

Case No. SP-08010

Applicant: Starview Plaza, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 21 - 2008

AN ORDINANCE to approve alternative development district standards, a departure from design standards, and a detailed site plan, with conditions, in the College Park U.S. 1 Corridor Sector Plan and Sectional Map Amendment.

WHEREAS, Application No. SP-08010 was filed to modify development district standards, obtain a departure from design standards, and obtain a detailed site plan approval for a mixed-use project consisting of 147 multifamily (student housing) dwelling units and approximately 9,580 square feet of commercial/retail space, referred to as Starview Plaza, on property described as approximately 2.36 acres of land in the M-U-I/D-D-O zones, located on the west side of U.S. 1, south of Metzerott Road and opposite Tecumseh Street, College Park; and

WHEREAS, the property was posted, in accordance with all requirements of law, and the application was reviewed in public hearing before the Planning Board; and

WHEREAS, in PGCPB No. 08-115, the Planning Board by resolution approved the detailed site plan, with conditions, and recommended approval of the alternative development district standards and the departure from design standards for the property; and

WHEREAS, having reviewed the record, the District Council has determined that the application should be approved, as recommended by the Planning Board; and

WHEREAS, as the basis for this action, the District Council adopts as its findings of fact and conclusions of law, the Planning Board's decision in PGCPB No. 08-115, as supported by the Technical Staff Report and the record for SP-08010; and

WHEREAS, to protect adjacent properties and the general neighborhood, the District Council has determined that this application should be approved subject to conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended to show an approved detailed site plan for the property that is the subject of Application No. SP-08010.

SECTION 2. The District Council hereby approves alternative development district standards, as follows:

1. P1. Road Network, B, to allow the application not to provide on-street parking.
2. P6. Utilities, A, to allow the applicant to retain the existing above-ground utilities at the current location without relocating them underground.
3. S2. Parking Areas, W, to allow an additional 20 percent parking reduction based on the following: provision of private shuttle bus service as one of the incentives to encourage use of alternative modes of transportation other than single occupancy vehicles; possible provision of a bridge across the Paint Branch in the future to allow the students to go to the campus on foot or by bicycle; provision of bicycle storage facilities and provision of parking on the University of Maryland Campus, if it is needed.
4. B 1. Height, Scale, Massing and Size, Height, to allow the height of the proposed building to be one story higher than the maximum height limit of five stories.
5. B 1. Height, Scale, Massing and Size, Massing, I, to allow the applicant not to provide a balcony for every multifamily unit, to allow the applicant instead to use a combination of various facade elements and finishing materials, to articulate the facade and to increase natural surveillance of the surrounding area.
6. B 1. Height, Scale, Massing and Size, Bedroom Percentages N, to allow different bedroom percentages from those required by Section 27-419 for the proposed student housing.

7. B3. Architectural Features, Architectural Materials and Details, to allow 59 percent of the overall exterior facades to be finished with brick and sandblasted pre-cast masonry units; over 80 percent of the elevations visible from Baltimore Avenue to be finished with brick and sandblasted pre-cast masonry units; and the west elevation to be finished primarily with brick-tone cementitious siding.

SECTION 3. The District Council hereby approves the proposed departure from design standards, to reduce the width of standard parking spaces in the parking garage from the required 9 ½ feet to 9 feet; to reduce the number of parking and loading spaces from two loading spaces to one; and to increase the percentage of compact spaces from 30 percent to 50 percent of the total number of parking spaces provided.

SECTION 4. The District Council hereby approves the applicant's detailed site plan, DSP-08010, for Starview Plaza, and the Type II Tree Conservation Plan, TCP II/046/08, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Provide a site plan note indicating that the site is located partially within the Aviation Policy Area (APA) 6 of the College Park Airport.
 - b. Provide a sign plan including the sign face area for the proposed building-mounted signs in accordance to Part 12 of the Zoning Ordinance. Illuminated box signs are not permitted and shall be replaced with individual illuminated channel letters. Lower the lobby signage to the height of the tenant signs.
 - c. Submit revised elevations for the northern, southern and western building facades to provide brick, pre-cast masonry units or equivalent materials on the exposed levels of the parking structure to be reviewed by the Urban Design Section as the designee of the Planning Board in consultation with the City of College Park.
 - d. Revise the parking calculation table in the supporting document and include the parking calculation on the coversheet of this application.
 - e. Revise the site plan and landscape plan to be consistent with Development District Overlay Zone standard P2E regarding crosswalk location and

finishing. The details of the pavement pattern and materials shall be provided on the detail sheet.

