

PGCPB No. 13-147(A)(C)

File No. DSP-03098-03

A M E N D E D 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 is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on December 12, 2013, regarding Detailed Site Plan DSP-03098-03 for Metropolitan at College Park, the Planning Board ~~†*[finds:] approved the detailed site plan with conditions; and~~

†*WHEREAS, in consideration of evidence presented at a reconsideration hearing on May 22, 2014, regarding Condition 2 of the resolution, the Planning Board decided to remove Condition 2 in its entirety because the applicant's property was never part of the original land dedication, and the Planning Board further finds:

1. **Request:** The DSP application is for approval of a mixed-use project consisting of 238 multifamily rental apartments, approximately 4,133 square feet of commercial/retail uses, 45 condominium townhouse units, and a 366-space parking garage surrounded by the multifamily residential and commercial/retail structure.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-U-I/D-D-O	M-U-I/D-D-O
Use(s)	Commercial	Townhouse and Multifamily, Commercial Office/Retail
Acreage	4.56	4.56
Parcels	1	1
Square Footage/GFA	3,300 (vacant)	4,133 (commercial/retail)
Dwelling Units:	-	*[293] 283
Of which Multifamily dwelling units	-	238
Rental townhouse units	-	45

†*Denotes Amendment

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

OTHER DEVELOPMENT DATA—Comparison between previously approved and proposed Bedroom Types*

Bedroom Type	Previously Approved Plan			Approved Plan		
	No.	Percent	Average Sq. Ft.	No.	Percent	Average Sq. Ft.
Studio	-	-	-	39	16.4 %	510
1 Bedroom	77	48 %	784	96	40.3 %	629
2 Bedroom	67	42 %	1,165	103	43.3 %	963
3 Bedroom	16	10 %	1,465	-	0.0 %	-
Total (160)	160	100 %		238	100 %	

*See Finding 9 for a discussion of the requested amendment relating to the size of bedroom units.

BEDROOM PERCENTAGE

Bedroom Type	Previously Approved Plan		Approved Plan	
	Percent	Maximum	Percent	Maximum
Studio	-	None	16.4 %	None
1 Bedroom	48 %	None	40.3 %	None
2 Bedroom	42 %	40 %*	43.3 %	40 %*
3 Bedroom	10 %	10 %	-	10 %
Total (160)	100 %	100	100 %	

*See Finding 9 for a discussion of the requested amendment relating to the proposed bedroom percentages.

MULTIFAMILY AND RETAIL SECTION

Net Square Feet	Previously Approved Plan	Approved Plan
Multifamily	161,863	184,250
Retail	41,540	4,133
Total Net Square Feet	203,363	188,383
Total Number of Units	160	238
Building Height	5 stories	4-6 stories

TOWHOUSE SECTION

	Previously Approved Plan	Approved Plan
Total Number	45	45
Building Height	3 stories	3 stories
Square footage	2,160	1,600

ADDITIONAL SITE INFORMATION

Multifamily & Retail	Previously Approved Plan	Approved Plan
Garage Parking: Including Retail	367	366
Amenities		
Fitness Area	1,000	923
Club/Pub Room	Yes	727
Business Center	Yes	Yes
Outdoor Pool w/ Amenities	No	Yes
Cyber Café	No	Yes
Multifamily & Retail	Previously Approved Plan	Approved Plan
Conference Center	No	Yes
Total Amenities (Square Feet)		5,511
Building Height Multifamily	5 stories	4 to 6 stories
Building Materials	Brick, Hardie Panel & Siding	Brick & Hardie Panel
Average Exterior Percentage of Brick	75%±	80%±

PARKING AND LOADING**Parking Requirements Per Section 27-568(a)****Uses****Parking Spaces**

Multifamily Apartments (238 units)	
39 studio units (2 spaces per unit)	78
96 One bedroom units (2 spaces per unit)	192
103 Two bedroom units (2.5 spaces per unit)	257.5
Subtotal for Multifamily Residential	528
Townhouses (45 units, 2.04 spaces per unit)	91.8
Commercial Space (4,133 square feet)	
For the first 3,000 square feet (1space per 150 sq. ft.)	20
For the remaining 1,133 square feet (1 space per 200 sq. ft.)	5.6
Subtotal for commercial	25.6
Total	646

S2. The minimum number of off-street parking spaces permitted for each land use type shall be reduced by 10 percent from the required spaces of Section 27-568 (a) pursuant to Site Design S2. Parking Area, Standard T. of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment*

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Shared Parking by Time Period (Pursuant to Table 15, Page 182 on Sector Plan)

Uses	Weekday		Weekend		Nighttime
	Daytime	Evening	Daytime	Evening	
Residential (528 spaces)	60%=317	90%=475	80%=442	90%=475	100%=528
Commercial (25.6 spaces)	60%=15	90%=23	100%=26	70%=18	5%=2
Total Spaces	332	498	448	493	530[†]
Parking Provided*				461 spaces	
Structure parking spaces				366	
Townhouse parking spaces (including townhouse surface parking within the development).				95	

Notes: [†]The highest number of parking space occupancy becomes the minimum number of spaces required; therefore, a total of 530 spaces is required. The plan provides a total of 461 parking spaces and does not comply with the parking requirements. An amendment to the parking requirements has been requested. See Finding 9 below for a discussion of amendments to the D-D-O Zone standards.

*For a total of 530 parking spaces required, nine parking spaces should be for the physically-handicapped. Out of the required 11 parking spaces for the physically-handicapped, at least two parking spaces should be van-accessible. The site plan does not provide enough information regarding parking for the physically handicapped. A condition of approval has been recommended to require the applicant to provide the required parking spaces for the physically-handicapped prior to certificate approval.

Loading

Required per Section 27-582	2
Retail	1 space /2,000-10,000 GFA
Multifamily	1 space /100-300 dwelling units
Provided	2
Retail	1 space (12'x33')
Residential	1 space (12'x30')

Bicycle Parking

Required	1 (2 spaces/10,000 GFA)
Provided	132 spaces

3. **Location:** The site is located on the east side of Baltimore Avenue (US 1), in the southeast quadrant of the intersection of Baltimore Avenue and Cherokee Street within the City of College Park, in Planning Area 66, and Council District 3. The site is also located in Area 4 (Central Gateway Mixed-Use Area), Subarea 4e, of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* (College Park US 1 Sector Plan and SMA).
4. **Surrounding Uses:** The site is bounded on the west by Baltimore Avenue (US 1); on the south by the Maryland State Highway Administration (SHA) ramp from Greenbelt Road (MD 193) to US 1 and by Catawba Street, an existing 50-foot-wide residential street that provides access to an existing townhouse development in the Townhouse (R-T) Zone known as College Park Mews; to the east by an existing single-family residential development in the One-Family Detached Residential (R-55) Zone; and to the north by Cherokee Street, which has a variable right-of-way width. Across Cherokee Street are rental apartments in the Multifamily Medium Density Residential (R-18) Zone and an existing church in the Commercial Shopping Center (C-S-C) Zone.
5. **Previous Approvals:** The College Park US 1 Sector Plan and SMA, which was approved by the District Council on April 30, 2002 (County Council Resolution CR-18-2002), rezoned part of the subject property (1.16 acres) to the Mixed Use-Infill (M-U-I) Zone, retained 3.6 acres in the R-T Zone, and superimposed a Development District Overlay (D-D-O) Zone on both parts. Previously approved Detailed Site Plan DSP-03098/01 rezoned the 3.6-acre R-T-zoned part of the subject site to the M-U-I Zone.

The site is the subject of Preliminary Plan of Subdivision 4-03142, which was approved by the Planning Board (via PGCPB Resolution No. 04-117) and was valid through June 10, 2006. The preliminary plan received a one-year extension on June 22, 2006, extending its validity to June 10, 2007. On August 24, 2006, the applicant filed a reconsideration application to request the Planning Board to reconsider Condition 11 that imposed a trip cap on the subject site. The Planning Board approved the reconsideration request at a public hearing on September 21, 2006. The substantive hearing for this case took place on October 26, 2006.

The applicant filed a Detailed Site Plan, DSP-03098, for approval of a mixed-use development with 237 mid-rise rental apartments, 8 rental townhouses, 3,405 square feet of commercial/retail space, and an amendment to the D-D-O Zone to change the underlying R-T Zone to the M-U-I Zone. The Planning Board (via PGCPB Resolution 04-193) approved DSP-03098 on July 29, 2004. On May 9, 2005, the District Council remanded this case back to the Planning Board. The Planning Board (via PGCPB Resolution No. 04-193(a)) reapproved the DSP on September 8, 2005. On February 13, 2006, the District Council denied the DSP based primarily on the development intensity and type of housing products, which were found not to be compatible

with the surrounding neighborhood and inconsistent with the land use recommendation of the College Park US 1 Sector Plan and SMA.

On October 26, 2006, the Planning Board approved Detailed Site Plan DSP-03098/01 (via PGCPB Resolution No. 06-227) to permit 160 multifamily apartment units, 45 rental townhouse units, and 41,540 square feet of commercial space and 607 parking spaces, with 12 conditions. Subsequently, the District Council affirmed and approved DSP-03098/01 (via Zoning Ordinance No. 3-2007) on March 6, 2007 with the same development levels and 14 conditions. The approval also rezoned 3.6 acres of the property from the R-T Zone to the M-U-I Zone, and allowed five modifications to the D-D-O Zone design standards in the College Park US 1 Sector Plan and SMA. On July 18, 2008, a revision to previously approved DSP-03098/02 was approved by the Planning Director to allow the applicant to reduce the width of the parking spaces within the parking garage from 9.5 feet to 9 feet and to add 45 spaces to the garage, for a total of 592 spaces.

The site had an approved Stormwater Management Concept Plan 23871-2003, which was valid through November 14, 2006. The applicant has received an extension of the stormwater management concept approval. The new stormwater management concept plan is valid through November 4, 2016.

6. **Design Features:** The subject site is a rectangular shaped property fronting on Baltimore Avenue (US 1). The proposed mixed-use project consists of two parts. Along the US 1 frontage is the proposed vertical mixed-use section, which is composed of 238 multifamily rental apartments, approximately 4,133 square feet of commercial/retail uses, and a 366-space parking garage surrounded by the multifamily structure. The proposed residential and commercial/retail uses are designed in one building. The rear of the site is to be developed exclusively for 45 condominium townhouse units in eight building sticks, which occupy approximately one half of the entire site. The building height of the development on the site varies from four to six stories in the mixed-use building to the three-story townhouse units. The townhouse section provides a transition in building height and mass between the larger mixed-use building along the US 1 corridor and the existing single-family detached units and townhouses to the south and the east of the subject site.

The site plan shows four vehicular access points to the site from Cherokee Street. Two access points are provided for the mixed-use building. One is used as service access, the other is driveway access to the parking garage. For the mixed-use building, there are storefronts along both US 1 and Cherokee Street. Sidewalks and pedestrian amenities have been shown along the two street frontages. The residential lobby of the multifamily rental apartments is located at the northeast end of the building, as well as the entrance to the underground parking structure that serves the apartments. An additional two access points have been provided for the townhouse section along Cherokee Street. One access point is located in the middle of the mixed-use building and townhouse, the other is located at the eastern end of the subject property line adjacent to the existing single family detached houses. The three townhouse buildings fronting Cherokee Street maintain a continuous street wall. The remaining townhouse building sticks are arranged parallel to US 1 and in pairs to create common walkable areas between the pairs of buildings, and the units' garages are accessed through alleys.

The frontage along US 1 will be improved with an eight-foot-wide landscape strip and a sidewalk of varied width between the commercial storefronts and US 1. There are seating areas and lighting fixtures in the landscape strip. Additional sidewalks have been provided between the mixed-use building and the townhouse section and along the property's southern boundary area to connect to the existing sidewalks in the adjacent townhouse development. A condition has been included in this resolution to ensure timely completion of the proposed sidewalks along with the opening of each section.

The main façade fronting US 1 is designed in a three-part composition with a projected first floor for retail/commercial use forming a strong base section. The second through fifth floors of the building are for multifamily residential dwellings. The façade is finished with a combination of brick and cementitious panel. The elevation features various fenestration patterns with an elaborate tower at the corner of US 1 and Cherokee Street. Vertically divided modules of varying heights provide a varied roofline. The elaborate base section wraps the corner tower, breaks for several bays, and continues to the end of the elevation fronting Cherokee Street.

The proposed townhouse units have 20-foot frontage width and are finished with a combination of brick veneer and standard siding. Brick arched windows similar to those on the multifamily building also appear on the townhouse units. An optional deck is offered on the interior townhouse rear elevation. The designs of the townhouse and multifamily sections are compatible in style and building treatment. The project as a whole is also objectively compatible with the existing neighborhood.

The townhouse section consists of eight building sticks and includes 45 dwelling units. The proposed townhouses are not fee-simple units, but are condominium units. Compared with the previous approval, this DSP maintains the same number of townhouse units, which has five townhouse buildings accessed through alleys. The five townhouse sticks accessed through alleys each has an eight-foot turning capacity for passenger cars. Each townhouse unit has a 2-car garage. Additional five compact surface parking spaces have been provided around the entrance area between the multifamily building and the townhouse section. The general layout of the proposed townhouse development remains the same as the previously approved plan and is acceptable.

The transition between the proposed multifamily building and the adjacent townhouses, as well as between the proposed townhouses and the existing single family detached houses to the east and the existing townhouse units to the south, have been well considered in the site design. The transition between the multifamily building and townhouse is through active elevation design to achieve a front-to-front building relationship. The transition between the proposed townhouses and the existing single-family detached houses is through screening and landscaping to maintain privacy of each development. The transition between the proposed townhouses and the existing townhouses is through a combination of elevation design and large side yard setbacks to maintain a side-to-side building relationship.

The site plan includes building-mounted signs that are for primary identification purposes and for advertising of the ground-floor retail. When a specific tenant moves in, a sign permit will need to be approved for each tenant. A 4-foot, one-inch-high monumental sign has been proposed for the townhouse section. In accordance with the D-D-O Zone site design standards for freestanding signs, the area of the freestanding sign is limited based on the linear feet of the site's street frontage. For each four linear feet of street frontage, the standards allow one square foot of freestanding sign to a maximum 100 square feet. The townhouse section has approximately 360 feet of frontage on Cherokee Street. The sign face area of the proposed monumental sign is less than 18 square feet, which is consistent with the D-D-O Zone site design standards for freestanding signs. The statement of justification does not include any discussion of freestanding signs.

The applicant has provided information regarding the phasing plan of this development. In response to the market demand, the applicant plans to construct townhouse section first and the mixed-use building later on.

Three types of lighting fixture have been included in this DSP. Two pole lights, including one type of street light, are all full cut-off fixtures. The third type of lighting fixture shown on the multifamily building along US 1 does not have any specification. This type of building-mounted wall sconce fixture for large buildings creates an attractive night scene along the street frontage where the building is located. There are no specifications for the proposed wall sconce fixtures provided. A condition has been included in this resolution to require a cut sheet be provided to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to certification.

The project will be designed with the goal of obtaining Leadership in Energy and Environmental Design (LEED) certification by achieving as many credits as reasonably possible. A LEED scorecard is attached to this application which shows that, at the current stage, the project may earn from 40 to 67 points under 2009 LEED for New Construction and Major Renovations in seven categories, including Sustainable Site, Water Efficiency, Energy and Atmosphere, Material and Resources, Indoor Environmental Quality, Innovation in Design, and Regional Priority. The possible certification level can be either LEED Certified (40-49 points), LEED Silver (50-59 points), or LEED Gold (60-79 points). The location of the project lends itself to achieving many of the credits that focus on location and transportation. Water efficient plumbing and the use of native and adaptive plants that do not require supplemental water once established will help contribute to a reduction in the use of potable water. Furthermore, building systems that reduce energy consumption will be a focus of the integrated design team to reduce the consumption of energy. The use of low-volatility organic compound materials and regional materials will also be a focus that the design teams will coordinate to reduce the overconsumption of natural resources and improve the indoor air quality for the building occupants.

7. **Recreational Facilities:** The subject DSP includes a recreational facility and amenity package consisting of a 923-square-foot fitness area, a 727-square-foot club/pub room, a business center, and an interior landscaped courtyard with seating for the multifamily section of the development.

Internal sidewalks and landscaped greens between building sticks are proposed for the townhouse section. Per the current formula for determining the value of recreational facilities to be provided in subdivisions, for 238 multifamily dwelling units and 45 townhouse units in Planning Area 66, a recreational facility package of approximately \$263,900.00 is required. Several items, such as club/pub and otherwise required sidewalks, do not qualify as a recreational facility. In addition, no recreational facilities have been proposed for the townhouse section. The application provides a recreational package of approximately \$270,000 that exceeds the recreational facility requirements. The recreational facility package for the multifamily mixed-use building includes a swimming pool, a spa, pergola, and other related items to be located in a courtyard enclosed by the multifamily dwelling units.

A tot lot with a play structure will be constructed by the applicant on parkland owned by the City of College Park. It will be located on the south side of Catawba Street between an existing townhouse and single-family detached buildings across the street from the proposed townhouse section. The residents of the townhouse units proposed in the subject application can use the tot lot given its close proximity to the site. However, the tot lot is located outside of the boundary of this DSP. The details of the tot lot should be removed from the DSP detail sheets.

8. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the D-D-O Zone and the M-U-I Zone of the Zoning Ordinance as follows:

- a. The development generally conforms to the applicable site plan requirements. As mentioned in Finding 9 below, the applicant has applied for several amendments to the development district standards. The sector plan identifies four primary goals under the Sector Plan Summary to be implemented through the development district standards:

First, to create an attractive and vibrant gateway corridor leading to The University of Maryland and the City of College Park.

Second, to promote quality development by transforming US 1 into a gateway boulevard, main street, and town center in a pedestrian and bicycle-friendly environment.

Third, to provide a diverse mix of land uses in compact and vertical mixed-use development forms in appropriate locations along the corridor.

Fourth, to encourage multifamily development to reduce the use of the automobile and also to expand the opportunity for living, working and studying within the corridor.

Under the area and subarea recommendations of the sector plan, land use and urban design recommendations are provided that establish the preferred mix, type, and form of development desired in the six areas and their subareas. For Subarea 4e, the sector plan envisioned the following:

The vision for this subarea is for infill and redevelopment including a mix of retail, office, and residential uses in mid-rise buildings. Adequate buffers should be provided and building heights should step down to be compatible with adjacent existing residential neighborhood.

In general, the goals and recommendations of the sector plan have been met by providing a compact and vertically mixed-use development. The proposed mixed-use building will create a strong presence on Baltimore Avenue (US 1), articulating the corner location with the provision of ground-level retail with residential above, while providing for an attractive and vibrant gateway to the City of College Park. The main building will be sited close to the street, with attractive streetscapes consisting of special paving and lighting, street furniture, bicycle racks, outdoor seating areas for restaurants, and an abundance of public and private landscaping. As the development transitions back into the lower townhouse residential section, the architecture of the buildings has been designed to incorporate more residential-scaled details such as dormers, reverse gables, decorative window and door treatments, balconies, and green areas with attractive landscaping. The architecture depicts building materials that are compatible with the existing surrounding residential neighborhoods. Three-story townhouses are proposed as a transition in building height in order to be compatible with the adjacent existing residential neighborhood consisting of single-family detached homes to the east and townhouses to the south, across Catawba Street.

The parking for the multifamily building will be provided in a parking structure in the middle of the complex, accessed from Cherokee Street. The structure will provide direct vehicular access to each level of the building for easy access to individual units. For the townhouse section, each dwelling will have two garage spaces for a total of 90 garage spaces. The proposed parking garages will be behind the townhouse sticks that are facing Cherokee Street and between the buildings for the interior units accessed through alley. An additional five compact surface parking spaces have been provided between the mixed-use building and townhouse section. In addition, five parking spaces have been reserved within the mixed-use building parking garage to be used for guest/retail parking purposes.

Adequate landscape buffers that are in conformance with the requirements of the 2010 *Prince George's County Landscape Manual* (subject to several conditions as discussed in Finding 11 below) have been provided between the development and the existing neighborhoods. The City of College Park has agreed to provide the developer with a landscape easement for the use of the city-owned, 20-foot-wide, unpaved alley for screening the development from the existing single-family homes to the east. A required 20-foot-wide landscape buffer also has been provided along the eastern property line that is adjacent to the existing single-family houses. In order to achieve proper landscaping and

screening, †*[~~the 20-foot wide paper street has to be vacated. T~~]the City of College Park
†*[~~supports the vacation.~~] agreed to grant a landscape easement to the applicant for using
ten feet of the 20-foot paper street owned by the City.

In conclusion, the Planning Board supports the proposed development because the proposal conforms to the purposes and recommendations for the development district, as stated in the sector plan, and meets the applicable site plan requirements.

- b. The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans (in this case, the College Park US 1 Sector Plan and SMA), a mix of residential and commercial uses as infill development in areas that are already substantially developed.

Section 27-546.19, Site Plans for Mixed Uses, requires that:

(c) A Detailed Site Plan may not be approved unless the owner shows:

- (1) The site plan meets all approval requirements in Part 3, Division 9;**
- (2) All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan meets all of the site design guidelines and development district standards of the College Park US 1 Sector Plan and SMA and the standards of the D-D-O Zone, as amended.

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

The DSP includes residential and retail uses in two sections. The building complex fronting US 1 features a vertical mixed-use development with multifamily dwellings from the second floor and up, and structured parking facilities along with amenities serving future residents. The townhouse section behind the mixed-use building is comprised of condominium townhouse units. The proposed uses are compatible with each other.

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

†*Denotes Amendment

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

The application proposes a mixture of multifamily residential and commercial office/retail in a vertical mixed-use format in a four- to six-story building fronting US 1, and 45 townhouse units in eight building sticks behind the vertical mixed-use building. The proposed parking for the multifamily building complex will be in the parking garage located in the middle of the building complex. The proposed uses on the subject property will be compatible with each other and will be compatible with existing or approved future development on adjacent properties in the main street area of the US 1 corridor.

(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;

In order to achieve the above, the DSP specifically employs the townhouse section as a transition in building height and mass from the mixed-use building, so as to be compatible with both the existing single-family and townhouse dwellings to the east and south of the subject site.

(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 site plan shows primary façades for the mixed-use building along US 1 and Cherokee Street. Sidewalks will be provided along US 1, Catawaba Street, and Cherokee Street. The proposed parking for the multifamily building is in the middle of the building complex. The parking for the townhouse section is located in garages. Pedestrians have direct access to the units without crossing parking lots. Due to the grade difference, there are limited pedestrian connections between the subject site and Catawaba Street to the south.

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

The site plan shows a mixed-use complex in the front portion of the site and a townhouse section at the rear to provide a transition to the existing neighborhood. The lighting proposed for the multifamily building is located along both the US 1 and Cherokee Street frontages. The lighting proposed for the townhouse section is located within the interior of the

section. As a result, glare, light, and other visual intrusion into adjacent neighborhoods is greatly minimized.

- (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 commercial/retail component of this project is located at the street level of the vertical mixed-use building that fronts both US 1 and Cherokee Street. The rest of the stories of the building are for the proposed multifamily rental units. Behind the four- to six-story building are three-story townhouses. The proposed building design and materials of the development will be an upgrade from the existing buildings in the neighborhood.

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

The application does not include outdoor storage. The mechanical equipment will be located within the building.

- (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**

Numerous building-mounted signs on the multifamily building and one monumental sign at the entrance to the townhouse section have been proposed with this DSP. The proposed signage is consistent with the D-D-O Zone site plan design standards for both building-mounted and freestanding signs.

- (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;**
- (ii) Location of activities with potential adverse impacts;**
- (iii) Location and use of trash receptacles;**

- (iv) **Location of loading and delivery spaces;**
- (v) **Light intensity and hours of illumination; and**
- (vi) **Location and use of outdoor vending machines.**

According to the applicant, the hours of operation or deliveries for the stores fronting US 1 and Cherokee Street will follow the normal schedule of the existing business establishments. Since the vehicular access to both the mixed-use section and the townhouse section and access to the proposed loading and delivery spaces will be from Cherokee Street, the impact on existing neighboring residents has been minimized. Trash receptacles are to be located on the sidewalks along US 1. No vending machines have been proposed. No freestanding luminaires have been proposed for the commercial/retail component. In the townhouse section, three types of lighting fixtures have been provided. Two types are for the subdivision and one is a streetlight along Catawaba Street.

9. **The 2002 Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment and the standards of the Development District Overlay (D-D-O) Zone:** The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (Central US 1 Corridor Sector Plan) is the prevailing master plan for this portion of Baltimore Avenue (US 1) and is the pertinent plan for review of the land use and the majority of the functional plan area recommendations impacting the subject property. However, the design review of this application is subject to the development district standards of the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* (College Park US 1 Sector Plan and SMA). Exemption 10 on page 225 of the 2010 Central US 1 Corridor Sector Plan is crucial in understanding how this application is being reviewed. Exemption 10 states:

Valid Detailed Site Plans: Properties that obtained approval of a detailed site plan prior to April 1, 2010 under the regulations and procedures of the 2002 College Park US 1 Corridor Sector Plan DDOZ shall be permitted to develop in accordance with the approved detailed site plan unless the validity period expires. Any new detailed site plan submitted for the subject property shall be subject to the regulations of these development district standards.

Since the subject property had a valid DSP that was approved prior to April 1, 2010, it is thus exempt from the development district standards of the 2010 Central US 1 Corridor Sector Plan and SMA, but is still subject to the recommendations of the sector plan itself. For design review purposes, this DSP revision is subject to the development district standards (but not the sector plan recommendations) of the 2002 College Park US 1 Sector Plan and SMA.

