

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 October 30, 2008 regarding Detailed Site Plan DSP-08001 for Mosaic at Turtle Creek, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) application is for approval of 300 multifamily dwelling units in the R-10 Zone.
2. **Development Data Summary:**

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

Other Development Data

Bedroom Unit Mix*

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

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

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

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

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

consists of one long rectangular section parallel to the northern property line and three towers perpendicular to the main section. Two courtyards have been created above the first floor between the towers in front of the longer building section. The main entrance to the building is located in the southwest section close to Mowatt Lane. Seven surface parking spaces and an elongated roundabout with landscaping are located in this area. The parking garage and the proposed loading spaces will be accessed from the arrival area. An extensive wooded area that contains the stream has been proposed to enclose the proposed building on the south and west sides. An underground stormwater recharge facility and a swimming pool with a patio area are located in the west part of the site. Additional underground stormwater facilities are also located within the arrival area. A five-foot-wide path has been shown to loop around the building connecting the main entrance to the swimming pool area.

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

The building is designed with many green features in according to the National Green Building Standard (ICC-700 2008) by the National Association of Home Builders. This is the first residential green building rating system, which is different from the Leadership in Energy and Environmental Design (LEED) rating systems of the US Green Building Council, to be submitted to the American National Standards Institute. The green buildings to be built under these standards will minimize environmental impact in every step of the land development and home building process. The rating system consists of seven areas of home building that include: Lot Design, Preparation, Development, Resource Efficiency, Energy Efficiency, Water Efficiency, Indoor Environmental Quality, Operation, Maintenance, Homeowner Education, and Global Impact. There are three different levels of green building available to builders wishing to use these guidelines to rate their projects—Bronze, Silver, and Gold. At all levels, there is a minimum number of points required for each of the seven guiding principles to assure that all aspects of green building are addressed and that there is a balanced, whole-systems approach. After reaching the thresholds, an additional 100 points must be achieved by implementing any of the remaining line items. See <http://www.nahbgreen.com/Guidelines/nahbguidelines.aspx> for additional informational. Since the green building narrative has been submitted in a separate statement, a condition has been proposed to require the applicant to provide a site plan note prior to certification of this DSP indicating the targeted level of the certification and under what rating

system this development will be certified.

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

7. **Recreational Facilities:** At time of Preliminary Plan of Subdivision 4-06138 approval for the subject property, the applicant was required to provide on-site private recreational facilities. In accordance with the current formula for determining the value of recreational facilities to be provided in subdivisions, for 300 multifamily dwelling units in Planning Area 66, a recreation facility package of approximately \$170,000.00 is required. The applicant in an email correspondence dated October 13, 2008 indicated that the total value of the on-site recreational facilities and amenities will be more than \$250,000.00, which exceeds the minimum required value for this development. The DSP shows a swimming pool and associated resting area and a loop trail connecting several other sitting areas. However, the applicant has not yet provided a list of the recreational facilities. A condition has been proposed in the recommendation section to require the applicant to provide a recreational facility list that has a minimum value of \$250,000.00 to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to certification.
8. **Zoning Ordinance No. 17-2006 (A-9983-C):** Zoning Ordinance No.17-2006 was adopted by the District Council on October 12, 2006, to approve Application No. A-9983 that rezoned the subject site from the R-55 Zone to the R-10 Zone with three conditions. Conditions 1 and 2 are applicable to the review of this DSP as follows:

1. **The exact number of dwelling units for the subject property shall be determined at the time of Detailed Site Plan review. The number shall not exceed 300 dwelling units.**

The DSP includes 300 multifamily dwelling units.

2. **Detailed Site Plan review shall include, but not be limited to determinations that:**
 - a. **The wooded stream valley buffer will act as a visual screen and provide an attractive nature walk area for neighborhood residents, including the single family houses to the south.**

The DSP retains the entire southern boundary area in the existing woodland with the narrowest section measuring approximately 100 feet in width. There are natural existing trails in the wooded area. No paving is proposed in the buffer area.

- b. The stream buffer preserves the stream valley, to the greatest extent possible. The buffer should be 100 feet, unless the applicant can justify a smaller width.**

The DSP conforms to this requirement except in limited cases where variations were approved through the preliminary plan approval.

- c. An implementation strategy is created, to guarantee the promotion and availability of transit opportunities and usage for all residents and visitors, to facilitate easy access to the University of Maryland campus and its activities, while minimizing vehicle trips and parking demands.**

The applicant has submitted a Transportation Demand Management (TDM) Plan with this DSP. The primary purpose of the TDM program is to reduce the number of vehicles using the road system while providing a variety of mobility options to those who wish to travel. The TDM plan identifies several elements including the provision of the pedestrian pathways and sidewalks, bus service and on-site bicycle storage. In addition, a Transportation Coordinator will be designated to assure that the bus and the carpooling information will be up to date. A site plan note should be provided to include the TDM information on the plans.

- d. The building design is attractive, complementing the design of buildings on the University of Maryland, and will create a high-quality and innovative housing complex.**

The applicant has provided images to demonstrate that the design themes and materials of the existing buildings on the campus and nearby have been incorporated into the design of the proposed building. The proposed building is finished with a combination of brick, metal panel, glass, and manufactured stone, and is accented with precast stone and metal coping. The articulation of the proposed building's volumes and colors is visually attractive. The materials and design are consistent with the buildings on the campus and create a high-quality and innovative housing complex. However, staff has noted that the proposed building form is not consistent with the adjacent existing single-family houses to the south of the property. Since the proposed building is a mid-rise building, it is difficult to achieve a compatible appearance in terms of design elements, bulk and decoration with the existing single-family detached houses. An extensive wooded area has been preserved in the southern portion of the subject property that will mitigate the visual impact of the proposed housing complex on the existing single-family detached houses.

- e. The housing complex is clearly identified, through site design and pedestrian linkages, as part of the University of Maryland campus, and is tied visually and physically to the main campus.**

The proposed multifamily housing is located in one building complex and is well defined by the preserved woodland and proposed pedestrian path and associated outdoor resting areas. However, the site can only be accessed through a private drive off Mowatt Lane. As a result of this somewhat isolated location, there is no clear visual linkage between the subject site and main campus of the University of Maryland. However, the physical linkage will be established through Mowatt Lane and the sidewalks between the subject site and the campus.

f. Building design and site design meet the goals of the University of Maryland facilities plan, to:

- **Plan the built and natural environment in a way that preserves the beauty of the campus and protects the environment;**
- **Reduce the number of automobiles on campus, and eliminate vehicular congestion, as far as possible;**
- **Reinforce the campus's role as a good neighbor in the larger community, by the careful development of sites on the campus periphery or in outlying areas that link to the community; and**
- **Preserve the architectural heritage of the campus, and enhance it, through open spaces, gathering places, vistas of green lawn and trees, and groupings of building that promote a sense of community.**

The proposed building design and site design are in conformance with the goals of the University of Maryland. The University of Maryland in a letter dated August 29, 2008 (Duncan to Zhang), fully supported this application and indicated that this project will be a unique form of housing for the University and the City, attracting university alumni, faculty, staff and area professionals interested in a close connection with the campus and access to academic, cultural and athletic events and facilities.

g. Ninety-five percent of the necessary parking is structured.

A total of 527 parking spaces have been proposed in the DSP. Except for seven surface parking spaces, 520 (approximately 98.7 percent) parking spaces are located within the lower level garage of the multifamily building. The DSP meets this requirement.

9. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-10 Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs development in residential zones. The proposed multifamily residential use is permitted in the R-10 Zone.

- b. The DSP shows a site layout that is consistent with Section 27-442 of the Zoning Ordinance regarding net lot area, lot coverage, green area, lot width/frontage, yards, building height and density as follows:

Zoning indicators	Required	Provided
Net Lot Area (Min. in Sq. Ft.)	20,000	415,360
Lot Coverage (Max. allowed % of the site)	50	30
Green Area (Min. required % of the site)	50	68
Lot/Width Frontage (Min. in Ft.)		
Front Building Line	100	302
Front Street Line	100	255
Yards (Min. in Ft.)		
Front Yard	52	66
Side Yard (Total of both/Min. of either)	52/32	174/35
Rear Yard	52	180
Building Height (Max. in Ft.)	110	80
Density (Max. number of Dus/Ac.)	48	30

**Note: For each two feet of building height that exceeds thirty-six feet in height, the yard setback shall be increased by one foot. An additional 22 feet has been added.