- f. Provide LEED-NC version information and revise the submittal and the reference standards accordingly.
- g. Increase the size of the fitness room to 1,000 square feet.
- h. Revise the Landscape Plan as follows:
 - (1) Revise the Section 4.7 landscape schedules to reflect the existing woodland within the bufferyards.
 - (2) Replace *Cupressocyparis Leylandii* with Arborvitae, American Holly, Privet, and Red Tipped Photina along the northern and southern property lines. The landscaping shall be provided between retaining wall and circular access drive.
 - (3) Eliminate street trees behind the existing curb along Baltimore Avenue and relocate the five-foot sidewalk to the east of the proposed right-of-way dedication, to be consistent with the approved concept for Baltimore Avenue Improvements. The five-foot wide sidewalk shall be separated from the curb by a landscape strip, along the subject site's frontage of US 1, unless modified by SHA. This sidewalk shall connect to the existing sidewalks to both the north and south of the subject site. Benches, trash receptacles and planters shall be provided along the streetscape in front of the proposed commercial/retail development.
 - (4) Substitute Zelkova, Honey Locust, or Chinese Elm for the London Plane Trees along US 1. Trees shall be installed in an underground, connected tree pit with structural soil and details for this planting arrangement shall be shown on the landscape plan.
 - (5) Substitute Crepe Myrtle, Kousa Dogwood, or Amur Maple for the Redbuds at the southwestern facade of the garage and add liriopie ground cover at this location.
 - (6) Provide height information for the proposed shade and ornamental trees.
- i. Show no permanent structures and/or improvements located within the ultimate right-of-way already dedicated for US 1 (55 feet from the existing US 1 centerline).
- j. Provide the required bus pull-off area along the property's frontage with US 1 at a location that is acceptable to SHA, DPW&T, WMATA, and the

City of College Park, if it is deemed necessary by SHA, WMATA and the City of College Park.

- k. Revise the trip cap notes on the record plat for the subject property to indicate that:

“The total development within the subject property shall be limited to 147 multifamily residential units, and 9,580 square feet of gross floor area of commercial retail space, or different uses generating no more than 125 AM and 209 PM peak-hour trips.”
- l. Provide a copy of the approved stormwater management concept plan.
- m. Show how the recommendations of the geotechnical study reviewed with the preliminary plan application will be addressed.
- n. Revise the TCP II as follows:
 - (1) Provide a note stating how the site has provided 0.23 acres of woodland conservation requirements through preservation, reforestation, afforestation or tree cover, and identify the area of woodland or trees being used toward meeting the 0.23-acre requirement.
 - (2) Show the limits of disturbance and the expanded buffer.
 - (3) Remove the slope symbols from the plan.
 - (4) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- o. Provide a minimum of 40 bicycle parking spaces to accommodate the commercial development and students commuting to the campus of the University of Maryland. A minimum of two standard bicycle racks shall be used to serve the commercial/retail uses.
- p. Provide ADA-(The Americans with Disabilities Act) compatible ramps and a marked crosswalk at the site’s ingress/egress points on Baltimore Avenue.
- q. Provide striping and arrows to show on-site circulation and signs to prohibit left turns, as required by the State Highway Administration, until such time as a median is installed.
- r. Provide an on-site bus stop for the UM Shuttle, with appropriate shelter.

- s. Identify a minimum of two parking spaces in the garage for car sharing under a contract with Zip Cars or other equivalent provider, including provision of car-sharing services by the developer.
 - t. Provide Louis Poulson Triangular Pedestrian Street Lights spaced no more than 50 feet apart.
 - u. Identify the required eight parking spaces for the physically-handicapped and the two of these eight spaces that shall be van accessible spaces. These spaces shall be appropriately located to serve both the commercial and residential uses.
 - v. Include a site plan note describing how the project has been designed to achieve a Silver Certification under the U.S. Green Building Council's Green Building Rating System for New Constructions and Major Renovations (LEED-NC v. 2.2).
2. Prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall:
- a. Provide evidence that a complete FAA Form 7460-1, Notice of Construction, has been reviewed and approved by the Federal Aviation Administration (FAA) and/or the Maryland Aviation Administration (MAA).
 - b. Provide a certification by a professional engineer with competency in acoustical analysis on the building permits stating that building shells of structures within the 65 dBA Ldn noise corridor have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.
 - c. Provide evidence that a written agreement with the University of Maryland for an on-site UM Shuttle stop and service has been executed. Service to the stop shall be generally consistent with that offered by the University of Maryland to similar sites on a regular shuttle circuit. In lieu of an agreement with the University of Maryland, the Developer shall provide a private shuttle to and from the University of Maryland that operates between the hours of 7:00 a.m. and 10:30 p.m., Monday through Friday, with headways of every 30 minutes at all times. Specifications and assurances for any shuttle service shall be provided to the City prior to issuance of any building permit, and information regarding the shuttle service shall be included in marketing material for the project. In addition, the developer shall survey its residents concerning commuting patterns and habits within six months of substantial completion of the Project and shall share this information with the City of College Park.

- d. Coordinate with the State Highway Administration, the City of College Park and PEPCO on the feasibility of widening the portion of Baltimore Avenue in front of the subject site to decide whether any widening shall be required as part of this development project.
- 3. Prior to issuance of building permits, the Department of Parks and Recreation (DPR) shall review and approve the stormwater management (SWM) plan and technical details including but not limited to the pipe profile, invert elevations, rip-rap size and limits, headwall details, discharge rate (cf/sec for 10 year storm). The SWM plan shall show, to the satisfaction of DPR, that the impacts to the adjacent Paint Branch Stream Valley Park are minimized.
- 4. When a procedure whereby property owners on US Route 1 in College Park pay the pro rata share of the cost of placing underground all utilities crossing their properties is established, pay to an escrow account to be established by the City of College Park, a sum not to exceed \$200,000. If a process is not created by January 1, 2018, this condition expires.

Ordered this 9th day of September, 2008, by the following vote:

In Favor: Council Members: Bland, Campos, Dernoga, Exum and Olson

Opposed: Council Members: Dean, Harrison, Knotts and Turner

Abstained:

Absent:

Vote: 5-4

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council