The 2002 College Park US 1 Sector Plan and SMA defines long-range land use and development policies, detailed zoning changes, design standards, and a D-D-O Zone for the US 1 corridor area. The land use concept of the sector plan divides the corridor into six areas for the purpose of examining issues and opportunities and formulating recommendations. Each area has been further divided into subareas for the purpose of defining the desired land use types, mixes, and development character. The subject site is in Area 4 (Central Gateway Mixed-Use Area), Subarea 4e, on the east side of US 1. The vision for Area 4 is to create a mixed-use neighborhood with a variety of retail and office uses, and the introduction of multifamily residential development in mid- and high-rise buildings. Buildings may be sited further from the street and from each other than in the concepts set forth for the town center and main street areas. Parking should be located in lots sited to the side or rear of properties. Shared parking is strongly encouraged. Sidewalk setback from the curb edge with trees and landscaping on both sides will create the gateway boulevard envisioned for US 1.

The sector plan also provides specific subarea land use recommendations for Subarea 4e, on the east side of US 1 and north of Greenbelt Road (MD 193). The plan encourages and promotes infill development and redevelopment to include a mix of retail, office, and residential uses in mid-rise buildings. Adequate buffers should be provided and building height should step down to be compatible with the adjacent existing residential neighborhood. The application as proposed in the subject DSP, including the mixture of residential, commercial, and retail uses, and the site layout and transition of building height to be compatible with the existing adjacent neighborhoods of single-family detached and single-family attached units, is in general compliance with the land use vision and recommendation for Subarea 4e.

Section 27-548.25(b) of the Zoning Ordinance requires that the Planning Board find that the site plan meets the applicable development district standards. The development district standards are organized into three categories: public areas, site design, and building design. The applicant has submitted a statement of justification that provides a detailed explanation of how the proposed condominium project conforms to each development district standard.

The DSP meets most of the standards with the exception of several development district standards for which the applicant has requested an amendment. In order to allow the plan to deviate from the development district standards, the Planning Board must find that the alternative development district standards will benefit the development and the development district, and will not substantially impair implementation of the sector plan. The amendments that the applicant has requested are discussed below.

PUBLIC AREAS

P6. Utilities

- A. All new development within the development district shall place utility lines underground. Utilities shall include, but are not limited to, electric, natural gas, fiber optics, cable television, telephone, water and sewer.**

The applicant has requested an amendment to modify the above standard. The DSP places new utility lines along Cherokee Street and Catawba Street underground. However, a modification is requested by the applicant for the frontage along US 1. It is noted that the District Council directed the previous owner in DSP-03098/01 (Modification C (1)) to remove the one utility pole along US 1 and place it underground. This directive was premised on the then owner, the Planning Board, the County Council, and the City of College Park developing a plan so that all tax credits received from any revitalization tax credits approved for a project would be utilized to initiate a comprehensive utility relocation program along US 1 north of MD 193. The intent was to use any funds generated from the program to be used first on the subject property and then on adjacent properties. Because such a program has not been established and there are no plans at this time for a utility relocation program along US 1, the applicant is requesting approval of a new modification that would exempt the project from removing the existing utility poles along US 1 and undergrounding the wires. Based on the presumption that a utility relocation program will eventually be established, the alternative development district standard will not substantially impair implementation of the sector plan.

SITE DESIGN

Off-Street Parking Requirements for Mixed-Use Development Projects

- U. The minimum and/or maximum number of parking spaces required for a mixed-use development project which contains a minimum of five adjoining gross acres and two or more uses shall be calculated by the applicant in accordance with the requirements of Section 27-574 of the Zoning Ordinance and submitted with a detailed site plan.**
- V. Parking Credits for Shared Parking--To facilitate shared parking within the development district, Section 27-570, Multiple Uses, and Section 27-572, Joint Use of a Parking Lot, shall be waived.**
 - 1. Single Ownership. When any land and/or building is under the same ownership and used for two or more uses, the number of parking spaces shall be computed by multiplying the minimum amount of parking required for each land use, as stated under section (T) above, by the appropriate percentage as shown in the shared parking requirements by time period (Table 15). The number of parking spaces required for the development is then determined by adding the results in each column. The column totaling the highest number of parking spaces becomes the minimum off-street parking requirement.**
- W. Parking Credits For Use of Alternative Modes of Transportation**

1. Applicants may request from the Planning Board during the site plan review process a reduction in the minimum off-street parking requirements if they provide incentives to encourage use of alternative modes of transportation other than single occupancy vehicles. These alternatives include contributing to the county and/or city ride sharing program, providing private incentives for car- and vanpooling, participating in usage of public transportation programs such as WMATA's Metrochek and MTA's TransitPlus 2000, or provision of private shuttle bus service. Verifiable data must be produced that supports the desired reductions in the minimum off-street parking. The reduction shall range between 5 and 20 percent.

A total of 475 parking spaces is the required minimum for the mixed-use building. The DSP provides 461 spaces with 366 in the mixed-use parking garage and 95 in the townhouse area. An additional 11 on-street public parking spaces exist. The more current 2010 sector plan, on the other hand, emphasizes a more urban character and is thus more generous in permitting less total parking (296 spaces) as the following table demonstrates:

<u>Multi-Family</u>				
<i>Per Prince George's County Zoning Ordinance sec. 27-568 (1)(D)</i>				
Multi-Family Apartments:				
Studio/One Bedroom Units	135 x 2	required spaces per unit =	270 Spaces	
Two Bedroom Units	103 x 2.5	required spaces per unit =	257.5 Spaces	
	238 Units		527.5 Spaces	
<i>Per Approved Central US1 Corridor Sector Plan (2010)</i>				
Multi-Family Apartments:				
Multi-Family Units	238 x 1	required spaces per unit =	238 Spaces	
	238 Units		238 Spaces	
<u>Commercial Space</u>				
<i>Per Prince George's County Zoning Ordinance sec. 27-568 (5)(A)</i>				
Commercial Space:	4,133 SF			
1 SP/ 150 GSF for first 3,000 sf =	1 SP / 150 GSF	3,000 =	20 Spaces	
1 additional SP/ 200 GSF for area over 3,000 sf =	2 SP / 200 GSF	1,133 SF =	5.7 Spaces	
	Max Parking Required for Commercial =		26 Spaces	
<i>Per Approved Central US1 Corridor Sector Plan (2010)</i>				
Commercial Space:	4,133 SF			
3 SP/ 1,000sf =	3 SP / 1,000 GSF	4,133 SF =	12.4 Spaces	
	Max Parking Required for Commercial =		13 Spaces	
<u>Townhomes</u>				
<i>Per Prince George's County Zoning Ordinance sec. 27-568 (1)</i>				
Townhouses:				
2.04 SP/Dwelling Unit	45 x 2.04	required spaces per unit =	91.8 Spaces	
	45 Units			
	Max Parking Required for Residential =		91.8 Spaces	

Per Approved Central US1 Corridor Sector Plan (2010)			
Townhouses:			
1 SP/Dwelling Unit	$\frac{45}{45} \times 1$	required spaces per unit =	45 Spaces
	45 Units		
		Max Parking Required for Residential = 45 Spaces	
Total Required Parking			
Per Prince George's County Zoning Ordinance sec. 27-568 (5)(A)		Total Parking Required for the Site =	645 Spaces
Per Approved Central US1 Corridor Sector Plan (2010)		Total Parking Required for the Site =	296 Spaces [2]
Provide Spaces			
Structured Garage:			366 Spaces
Townhome Garages:			95 Spaces
Total Provided			461 Spaces

[1] Note: If number of units are reduced, the parking count may be reduced accordingly.

[2] A modification of the development district standards is required if parking provided is greater or less than this amount.

The total number of parking spaces provided with this DSP is acceptable.

BUILDING DESIGN

B1. Height, Scale, Massing and Size

Height

Maximum height in general is four stories (p. 201, Sector Plan)

The sector plan is clear that the community vision for this main street area is for mid-rise (four- to six-story) mixed-use buildings. Specifically, the Building Heights map on page 201 of the sector plan indicates that the maximum height, in general, for Subarea 4 is four stories. However, the sector plan, in its Economic Development Strategy section, reiterates that the redevelopment of this corridor is driven by the market. The sector plan's land use and zoning strategies are aimed at establishing a flexible policy and regulatory framework to facilitate market-based decisions by the private sector. The sector plan also allows additional stories upon demonstration by the application that market and design considerations justify additional height and additional stories.

The site plan consists of a multifamily dwelling section along US 1 and a townhouse section behind the multifamily section. The multifamily building complex is mainly a five-story structure with a limited portion of six stories for a grading transition along the southern property line. The proposed multifamily section is one to two stories higher than the maximum allowable for this area. The townhouse section is three stories in height, which is within the height limit. The applicant is requesting an amendment to allow the multifamily building to be built with five to six stories.

The applicant's proposal to amend an existing DSP's level of approved development is in itself a response to the existing market within the College Park/US 1 Corridor area. In terms of design considerations, the Planning Board notes that, because of the narrow site frontage, off-street

parking has to be provided in the form of structured parking surrounded by the buildings. Staff believes that the proposed building at a five- to six-story height provides enclosure to the street that enhances the main street feeling. The amendment to the building height standard was also approved by the District Council in the previous DSP application (DSP-03098/01). Staff does not object to the applicant's amendment to increase the height limitation from four to five-to-six stories. This alternative building height standard meets the 2010 development district standards that increased the maximum permitted height in this area to six stories, and the 2010 sector plan recommends two to six stories for development in the Walkable Node character area, transitioning down in density and intensity toward existing residential areas. The submitted DSP revision reflects the sector plan's desire to transition in density and intensity by providing three-story townhouses between the taller mixed-use building along US 1 and the mostly two-story single-family residences in the existing residential area to the east. Existing townhouses to the south are also three stories in height. The Planning Board finds that the applicant's request to increase the maximum permitted height for the mixed-use building from four to six stories is in conformance with the vision, policies, and strategies of the 2010 Central US 1 Corridor Sector Plan and generates no master plan issues.

B2. Roofs

C. Residential buildings should employ simple gable or hipped roofs.

The applicant has requested modification of this standard because the proposed mixed-use building fronting on US 1 is designed with a flat roof with a variety of parapet treatments and heights. To create the look and feel of a high-quality urban building, a flat roof has been employed as opposed to a gable roof that is more frequently associated with suburban multifamily buildings. The single-family attached buildings have incorporated both simple gable and hipped roofs. The proposed roof design allows for horizontal articulation of the roof line to add interest to the building's frontage. In addition, the 2010 sector plan does not prohibit flat roofs and encourages varying building heights, like those proposed for the mixed-use building. The Planning Board agrees that the new roof design significantly benefits the development and the development district, and conveys an urbane image for the public to view from the US 1 Corridor.

B3. Architectural Features

C. All multifamily building types in a development shall have a minimum of 75 percent of the exterior facades in brick, stone or approved equal (excluding windows, trim and doors).

The exterior façades of the mixed-use building facing US 1, Cherokee Street, including the south open space, and the townhomes exceed the 75 percent requirement. The brick percentage of the main façades of the mixed-use building is approximately 80 percent. However, the elevations facing the interior courtyards where the proposed recreational facilities and amenities are located do not have the brick percentage required by this standard. Those elevations facing courtyards are finished with a combination of brick and Hardie panel. Specifically, brick is used to decorate

watertables and Hardie panels in various color schemes, normally ones that match the brick color used on the main elevations, are used to decorate the rest of the elevations. This is a substantial quality improvement over the use of siding that was approved in the previous DSP. However, not enough architectural features have been employed in the courtyards to generate sufficient visual interest. The Planning Board agrees that the brick percentage should be modified for those elevations facing the courtyard, but additional architectural features including, but not limited to, Juliet balconies, box windows, and bay windows should be added. Thus, the alternate development district standards will benefit the development and the development district. A condition has been included in this resolution to require the applicant to provide additional architectural features on those elevations, to be reviewed and approved by the Urban Design Section as designee of the Planning Board prior to certification of this DSP.

Massing

- I. All multifamily buildings should provide a balcony for each dwelling unit above the ground floor to articulate the building façade and to increase natural surveillance of the surrounding area.**

The District Council approved Modification C(5) in DSP-03098/01 to have a limited number of multifamily units without balconies because of the property's proximity to US 1. Currently, there are no functional balconies proposed on the mixed-use building. However, Juliet balconies are proposed on various second and fifth-floor units facing the public realm in order to provide additional articulation of the public façade design. The applicant requests a modification because of the noise generated by US 1 and the attractive articulation of the building façade made possible by using Juliet balconies instead of full balconies. There are no balconies within the courtyards.

Due to noise generated by US 1 and articulation of the building façade, the applicant has not provided all units with balconies. The location of the development does not lend itself to garden-style apartments, which typically include such balconies, but rather to an urbane, high-density, residential building, which exhibits architectural innovation and uniqueness of design. Staff agrees with the applicant's proposal and the design of the façade that is orientated toward US 1. The Planning Board believes that the combination of Juliet balconies and various fenestration patterns, along with accented roof treatments and finishing materials as proposed by the applicant, provides a more attractive façade than would result from providing balconies for every unit. The second level terraces and Juliet balconies will provide extra "eyes on the street" that will meet the intent of the second part of this requirement.

Size

- L. The minimum size for single-family detached dwellings units shall be 2,200 square feet, not to include garages and unfinished basements. The minimum size for single-family attached dwellings units shall be 1,600 square feet, not to include garage and unfinished basements.**

This project does not include any single-family detached dwelling units, but does include 45 condominium townhouse units. All townhouses are 20-foot-wide units and have an average of 1,640 square feet finished area, not including the garage and unfinished basements. The applicant believes the requested modification is reasonable given the evolving urban character of this mixed-use infill corridor and the desire to create a variety of unit sizes to meet the increasing demand for smaller units. The Planning Board believes that the smaller units are consistent with the land use vision of the US 1 Corridor. The 2010 sector plan eliminated this standard. The alternate development district standard will benefit the development and the development district and will not substantially impair implementation of the sector plan.

M. The average size of all multifamily dwelling units in a development project shall be a minimum of:

- 750 square feet for a 1-bedroom/1-bath unit.
- 1,050 square feet for a 2-bedroom/2-bath unit.
- 1,275 square feet for a 3-bedroom/2-bath unit.

The DSP application increases the total number of multifamily dwelling units from 160 to 238. The DSP proposes three bedroom types including studio, 1-bedroom, and two-bedroom dwelling units. There is no three-bedroom dwelling unit proposed in this application. The unit size of the three unit types varies from 510 square feet for the studio to 629 square feet for the one-bedroom and 963 square feet for the two-bedroom. According to the applicant, the current housing demand in the US 1 Corridor for studio apartments and smaller units eliminates the need for the previously approved three-bedroom units. The 2010 sector plan recognized changes in housing demand and the inflexible nature of both established suburban-oriented minimum unit sizes and bedroom percentages as contained in the above standards. As a result, the 2010 sector plan eliminated the above standards in order to provide market and design flexibility. The Planning Board believes that the alternate development district standard will benefit the development and the development district.

Bedroom Percentages:

N. Bedroom percentages for multifamily dwellings may be modified from Section 27-419 of the Zoning Ordinance, if new development or redevelopment for student housing is proposed and the density is not increased above that permitted in the underlying zone.

Refer to Finding 2 above for more details on bedrooms and percentages. Section 27-419 allows for up to 40 percent two-bedroom units, 10 percent three-bedroom units, and no limit for one-bedroom units. Because of the redesign of units created by the demand for studio apartments, the application removes three-bedroom units from this DSP. The resulting design slightly increases the number of two-bedroom units (approximately four percent) above the 40 percent maximum established by Section 27-419. The Planning Board does not oppose such a minor amendment to this requirement because the higher-end market needs more larger-sized units that result in an

increase in two-bedroom units and a decrease in one-bedroom units. A bedroom modification of two (two percent) was approved in DSP-03098/01 by the District Council to increase the number of two-bedroom units. It is noted that the 2010 Central US 1 Corridor Sector Plan's Table of Uses in the M-U-I and D-D-O Zones permits multifamily dwellings to exceed bedroom percentages. The current proposal also proposes 16.4 percent studio units and 40.3 percent one-bedroom units; but approximately 44 percent two-bedroom units. The alternate development district standards will benefit the development and the development district.

10. **Preliminary Plan of Subdivision 4-03141:** The Planning Board approved Preliminary Plan of Subdivision 4-03141 with 11 conditions. Of the 11 conditions of approval, the conditions related to the review of the subject DSP are as follows:

5. **The applicant shall allocate appropriate and developable areas for the private recreational facilities. At the time of Detailed Site Plan review, the Urban Design Section shall review the type and location of these facilities.**

The applicant has provided a recreational facility and amenity package with this DSP. The recreational facilities include a pool in the courtyard of the multifamily building and an off-site tot-lot play area across Catawba Street from the proposed townhouse section. Other associated amenities, such as a sitting area and an outdoor barbecue area, are also provided within the courtyard. The off-site tot lot should not be included in this DSP because it is not within the boundary of this DSP. However, given that the tot lot will be owned and operated by the City of College Park, the Urban Design Section believes that any improvements to the City's existing recreational facilities should be credited toward the fulfillment of the recreational obligation for the project. A condition has been included in this resolution to require the applicant to provide a dollar amount for the proposed improvements and evidence that the City of College Park agrees to accept the proposed improvements.

6. **The recreational facilities shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines. Recreational facilities shall be subject to the following:**
- a. **The applicant, his heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private recreational facilities. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.**
 - b. **A site plan shall be submitted to the DRD of the Prince George's County Planning Department that complies with the standards outlined in the Parks and Recreation Facilities Guidelines.**

- c. **Submission of three original, executed Recreational Facilities Agreements (RFA) to the DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**
- d. **Submission to the DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits.**
- e. **The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.**

As discussed previously, different recreational facilities have been provided for the multifamily and townhouse sections. Those facilities should be in conformance with the Park and Recreation Facilities Guidelines. The applicant should also ensure that all recreational facilities and amenities are available to all residents of the project. The rest of this condition will be enforced at the appropriate time as the above sub-conditions specify.

9. **Development shall be in conformance with the approved Stormwater Management Concept Plan 23871-2003-00, or any approved revisions thereto.**

The Stormwater Management Concept Plan, 23871-2003-00, submitted with this application approval was valid through November 14, 2006. The applicant has obtained an extension of the concept approval to be valid through November 4, 2016.

11. **Total development of the subject property shall be limited to uses which generate no more than 138 AM and 164 PM peak-hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.**

This application proposes a reduction of the previously approved commercial square footage and an increase of residential dwelling units. The proposed development is within the above development limit.

11. **Detailed Site Plan DSP-03098/01:** The Planning Board approved Detailed Site Plan DSP-03098/01 on October 26, 2006 (via PGCPB Resolution No. 06-227) for the subject site with 12 conditions because previously approved DSP-03098 had expired. Subsequently, the District Council affirmed and approved DSP-03098/01 (via Zoning Ordinance No. 3-2007) on March 6, 2007 with the same development levels and 14 conditions. Since that DSP is still valid, the permit-related conditions will be carried forward with this DSP and will be enforced at the time of issuance of the respective permits. The following conditions are pertinent to the review of this DSP and warrant discussion:

- 3. If needed, as determined by the Planning Board after public notice, the applicant shall request a waiver of the building setback requirement.**

The site design standards of the 2002 sector plan established a front build-to line between 10 and 20 feet from the ultimate right-of-way for all buildings in Areas 4, 5, and 6 (see Type II street edge where the site is located). The front build-to line is established at 14 feet for the Baltimore Avenue (US 1) frontage because of an existing utility easement. A front build-to line along Cherokee Street is 12 feet 12 inches. No setback waiver request has been proposed by the applicant.

- 6. The applicant shall upgrade the existing bus stop located on the property with a shelter.**

This condition will be carried forward as a condition of approval for this DSP.

- 7. The applicant shall provide one on-street parking space, as allowed by the City of College Park, for Zip Car, Flex Car, or similar service. If demand warrants the location of a second car at the property, the applicant shall provide one off-street parking space in the parking garage for the second car.**

This condition will be carried forward as a condition of approval for this DSP.

- 8. The applicant shall construct an approximately five-foot-wide sidewalk on the north side of Cherokee Street from US 1 to 48th Place and any other improvements required by Prince George's County. Lighting shall be designed so that there is no excessive light spillover onto adjacent residential property.**

This condition will be carried forward as a condition of approval for this DSP.

- 11. The applicant shall provide two and one-half (2 ½ acres) of tree mitigation including the credit received for on-site street tree coverage. The applicant shall provide at least two (2) acres of off-site tree mitigation. The first priority for off-site tree mitigation shall be within the City of College Park, at locations designated by the City and approved by the District Council; however, no off-site tree mitigation requirement may be satisfied on land subject to any type of conservation easement or is currently preserved from development due to ownership by a governmental agency, quasi-governmental agency, or non-profit organization. If the City of College Park does not designate an appropriate site for mitigation within the City within nine (9) months from the date of this Order, then the applicant may satisfy mitigation requirements by purchasing tree conservation easements or transferable development rights in satisfaction of this condition, subject to the same restrictions, on land in the Rural Tier, subject to approval by the District Council.**

This condition will be carried forward as a condition of approval for this DSP.

12. **The 2010 Prince George's County Landscape Manual:** The 2002 College Park US 1 Sector Plan and SMA and the standards of the D-D-O Zone have modified the applicable sections of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). In this case, the site plan is subject to the residential planting and buffering incompatible uses requirements of the Landscape Manual.

- a. **Development District Overlay Zone Standards, Site Design, S4, Buffers and Screening, Design Standard G,** requires that residential uses within the development district shall comply with the residential planting requirements of the Landscape Manual. Section 4.1(f) of the Landscape Manual requires a minimum total of 1.5 major shade trees and one ornamental or evergreen tree per dwelling unit for townhouses, to be located on individual lots and in common space, and Section 4.1(g) requires a minimum one shade tree per 1,600 square feet or fraction of green area provided for multifamily dwellings. The landscape plan does not provide the breakdown information between Sections 4.1(f) and 4.1(g). A condition of approval has been included in this resolution to require the applicant to revise the landscape plan to provide a separate calculation for each section with respective landscape schedules. It should be noted that street trees must be separated out from these calculations.
- b. **Development District Overlay Zone Standards, Site Design, S4, Buffers and Screening, Design Standard E,** allows a 50 percent reduction of bufferyard requirements, in terms of the width of the bufferyard and the number of planting units, in order to facilitate a compact form of development compatible with the urban character of the US 1 corridor. The subject DSP has one boundary area adjacent to the existing uses ~~†*~~[if the paper street is vacated, that needs to be buffered in accordance with the Landscape Manual]. The area is along the eastern property line where the proposed townhouse is adjacent to the existing single-family houses across a 20-foot-wide paper street owned by the City of College Park. A 10-foot-wide landscape strip and a minimum 20-foot building setback to be planted with 40 units per 100 linear feet of property line are needed. However, a previously approved ten-foot width of the bufferyard is located off-site on the property of the City of College Park. ~~†*~~[In order to achieve the proposed landscaping and screening, the paper street should be vacated.] The City of College Park ~~†*~~[supports the possible street vacation. A condition of approval has been included in this resolution to require a landscape schedule be provided prior to certification and furthermore for the street be vacated prior to issuance of any building permits for this development.] agreed to grant a landscape easement to the applicant to install the landscaped bufferyard.

†*Denotes Amendment

*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

13. **The Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on-site, and there is a previously approved Type I Tree Conservation Plan, TCPI/05/04, which was approved in conjunction with the approval of Preliminary Plan of Subdivision 4-03141.
- a. A detailed forest stand delineation for this site was submitted and reviewed in conjunction with Preliminary Plan 4-03141, was found to address the requirements for a detailed forest stand delineation and was in compliance with the requirements of the WCO. No additional information is needed with regard to the forest stand delineation.
 - b. Type II Tree Conservation Plan TCPII/27/04-01, submitted with this application, has been reviewed and was found to require significant revisions. A second review of the revised plans by the Environmental Planning Section indicates that TCPII/27/04-01 is in general conformance with the requirements of the WCO, if the deficiencies as identified in the conditions of approval are corrected.
 - c. The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. All activities that require a grading permit after September 1, 2010 must provide tree canopy coverage (TCC) percentages required by Section 25-128 of the Prince George's County Code. A TCC schedule has been provided on the landscape plan that demonstrates the site's conformance with the requirement. The required tree canopy for this site is ten percent of the site area, or a total of 19,863 square feet. The site provides 22,100 square feet of TCC through landscaping, which exceeds the requirements for the site.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. **Community Planning**—The Planning Board found that the application is in:
 - **Conformance with the 2002 Prince George's County Approved General Plan:** This application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for corridor nodes in the Developed Tier.
 - **Conformance with the 2002 College Park US 1 Corridor Sectional Map Amendment:** This application conforms to the land use recommendations of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (Central US 1 Corridor Sector Plan) for mixed-use residential land uses in the walkable node and character area. Several amendments to the development district standards of the 2002 College Park US 1 Sectional Map

Amendment are proposed by the applicant. Most of these amendments are supported because they were either previously approved for the subject property by the District Council or they conform with the vision, policies, and strategies of the 2010 Central US 1 Corridor Sector Plan.

The Planning Board also explained the relationship between the 2002 and 2010 sector plans, plan conformance, amendments to D-D-O Zone standards and other site plan issues. Specifically, since the subject property had a valid DSP that was approved prior to April 1, 2010, according to Exemption 10 on page 225 of the 2010 sector plan, this application is exempt from the development district standards of the 2010 sectional map amendment, but is still subject to the recommendations of the sector plan itself. For design review purposes, this DSP revision is subject to the development district standards (but not the sector plan recommendations) of the 2002 sectional map amendment.

The Planning Board also supported amendments to development standards regarding building height, number of off-street parking spaces, provision of balconies on multifamily building elevations, bedroom size, architectural features, undergrounding the utilities along US 1, and bedroom percentages for multifamily dwelling units because the proposal is consistent with the vision, policies, and strategies of the 2010 sector plan.

- b. **Transportation Planning**—The Planning Board noted that the access and internal circulation are acceptable as shown. The Planning Board further stated that the proposed development quantity is less than the levels included in the previously approved plans and concluded that the site is acceptable if the approval is also subject to all of the transportation-related conditions and findings that are included in PGCPB Resolution No. 04 -193, PGCPB Resolution No. 06 -227, and Zoning Ordinance No. 3-2007 for prior underlying approved plans.

The previously approved plans, including DSP-03098-01 and -02, are still valid. The conditions attached to those approvals have been carried forward in this resolution as conditions of approval of this DSP.

- c. **Subdivision Review**—The Planning Board identified conditions of approval attached to Preliminary Plan of Subdivision 4-03141 that pertain to the review of this DSP. The Planning Board discussed the proposed off-site tot lot on an adjacent property owned by the City of College Park across Catawba Street from the proposed townhouse section and suggested that a trigger should be provided with this DSP to govern the timing of the provision of the proposed recreational facilities. The Planning Board concluded that DSP-03098-03 is in substantial conformance with approved Preliminary Plan 4-03141 and the record plat if all comments have been addressed. There are no other subdivision issues at this time.

The existing tot lot is located on the parcel known as Parcel B, which is recorded on Plat Book VJ 170-65 and was conveyed to City of College Park as required by Preliminary

Plan 4-93068 and DSP-94015 for the College Park Mews Subdivision. The tot lot is outside of the boundary of this DSP. Given its close proximity to the subject site and because it is owned by the City of College Park, the Planning Board has no objection to the proposed provision of the recreational facilities, and encourages cooperation between the applicant and the City on this issue.

- d. **Trails**—The Planning Board reviewed this application for master plan trail compliance, noted that the subject application is in conformance with the 2002 College Park US 1 Sector Plan and SMA.

The applicant has addressed the trails planner's recommendations except for the bicycle parking signage during the review process. Bicycle parking rack details have been shown on the detail sheets of the DSP. A condition has been included in this resolution to require the applicant to provide bicycle parking signage for large groups of parking spaces along road frontages and within the main parking garage in accordance with the Maryland Manual on Uniform Traffic Control Devices (MUTCD) 2011 Edition and utilize the D4-3 sign guide sign or plaque. Details of the D-4-3 sign or plaque should be provided on the detail sheet.

- e. **Environmental Planning**—The Planning Board stated that a Type II Tree Conservation Plan (TCP/27/04-01) was previously approved. The current proposed DSP is in conformance with the previously approved TCP/II and no revisions are required. The Environmental Planning Section recommended approval of Detailed Site Plan DSP-03098-03.

- f. **Permit Review**—The Planning Board attached conditions regarding parking for the physically-handicapped, the dimensions of the townhouse garages, signage, the height of loading spaces, and the retaining wall, in this resolution.

- g. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 5, 2013, DPIE stated that the property included in this DSP is located within the City of College Park and stormwater management technical approval or a stormwater management concept extension is needed.

The applicant has obtained an extension of the previously approved stormwater management concept plan, which is valid through November 4, 2016.

- h. **Department of Parks and Recreation (DPR)**—The Department of Parks and Recreation, in a memorandum dated August 7, 2013, provided no comments on this DSP application.

- i. **Prince George's County Health Department**—In a memorandum dated August 2, 2013, the Health Department provided six comments on artificial light pollution, aquifer protection, public health benefits of access to active recreational facilities, the "food

desert” in the area, and how to prevent dust and noise during the demolition and construction phases of this project.

The applicant responded to the comments in the review process. All lighting fixtures proposed on this site are full cut-off type. This project provides for stormwater management through the use of micro-bioretenment facilities that will help with recharging the aquifer. The two comments regarding prevention of dust and noise during the construction/demolition have been included as site plan notes in this DSP.

- j. **Prince George’s County Fire/EMS Department**—In a memorandum dated July 30, 2013, the Fire/EMS Department provided a standard memorandum and listed applicable regulations regarding access for fire apparatus, fire lanes, and location and performance of fire hydrants.
- k. **The Maryland State Highway Administration (SHA)**—In a memorandum dated August 29, 2013, SHA provided comments on access to the subject property. The applicant is obligated to fulfill SHA’s requirements at the time of applying for access permits from SHA.
- l. **Prince George’s County Police Department**—In a memorandum dated July 22, 2013, the Police Department reviewed the site plan for conformance with the design guidelines of CPTED (crime prevention through environmental design) and has questions on the proposed lighting.

Questions on the proposed lighting were answered during the Subdivision and Development Review Committee (SDRC) meeting.

- m. **Historic Preservation**—In a memorandum dated July 24, 2013, the Historic Preservation Section stated that this DSP proposal for mixed-use commercial and residential development will have no effect on identified historic sites, resources, or districts.
- n. **Washington Suburban Sanitary Commission (WSSC)**—In an email attachment dated September 9, 2013, WSSC provided comments on issues related to water and sewer, site utilities, rights-of-way, environmental issues, and hydraulics of the proposed redevelopment. WSSC’s requirements will be enforced at the time of permit review. The comments provided with this report are for informational purposes.

- o. **City of College Park**—The representative of the City of College Park presented the City Council’s resolution of approval with conditions at time of Planning Board hearing for this DSP. The City’s appropriate applicable conditions have been incorporated into this resolution. †*In response to the Planning Board’s reconsideration of Condition 2, the city agreed with removal of that condition, and is expected to sign a Declaration of Covenant with the applicant to allow the applicant to establish a 10-foot-wide landscaped strip within the right-of-way.
 - p. **City of Berwyn Heights and the City of Greenbelt**—Neither the City of Berwyn Heights nor the City of Greenbelt had yet responded to the referral request.
15. Based upon the forgoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the subject detailed site plan 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. In addition, as required by Section 27-285(b)(4) of the Zoning Ordinance, the Planning Board should also find that the regulated environmental features on a site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations. Since the subject site does not contain any regulated environmental features, such as streams, wetlands, or floodplain, no preservation or restoration of environmental features is required as part of this detailed site plan approval, and this required finding is not needed.

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 Detailed Site Plan DSP-03098-03, subject to the following conditions:

- A. APPROVE the alternative development district standards for:
1. **P6. Utilities, A.** (to allow the applicant to retain the existing above-ground utilities without relocating underground)
 2. **S2 Parking Areas, U. and V.** (to allow this project to provide 461 parking spaces, with 366 in the mixed-use parking garage and 95 in the townhouse area, including 5 surface compact parking spaces, as well as an additional 11 on-street parking spaces on Cherokee Street)
 3. **B1. Height, Scale, Massing and Size, Height** (to allow the height of the multifamily building to be one to two stories higher than the maximum height limit of four stories)

†*Denotes Amendment

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4. **B1. Height, Scale, Massing and Size, Massing, I.** (to allow the applicant not to provide balconies for every unit for the multifamily section; instead to allow the applicant to use a combination of Juliette balconies and terraces along with other façade elements to articulate the façade, and to increase the natural surveillance of the surrounding area)
 5. **B1. Height, Scale, Massing and Size, Size L. and M.** (to allow the applicant to have a studio unit type and use a bedroom size smaller than the minimum required by the 2002 *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* for the multifamily dwelling units.
 6. **B1. Height, Scale, Massing and Size, Bedroom Percentage N.** (to allow the detailed site plan to increase the two-bedroom unit percentage from the maximum allowed 40 percent to 44 percent)
 7. **B2. Roofs, Design Standard B.** (to allow the use of a flat roof for the mixed-use building with varied parapet heights and visual improvements to create an urban streetscape)
 8. **B3. Architectural Features, Architectural Materials and Details C.** (to allow the multifamily building elevations within the courtyard to be finished with less than 75 percent of brick, but with a combination of brick and HardiePlank panel)
- B. APPROVE DSP-03098-03 for Metropolitan at College Park, subject to the following conditions:
1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
 - a. Provide bicycle parking signage for large groups of bicycle parking spaces along road frontages and within the main parking garage in accordance with the Maryland Manual on Uniform Traffic Control Devices (MUTCD) 2011 Edition, and utilize the D4-3 sign guide sign or plaque. Details of the D-4-3 sign or plaque shall also be provided on the detail sheet.
 - b. Revise the site and landscape plans to reflect 45 townhouse units.
 - c. Provide site plan notes as follows:

“During the demolition/construction phases of this project, no dust shall be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the demolition/construction phases of this project, noise shall 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."

- d. Provide the number of required and provided parking spaces for the physically-handicapped in the parking schedule.
- e. Identify the height of loading spaces and the retaining wall along the southern property line.
- f. Provide the dimensions for the townhouse dwellings and garages.
- g. Provide the allowed sign type and location along with the allowed sign face area on the detail sheet.
- h. Provide a cut sheet for the proposed wall sconce fixtures.
- i. Provide a building-mounted signage plan for the multifamily/commercial building to be reviewed by the city of College Park and approved by the Planning Board or its designee.
- j. Change the crosswalk markings to reflect decorative inlaid thermoplastic asphalt pavement markings, such as "DuraTherm," subject to review and approval by the appropriate agency (including, but not limited to, the Maryland State Highway Administration (SHA) or the City of College Park).
- k. Show two parking spaces reserved for a car-share program, such as Zip Car, Flex Car, or Car-to-Go, and identify one on-street, as allowed by the City of College Park, and a second location provided on-site.
- l. Provide the dollar amount for the proposed off-site recreational improvements and evidence that the City of College Park agrees to accept the proposed improvements.
- m. Provide a site plan note indicating that all residents of the multifamily/townhouse development shall have equal access to the recreational facilities and amenities within the multifamily building, and be allowed to use the reserved guest/retail parking in the garage for resident/temporary guest parking, and all marketing materials regarding this project and future covenants shall reflect that.
- n. Provide additional architectural features on those elevations facing the courtyard, to be reviewed and approved by the Urban Design Section as designee of the Planning Board.

- o. Note that 45 spaces will be reserved for guest/retail parking in the parking garage to be used by all residents.
- p. Eliminate ten townhouse units from the DSP for a total of 45 units and convert all townhouses to 20-foot-wide units with a two-car garage as shown on the "Alternative Plan-Based upon December 2, 2013 meeting" on Sheet SP.01.
- q. Add ten multifamily units (seven two-bedroom units and three one-bedroom units).
- r. Show a minimum of five spaces for visitor parking on the townhouse portion of the site of which one may be reserved for car-share program vehicle parking.
- s. Revise the landscaping as follows:
 - (1) Provide a landscape screen for the on-site parking along Cherokee Street.
 - (2) Provide and maintain landscaping and fencing at a minimum ten-foot-wide buffer along the eastern edge of the subject property, which may include the ten feet of †the 20-foot right-of-way †~~[acquired as a result of the vacation]~~.
- t. Revise the architecture as follows:
 - (1) Raise the ground floor of the townhouse units at least 24 inches above the sidewalk.
 - (2) Provide a note that all garage door colors shall match the color of the building.
 - (3) Show all side elevations with a minimum of ground floor brick and fenestration as shown on the plans.
 - (4) Provide leader lines to indicate the materials used for the interior courtyard, Sheet A-8.
- u. Consider revising the floor plan to shift the retail portion of the building north, closer to the parking lot access and loading spaces.

†*Denotes Amendment

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- v. Provide a sidewalk connection from the proposed sidewalk on the north side of Catawba Street to the existing sidewalk on the west side of Blackfoot Road.

~~†*[2. Prior to issuance of any building permits, the applicant shall vacate the 20-foot wide right-of-way along the eastern property line and obtain approval of a minor final plat pursuant to Section 24-112 of the Subdivision Regulations.]~~

†*[3]2. Prior to issuance of the 45th building permit for the townhouse section, the applicant shall:

- a. Complete a sidewalk connection from the proposed sidewalk along the northern side of Catawba Street to the existing sidewalk along the western side of Blackfoot Road.
- b. Construct an approximate five-foot-wide sidewalk on the northern side of Cherokee Street from Baltimore Avenue (US 1) to 48th Place and any other improvements required by Prince George's County. Lighting shall be designed so that there is no excessive light spillover onto the adjacent residential property.

†*[4]3. Prior to issuance of a use and occupancy permit for the multifamily building, the applicant shall:

- a. Upgrade the existing bus stop located on the property with a shelter.
- b. Complete the rest of the sidewalk along Cherokee Street, as well as the traffic calming devices on the street, as required in Condition 10.
- c. Construct and complete all proposed recreational facilities and amenities for use by the residents.

†*[5]4. Prior to issuance of a use and occupancy permit for the multifamily building, the applicant shall establish a parking management plan that includes the following:

- a. Language in the rental lease agreement that street parking is a violation of the lease and potentially grounds for eviction.
- b. No key fob or garage door opener is necessary for the initial gate.

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- c. The secondary interior garage door will work for residents of the apartment building.
- d. One parking space with each apartment in the lease.
- e. Any unused parking spaces will be put in a lease-back program to be managed by the applicant.

†*[6]5. The applicant shall provide two and one-half acres of tree mitigation including the credit received for on-site street tree coverage. The applicant shall provide at least two acres of off-site tree mitigation. The first priority for off-site tree mitigation shall be within the City of College Park at locations designated by the City and approved by the Planning Board or its designee; however, no off-site tree mitigation requirement may be satisfied on land subject to any type of conservation easement, or is currently preserved from development due to ownership by a governmental agency, quasi-governmental agency, or non-profit organization. If the City of College Park does not designate an appropriate site for mitigation within the City within nine months from the date of final approval of this application, then the applicant may satisfy mitigation requirements by purchasing tree conservation easements or transferable development rights in satisfaction of this condition, subject to the same restrictions, on land in the Rural Tier, subject to approval by the District Council.

†*[7]6. The applicant shall bear the total cost for the design and construction of the traffic signal approved by the Maryland State Highway Administration (SHA) at the Baltimore Avenue (US 1) and Cherokee Street (east) intersection which, prior to issuance of the building permit, shall be bonded for construction and installed prior to release of the use and occupancy permit for the multifamily apartment unit, unless otherwise required by SHA.

†*[8]7. The applicant shall install traffic calming devices as shown on the October 16, 2003 plan prepared by The Traffic Group. In addition, two additional speed bumps shall be added along each leg of the section of Cherokee Street between 49th Avenue and 49th Place. The traffic calming devices east of 48th Avenue shall be completed within six months of building permit issuance for the multifamily building. The traffic calming devices west of 48th Avenue shall be installed prior to issuance of the final use and occupancy permit for the property.

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- †*[9]8. The applicant shall participate in a transportation study of the US Route 1 Corridor in the City of College Park for evaluation of transit strategies, including a US Route 1 shuttle operated by governmental, quasi-governmental, or private entities. The transportation study shall evaluate the implementation of a comprehensive corridor-wide shuttle system.

In the event that a new or enhanced US Route 1 shuttle system is operational and serving the subject property at the time of issuance of the final use and occupancy permit for this project, the applicant shall contribute a proportionate share of the costs of a US Route 1 shuttle, which contribution shall not exceed the cost of a private shuttle for the subject property alone.

In the event that a new or enhanced US Route 1 shuttle system is not operational and serving the subject property at the time of issuance of the final use and occupancy permit for this project, the applicant shall provide a private shuttle for residents of the development project in accordance with a schedule and routes designed in consultation with the City of College Park.

If, after initiation of a private shuttle, a US Route 1 shuttle system is created, then the applicant shall participate in the new shuttle system in lieu of providing a private shuttle, and shall contribute a proportionate share of the costs of a US Route 1 shuttle, which contribution shall not exceed the cost of a private shuttle for the subject property alone.

It is anticipated that the applicant will coordinate its shuttle activities with the City of College Park and that, depending on the findings of the transportation study of the US Route 1 Corridor and depending on the success of a private shuttle or a comprehensive US Route 1 shuttle system, this condition may be modified.

- †*[10]9. In consultation with the City of College Park and the District Council, the applicant shall make a good faith effort to execute a memorandum of understanding with the University of Maryland that prohibits University students residing in the project from obtaining on-campus parking permits. Also, in consultation with the City of College Park and the County Council, the applicant shall make a good faith effort to discuss with the University of Maryland methods to discourage faculty and staff residing in the project from driving their personal vehicles to the campus in the weekday morning and evening peak periods.

- †*[11]10. The applicant shall maintain all pedestrian light fixtures in the rights-of-way along Baltimore Avenue (US 1), Cherokee Street, and Catawba Street.

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

* * * * *


This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, December 12, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of January 2014 *and was corrected administratively on January 30, 2014.

†*This is to certify that the foregoing is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioners Shoaff and Washington absent at its regular meeting held on Thursday, May 22, 2014, in Upper Marlboro, Maryland.

†*Adopted by the Prince George's County Planning Board this 22nd day of May 2014.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

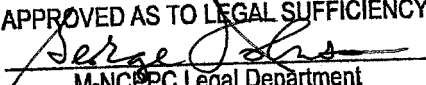
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APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date 5/27/14