of one parcel and two lots, which includes Parcel A of Sims Tract, recorded in the Prince George's County Land Records in Plat Book NLP 97, Page 49; and Lots 34 and 35 of Daniels Park, recorded in Prince George's County Land Records in Plat Book LIB A, Page 59. The property is within the Local Transit-Oriented Edge (LTO-E) Zone, and was previously located within the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones. This PPS was reviewed in accordance with the prior Prince George's County Zoning Ordinance and prior Prince George's County Subdivision Regulations, pursuant to Section 24-1900 of the Subdivision Regulations. In accordance with Section 24-1904(c) of the Subdivision Regulations, this preliminary plan of subdivision (PPS) is supported by and subject to approved Certificate of Adequacy ADQ-2022-039. The site is subject to the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (sector plan), Subtitles 24 and 27 of the prior Prince George's County Code, and other applicable plans, as outlined herein. This PPS includes one

parcel for development of 331 multifamily dwelling units and 3,937 square feet of commercial use. The site currently consists of commercial development, which is to be removed.

Section 24-122(a) of the Subdivision Regulations requires that 10-foot-wide public utility easements (PUEs) be provided along both sides of all public rights-of-way. The public right-of-way 48th Avenue abuts the site to the east. The applicant requested approval of a variation from the PUE requirements and proposed that any needed dry utilities will be placed within the right-of-way. This request is discussed further in this resolution.

3. **Setting**—The property is located on Tax Map 25 in Grids E3 and D3. The property is within Planning Area 66. The properties to the north beyond Delaware Street consist of mixed use and office development within the LTO-E and Residential, Single-Family-65 (RSF-65) Zones (formerly the M-U-I and One-Family Detached Residential (R-55) Zones). The properties to the east beyond 48th Avenue consist of single-family detached development and vacant land within the RSF-65 Zone (formerly the R-55 Zone). The abutting properties to the east consist of institutional and multifamily residential development within the RSF-65 and LTO-E zones (formerly the R-55 and Multifamily Medium Density Residential (R-18) Zones). The properties to the south beyond Cherokee Street consist of townhouse development and vacant land within the LTO-E Zone (formerly the M-U-I Zone). The properties to the west beyond US 1 consist of commercial and multifamily development within the LTO-E Zone (formerly the M-U-I Zone).
4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	LTO-E	LTO-E
Use(s)	Commercial	Residential/Commercial
Acreage	3.82	3.82
Lots	2	0
Parcels	1	1
Dwelling Units	0	331
Gross Floor Area	35,059 sq. ft.	3,937 sq. ft.

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on June 24, 2022.

5. **Previous Approvals**—No previous approvals are associated with this property.
6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated, as follows:

Plan 2035

The subject property is in the Innovation Corridor and within one of four designated employment areas of Plan 2035. Employment areas have the highest concentration of economic activity in the

County's targeted industry clusters and is where Plan 2035 recommends supporting business growth, concentrating new business development near transit where possible, improving transportation access and connectivity, and creating opportunities for synergies (page 19). This PPS aligns with the growth policy of employment areas of the general plan by concentrating residential and commercial development near existing economic activity and existing industry clusters.

Sector Plan Conformance

The sector plan recommends mixed-use commercial land uses on the subject property. The subject property is in the walkable node character area of the sector plan. The walkable nodes "consist 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. It has fairly small blocks with wide sidewalks and buildings set close to the frontages" (page 228). The land use and urban design policies of these areas are to develop a series of pedestrian-friendly, transit-oriented, mixed-use walkable nodes at appropriate locations along the Central US 1 Corridor (page 65); to establish a strong sense of place by ensuring the highest quality of development (page 67); and to create appropriate transitions between the nodes and existing residential neighborhoods (page 68).

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the PPS conforms to the sector plan's recommended land use.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or an indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. An unapproved SWM Concept Plan (1836-2022) was submitted with this PPS, and dually submitted to the Prince George's County Department of Permitting, Inspections and Enforcement for review and approval. The SWM concept plan shows the use of two micro-bioretenion facilities, bay saver cartridges, and a green roof to detain, treat, and release stormwater leaving the site. An approved SWM concept plan will be required as part of the application at time of detailed site plan (DSP) review.

Development of the site, in conformance with SWM concept approval and any subsequent revisions to ensure that no on-site or downstream flooding occurs, will satisfy the requirements of Section 24-130 of the Subdivision Regulations.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the development plan, the sector plan, the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, the Subdivision Regulations, and prior approvals, as they pertain to public parks and recreation and facilities.

This PPS was reviewed for conformance to the master plan, per Sections 24-121(a)(5) and 24-122(b) of the Subdivision Regulations. The proposed development aligns with the master plan's intention to provide quality, safe, and convenient parks and recreational facilities within

mixed-use developments providing respite and contributing to the desirability and livability of the community for current and future residents.

Park and recreation amenities serving the subject property include the Paint Branch Golf Course, which is within 0.35 mile of the subject property. The golf course is developed with a golf driving range, 9-hole golf course, mini golf, a golf pro-shop, and clubhouse. The Acredale Park is 1.17 miles from the subject property and is developed with a dog area, picnic area, shelter, playground, horseshoe pit, and soccer and softball fields. The Paint Branch Trail also serves this area.

Separate from the evaluation of adequacy, the mandatory dedication of parkland requirements is applicable. This PPS is being reviewed per the provisions of Section 24-134 of the prior Subdivision Regulations, which pertains to the mandatory dedication of parkland, and provides for the dedication of land, the payment of a fee-in-lieu, or on-site recreational facilities, to meet the requirement. Based on the proposed density of development, 15 percent of the net residential lot area should be required to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks, which equates to 0.56 acre for public parklands. The subject property is not adjacent or contiguous to any property currently owned by M-NCPPC. The 0.56 acre of dedicated land would not be sufficient to provide for the types of active recreational activities that are needed. The current plan proposal calls for this requirement to be met with private on-site recreational facilities. In accordance with Section 24-135(b) of the Subdivision Regulations, the Planning Board may approve on-site recreational facilities, in lieu of parkland dedication, provided the following are met:

1. **Such facilities will be superior, or equivalent, to those that would have been provided under and the provisions of mandatory dedication;**
2. **The facilities will be properly developed and maintained to the benefit of future residents of the subdivision through covenants, a recreational agreement, or other appropriate means, that such instrument is legally binding upon the subdivider and his heirs, successors, and assignees, and that such instrument is enforceable, including enforcement by the Planning Board; and**
3. **No permit for construction or occupancy of dwellings will be issued unless the Planning Board is satisfied that the facilities have been, or will be, provided at the appropriate state of development.**

On a conceptual basis, the applicant has proposed an outdoor swimming pool, a courtyard, a playground, a dog park, an outdoor terrace (located adjacent to pool deck), a grilling area (located within the outdoor terrace), a sunroom (lounge with a coffee bar overlooking the exterior courtyard), a library/café, a business center, a multipurpose room, a fitness center, a game room, a kitchenette, and bike storage with a fix-it station as recreational facilities.

The Prince George's County Parks and Recreation Facilities Guidelines also set standards based on population. Based on the projected population for the development, the typical recreational needs are:

- (1) Picnic Area
- (1) Playground
- (1) Sitting Area
- (0.6) School Age Playground
- (1) Open Play Area
- (1) Fitness Trail (6 stations)
- (0.6) Basketball–Multipurpose Court
- (0.5) Tennis Court

The applicant's proposal to provide private on-site recreational facilities will meet the requirements of Section 24-135(b). The recreational facilities to be provided will be further reviewed at the time of DSP.

9. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the sector plan, to provide the appropriate transportation facilities.

Master Plan Right of Way

The subject site has frontage along master-planned roadway US 1, which is designated in the MPOT as MC-200 and is also a designated master plan roadway in the sector plan, which recommends an ultimate varying width right-of-way of 88–112 feet. Currently, US 1 has an existing varying right-of-way width of 27.3 to 50 feet from the centerline of US 1 along the property's frontage. The latest PPS submission shows a 22.7-foot-wide proposed right-of-way dedication along the western edge of the property and, with the current right-of-way configuration for existing Parcel A, demonstrates a total of 50-feet of ultimate right-of-way from centerline, which conforms to the sector plan's recommendations.

In addition, the site is bounded by nonmaster-planned public roadways, including Delaware Street on the north side of the site, with a proposed 24-foot right-of-way from centerline, which includes a dedication of 4 feet; Cherokee Street on the south side of the site, with an existing 35-foot right-of-way from centerline; and 48th Avenue on the east side of the site, which is plated as an existing 40-foot right-of-way. The latest PPS submission shows accurate right-of-way dedication along all roadways to facilitate the ultimate configuration within the limits of the PPS. Regarding 48th Avenue, the PPS shows that the roadway will be constructed to provide full movement access to the site. As a condition of approval, the applicant shall construct the portion of 48th Avenue shown on the PPS to public standards.

The site is also subject to the District Development Standards, which describe access to off street and structured parking (page 241). The primary source of access to off street parking should be limited to alleys and secondary streets when present. The site is bounded by two secondary streets, to which the primary access to parking will be designated to Cherokee Street. The

applicant proposed an additional site access point along the primary frontage street, US 1. The applicant agreed to evaluate and configure the access point along US 1 as an outbound access only, preventing that access from being the primary source of traffic to the site.

Master Plan Pedestrian and Bike Facilities

The subject property fronts a recommended master-planned bicycle lane along US 1. The operating agency, the Maryland State Highway of Administration, has constructed cycle tracks along portions of the US 1 roadway, which are also recommended along the property frontage.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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*.

This development is also subject to the sector plan, which also proposes bicycle lanes along US 1 as interim facilities until a cycle track is constructed, and a shared use roadway along Cherokee Street. The following policies and strategies are provided for pedestrian and bicyclist facilities (page 141).

Policy 1: Improve bicycle, pedestrian, and vehicular accessibility throughout the internal street network and to US Route 1 and Rhode Island Avenue by filling in missing linkages and ensuring the internal network is bicycle and pedestrian friendly through appropriate design, including traffic calming techniques.
(page 135)

Policy 2: Implement a comprehensive wayfinding system to complement the street network and orient residents, visitors, students, and through traffic to the area.
(page 136)

Policy 2: Facilitate bicyclists along entire corridor and through development so that bicycle routes are enhanced or established. (page141)

In addition, the sector plan includes design guidelines on pages 65, 260, and 264 regarding designated walkable nodes. The master plan's design elements and the MPOT policy recommendations shall be detailed and evaluated in subsequent site plans. However, the latest PPS submission shows that adequate right-of-way is provided to support the sector plan's recommended pedestrian and bicycle facilities.

The above policies, strategies, and recommendations all support a multimodal community. Per the area sector plan (pages 260 and 264), the frontage along US 1 should include a 12- to 18-foot-wide sidewalk where feasible, a 6.5-foot-wide cycle track and a minimum 4.5-foot-wide landscape strip along US 1, and a 6-foot-wide sidewalk along side streets, unless modified by the operating agency. The cross sections provided on the PPS will accommodate these recommendations if a public use easement is provided along the subject property to provide the wide sidewalk. All applicable streetscape amenities described in the sector plan (page 264) shall be provided along the property frontage of US 1.

In addition, shared pavement markings shall be provided along the property frontage of Cherokee Street, per the area sector plan, unless modified by the operating agency. The designated facility will create a multimodal connection to the surrounding areas.

The latest PPS proposes three vehicular access points to the buildings on-site via one full access point along Cherokee Street, one full access point for service vehicles and move-in/out vehicles along 48th Street, and a limited right-out only driveway along US 1. The limited access driveway to the site along US 1 will conform to the goals of the sector plan access design standards and will minimize pedestrian and vehicular conflicts along US 1. As part of a condition of approval, the applicant shall provide the appropriate signage at the designated service area and provide additional signage and a driveway design that ensures an outbound vehicular only access along US 1. The overall circulation and proposed roadway configurations are acceptable. In addition, given the residential nature of the site, designated space for rideshare activities shall be provided on-site. At the time of DSP, all pedestrian and bicycle facilities and amenities as described in the sector plan shall be provided on a facilities plan.

Based on the preceding findings, the transportation facilities will be in conformance with the MPOT, the sector plan, and the Subdivision Regulations.

10. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5). The sector plan provides goals and policies related to public facilities (pages 151–163), including the goal to “provide needed public facilities in locations that efficiently serve the population,” and the schools, libraries, and public safety policies and strategies. There are no police, fire and emergency medical service facilities, schools, parks, or libraries proposed on the subject property. This PPS is further supported by an approved certificate of adequacy (ADQ-2022-039), which ensures adequate public facilities to support the proposed land use. The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, none of which affect this site.
11. **Public Utility Easement**—Section 24-122(a) of the Subdivision Regulations requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is 10-foot-wide along both sides of all public rights-of-way. The subject site has frontage along the existing public rights-of-way of US 1, Cherokee Street, Delaware Avenue, and 48th Avenue. However, the applicant is proposing to remove the required PUE along its frontage of 48th Avenue.

The applicant requested a variation from the standard PUE requirement along this public right-of-way, in accordance with Section 24-113 of the Subdivision Regulations, which sets forth the following required findings for approval of a variation (in **BOLD**), followed by review comments:

Section 24-113 Variations

(a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

(1) **The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

Ten-foot-wide easements for public utilities are required along both sides of all public rights-of-way to ensure that utilities will be able to serve the subject site and surrounding development. However, the applicant is proposing to not provide the easement along the public right-of-way of 48th Avenue fronting the subject site. The right-of-way of 48th Avenue is currently unimproved and dead ends at the subject property’s frontage. The applicant is proposing to improve the right-of-way, to only serve the subject property as a rear service drive and for move-ins and move-outs. The applicant will provide utilities within the right-of-way, as needed. PUEs will be provided along all other public rights-of-way and will not preclude utility connection to other sites. Therefore, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property.

(2) **The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The conditions on which the variation is based are unique to the subject site and generally not applicable to other properties. The right-of-way of 48th Avenue is dedicated, but was never improved. It also is not a through right-of-way, and dead ends at the property frontage. The right-of-way currently functions as a parking lot for the existing commercial uses on-site. Once improved, the right-of-way will only serve as a rear service drive for move-ins and move-outs for the subject site. The property also has frontage on three other rights-of-way, which will all have PUEs.

- (3) **The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

No other applicable law, ordinance, or regulation was found that would be violated by this request. The approval of a variation, in accordance with Section 24-113, is unique to the Subdivision Regulations and under the sole authority of the Prince George's County Planning Board. This PPS and variation request was referred to the public utility companies and the City of College Park, none of which have opposed this request. Further approval of utilities locations will be required by the affected agencies during their review of applicable permits and site development.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

As stated above, the property abuts four public rights-of-way, two of which require dedicated area which encroach the site. The property is also located within the walkable node of the sector plan, which encourages small blocks with wide sidewalks, buildings set close to the frontages, and access from side streets and alleys. Requiring a PUE along 48th Avenue would push the building back further from the street and reduce the amount of developable area. In addition, because 48th Avenue is a limited access roadway, a PUE in this location would not serve any substantial purpose, but could detract from the sector plans' recommendations for development of the site. These factors make it a hardship to provide a 10-foot-wide PUE along the public rights-of-way of 48th Avenue.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is not within any of the zones specified by this criterion; therefore, this provision does not apply.

Based on the proceeding findings, the variation from Section 24-122(a) for the provision of a PUE along the public right-of-way of 48th Avenue is approved.

12. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required. The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. The sector plan includes goals and policies related to historic preservation (pages 193-202). However, these are not specific to the subject site or applicable to the proposed development. This proposal will not impact any Prince George's County historic sites, historic resources, or known archeological sites.
13. **Environmental**—PPS 4-22007, 9113 Baltimore Avenue, was accepted for review on June 14, 2022. Comments were provided in an SDRC meeting on June 24, 2022. Revised information was received on August 3, 2022. The following applications and associated plans have been reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan or Natural Resources Inventory #	Authority	Status	Action Date	Resolution Number
NA	NRI-013-2022	Staff	Approved	4/12/2022	NA
NA	S-008-2022	Staff	Approved	1/25/2022	NA
4-22007	NA	Planning Board	Approved	9/8/2022	2022-95

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 because this application is for a new PPS.

Plan 2035

The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035 and the established communities of the General Plan Growth Policy.

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Sector Plan

The site falls within the Upper Midtown portion of the sector plan, which does not indicate any environmental issues associated with this property.

Green Infrastructure Plan

This property is not within the designated network of *The Countywide Green Infrastructure Plan* of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*.

The site was entirely cleared, graded, and developed prior to the enactment of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO).

ENVIRONMENTAL REVIEW

Natural Resources Inventory

The site has an approved Natural Resources Inventory Plan (NRI-013-2022), which correctly shows the existing conditions of the property. Three specimen trees are located on-site along the site boundary. This site is not associated with any regulated environmental features, such as streams, wetlands, 100-year floodplain, or associated buffers. The site is not within the primary management area.

Woodland Conservation

The site is exempt from the provisions of the 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-008-2022), which expires on January 25, 2024. No additional information is required regarding woodland conservation.

Soils

The soils on the site, as shown on the Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0–5 percent slopes), Sassafras Urban land complex (5–15 percent slopes), and Urban Land-Sassafras complex (0–5 percent slopes).

No soils containing Marlboro clay are mapped on or within the immediate vicinity of this site; however, unsafe soils containing Christiana complexes have been identified on and within the immediate vicinity of this property. The soils containing Christiana complexes are contained in previously disturbed urban soils on relatively flat slopes. There are no geotechnical concerns with this project.

Specimen, Champion, or Historic Trees

In accordance with approved NRI-013-2022, three specimen trees have been identified on the subject property along the eastern property boundary. There are additional specimen trees located off-site immediately east of the site, as well. Although this site is exempt from the WCO, preservation of as many specimen trees as practicable should be considered during the final site design process. Particular care should be made to protect specimen trees on adjoining properties through the use of best management practices on-site, such as root pruning. Coordination with neighbors to implement additional stress reduction measures prior to construction, including vertical mulching, is encouraged. The applicant has proffered to take steps to save a Willow Oak specimen tree (T4) on-site with tree protection fencing during construction, as well as engage in

tree protection measures for specimen trees on adjoining properties. No further information is required regarding specimen, champion, or historic trees.

14. **Urban Design**—This PPS was evaluated for conformance with the applicable plans and requirements, as follows:

Sector Plan

The subject site is governed by the D-D-O standards approved with the sector plan, and the proposed commercial uses and multifamily dwellings are permitted on the property, subject to the approval of a DSP. In accordance with the sector plan, D-D-O standards replace comparable standards and regulations of the Zoning Ordinance, where applicable. Whenever a conflict exists between the D-D-O standards and the Zoning Ordinance or the 2010 *Prince George's County Landscape Manual* (Landscape Manual), the D-D-O shall prevail. For development standards not covered by the D-D-O Zone, the Zoning Ordinance or Landscape Manual shall serve as the requirements, as stated in Section 27-548.21 of the Zoning Ordinance. Conformance with the regulations and standards of the D-D-O Zone will be further reviewed at the time of DSP.

The D-D-O has more than 40 pages of development standards focused on criteria including building form, architectural elements, sustainability, streets, and open space requirements. While conformance with these requirements will be evaluated at the time of DSP, the applicant should be particularly mindful now of the D-D-O development standards that define spatial relationships within the subject site and with the surrounding neighborhood. Special attention should be paid to development standards on lot coverage, building siting, parking, and streetscape elements.

The applicant indicates that private recreational facilities are proposed to serve the needs of the new residents. However, given the site is located within the Walkable Node Character Area, an area for outdoor recreation is encouraged on-site, such as a pocket park or seating area. In addition, the applicant shall provide design elements on the mixed-use building that are compatible with the existing single-family homes in the area. An outdoor recreational area and compatibility of building design will increase the attractiveness of the area, improve the pedestrian walkability envisioned by the sector plan, and provide an appropriate transition from the vertical mixed-use development on US 1 to the adjacent residential neighborhoods. The recreational amenities and building design will be reviewed at the time of DSP.

Conformance with the 2010 Prince George's County Landscape Manual

The proposed development is subject to the Landscape Manual. The D-D-O Zone includes development district standards that replace many requirements of the Landscape Manual, and the project will be required to demonstrate conformance with the applicable development district standards and Landscape Manual requirements at the time of DSP.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. The prior M-U-I Zone requires a minimum 10 percent of the gross tract area to be in the tree canopy

coverage (TCC). Compliance with the TCC requirements will be evaluated at the time of DSP review.

15. **Municipalities**—The subject property is located within the municipal limits of the City of College Park. A statement from the City of College Park was read into the record at the Planning Board hearing, stating that the City of College Park City Council recommended approval of this PPS, subject to five conditions, consistent with those adopted by the Planning Board.

The subject site is within one mile of the geographical boundary of the City of Greenbelt and the Town of Berwyn Heights. This PPS was referred to both municipalities for review and comments on August 17, 2022. However, at the time of the of the Planning Board hearing, comments had not been received from these municipalities.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, and Shapiro voting in favor of the motion, and with Commissioners Bailey and Geraldo absent at its regular meeting held on Thursday, September 8, 2022, in Upper Marlboro, Maryland.

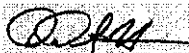
Adopted by the Prince George's County Planning Board this 29th day of September 2022.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:jah

APPROVED AS TO LEGAL SUFFICIENCY


David S. Warner
M-NCPPC Legal Department
Date: September 22, 2022

From: [Judy Blumenthal](#)
To: [PPD-PGCPB](#)
Subject: Submission for January 19 2023 / DSP-22015 9113 BALTIMORE AVENUE / From Judy Blumenthal
Date: Monday, January 16, 2023 11:48:30 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Commissioners.

The proposed RST Development at 9113 Baltimore Avenue has serious issues for the City of College Park, especially in North College Park.

In your authority over the use of land; approving the character and location of proposed development; upholding ethical governance; not considering a "less-than-ideal" proposal; and to allow for reasonable requests from residents when a change in the neighborhood has occurred –

I am asking that the safety and welfare of the residents of North College Park supersede allowances in the Sector Plan (dated 2010 with a website posting date of January 12, 2023) and that you deny the proposed construction.

The Sector Plan has been overtaken by environmental trends and permanent changes. The proposed construction of a 6-7 story building, with 317 multifamily dwelling units, will negatively impact the safety and welfare of the surrounding neighborhoods and residents.

Information below will address your authority to deny the proposed construction, especially the height; setbacks; parking; and area requirements such as gas lines, power grids, water and sewer.

Utilities Systems

As evident by the recent gas line problems on Route One and in the residential streets in North College Park, and previous electrical grid problems plus water and sewer (WSSC) problems, the RST proposal will over load the utilities systems. Specifically:

Washington Gas:

The proposed development will overload, the already weakened, gas lines.

Recent Washington Gas attention to serious leaks in the City of College Park occurred in February and December of 2022; the latter caused Baltimore Avenue(Route One) to be closed in both direction for several days.

In 2021 “within a 45-day period, Washington Gas responded to (8) gas leak/odor calls in the College Park area and made (25) leak repairs.”

PEPCO:

Power grids cannot be maintained in our current environment. For example,the severe storm of July 2022 resulted in "more than 27,000 Pepco customers in Prince George’s County experienced power outages. Prince George’s County Fire and EMS received more than 350 calls for its service,... with the worst of the damage in College Park, Berwyn Heights and Greenbelt. "

WSSC:

Water Mains are old and "nearing the end of their useful life", as reported for College Park in 2013. It was further stated, "after more than 90 years of service, WSSC is facing ... decaying pipes and valves. The water mains within the [College Park] project area were originally installed in the1920s, 1950s, 1960s and 1970s.”

Traffic:

Another serious impact is the increase in traffic. As it now stands, emergency vehicles have difficulty reaching their destination promptly, plus there is no safe evacuation route if necessary. New development will even worsen this current dilemma.

Parking:

Parking, of course, will overwhelm North College Park. For example, the current traffic problems on Delaware Street will become even more unmanageable and less safe, and Cherokee Street will be more of a fire trap.

The proposed construction allows for 1.5 cars per unit. But this does not reflect the current state of affairs regarding number of occupants per unit. Specifically, the proposal does not adjust for multigenerational family households, cohabitation, nor leasing and renting out rooms.

"According to an analysis of census data from 1971-2021, the number of people living in multigenerational family households quadrupled during that time period, reaching 59.7 million in March 2021. The share more than doubled as well, to 18% of the U.S. population. Mar 24, 2022."

"In March 2021, there were 59.7 million U.S. residents who lived with multiple generations under one roof, compared with 58.4 million in 2019, according to a Pew Research Center analysis of census data. The share of the U.S. population living in multigenerational households in 2021 was 18%. Mar 24, 2022".

Furthermore, "this generation is investing in home ownership ... they're co-buying houses with friends".... "The number of homes bought by people with different last names has increased by nearly 772 percent from 2010 (the date of our Sector Plan) to last July [2021]."

Additionally, leasing and renting out rooms are common behaviors in a college town, especially in the City of College Park.

Therefore, with the current trend of multifamily units, cohabitation, leasing and renting, a conservative estimate of necessary parking should be no less than three vehicles per unit.

To summarize, The Sector Plan has been overtaken by environmental trends and permanent changes. The proposed construction of a 6-7 story building with 317 multifamily dwelling units, will negatively impact the safety and welfare of the surrounding neighborhoods and residents.

In your authority to serve the public interest for all persons, to protect the integrity of the natural and current environment, and to pay attention to long-range consequences -

I ask that you exercise your authority to deny the proposed construction at 9113 Baltimore Avenue.

Thank you for your consideration to this serious matter.

Sincerely,

Judy Blumenthal, Ph.D.
9205 49th Avenue
College Park, MD 20740
Cell: 202-368-6159
judyblumenthal@earthlink.net

From: [Stasia Myron Hutchison](#)
To: [PPD-PGCPB](#)
Cc: [Councilmembers, City of College Park](#); [Garcia, Michelle J.](#); jdmurillo@co.pg.md.us
Subject: DSP-22015 RST Development, LLC
Date: Monday, January 16, 2023 10:19:49 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Prince George's Planning Board

I am contacting you concerning DSP-22015 RST Development, LLC., in which the developer proposes to build a mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial space. I believe that this mixed-use building is too tall for the proposed area and should be scaled down as to not overwhelm the existing single-family homes.

It is important that the developer ensures preservation of the existing single-family neighborhood, which will be directly impacted by this mixed-use building. It is important that the developer work with the residents to guarantee this happens and to preserve the quality of life for the current residents of this neighborhood. In my opinion, this building is too big to ensure preservation of the existing single-family homes. This building will tower over the existing homes, taking away the residents' privacy and quality of life.

I do not live near this development but have heard concerns from those who do, some of whom have been through this situation before when the Metropolitan in College Park was built and whom continue to be negatively impacted by that development. There is a steady pattern in College Park where existing residents, whom I point out were there first, always seem to be negatively impacted by the approved developments even though these residents are assured during the planning stage that their concerns will be addressed. A case in point is the Marketplace in College Park, which is directly adjacent to my neighborhood. We, too, continue to be negatively impacted by that development. Somehow the residents that exist in the impacted area are forgotten. I ask that before you approve this development that you first think about the residents who live in the area and consider how they will be impacted by the proposed development. How would you feel if this development was built in your neighborhood? Once a project is built, it is there forever, and the issues are never corrected and the residents are struck to live with them.

I ask that you hold the developer accountable during the planning stage, not after the project is built and the damage is done, but before any lasting damage can be done. Make the developer scale down this mega building and provide appropriate buffers to preserve the existing neighborhood and ensure a positive quality of life for the existing residents.

Thank you for the opportunity to provide input. I hope that you will take my comments into consideration.

Sincerely,

Stasia Hutchison
4710 Kiernan Road
College Park, MD 20740

01.16.23
4 Ellis Circle
E Sandwich, Mass 02537
And
4814 Delaware St.
College Park, Md
508-790-1973

Prince George's County
Planning Board
14741 Governor Oden Bowie Dr.
Upper Marlboro, Md 20772

via email addressed as follows: pgcpb@mncppc.org

RE: Opposition to DSP - 22015
The Flats at College Park, RST Development

Dear Planning Board,

My wife and I own property at 4814 Delaware St., College Park, Md., which we acquired in 1976, still own and in which we resided until 1994 when circumstances caused us to reside in Massachusetts. Nevertheless, our affinity to the community and the County has never wavered. It has come to our attention that the referenced DSP-22015 or its relevant identification will be considered by the Planning Board. I wish to voice opposition to such project and respectfully proffer the following observations and ask that you, as the guardians to quality of life in this community, reject the Applicant's project.

The proposed development known as The Flats at College Park, RST Development, DSP-22015 located at 9113 Baltimore Ave should not be built. My concerns with the project are, without limitation as follows:

The density consist of 317 residential units plus commercial space. Presently, the applicant intends not to provide commercial space contrary to the zoning ideals for this area.

The Applicant proposes, among others the following outdoor recreational amenities

- Exterior Outdoor Pool
- Exterior Outdoor Courtyard
- Exterior Playground
- Exterior Dog Park
- Exterior Grilling areas
- Exterior Outdoor Terrace
- Interior Sunroom (Lounge with a coffee bar overlooking the exterior courtyard)

The noise and other sensory pollutants from use by realistically 634 persons in a small congested

area simultaneously (assuming 317 units with 2 occupants per unit) or within close proximity in time to each other will be overwhelming for the residential community suffering from the negative impacts of this development.

In addition to the conditions of approval with the Preliminary Plan of Subdivision, the Subject Property was also the subject of an adequacy analysis assigned the number ADQ2022-039. This application was approved subject to five conditions, some of which are addressed below:

Total development within the proposed Preliminary Plan of Subdivision shall be limited to uses that generate no more than 188 AM peak-hour trips and 239 PM peak-hour vehicle trips.

Applicant's COMMENT: The development proposed in the Detailed Site Plan does not exceed the trip cap.

It is suggested that the "traffic" study is flawed and needs to be reviewed. The study is difficult to analyze by this writer but it was done in September of 2021 and looked to whether infrastructure needs to be improved and does not take into account the realistic impact traffic will have. With 317 units, realistically two vehicle owners per unit will generate 654 trips in the AM and in the PM as the occupants go to work. That also is a reflection on the inadequate parking to be provided and the impact such will have on the neighborhood. It does not appear that the traffic study is taking into account the traffic that will be generated by the more than 200 units to be built across Cherokee St. It is suggested that the Applicant's bold proclamation that the DSP does not exceed the trip cap is illusory without substantial justification. The remaining Adequacy Analysis conditions should be addressed at this juncture and not, as the Applicant suggests, at the time that a building permit is being pulled. (Pages 23-25 of the Statement of Justification)

Reference is made by the Applicant that Zoning Ordinance 27-546.18, among other things, allows for a density of 48 units per acre. The Applicant states that such restriction in density does not apply for this project. The project proposes a density of 83 units per acre. A gross departure and a gross imposition on the neighborhood is not acceptable for this site. It is respectfully requested that no departure from density be allowed.

The Sector Plan requires that buildings be stepped back when they are located across the street from, or share a rear property line with, "existing residential areas". The Sector Plan requires a step back to 2-3 stories - and that is for good reason as the height imposes on the quality of life of the people living in proximity to the monster building. The Applicant posits that because a small buffer zone is being proposed, such should alleviate that step back provision. It is suggested that such is an obfuscation of the immediate and negative impact the height of the building will have on the

neighborhood. The Applicant's suggestion that the building does not share a property line with an existing residential area is without merit and disingenuous. The Applicant submits that a modification of the step-back requirement would benefit the development and the development district and will not substantially impair implementation of the Sector Plan. The opposite is true - and it will also impair the quality of life in the neighborhood - a goal that is worthy of protecting and is in conformity with the Sector Plan. The Applicant will not be living in the neighborhood - the Applicant's bias is well noted. Additionally, the Applicant states in the Revised Statement of Justification that the Applicant owns the two proposed buffer lots (page 3 SOJ) but there is no record that this writer can find supporting such factual assertion. Documentation on the Md. Dept of Assessments and Taxation site reveal that such property and the "project" property is owned by an entity known as Capitol Hospitality, Inc for many years. The inference is that the subject property purchase by the Applicant is subject to conditional acquisition.

The Sector Plan states that LEED-Silver certification is desired for all new development. The proposed development will pursue certification under an alternative rating system, National Green Building Standard Silver (NGBS Green-Silver Level Certification). This should not be allowed. This is just another excuse to kick environmental concerns down the road. The only justification is that such will erode profit. Failure to follow the LEED when the opportunity presents itself erodes the purpose of such regulations. The project, if allowed to vary from LEED for all intents and purposes won't be subject to modifications for at least 30 - 50 years. Let's address it now - it is the Applicant asking for the detour - not the people of the community who are relying on you - the guardians of the cross roads to implement that which was intended for the benefit of the residents, not the whimsy of a prospector. (This sentiment in opposition applies to all of the requests for departures that the Applicant is asking for)

The Applicant is proposing modifications to the requirements of the Zoning Ordinance which require a departure. First, the Applicant proposes to include 9' X 18' parking spaces rather than the 9.5' X 19' spaces typically required by Section 27-558 of the Zoning Ordinance. Second, the Applicant proposes that the height of the garage entrance which accesses the loading space internal to the building be 13'6" high and the ceiling clearance above the loading space is 14' high. Section 27-578(a) of the prior Zoning Ordinance provides that for commercial uses with a gross floor area exceeding 3,000 square feet, the height of the loading space must be 15 feet if the height is covered or obstructed. Section 27-578(b) states that the doorway entrance to an interior loading space must also be 15 feet high. The Central US 1 Corridor Sector Plan does not modify the size of parking spaces required by the Zoning Ordinance or the height of loading spaces, and therefore the normal requirements would apply. **The Applicant wants to deviate from concepts To protect and promote the health, safety, morals, comfort, convenience and welfare of the present and future inhabitants of the County;** Why in the world does anyone think that smaller parking spaces and claustrophobic surroundings are conducive to comfort and convenience - smaller is not better in this instance.

The Applicant addresses matters pertaining in the SOJ that provide for adequate light, air, and privacy; and to promote the most beneficial relationship between the uses of land and buildings and protect landowners from the adverse impacts of adjoining development; the Applicant points to their proposed inadequate parking plan as meeting those goals - the whole project fails to conform to those goals and only serves to destroy a neighborhood that has lived in relatively quiet enjoyment for decades - there are residents that have been living there continuously for over 40 years in this area - the adverse impacts are easily avoidable - don't allow this monstrosity.

The purposes of the subtitle will not be equally well or better served by the Applicant's proposal. The Applicant posits justification to 15 factors pertaining hereto all of which are clearly obfuscation of the realities of the negative impact of the project.

Based on the above, and on numerous other factors that this writer cannot address due to time constraints, this writer submits that with the modifications requested, the proposed development does not conform with the DDOZ Design Guidelines and Standards. In addition, the proposed Detailed Site Plan represents an unreasonable alternative for satisfying the site design guidelines, and which detracts substantially from the utility of the proposed development for its intended use. Therefore, this writer respectfully requests no approval of the Detailed Site Plan. It must be remembered that the Applicant is not suffering any hardship for inability to use the land he doesn't own yet - in this writer's opinion, it is proffering a dream to benefit financially to the detriment of the community.

Respectfully

/s/ Oleh Podryhula

Oleh Podryhula

Olehpodry@yahoo.com

RE: Opposition to DSP - 22015 The Flats at College Park, RST Development

Dear Prince George's County Planning Board Planning Board:

My husband and I live two blocks from the development proposed by RST Development known as The Flats at College Park, 9113 Baltimore Ave. I support the fact that it is supposed to offer a high percentage of affordable housing—one of the County's goals and a goal of local leaders and many residents as well, but I question the density of the development so close to a long-established residential neighborhood. I oppose the development as planned.

My concerns address quality of life issues for the residents who live on Cherokee St. and Delaware Avenue. The Flats would be built on Route 1 in between those two streets. Without going into the technical aspects of the Detailed Site Plan, I ask that you review more closely the following.

- RST says that there will be 317 units. Realistically speaking, 317 units equals, as a guess, more than 500 people since most people live with at least one other person. How many of those residents will have and use a car on a daily basis? Although public transportation vs. car use is the dream, the reality may likely be different as many of these new residents drive out of their building and into the neighborhood for daily trips to work, school and errands.
- The number of trips is, of course, an unknown in spite of the fact that the lawyer for RST, in a recent College Park Council meeting, claimed that the "number of cars aren't significant." This claim sounds completely like an unrealistic assumption, and one said to quell the fears of present residents about the number of vehicles that will be actually congesting the local streets. As a friend of mine wrote, this is an "illusion" promoted by the developer to get approval.
- Is there enough parking for all of the vehicles owned by the new residents? My fear is that it is inadequate and residents of The Flats will have to park on local streets. The very last thing this neighborhood needs is more cars parked on the streets. When reviewing this development, note that there is another development on Cherokee at Route 1.
- The height of the building is an eyesore for the neighborhood behind it, blocking sunlight needed for quality of life. When I saw the drawing of the building, my first thought was "this is a monster," and I feel that way still.
- There is supposedly a buffer zone behind the development to protect the neighborhood. Usually, developers plant little saplings in such a buffer, and the trees are not cared for as long as they need to be in order to grow on their own. They die and leave a big space of dirt, which leads to runoff. If the building proceeds, I hope there are bigger, denser trees going into the buffer zone.

I recognize that development, noise, traffic and congestion will always be a reality in this community. But all developments should consider the existing residents and homeowners

Thank you for your consideration and possibly re-evaluating this project in light of what it could do to our neighborhoods.

Respectfully submitted,
Janis Oppelt
9200 49th Ave., College Park, MD
240-888-6972