The DSP is also in conformance with the bedroom percentage as stated in Section 27-419 of the Zoning Ordinance and the applicable site design guidelines.

10. **Preliminary Plan of Subdivision 4-06138:** On May 31, 2007, the Planning Board approved this preliminary plan of subdivision with 19 conditions. The conditions applicable to the review of this DSP warrant discussion as follows:

2. **Development of this subdivision shall be in compliance with the Type I Tree Conservation Plan (TCPI/007/07) approved as part of this application. The following note shall be placed on the final plat of subdivision:**

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/007/07), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department, Environmental Planning Section.”

The applicant has accepted this condition and a final plat note will be put on the final plat as required. The Type II tree conservation plan has been prepared based on the previously approved Type I Tree Conservation Plan TCPI/007/07. This applicant complies with this condition.

- 3. At time of detailed site plan review, the placement of the stormwater outfalls and sanitary sewer connections will be further evaluated, on the plans and in the field, to determine the proper placement of all utilities so that the stream is not further degraded by this work. In addition, the stream sections above and through the subject property shall be evaluated for measures needed to stabilize the banks and ensure that the underground pipes remain below ground. Impact area #5 will also be re-evaluated to determine if the impacts in this area can be further reduced.**

According to the applicant, the footprint of the building has been revised to further minimize disturbances to the expanded buffer. As a result, the disturbance shown in Impact No. 5 in the Preliminary Plan of Subdivision 4-06138, has been eliminated in the DSP.

- 7. A Type II tree conservation plan shall be approved in conjunction with the detailed site plan.**

A Type II Tree Conservation Plan TCPII/047/08 which was prepared based on previously approved Type I Tree Conservation Plan TCPI/007/07 has been submitted for review with this DSP. The Environmental Planning Section has recommended approval of TCPII/047/08 along with DSP-08001.

- 9. A site plan shall be submitted to the Development Review Division (DRD) of the Prince George's County Planning Department, which complies with the standards outlined in the *Parks and Recreation Facilities Guidelines*.**

As discussed in above Finding 7, a package of recreational facilities with a value of approximately \$250,000 has been proposed with this DSP. A minimum dollar amount of \$170,000 for on-site recreational facilities is required for this development. Except for the swimming pool and associated sitting area and pedestrian pathway, all proposed recreational facilities are either within the proposed building or in the courtyards on the top of the first floor. The DSP complies with the standards in terms of total cost and location of the proposed recreational facilities.

- 10. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**

A private recreational facilities agreement will be reviewed, approved and recorded in the Lands Record of Prince George's County to ensure retention and future maintenance of the proposed on-site recreational facilities. As required by the conditions attached to the approval of the

Preliminary Plan of Subdivision 4-06138, the appropriate recreation facilities agreement shall be prepared and submitted prior to final plat.

11. Private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, at the time of the detailed site plan.

The recreational facilities proposed with this application as shown on the site plan include a swimming pool and associated resting area; a loop pedestrian walkway connecting various outdoor sitting areas; an indoor clubroom and other unspecified amenities. The total value of the proposed package as mentioned by the applicant in an e-mail dated October 13, 2008, is more than \$250,000.00, exceeding the minimum required obligation for this site. The location for the proposed swimming pool and associated improvements is appropriate. The locations of the proposed sitting areas on the route of the loop pedestrian walkway are also appropriate. As discussed previously in Finding 7, the applicant should provide a list of the proposed recreational facilities prior to certification.

17. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.

The applicant submitted a Phase I Archeological Survey of the Proposed Mosaic at Turtle Creek Development along with Preliminary Plan of Subdivision 4-06138, which was received and reviewed by the Historic Preservation Section on August 9, 2007. In a memorandum dated July 16, 2008, the archeological reviewer concluded that staff concurs with the Phase I Archeological Survey report's conclusions that no further archeological work is necessary on the Mosaic at Turtle Creek Property. The archeological requirements for this property have been fulfilled.

18. Total development of the subject property shall be limited to uses that would generate no more than 210 AM and 240 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

A review by the Transportation Planning Section (Mokhtari to Zhang) indicates that the projected number of AM and PM vehicle trips for the proposed development is within the above peak-hour trip caps.

19. At the time of Detailed Site Plan review, the applicant shall comply with Zoning Ordinance No. 17 – 2006, Section 2, conditions 2.a. – g., as well as the following:

- a. **Provide a written strategy to minimize the use of single occupancy vehicles.**

- b. Provide bicycle racks within the parking garage to accommodate a minimum of 10% of the units.**
- c. If practical, reduce the number of sewer connections to minimize the impact to the 100-foot stream buffer.**
- d. Evaluate the viability of providing a pedestrian connection from the building to the existing driveway adjacent to the Hillel Jewish Student Center.**
- e. If possible, provide for additional on-site woodland conservation and diligently pursue providing required off-site mitigation along the Guilford Run Stream Valley.**

See the above Finding 8 for a detailed discussion on the DSP's conformance with the above-cited conditions included in Zoning Ordinance No. 17-2006.

The applicant has provided a Transportation Demand Management (TDM) Plan with this DSP to fulfill the above condition 19 (a). The applicant has agreed to provide bicycle racks with a storage capacity for a minimum of 30 bicycles. The DSP also removed one of the previously approved impacts to the 100-foot stream buffer. A pedestrian connection has been provided from the proposed building to the adjacent Hillel Jewish Student Center.

According to a review by the Environmental Planning Section, the woodland conservation threshold for this site is 1.59 acres, or 20 percent of the net tract. The total woodland conservation requirement based on the proposed clearing is 3.21 acres. The plan shows the requirement being met with 1.81 acres of on-site preservation, and 1.40 acres of off-site woodland conservation, for a total of 3.21 acres of woodland conservation provided as required. The plan shows the concentration of the preservation efforts along the stream channel as part of the expanded buffer, which is the most desirable design.

11. ***Prince George's County Landscape Manual:*** The proposed development of 300 multifamily dwelling units is subject to Section 4.7, Buffering Incompatible Uses of the *Prince George's County Landscape Manual*.

The proposed multifamily building is surrounded on four sides with development in the R-55 Zone. On the south side of the subject site, there are existing single-family detached houses. According to Section 4.7, a Type B bufferyard is required on the subject property. The DSP preserves the existing wooded area on the site and the minimum width of the woodland is 100 feet. The requirement of his bufferyard is fulfilled completely by the existing woodland. However, the landscape plan should identify this bufferyard and the associated landscape schedule should also be provided in the landscape plan.

The landscape plan identifies three Section 4.7 bufferyards on the north and east sides of the

subject site and provides the required landscape schedules for each bufferyard. The required building setbacks have been fulfilled on all sides of the site. However, except for Bufferyard No 3, which has provided the required 20-foot-wide landscaped bufferyard, Bufferyards No. 1 & 2 do not have the required 20-foot-wide landscaped bufferyard. In both situations, the landscape plan shows only a five-foot-wide landscaped strip with one row of plants. There is enough space between the building and the property line. The landscape plan also identifies a 12-foot-wide sewer maintenance easement between the landscaped strip and the pedestrian path. The landscape plan should be revised to provide the required landscaped bufferyard or alternative compliance should be obtained. A condition has been proposed in the recommendation section to require the applicant either to fulfill the requirements or seek alternative compliance from these requirements for the two bufferyards prior to certification.

12. **Woodland Conservation and Tree Preservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland, and there is an approved Type I Tree Conservation Plan, TCPI/007/07, for this site.
13. **Referral Comments:** The subject application including detailed site plan, Type II tree conservation plan, departure from the number of parking and loading spaces required, and departure from design standards, was referred as a package to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. The Community Planning Division, in a memorandum dated August 22, 2008, stated that this application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. This application conforms to recommendations of the University of Maryland 2002 Facilities Master Plan for the site as updated by the Board of Regents in 2006. However, this application does not conform to recommendations of the 1989 Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67, which also retained the property in the R-55 Zone, for public or quasi-public land use. The applicant proposes multifamily condominium residential development. The Community Planning Division also provides comments on issues such as utilization of UM shuttle bus, bicycle racks and discrepancies on the plans.

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

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

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

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

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

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

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

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

- e. The Department of Public Works and Transportation (DPW&T), in a memorandum dated August 28, 2008, provided a response on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, storm drainage systems and facilities in

order to be in accordance with the requirements of DPW&T. Those issues will be enforced at the time of issuance of the access permit. DPW&T also indicated that the subject DSP is consistent with the approved SWM concept plan.

- f. The Permit Section, in a memorandum dated July 28, 2008, indicated that a Special Exception for Bedroom Percentage may be necessary.

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

- g. The Department of Parks and Recreation (DPR), in a memorandum dated July 3, 2008, provided no comments on this DSP.
 - h. The Historic Preservation Section in a memorandum dated July 16, 2008, noted that Archeological review staff concurs with the Phase I Archeological Survey report's conclusions that no further archeological work is necessary on the Mosaic at Turtle Creek Property. The archeological requirements for this property have been fulfilled.
 - i. The City Council of the City of College Park approved the subject site plan on October 14, 2008 with three conditions. The applicable parts of Conditions 2 and 3 have been incorporated in the recommendation section. Condition 1 is a private development agreement between the applicant and the City.
 - j. At the time the staff report was written, the municipalities including University Park, Riverdale Park, and Hyattsville had not responded to the referral request.
14. As required by Section 27-285(b) of the Zoning Ordinance, the 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.

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 Type II Tree Conservation Plan (TCPII/047/08) and further APPROVED Detailed Site Plan DSP-08001 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Revise both DSP and TCPII to reflect the approved stormwater concept and show the proposed underground storage facilities.
 - b. Revise TCPII to show permanent woodland conservation signage at a spacing of 50 feet

along the proposed woodland conservation boundary.

- c. Provide a site plan note indicating the targeted level of the green building certification and under what rating system this development will be certified. The Applicant shall update the City prior to building permit as to the level at which the project has been enrolled in either the National Green Building Standard (ICC-700 2008) or the Leadership in Energy and Environmental Design for New Construction (LEED-NC) program and shall provide evidence to both the M-NCPPC and the City of certification by the appropriate reviewing authority after completion of the project.
 - d. Provide a recreational facility list with verified cost information to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
 - e. Revise the site plan to show a University of Maryland (UM) Shuttle bus stop at the building's front entrance.
 - f. Revise the site plan to show bicycle storage for a minimum of 30 bicycles in the garage.
 - g. Revise the site plan to show the location of exterior amenities and designating interior amenities including, but not limited to a business center and fitness center.
 - h. Provide a five-foot-wide sidewalk along the private drive from Mowatt Lane to the proposed building, as indicated on the submitted DSP.
 - i. Provide one additional parking space for the physically handicapped.
 - j. Revise the Landscape Plan as follows:
 - (1) Provide compliance information for the southern boundary area by identifying the landscaped bufferyard and associated schedule on the plan.
 - (2) Either comply with the Section 4.7 requirements for the northern and eastern areas or obtain approval of alternative compliance, with final approval by the Planning Director as designee of the Planning Board.
2. Prior to the issuance of the building permit, the applicant shall
- a. Submit plans to the City for a pedestrian walkway and lighting to be constructed between the subject site and Mowatt Lane in the easement area adjoining the Hillel property.
 - b. Provide the City with evidence of a non-exclusive quitclaim easement from the University of Maryland for pedestrian access and use of the twenty-foot-wide property adjoining the Hillel property and connecting the subject site to Mowatt Lane.

- c. Provide the City with written evidence of an agreement with the University of Maryland for UM Shuttle service and an on-site bus stop. Service shall be generally consistent with that offered by the University of Maryland to similar sites on a regular shuttle circuit.
 - d. Post bonds for Mowatt Lane improvements, as approved by Prince George's County DPW&T.
 - e. Provide information regarding whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will comply with the minimum number of units required by Subtitle 4, Building Code of the Prince George's County Code.
3. Prior to the issuance of the first grading permit, semi-permanent chain-link fencing, six feet in height, shall be provided around all woodland preservation areas. This tree protection device shall remain in place until the Use and Occupancy permit has been issued and the site has been stabilized.
4. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA), Standard 13, and all applicable County laws and regulations.

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.

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

Adopted by the Prince George's County Planning Board this 20th day of November 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator