

C O R R E C T E D R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed DDS-587, Mosaic at Turtle Creek, requesting a Departure from Design Standards to allow the parking spaces within the parking garage to be 18 feet by 8.5 feet in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on October 30, 2008, the Prince George’s County Planning Board finds:

1. **Request:** A departure from parking space design standards to allow those spaces within the parking garage to be 18 feet by 8.5 feet.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-10/R-55	R-10/R-55
Use(s)	Vacant	Multifamily Residential
Acreage	9.54	9.54
Parcel	2	2
Number of Dwelling Units	-	300

Other Development Data

Bedroom Unit Mix*

Unit Type	Number of Units	Average Square Footage
1 Bedroom	150 (50%)	720
2 Bedrooms	120 (40%)	1,060
3 Bedrooms	30 (10%)	1,250
Total	300	

*Note: The actual number of units of each type may be adjusted at the time of building permit to reflect the total number of units constructed and shall comply with the percentages as allowed by Code as may be amended.

	REQUIRED	PROPOSED
Total Parking Spaces	690	527
Of which handicapped spaces	14	13*
Van accessible spaces	-	10
Structured parking spaces	-	520
Surface parking spaces	-	7
Loading spaces	1	2

*Note: A condition has been *approved in DSP [~~proposed in the recommendation section~~] to require the provision of one additional parking space for the physically handicapped.

3. **Location:** The subject site is located on the west side of Mowatt Lane, southwest of the intersection of Mowatt Lane and Campus Drive, in Planning Area 66 and Council District 3.
4. **Surrounding Uses:** The property is surrounded by the property in the R-55 (Single-Family Detached Residential) Zone. To the south of the subject site are vacant and wooded properties owned by The University of Maryland and private individuals. Across the vacant land further to the south are existing single-family detached houses in a neighborhood known as College Heights Estates in the R-55 Zone. To the east of the property are existing single-family detached houses and the main campus of the University of Maryland. To the immediate north of the property is a church affiliated with the University and existing single-family houses. Further to the north is the campus of the University of Maryland. To the west of the property is an existing Roman Catholic Church.
5. **Previous Approvals:** The subject site was formerly zoned R-55 which permits small-lot residential subdivisions. The 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* recommends public or quasi-public land use for the site and retained the existing R-55 Zone to reflect the zoning and character of the property that surrounds the site (surrounded on all sides by property in the R-55 Zone). The subject property was rezoned to the R-10 Zone pursuant to Zoning Map Amendment No. A-9983-C, which was approved by the District Council (Zoning Ordinance No. 17-2006) on September 18, 2006. In 2007, a Preliminary Plan of Subdivision 4-06138, was approved by the Planning Board (PGCPB No. 07-108). The subject site also has a Stormwater Management (SWM) Concept Approval, No. 48462-2006-00, which will be valid through June 2010.

*Denotes Correction

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6. **Design Features:** The subject site is split-zoned and consists of two parcels. The main portion where the building envelope is located is zoned R-10 and the private driveway parcel remains in the R-55 Zone. The subject site is a roughly triangular property and is surrounded by property in the R-55 Zone on four sides. A tributary stream running east to west defines the northern boundary of the site. The site has one access via a private drive from Mowatt Lane. One building complex with a large first floor apron has been proposed on the site. The building complex consists of one long rectangular section parallel to the northern property line and three towers perpendicular to the main section. Two courtyards have been created above the first floor between the towers in front of the longer building section. The main entrance to the building is located in the southwest section close to Mowatt Lane. Seven surface parking spaces and an elongated roundabout with landscaping are located in this area. The parking garage and the proposed loading spaces will be accessed from the arrival area. An extensive wooded area that contains the stream has been proposed to enclose the proposed building on the south and west sides. An underground stormwater recharge facility and a swimming pool with a patio area are located in the west part of the site. Additional underground stormwater facilities are also located within the arrival area. A five-foot-wide path has been shown to loop around the building connecting the main entrance to the swimming pool area.

The design of the proposed building is dictated by the conditions of the zoning approval (See Finding 8 below for a detailed discussion). The architect has drawn design and material themes from the existing campus buildings and the proposed development on the East Campus. The building is designed in a modular style with a flat roof. The entire first floor forms a large apron for the building. The proposed parking structure is located primarily beneath the first floor and underground. The horizontal elevations have been divided by using various vertical panels of brick with precast stone coping. The building complex is further broken down in bulk by utilizing three towers perpendicular to the main building. The elevations show various building heights ranging from five to six stories (at certain elevations the first story is two stories in height). Two color tone bricks and cultured stone have been used widely on all elevations. The lower parts of the elevations feature stone-dominated exterior finish. The middle parts of the elevations are finished primarily with brick. The upper parts of the elevations are finished primarily with metal. In addition to masonry, other exterior finishing materials including metal panels, glass, and a metal window wall system.

The building is designed with many green features in according to the National Green Building Standard (ICC-700 2008) by the National Association of Home Builders. This is the first residential green building rating system, which is different from the Leadership in Energy and Environmental Design (LEED) rating systems of the US Green Building Council, to be submitted to the American National Standards Institute. The green buildings to be built under these standards will minimize environmental impact in every step of the land development and home building process. The rating system consists of seven areas of home building that include: Lot Design, Preparation, Development, Resource Efficiency, Energy Efficiency, Water Efficiency, Indoor Environmental Quality, Operation, Maintenance, Homeowner Education, and Global Impact. There are three different levels of green building available to builders wishing to use these guidelines to rate their projects—Bronze, Silver, and Gold. At all levels, there is a minimum

number of points required for each of the seven guiding principles to assure that all aspects of green building are addressed and that there is a balanced, whole-systems approach. After reaching the thresholds, an additional 100 points must be achieved by implementing any of the remaining line items. See <http://www.nahbgreen.com/Guidelines/nahbguidelines.aspx> for additional informational. Since the green building narrative has been submitted in a separate statement, a condition has been proposed to require the applicant to provide a site plan note prior to certification of this DSP indicating the targeted level of the certification and under what rating system this development will be certified.

No signage has been provided with this DSP at time the writing of this staff report. The applicant provided sign details for the entrance sign to be placed at the private drive right off Mowatt Lane during public hearing for this DSP on October 30, 2008. The proposed entrance sign is a primary identification sign and carries a text of "Mosaic at Turtle Creek". The total sign face lettering area is less than 12 square feet that is consistent with Section 27-624, Gateway signs. The Planning Board approved the signage along with the DSP.

*7. Sec 27-239.01 of the Zoning Ordinance, Departures from Design Standards, prescribes specific criteria that need to be complied with when the Planning Board approves a departure request as follows:

(7) Required findings.

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

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

The proposed universal space size (8.5 feet wide by 18 feet long) provides a better alternative to the use of compact spaces within the confines of a parking structure, and results in a more efficient parking area for all users. The purposes of this Subtitle will be equally well or better served by the applicant's proposal.

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

The Zoning Ordinance would ordinarily require a number of compact parking spaces. Converting all spaces to universal size would allow most vehicles to park in any given space efficiently. Thus, this departure would be the minimum necessary to create optimal parking efficiency within the confines of this structure.

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

The requested departure is not a factor of pre-1949 impacts; however it is reflective of the prevailing best practice in the design of parking spaces in a parking structure. Too often large vehicles will try to fit into compact spaces thereby causing conflicts within parking areas. The requested departure minimizes that occurrence. Failure to allow for the departure would result in more area dedicated to parking which would impact sensitive environmental areas on the site.

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

There will be no adverse impacts on surrounding areas. The parking needs for the site will be handled completely within the subject property. The requested departure is for the spaces within the parking garage and therefore this departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

(B) For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements in paragraph (9) (A), above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equal or better design characteristics.

This requirement is not applicable to this application because the departure is not from a standard contained in the Landscape Manual.

(8) Considerations.

(A) For properties in the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where an applicant proposes development of multifamily dwellings and also proposes that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code, the Planning Board may consider this proposed increase in accessible units in making its required findings.

The applicant does not intend to increase in the minimum number of the required accessible units; but will be willing to meet the minimum requirement.

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*[7. The DSP proposes to develop a total of 300 multifamily dwelling units consisting of 150 one-bedroom, 120 two-bedroom and 30 three-bedroom units. According to Section 27-568 of the Zoning Ordinance, for each one-bedroom, 1.33 spaces are required; for each two-bedroom, 1.66 spaces are required; and for each three-bedroom, 1.99 parking spaces are required. A total of 690 parking spaces are required for this DSP. The DSP provides 520 spaces in the parking garage that is located within the lower level of the multifamily building and seven surface parking spaces. A departure of 163 parking spaces has been requested. Section 27-588 of the Zoning Ordinance sets forth specific criteria that need to be satisfied as follows:

~~(7) Required findings.~~

~~(A) In order for the Planning Board to grant the departure, it shall make the following findings:~~

~~(i) The purposes of this Part (Section 27-550) will be served by the applicant's request;~~

Comment: According to the applicant, the DSP provides sufficient parking for the residents of the proposed project; reduces traffic congestion by responding to current trends designed to reduce single-vehicle occupancy trips; and will not adversely impact surrounding residential areas; and thus promotes the quality of the Regional District and therefore meets the purposes of Section 27-550.

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

The departure is calculated to meet the needs of the residents based on the envisioned mix of unit types and demand for vehicles. It is the minimum necessary departure required under the circumstances of the case.

~~(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;~~

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The departure is necessary to balance goals of providing sufficient parking while reducing the need for expansive surface parking and preserving expanded buffers and green space on the site. The applicant believes that the current parking ratio of 1.75 spaces per dwelling unit is sufficient for the proposed development. Staff agrees with the applicant. As discussed later in the report, a portion of the site is within a one-mile radius of the College Park Metro Station. But the Zoning Ordinance requires the entire site to be located within the one-mile radius in order to use the reduced parking ratio. If the reduced parking ratio would apply, the subject site would only need 1.53 spaces per dwelling unit.

(iv) — All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and

The various parking calculation methods set forth in the Part 11 of the Ordinance were examined. A portion of the site is located within one mile of the College Park Metro Station. If the parking ratio for a property within a one-mile radius of the metro station applied to the subject development, the total parking spaces required would be only 460 spaces. Since the DSP provides a total of 527 spaces, the Departure request would not be necessary. However, the language in the Zoning Ordinance, Section 27-568(a)(1)(B), requires the multifamily dwellings to be “wholly within a one-mile radius of a metro station.” While units within the subject property will not be wholly within one mile, the front door to the multifamily building is within the one-mile mark and the proposed project complies with the spirit and intent of the Code. This will especially be true once the Purple Line is constructed with at least two stations likely to be well within one mile of the subject property (Main Campus and East Campus).

(v) — Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.

As discussed above, the parking and loading provided on the site will be sufficient to meet the subject development’s parking and loading demand. In addition, the subject site is located some distance from the nearest adjacent residential area. Granting the departure will not have a negative impact on the adjacent residential areas.

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~~(B) — In making its findings, the Planning Board shall give consideration to the following:~~

~~(i) — The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;~~

The parking for the subject property will be contained within the site. The site is served by a long private driveway. There is no expectation of any impact on adjoining properties. Parking and loading conditions within the general area will not be impacted.

~~(ii) — The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;~~

The proposed departure does not adversely impact any master plan or revitalization plan recommendation for the subject property. The subject site was rezoned from the R-55 Zone to the R-10 Zone that allows the development of the proposed multifamily housing project.

~~(iii) — The recommendations of a municipality (within which the property lies) regarding the departure; and~~

The subject property is not within a municipality. The City of College Park is adjacent to the subject property. On October 14, 2008, the City Council of the City of College Park approved this DSP and the companion DPLS 336 and DDS 587.

~~(iv) — Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.~~

The proposed departure does not impact the need for public parking facilities.

~~(C) — In making its findings, the Planning Board may give consideration to the following:~~

~~(i) — Public transportation available in the area;~~

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Part of the subject property is within one mile of the College Park Metro Station and is well within a mile of at least two proposed Purple Line Stations (Main Campus and East Campus). By agreement with the University, the subject property will be served by the University shuttle bus system.

(ii) — Any alternative design solutions to off-street facilities which might yield additional spaces;

Additional spaces are not possible without extensive and unnecessary adverse impacts on the environmental buffers established by the approved Preliminary Plan of Subdivision 4-06138.

(iii) — The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

Surrounding uses are mostly residential, institutional (religious) or educational (University) in nature. The subject site is accessed through one private driveway off Mowatt Lane. No direct access to residential areas has been proposed.

Car sharing is an emerging trend for occasional car use in many large U.S. cities, especially around large university campuses. Given that the targeted clientele are all university related, staff believes that it is necessary to secure a certain number of parking spaces within the parking garage for future car sharing use. A condition has been proposed in the recommendation section of this report.

(iv) — In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

No detailed information regarding conformance with this requirement has been provided with this application. A condition has been proposed in the recommendation section to require the applicant to provide this information pursuant to the requirements of the Building Code prior to issuance of building permit.]

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8. **Referral Comments:** The subject application including detailed site plan, Type II tree conservation plan, departure from the number of parking and loading spaces required, and departure from design standards, was referred as a package to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. The Community Planning Division, in a memorandum dated August 22, 2008, stated that this application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. This application conforms to recommendations of the University of Maryland 2002 Facilities Master Plan for the site as updated by the Board of Regents in 2006. However, this application does not conform to recommendations of the 1989 Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67, which also retained the property in the R-55 Zone, for public or quasi-public land use. The applicant proposes multifamily condominium residential development. The Community Planning Division also provides comments on issues such as utilization of UM shuttle bus, bicycle racks and discrepancies on the plans.

The subject property was rezoned to the R-10 (Multifamily High Density Residential) Zone pursuant to Zoning Map Amendment No. A-9983-C, which was approved by the District Council (Zoning Ordinance No. 17-2006) on September 18, 2006. The multifamily condominium is a permitted use in the R-10 Zone. The issues discussed by the Community Planning Division have been addressed by the applicant during the review process. Specifically, the applicant has worked out an agreement with the University of Maryland to allow future residents on this site to use the UM shuttle bus. The required bicycle racks have been provided and the discrepancy on the plan regarding the number of shade trees has been corrected.

- b. The Subdivision Section, in a memorandum dated July 14, 2008, provided a comprehensive review of all applicable conditions attached to the previous approval for this site. Specifically, the Subdivision Section provided a discussion on Preliminary Plan of Subdivision 4-06138 (See Finding 10 for a detailed discussion on the applicable conditions). The Subdivision Section also provides four specific plan comments.

The four comments on the DSP have been addressed by the applicant through the revised plans.

- c. The Transportation Planning Section, in a memorandum dated October 21, 2008, indicated that the proposed uses match the trip cap which was approved with Preliminary Plan of Subdivision, 4-06138, for the subject property. The access and on-site circulation within the site are acceptable. The Transportation Planning Section concludes that the subject property complies with the necessary findings for a detailed site plan as those findings may relate to transportation, and is compliant with the previously approved subdivision.

The Transportation Planning Section recommends three conditions to be carried forward with the approval of this DSP. Because those conditions are still valid and fully enforceable based on approved Preliminary Plan of Subdivision 4-06138, it will not be necessary to carry those conditions forward.

In a separate memorandum from the Transportation Planning Section dated October 21, 2008, on the detailed site plan review for master plan trail compliance, the trails planner provided a comprehensive review of the trail-related conditions that are applicable to this DSP. Staff supports the agreement reached by the applicant and the City of College Park to provide a pedestrian connection between the subject site and the adjacent Hillel Jewish Student Center. This connection will also provide access between the subject site and other destinations and university uses along Mowatt Lane. The trails planner recommends one condition that has been incorporated into the recommendation section of this report.

- d. The Environmental Planning Section, in a memorandum dated July 28, 2008, stated that the DSP and TCPII/047/08 need additional information in order to conduct a complete review of the proposal.

In a second memorandum dated October 16, 2008, after reviewing the revised Type II tree conservation plan, the Environmental Planning Section recommended approval of DSP-08001 and TCPII/047/08 subject to three conditions that have been incorporated into the recommendation section of this report.

- e. The Department of Public Works and Transportation (DPW&T), in a memorandum dated August 28, 2008, provided a response on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, storm drainage systems and facilities in order to be in accordance with the requirements of DPW&T. Those issues will be enforced at the time of issuance of the access permit. DPW&T also indicated that the subject DSP is consistent with the approved SWM concept plan.
- f. The Permit Section, in a memorandum dated July 28, 2008, indicated that a Special Exception for Bedroom Percentage may be necessary.

As shown in the above Finding 2, Other Development Data table, and the proposed development of 300 multifamily residential dwelling units meet the required bedroom percentage requirement. Therefore no special exception is necessary for this DSP.

- g. The Department of Parks and Recreation (DPR), in a memorandum dated July 3, 2008, provided no comments on this DSP.
- h. The Historic Preservation Section in a memorandum dated July 16, 2008, noted that Archeological review staff concurs with the Phase I Archeological Survey report's

conclusions that no further archeological work is necessary on the Mosaic at Turtle Creek Property. The archeological requirements for this property have been fulfilled.

- i. The City Council of the City of College Park approved the subject site plan on October 14, 2008 with three conditions. The applicable parts of Conditions 2 and 3 have been incorporated in the recommendation section. Condition 1 is a private development agreement between the applicant and the City.
- j. At the time the staff report was written, the municipalities including University Park, Riverdale Park, and Hyattsville had not responded to the referral request.

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

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Clark and Parker voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, October 30, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of November 2008 *and corrected on January 15, 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator