



**TUESDAY, APRIL 2, 2013**  
**WORKSESSION**  
**(COUNCIL CHAMBERS)**

**7:00 P.M. – Note Early Start Time**

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**COLLEGE PARK MISSION STATEMENT**

The City of College Park encourages broad community involvement and collaboration, and is committed to enhancing the quality of life for everyone who lives, raises a family, visits, works, and learns in the City; and operating a government that delivers excellent services, is open and responsive to the needs of the community, and balances the interests of all residents and visitors.

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**CITY MANAGER'S REPORT**

**PROPOSED ITEMS TO GO DIRECTLY TO AGENDA**

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**PROPOSED CONSENT AGENDA ITEMS**

1. Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Variance Application Number CPV-2013-01, 4706 Drexel Road, College Park, Maryland, Recommending Approval Of A Variance Of 3.65% Or 224 Square Feet From The Maximum Allowable Lot Coverage Of 30% Or 1875 Square Feet To Keep A Constructed Driveway (Appeal Period Ends April 2)

**WORKSESSION DISCUSSION ITEMS**

2. Discussion of Student Code of Conduct with Linda Clement, Andrea Goodwin and Dave Mitchell.
3. Discussion of creating Special Taxing Districts for public safety – Suellen Ferguson, City Attorney
4. Presentation on the Cafritz Project – Larry Taub, Attorney for the developer
5. Review of Detailed Site Plan 12034 for Keane Enterprises (Koons Ford property) – Terry Schum, Director of Planning
6. Approval of transfer of property in the Osage Right-Of-Way to Keane Enterprises and Approval of a Letter that the City has no future plans for the Right-Of Way – Suellen Ferguson, City Attorney
7. Maryland State Retirement Plan – Jill Clements, Director of Human Resources and Steve Groh, Director of Finance
8. Comments on M-NCPPC Formula 2040: Preliminary Functional Master Plan for Parks, Recreation and Open Space – Terry Schum, Director of Planning

9. Review of legislation: (Possible Special Session on 13-G-50: SB 1029 – Maryland Agricultural Certainty Program AND 13-G-49: HB 929 – Motor Vehicles – Speed Monitoring Systems - Local Jurisdictions) – Chantal Cotton, Assistant to the City Manager

10. Appointments to Boards and Committees

**COUNCIL COMMENTS**

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This agenda is subject to change. For current information, please contact the City Clerk. In accordance with the Americans With Disabilities Act, if you need special assistance, you may contact the City Clerk's Office at 240-487-3501 and describe the assistance that is necessary.

# 1. APC RESOLUTION



Office of the Mayor and Council  
City of College Park  
4500 Knox Road  
College Park, Maryland 20740  
Telephone: (240) 487-3501  
Facsimile: (301) 699-8029

**NOTICE OF FINAL DECISION  
of the  
MAYOR AND COUNCIL  
of the  
CITY OF COLLEGE PARK**

RE: Case No. CPV-2013-01 Name: Richard Barker

Address: 4706 Drexel Road, College Park, MD 20740

Enclosed herewith is a copy of the Resolution setting forth the action taken by the Mayor and Council of the City of College Park in this case on the following date:

April 9, 2013.

**CERTIFICATE OF SERVICE**

This is to certify that on April 11, 2013, the attached Resolution was mailed, postage prepaid, to all persons of record.

**NOTICE**

Any person of record may appeal the Mayor and Council decision within thirty (30) days to the Circuit Court of Prince George's County, 14735 Main Street, Upper Marlboro, MD 20772. Contact the Circuit Court for information on the appeal process at (301) 952-3655.

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Janeen S. Miller, CMC  
City Clerk

Copies to: Advisory Planning Commission  
City Attorney  
Applicant  
Parties of Record

PG Co. DER, Permits & Review Section  
M-NCPPC, Development Review Division  
City Public Services Department

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE  
PARK, MARYLAND ADOPTING THE RECOMMENDATION OF THE ADVISORY  
PLANNING COMMISSION REGARDING VARIANCE APPLICATION NUMBER  
CPV-2013-01, 4706 DREXEL ROAD, COLLEGE PARK, MARYLAND,  
RECOMMENDING APPROVAL OF A VARIANCE OF 3.65% OR 224 SQUARE FEET  
FROM THE MAXIMUM ALLOWABLE LOT COVERAGE OF 30% OR 1875  
SQUARE FEET TO KEEP A CONSTRUCTED DRIVEWAY**

- WHEREAS,** the City of College Park, Maryland (hereinafter, the "City") has, pursuant to Ordinance Number 95-O-6 (hereinafter, the "Ordinance"), established a Revitalization Overlay District in accordance with Section 27-916 of the Prince George's County Zoning Ordinance (hereinafter, "Zoning Ordinance"); and
- WHEREAS,** the City is authorized by the Ordinance to grant an application for a waiver or variance where, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the specific parcel of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, and a variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan; and
- WHEREAS,** the Advisory Planning Commission (hereinafter "APC") is authorized by the Ordinance to hear requests for variances from the terms of the Zoning Ordinance with respect to lot size, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Section 27-442(e) of the Prince George's County Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS,** the Mayor and Council are authorized by the Ordinance to accept or deny the recommendation of the APC with respect to variance requests; and
- WHEREAS,** on December 18, 2012, Richard Barker (hereinafter, the "Applicant"), submitted an application for a variance from the maximum allowable lot coverage, at the premises known as 4706 Drexel Road, College Park, Maryland ("the Property") in order to keep a constructed driveway. The specific request is for a variance of 3.65% or 224 square feet from the maximum allowable lot coverage of 30% or 1875 square; and
- WHEREAS,** on March 7, 2013, the APC conducted a hearing on the merits of the application, at which time the APC heard testimony and accepted evidence, including the staff report and Exhibits 1 – 9 with respect to whether the subject application meets the standards for a variance set forth in the Ordinance; and

**WHEREAS,** based upon the evidence and testimony presented, the APC voted 3-2-0 to recommend that the variance be granted; and

**WHEREAS,** the Mayor and Council have reviewed the recommendation of the APC as to the Application and in particular have reviewed the APC's findings of fact and conclusions of law; and

**WHEREAS,** no exceptions have been filed; and

**WHEREAS,** the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC as to the Application as follows:

Section 1 Findings of fact:

- 1.1 The Applicant is requesting a variance of 3.65% or 224 square feet from the maximum allowable lot coverage of 30% or 1875 square feet to keep a constructed driveway.
- 1.2 The property is regular in shape. The property has an area of 6,250 square feet.
- 1.3 The front and rear property lines measure 50 feet and the side property lines measure 125 feet.
- 1.4 The property is improved with a two-story brick and siding single family house, a storage shed (80 square feet), detached 4-bay garage, and gravel driveway accessed via a rear alley.
- 1.5 The 4-bay garage faces west and does not front on the alley.
- 1.6 The alley is paved with asphalt to a width of 9 feet. The Alley ROW is 15 feet. The alley, originally a through way, now runs from Dartmouth Avenue to a dead end at Rhode Island Avenue. The alley can only be accessed from the east at Dartmouth Avenue. When the alley was closed at Rhode Island Avenue, no provision was made for vehicles to turn around. There is no parking allowed in the alley.
- 1.7 The property and surrounding neighborhood is zoned R-55, single-family residential.
- 1.8 Four blocks in the Calvert Hills Neighborhood have rear alley access.
- 1.9 The subject house was constructed in 1938, which predates the Zoning Ordinance (1949).
- 1.10 The subdivision dates to 1928.

- 1.11 The Applicant received a County and City permit to construct a 20'x 35' (700 square feet) garage and a 400 square foot driveway (County Permit #34051-2011 and City Permit 2948).
- 1.12 The City Engineer noted on the City permit application that it appears that the driveway, as shown, will be widened in the future in order to access the other two garage openings since the plan only shows the driveway accessing two out of the four bays. The permit states that it was "approved only for driveway as shown on approved drawings. Future widening of driveway to access all 4 garage doors is not approved."
- 1.13 The property owner re-configured and expanded the driveway as shown on the original permit from a 400 square foot driveway to 648 square feet in violation of the permit.
- 1.14 The Applicant met with the City Engineer to determine the minimum driveway area needed to make the needed turning radius. The City Engineer agrees that this is the minimum area necessary to access all the bays of the garage.
- 1.15 The City received seven letters of support including one telephone call from the neighbors

## Section 2 Conclusions of Law

- 2.1 The Property has an extraordinary situation in that vehicle access to the lot is only via a rear alley. The 9' wide alley has been dead-ended at Rhode Island Avenue so access to the alley is only from the east side via Dartmouth Ave. The Property is near the end of the alley. No provision was made to allow vehicles to turn around when the alley was closed at Rhode Island.
- 2.2 The strict application of the County Zoning Ordinance will result in a practical difficulty to the Applicant. The alley is narrow with only a 9 foot width of asphalt and is a dead-end. This dead-ended alley creates a situation in which drivers unfamiliar with the area use the Applicant's property to turn-around once they realize that the alley doesn't go through. The additional graveling of this area protects the Applicant's property from damage caused by this activity.
- 2.3 Granting the requested variance will not impair the intent and purpose of the applicable County General Plan or County Master Plan because it is a relatively small variance with minimal impact on the surrounding neighborhood. The Applicant is requesting the minimum variance necessary. Furthermore, the Applicant is reducing the impact the increased lot coverage will have on the lot in terms of storm water management by using a mixture of gravel and asphalt milling, which is a more pervious surface than solid asphalt. The visual impact of the driveway is reduced because the driveway is located to the rear of the property and is not visible from the front of the house.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of College Park, Maryland that the findings of fact and conclusions of law of the APC are hereby adopted and a variance of 3.65% or 224 square feet from the maximum allowable lot coverage of 30% or 1875 square feet be granted to allow the applicant to keep a constructed driveway with the condition that the surface of the parking area shall remain as gravel and/or asphalt millings or other similar pervious surface. The driveway shall not be solidly asphalted or surfaced with concrete.

**ADOPTED**, by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 9<sup>th</sup> day of April 2013.

CITY OF COLLEGE PARK,  
MARYLAND

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Janeen S. Miller, CMC  
City Clerk

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Andrew M. Fellows, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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Suellen M. Ferguson  
City Attorney

# 2. STUDENT CODE OF CONDUCT

# **3. SPECIAL TAXING DISTRICTS**

## MEMORANDUM

**To:** Mayor and Council

**From:** Suellen M. Ferguson, Esq.

**CC:** Joe Nagro, City Manager

**Date:** March 28, 2013

**Re:** Special Taxing District For Public Safety

### ISSUE:

The City has recently adopted a charter amendment that would authorize a special taxing district for enhancement of police, fire protection and rescue services. The Council has been presented with recommendations from the Public Safety Task Force of the College Park City-University Partnership University District 2020 Vision project. Those recommendations include public safety enhancements, which would require financial support both for acquisition and maintenance.

### SUMMARY:

One option for financing police, fire protection and rescue services is a special taxing district. Article 23A, §44 authorizes the City to establish special taxing districts for certain purposes. The City has now included the full authority allowed by §44 in its charter, and has authorized establishment of specific special taxing districts by ordinance. Per §C11-6 of the City Charter, the ordinance shall include findings on the special benefits to be conferred upon the property within the proposed district; the establishment of the special taxing district within a described area for a declared purpose; authorization to levy an annual ad valorem tax within the district for the purposes described; a description of the project, systems, facilities, services, programs or activities to be undertaken by or on behalf of the district; the manner of determining and apportioning costs to the districts; authorizing the refund of resources in excess of that required for the operation and maintenance of the district, and providing for an exemption for those property owners who meet and satisfy all requirements and purposes of the district.

In determining whether to create a district, the Council must determine what project, which can include systems, facilities, services, programs or activities, it wishes to support and define the boundaries of the area in which the project will be provided. There must be a finding that the project confers a special benefit on the properties included in the district as opposed to other property in the City. Approval of a certain percentage of the properties or owners of properties within the district prior to adoption by the Council is not required.

Once a project is selected, and the boundary is decided, City staff would provide the calculation of what amount of ad valorem tax would be necessary to finance the initial project and operation and maintenance. The law anticipates financing the acquisition of the project through a bond that would be repaid through the ad valorem tax. This would require a separate action to authorize the issuance of the bond. Ongoing operation and maintenance costs could also be paid through the taxes raised through the special taxing district.

#### RECOMMENDATION

That the Mayor and Council consider what, if any, of the recommendations of the Public Safety Task Force, or any other public safety initiatives, they wish to fund. In the event that project can be the subject of a special taxing district, then the steps outlined above would be followed.

## THE VISION FOR THE UNIVERSITY DISTRICT

# PUBLIC SAFETY WORKGROUP REPORT

January 31, 2013

### BACKGROUND:

The City of College Park, Prince George's County, the University of Maryland, Prince George's County and the State of Maryland seek to create and implement an integrated and comprehensive community development strategy for the University District around College Park, Maryland. The University District consists of the entire City of College Park and the University of Maryland campus and will engage neighboring communities. All stakeholders want College Park to be a great college town. This goal is evident when one reviews a variety of vision and research documents that have been generated over the last few years.

Everyone wants the University District to be a highly desirable place to live, study and work, with vibrant, prosperous, and safe residential, commercial and educational neighborhoods.

Based upon College Park City-University Partnership discussion, discussion among various stakeholder workgroups and the advice of consultants with expertise in community development, it was determined that collective development efforts would revolve around five core areas:

- K-12 Education
- Public Safety
- Transportation
- Housing/development
- Sustainability

Each of the above areas has been the focus of considerable independent discussion and effort. But it is recognized that in order to achieve the broad systematic changes envisioned for the University District, these five strategies must be viewed holistically. Each strategy addresses the overarching goals of attracting appropriate residents and businesses, creating a vibrant, attractive district, reducing commute times, and creating more pedestrian/biking/transit friendly environment. However in order to be transformative with mutually beneficial outcomes, the strategies must be synergistic and implemented simultaneously.

What follows describes the initial recommendations of the Public Safety Workgroup to address the second initiative identified above.

## **THE PUBLIC SAFETY VISION FOR THE UNIVERSITY DISTRICT IN 2020:**

Significantly improve City residents' quality of life and therefore attractiveness of City to UMD faculty and staff, and others, by reducing instances of student misbehavior in the neighborhoods, especially excessive noise, disorderly conduct and vandalism.

Assure that the University District remains one of the safest college communities in the United States, and as safe as communities of choice within the metropolitan area.

Assure that students, faculty, staff, residents, businesses and visitors perceive the University District as a safe and secure area.

Continue and expand efforts to reduce excessive student drinking and the risky behaviors associated with it.

## **PRIMARY STRATEGIES**

While the above vision for the University District defines how our community will feel and function in 2020, we need practical strategies to help us achieve our vision.

The Work Group determined that there should be three pillars to our public safety strategy:

- The guardian function: police safety, ambassadors, and cameras;
- Regulatory initiatives: Student Code of Conduct, City licensing and code enforcement, Prince George's Liquor Board enforcement;
- Reduce drinking culture: tools above plus additional proactive programs.

After considerable discussion, the Work Group reached consensus on the following strategies.

1. Expand the jurisdiction of UMPD and the UM Student Code of Conduct to encompass the **entire** City of College Park.
2. Use "Safety Ambassadors" to expand the effectiveness of police throughout the City of College Park by increasing the visibility of safety efforts and expanding the reach of police. Safety Ambassadors would not be sworn officers; they would be uniformed public safety officers who do not carry a gun or a badge.
3. Expand the off campus security camera network with accompanying 24 hour surveillance by UMPD.
5. Initiate additional programs which deter risky behavior, encourage a healthy life style and make excessive drinking socially unacceptable.
6. Encourage landlords to cooperate with the City and the University to assure that tenant behavior meets City and County regulations.

7. Expand enforcement of City noise ordinance.
8. Explore City contracting with UMPD as well as County police. Revisit, again, the idea of the City having its own police force.
9. Enforce alcohol and other laws and regulations more effectively. Focus on business properties and residential properties which serve as “party houses.”
10. Integrate the sworn officers (including UMPD, PGPD and City Contract Officers), safety ambassadors, 911 dispatchers and new cameras into system that is effective and efficient.
11. Develop metrics to compare both the facts and perception of safety in the University District with those of aspirational college towns and communities of choice in the DC/Metro area.
12. Consider extending current UM technology to other District residents such that they can interact personally and directly with the 24 hour dispatch system operated by the UMPD.

**PRIORITY ACTION PLAN:**

The Work Group recommends the following 5 initial actions be taken as top priorities for consideration in 2013 and in the FY 2014 budgets. The cost of these actions and an allocation of costs is reflected in the Funding Plan which follows.

1. Extend the University’s Student Code of Conduct and UMDPS’ concurrent jurisdiction to the **entire** City of College Park.
2. Provide UMPD with additional staff to patrol 3 additional student-dominated neighborhoods: Lakeland, Crystal Springs and the high rise student apartment buildings west of Route 1 and south of University Blvd. Determine additional actions if any, based upon an assessment of need
3. Expand security camera coverage in the City as quickly as resources become available.
4. Expand City noise enforcement capability.
5. Provide resources to create, track and share public safety metrics that would enable us to evaluate the effectiveness of the various initiatives. These metrics should enable us to effectively compare ourselves to peer college towns generally, and cities of choice within the metropolitan area.

Funding these actions should be a shared responsibility of the University, the City, property owners, and the State. An allocation of these costs is proposed below.

**PROPOSED COSTS AND FUNDING ALLOCATIONS:**

	2013-14	2014-15	2015-16	2016-17	2017-18	PROPOSED FUNDING ALLOCATION:
1. Extend the Student Code of Conduct and UMPD jurisdiction to the entire City.	\$170,000	\$170,000	\$170,000	\$170,000	\$170,000	UMD:\$85,000/yr CCP: \$85,000/yr
2 a. Expand UMPD patrol coverage to 3 new College Park neighborhoods.	333,675	333,675	333,675	333,675	333,675	UMD and/or special City tax districts
2b. One time UMPD Costs for Training & Equipment.*						Recruiting, hiring and training costs: UMD (\$86,000) Equipment capital costs:
Subtotal:	201,000					State grants (\$115,000)
3. Expand Coverage of security cameras in the City. The capital costs are notional based on the likely scenario for 33 cameras.		400,000	300,000	350,000		Capital costs: State grants
		49,000	109,000	171,000	171,000	Operating costs: Special City tax districts.
4. Expand City noise enforcement capability	?	?	?	?	?	Costs funded by rental occupancy permit application fees, fines, and/or special tax district.
5. Create, track & share metrics which gauge success.	10,000	10,000	10,000	10,000	10,000	Operating costs: CPCUP
<b>TOTALS</b>	\$714,675	\$962,675	\$922,675	\$1,034,675	\$684,675	

\* Includes 3 police vehicles and Livescan fingerprinting machine.

## **FUTURE:**

The work group recommends that the following initiatives receive further study and analysis during the 2013 Spring semester. At the end of the semester, study results and recommended actions, should be made to the University President and the City Council.

### **1. Safety Ambassador Program.**

This program (names for it vary) has demonstrated its usefulness in various locations around the country (e.g. UPenn area of Philadelphia, downtown Baltimore City). The focus of the program is somewhat different in each location and is tailored to local needs. In all cases, Safety Ambassadors consists of uniformed public safety officers who are not sworn officers and who do not carry guns. They are highly visible in their assigned neighborhoods, carry radios, work hours when the workload is expected to be at a peak, and are the eyes and ears of the police. An important question to be studied is their role in the University District. Do they focus on quality of life issues in the neighborhoods, or violent crime, or both? When their focus is determined, an implementation staffing plan and projected costs can be determined.

### **2. Security Cameras.**

The work group believes that more cameras are needed in the City. But more study is needed to set specific priorities. For example, it is not yet clear to what extent they should focus on quality of life issues, violent crime or both. Additional study should concentrate on their role and then the type, location and number of additional cameras needed. The capital cost of providing additional cameras should be funded by State grants. The operating costs should be funded by City special taxing districts.

### **3. Noise abatement/party houses.**

The work group believes that the noise, vandalism, and disorderly conduct emanating from student parties in the neighborhoods continues to be a serious issue. The work group believes that the work group, together with City Multi-Agency Services Team (C-MAST), should continue to develop and propose targeted strategies, drawing on landlord regulations and enforcement, Safety Ambassadors, UMPD and Contract Police, City code Enforcement Officers, the State's Attorney's office and the UMD fraternity and student affairs offices. If more resources are needed, the operating costs of this program could be funded by income from increased City fines and landlord rental occupancy fees and/or special taxing districts.

### **4. Risky Student Behaviors associated with Alcohol.**

The work group believes that additional programs should be initiated to further reduce risky student behaviors associated with alcohol use. These programs will be proposed by a work group before the end of the spring semester.

# 4. CAFRITZ PROJECT

5. DSP FOR  
KEANE  
ENTERPRISES

(FORMER KOONS FORD  
PROPERTY)

## MEMORANDUM

**TO:** Mayor and Council

**THROUGH:** Joseph L. Nagro, City Manager  
Terry Schum, Planning Director *tas*

**FROM:** Miriam H. Bader, Senior Planner

**DATE:** March 28, 2013

**SUBJECT:** Detailed Site Plan (DSP) 12034  
Koons Property  
8315 Baltimore Avenue

### ISSUE/PROPOSAL

This is an application for the Koons Ford property by Keane Enterprises, for a Detailed Site Plan and request for rezoning. The 2.86 acre property is split-zoned M-U-I (Mixed-Use-Infill) and R-55 (One Family Detached Residential). The applicant is proposing to rezone the R-55 section to M-U-I and redevelop the site with a six-story, 156-room hotel with retail (12,222 sq. ft.), a one-story pharmacy (12,302 sq. ft.) and 293 parking spaces (including a 275-space, three-level parking garage). The applicant is also requesting the City of College Park to forgo any rights we may have in the paper street known as Osage Street and convey a triangular piece of land (0.01 acres) between Osage Street and Berwyn House Road, which would increase their total property to 3.12 acres.

The Planning Board hearing is scheduled for April 11, 2013. The Maryland-National Capital Park and Planning Commission (M-NCPPC) Technical Staff Report is not yet available.

### SUMMARY

#### Location

The subject property is located on the east side of US Route 1 (Baltimore Avenue), between Berwyn House Road and Pontiac Street in District 2.

#### Zoning

The subject property is zoned M-U-I (2.0 acres) and R-55 (0.86 acres).

#### Environmental Features

The property contains 2.23 acres of 100-year floodplain, 0.16 acres of wooded floodplain, 0.80 acres of woodlands, two specimen trees and steep slopes to the rear of the property.

Surrounding Uses and Zoning

<b>Direction from subject site</b>	<b>Use</b>	<b>Zoning</b>
North (across Pontiac St.)	Gas station (Exxon)	MUI
South (across Berwyn House Rd.)	Fast-food restaurant (McDonalds)	MUI
Southeast	Office Building (University Professional Center)	MUI
West (across US 1)	Multi-family (University View Apts.), Vacant commercial building, Office building (M-Square)	MUI
East	Single-Family Residential	R-55

Conformance with 2002 General Plan

The 2002 General Plan identifies the property as located in the Developed Tier along the Baltimore Avenue/US Route 1 Corridor. “The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to high-density neighborhoods.” (2002 General Plan, p. 31). The vision for Corridors is “mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.” (See Policy 1, 2002 General Plan, p. 50). City staff concludes that the applicant’s proposal conforms to the 2002 General Plan since the proposal is for a high intensity nonresidential use (6-story hotel with retail) that will support transit and will be pedestrian friendly.

Conformance with the 2010 Approved US 1 Corridor Sector Plan

The proposed development is located in the Lower Midtown area of the Central US 1 Corridor Development District Overlay Zone (DDOZ). The plan “recommends the conversion of this area from an auto-dominated landscape to a pedestrian-friendly environment with a walkable node located at Berwyn House Road. It also recommends mixed-use buildings on the corridor with parking in the rear. The property is designated in two character areas: 5a: Walkable node and 4: Corridor Infill. Walkable nodes consist of higher-density mixed-use buildings with an emphasis on nonresidential land uses particularly on the ground level. Buildings are set close to the street with wide sidewalks with heights between 2 and 6 stories. Corridor Infill consists of mixed-use but primarily residential with heights between 2 and 4 stories and variable setbacks and landscaping. The applicant is requesting some modifications to the development standards of the DDOZ (see below) but is in general conformance with the Sector Plan.

Modifications to Sector Plan

The Planning Board may approve alternate standards if they are found to benefit the development and the district and will not substantially impair the implementation of the Sector Plan.

The applicant is requesting the following modifications to the Development District Standards:

1. Build-to Line- The front half of the property is located in Character Area 5a: Walkable Node. The DDOZ requires a mandatory shop frontage and a build-to-line of 0-10 feet.

The applicant is requesting a 12-foot setback due to flood plain issues. *City staff supports this modification.*

2. Building Height-According to the DDOZ, development in the walkable node should consist of buildings between 2 and 6 stories in height. The pharmacy is proposed to be one story; however, with a parapet roof it will appear to be two stories in height. *City staff supports this modification.*
3. Automobile Parking-The applicant is proposing to provide a total of 293 parking spaces (including 275 structured parking spaces), which is 176 parking spaces over the maximum allowed of 117 parking spaces. The applicant is requesting the increase in parking spaces due to commercial parking standards required by the hotel chain and retail chain; and, according to the applicant, to ensure that employees do not park in the residential area. Specifically, for lodging (hotels), the DDOZ requires providing one parking space for every two bedrooms. The applicant is proposing providing one parking space per bedroom to meet market demands. For retail uses, the DDOZ requires the provision of three parking spaces per 1,000 square feet of net retail space. The applicant is proposing five parking spaces for every 1,000 square feet of net retail space to meet market demands. *City staff supports this modification since the majority of parking spaces are provided in a parking structure and should serve as a benefit and not a detriment to the community. Moreover, the applicant's design for their parking garage utilizes the existing topography, building the garage into an existing slope, thereby reducing the visual impact of the parking garage on the neighborhood.*
4. Bicycle Parking-The DDOZ requires the applicant to provide one bicycle parking space for every three vehicular spaces and to provide bicycle racks in highly visible locations along the street or within parking garages as appropriate. The applicant reasons that since hotel clientele are unlikely to use bicycles, they will provide bicycle parking at the rate of one bicycle space per three retail parking spaces for a total of 50 bicycle parking spaces. The racks are distributed on the property for convenience and better accessibility. They are provided along U.S. Route 1, within the passage way between the two building masses, along Berwyn House Road and the majority will be provided within the parking garage. *City staff supports this modification since 50 bicycle parking spaces should be sufficient for the proposed uses and since the applicant is working with the City to provide a bike share station on site. In addition, if the applicant only built the required number of parking spaces, 117, and not the additional parking as proposed, the applicant would only be required to provide 39 bicycle parking spaces.*
5. Architectural Elements  
Header- The standard requires the header be slightly wider than the openings they span. The applicant is requesting the headers to be the same width as the opening due to modern waterproofing and flashing requirements. *City staff is not opposed to this modification because it is a minor variation and is justified.*

Sills-The standard requires that the sill should be slightly wider than the window opening. The applicant is requesting the sills be the same width as the opening due to modern waterproofing and flashing requirements. *City staff is not opposed to this modification because it is a minor variation and is justified.*

5. Signage - The DSP complies with the signage standards except for two instances. The DSP proposes four small signs for “wayfinding”, one at the corner of Baltimore Avenue and Berwyn House Road, one at the corner of Baltimore Avenue and Pontiac Street and one at each of the vehicular entrances to the property. The applicant state these signs are needed to direct hotel guests and others arriving by car to the main hotel entrance and to parking, both of which are is located behind the main façade of the building. *City staff supports this alternative standard in order to lessen driver confusion of how to enter the property with a proposed condition for a shorter sign.*
  
7. LEED Certification and Sustainability -According to p. 256 of the Sector Plan, “all development within the walkable nodes shall obtain a minimum of silver certification in one of the following applicable LEED rating systems...” The applicant is proposing an alternative standard. According to the applicant’s “Development District Standard Analysis” p. 20 (see Attachment 2), the applicant states that he will “incorporate a host of sustainable and smart growth elements into the proposed development. Specifically, as evidenced by the submitted LEED scorecard, the applicant intends to make every reasonable effort to develop and construct a LEED Silver quality building. Unfortunately, due to DSP and LEED timing issues, the applicant cannot guarantee that at this time in the development process, that a LEED Silver standard can be achieved considering the specialized uses proposed in the development.” *City staff does not support this alternative standard and is proposing a condition that requires the applicant to seek LEED-Silver certification and provide proof of application to the USGBC.*

## **Site Design**

### Access

The Sector Plan states that the objective is to provide access to businesses/properties that is clearly defined and safe for motorists and pedestrians. The circulation pattern within parking lots shall be designed to facilitate clear vehicular movement and to ensure safe and convenient pedestrian access from parked cars to building entrances. The Sector Plan also states that vehicular access from side streets should be utilized.

The subject property is currently served by three access points; two on US 1 and one on Berwyn House Road. The applicant is proposing to remove the two access points on US 1 but keep one access driveway on Berwyn House Road and create two on Pontiac Street (one will serve the second floor of the garage). All of the driveways are proposed to be 24- feet wide. Berwyn House Road and Pontiac Street are two-lane, undivided facilities owned and maintained by the City of College Park.

Comment: After the applicant met with the Berwyn District Civic Association on March 21, 2013; the applicant agreed to limit site generated traffic from traveling east on Pontiac Street by installing signage to discourage right turns out of the property. City staff has written a condition to require the applicant to install this signage.

Traffic Generation

A traffic impact study, dated October 24, 2012 was submitted as part of this application. It is estimated that the hotel and retail will generate 129 AM peak hour vehicle trips and 246 PM peak hour vehicle trips. The AM and PM peak- hour trip totals include the recommended reduction for pass-by trips for the proposed commercial uses (60 percent). In addition to the site’s generated traffic, the traffic impact study includes the calculated annual growth of one half of one percent per year for through traffic for US1 through the projected build out year, 2014, and the projected 2,981 AM and 3,821 PM peak- hour traffic for all of the approved but not yet built or occupied development applications within the study area.

The calculated weighted average of the critical lane volume (CLV) and level of service (LOS) under existing, background, and total traffic for the AM and PM peak periods for the US 1 corridor between Campus Way/Paint Branch Parkway and Greenbelt Road are reported below:

<b>Study Period</b>	<b>Existing Traffic CLV/LOS</b>	<b>Background Traffic CLV/LOS</b>	<b>Total Traffic CLV/LOS</b>
<b>AM peak period</b>	953/A	1149/B	1168/C
<b>PM peak period</b>	1134/B	1408/D	1478/E

The minimum acceptable average CLV/LOS for any of the three corridor segments per the approved and adopted adequacy standards of the US1 Plan is 1600/E. Since the proposed development is not shown to exceed the adequacy standards, they have been met. The M-NCPPC Transportation staff has reviewed this application (see Attachment 6) and approves this use with the condition that uses permitted on the site should not generate more than 129 AM peak hour and 246 PM peak hour vehicle trips.

Comment: City staff has included this condition in their recommendation.

**Building Design**

Landmark Feature

The Sector Plan (p. 253) states that “landmark features should be provided in the landmark locations designated on the development character maps. Landmark features are designed in response to the prominence and visibility of their sites.” The applicant is proposing what they describe as a “landmark tower” to be located at the corner of US 1 and Pontiac Street as part of the hotel building. The tower is 24’ x 45’ and is raised approximately 10’ above the top of the parapet.

Comment: City staff does not consider this feature to meet the definition of a tower and recommends a condition that requires the applicant to revise the architectural drawings to create a more prominent landmark feature as specified on page 253 of the Sector Plan.

Structured Parking

The Sector Plan states that “parking structures shall be built of durable, high-quality materials, such as brick, decorative cast concrete panels, and natural or quality synthetic stone. The materials and design of the structure should reflect that of the associated building” (p. 243). The applicant is proposing a three-level parking garage made with precast concrete and an elevator tower with a red-brown brick veneer (see Attachment 4. sheet A303).

Comment: The elevator tower’s veneer is shown to match the associated building (red-brown brick veneer); however, City staff has recommended a condition that more brick be utilized to better match the associated building meet the intent of the Sector Plan.

**Open Space and Landscaping**

Open Space

The Sector Plan land use map (p. 60) shows the rear portion of the subject site as Parks and Open Space. The applicant is proposing to designate this area as a Forest Conservation Easement to meet the Woodland and Wildlife Habitat Conservation Ordinance (.34 acres is required and .46 acres are proposed). This property is comprised of a steep slope, ranging from an elevation of 66 feet travelling in a northeasterly direction to 106 feet. At the top of the slope, the adjoining property consists of single-family residences. This forest conservation area should serve as an adequate buffer between the residences and the commercial development. One specimen tree is being removed but the required findings for a variance to remove the tree are met and staff supports this approach.

Landscaping

The following table indicates that the applicant has complied with the Prince George’s County Landscape Manual.

Type of Tree	Required		Provided		Standard Met (Y or N)
	# Trees	% Native	# Trees	% Native	
Shade	10	50%	12	60%	Y
Ornamental	16	50%	27	84%	Y
Evergreen	1	30%	3	100%	Y
Shrubs	23	30%	35	47%	Y

Stormwater Management/Noise/Airport

The Sector Plan states that the objective is to protect and enhance the natural stream system through the treatment of stormwater to improve quality and to reduce volume and velocity of stormwater entering receiving streams. The Sector Plan requires the use of “low impact development techniques” on all sites as either the primary or secondary method of collecting and/or treating stormwater.”

The applicant is providing two micro-bio-retention areas, one located just south of Pontiac Street, at the northwest corner of the parking garage and one located just north of the Osage Street ROW, just off the southwest corner of the parking garage. In addition, the applicant is proposing to provide a planter box to be located along the southwest wall of the pharmacy.

Comment: Stormwater plans have been reviewed and accepted by the Prince George's County Department of Environmental Resources. The subject property has an approved stormwater management concept plan, CSD #23848-2012.

A Noise Study is not required because US 1 is a plan-recommended collector, which is generally not regulated for noise.

The applicant must place a disclosure clause on the final plats and deeds notifying prospective purchasers that the property is within approximately one mile of a general aviation airport.

### **Rezoning Request**

As a part of the filing of the Detailed Site Plan within a DDOZ, the applicant can request a rezoning to the M-U-I zone in accordance with Section 27-548.26(b)(1)(B). "The sector plan only supports the property owner application process for rezoning to the M-U-I zone or expanding the DDOZ boundaries in locations that reinforce the concept of walkable nodes." This property is within a walkable node. The M-U-I zone also requires the Planning Board to find that the proposed uses are compatible with one another and with existing or approved future development on adjacent properties.

Comment: City staff supports the rezoning request in order to allow the applicant to develop the property as one unified project. The proposed uses will reinforce the concept of walkable nodes and are compatible with one another and with existing and approved future development of adjacent properties along US 1. Furthermore, existing woodland will be maintained, as required.

### **Osage ROW and Property Conveyance Request**

The applicant is requesting that the City, in effect, "vacate" Osage Street which fronts on the southern boundary of the subject property (see Attachment 1), and comprises approximately 15,017 square feet or 0.34 acres, and convey a triangular piece of land approximately 583 square feet or 0.01 acres to the applicant. This section of Osage Street is known as a "paper street" meaning it was never developed as a street. The applicant is requesting that the City prepare a letter stating that they have no future plans for the land within the Osage Street R-O-W and that it may be incorporated into the Detailed Site Plan for the proposed development of the property. The subdivision section of M-NCPPC indicates that a vacation would be required for the 15-foot wide right-of-way dedicated to Osage Street.

The triangular piece of property is located between the platted Osage Street ROW and Berwyn House Road (see Attachment 1). This property was created by deed for the purpose of widening the Osage Street ROW.

The Osage Street ROW has existed for approximately 105 years and has never been constructed. The former automobile dealership used this property to display vehicles including the use of parcel 121 which is actually an alley.

Comment: City staff recommends that the City Council convey the triangular 0.01 acre property and vacate Osage Street, if required, subject to the applicants agreement to the City's proposed conditions.

### **Community Input**

The applicant met with the Berwyn District Civic Association on March 21, 2013. The residents stated that they want the applicant to discourage site generated traffic from going east on Pontiac Street through the neighborhood. No written input has been received.

### **RECOMMENDATION**

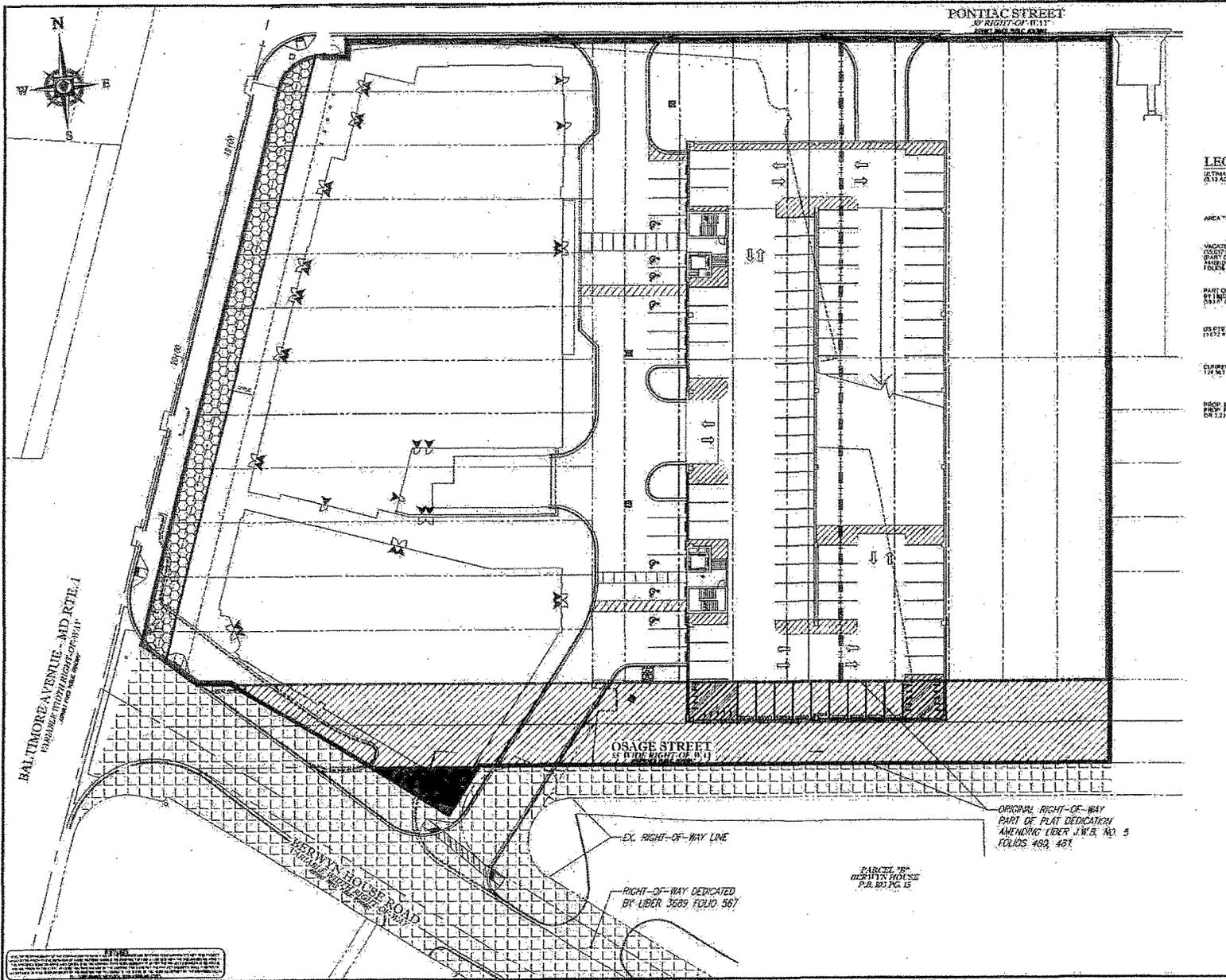
City staff recommends supporting DSP-12034 subject to the following:

1. Execution of an Agreement and Declaration of Covenants between the applicant, property owner and the City of College Park in substantially the form that is attached. (This document will be provided by the City Attorney).
2. Total development within the subject property shall be limited to development which generates no more than 129 AM peak hour and 246 PM peak-hour vehicle trips.
3. Prior to signature approval of the DSP, the applicant shall revise the site plan to:
  - a. Show a striped sidewalk on Pontiac Street and Berwyn House Road at their intersection with Route 1.
  - b. Show the installation of traffic control signs at the site access points with Pontiac Street that read, "No Right Turn Except Local Traffic."
  - c. Show a location for a proposed Bikeshare Station (11 docks and 6 bikes) that measures 31 feet in length and 6 feet in width).
4. Prior to signature approval of the DSP, the applicant shall revise the architectural drawings for review by the City of College Park and M-NCPPC as follows:
  - a. Improve the landmark feature (tower) of the building to make it more prominent and visible by, for example, making it taller than it is wide, adding a roof structure and providing more ornamentation or detail.
  - b. Reduce the use of cast stone on the south building façade along Berwyn House Road to increase the percentage of wall area that is transparent windows.
  - c. Increase the use of brick on the parking garage to better reflect the design of its associated buildings through the use of brick veneer on the precast concrete panels on all façade elevations.

5. Prior to signature approval of the DSP, the applicant shall revise the sign plan to:
  - a. Remove the awning sign from the landmark feature.
  - b. Eliminate the use of any wayfinding sign that is more than 3 feet in height.
6. Prior to approval of a building permit, if the Capital Bikeshare Program or similar program is operational in the City of College Park, the applicant shall pay the sum of \$45,000 to the City of College Park for the installation and operation of an 11 dock/6 bike station on or near the subject property.
7. The applicant shall coordinate with the State Highway Administration to address the feasibility of providing an underground vault for the installation of public utilities. If this is not feasible, the applicant shall consent to participate in a comprehensive program for the undergrounding of utilities being developed in conjunction with the active SHA project funded in the 2013-2018 Consolidated Transportation Program for the segment of the project from College Avenue to MD 193.
8. The applicant shall coordinate with the SHA to revise the streetscape improvements along Route 1 to accommodate the proposed road reconstruction along the subject property frontage, in particular, to avoid the relocation of proposed street lighting and street trees shown in the existing right-of-way.
9. The applicant and owner of the property shall reimburse the City for all costs of maintenance and operation of pedestrian street lights within the SHA right-of-way and shall enter into an Agreement, in substantially the form attached, requiring reimbursement, which shall be recorded against the Property.
10. The applicant shall maintain all streetscape improvements constructed in the City of College Park public right-of-way.
11. The applicant shall make every effort to achieve LEED- Silver certification under an applicable LEED rating system as required by the Development Standards and shall provide a revised LEED scorecard that qualifies for LEED- Silver certification prior to signature approval of the DSP. Prior to the issuance of any building permit, the applicant shall provide a copy of the application to the USGBC for LEED- Silver certification.

## ATTACHMENTS

1. ROW Dedication Exhibit and Osage Street Right-of-Way Request
2. Applicant's written material, including Statement of Justification, Development District Standards Analysis, and LEED scorecard
3. Detailed Site Plan
4. Lighting/Architecture Plan
5. Landscape Plan
6. M-NCPPC Referrals



ATTACHMENT 1

**BOHLER ENGINEERING**  
 16701 MILFORD BLVD. SUITE 210  
 BOWIE, MARYLAND 20715  
 Phone: (301) 463-8200  
 Fax: (301) 463-8111  
 www.BohlerEngineering.com

**REVISIONS**

NO.	DATE	REVISION	BY

**NOT APPROVED FOR CONSTRUCTION**

**PROJECT NO.:** 1610200  
**DESIGNED BY:** JTB  
**CHECKED BY:** JTB  
**DATE:** 11/29/07  
**SCALE:** 1" = 40'  
**DATE:** 11/29/07

**PROJECT:**  
**DEDICATION EXHIBIT**  
 FOR THE  
**KEANE ENTERPRISES INC.**  
 LOCATION OF SITE:  
 NEO BALTIMORE AVE (RTE 1)  
 & BERWYN HOUSE RD  
 COLLEGE PARK, 20742 MD.  
 PRINCE GEORGES'S COUNTY

**BOHLER ENGINEERING**  
 16701 MILFORD BLVD. SUITE 210  
 BOWIE, MARYLAND 20715  
 Phone: (301) 463-8200  
 Fax: (301) 463-8111  
 www.BohlerEngineering.com

**D.M. DUKE**  
 PROFESSIONAL ENGINEER

**OFFICIAL VACATION EXHIBIT**

**SHEET NUMBER**  
**1**  
 OF 1

# RIFKIN, LIVINGSTON, LEVITAN & SILVER, LLC

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January 25, 2013

(NONLAWYER/CONSULTANT)  
JOSH M. WHITE

Mr. Joseph L. Nagro  
City Manager  
City of College Park  
4500 Knox Road  
College Park, Maryland 20740

Re: **Osage Road Right-of-Way (Koons Property)**

Dear Mr. Nagro:

Please be advised that Rifkin, Livingston, Levitan & Silver, LLC represents Keane Enterprises (hereinafter the "Applicant"), the developer of the Detailed Site Plan (DSP-12034) Koons Property. The Koons Property is located on the corner of Baltimore Avenue and Berwyn House Road (hereinafter the "Property"). As we have discussed the Property currently has frontage along a "paper street" known as Osage Road. The purpose of this letter is to request the City of College Park (hereinafter the "City") to confirm that it has no future plans for Osage Road as a dedicated right-of-way, and to request that the City release the land underlying the portion of the roadway which was previously conveyed to the City by deed for the purpose of widening the Osage Road right-of-way.

## I. DEVELOPMENT PROPOSAL

The Applicant proposes to redevelop an abandoned automotive site into a vibrant, mixed-use, compact infill development. Specifically, the Applicant proposes a mixed-use development that includes a 157 room hotel and 25,000 square feet of retail commercial space. This development will increase the City's commercial tax base, retain tax dollars within the City by providing needed lodging along the US

Route 1 Corridor, and provide commercial amenities for the immediate and surrounding communities.

## II. APPLICATION DATA

- A. Location: The proposed development is located on the northeastern corner of US Route 1 and Berwyn House Road in College Park, Maryland.
- B. Tax Map/Grid: Map 33, Grid D-1.
- C. Frontage: US Route 1.  
Berwyn House Road.
- D. Election District: 21.
- E. Councilmanic District: 3.
- F. Acreage: Approximately 3.1 acres.
- G. Existing Zoning: M-U-I (Mixed Use-Infill).  
R-55 (Single-Family Residential).
- H. Zoning History: The 2010 Central US 1 Corridor Approved Sector Plan and Sectional Map Amendment retained the M-U-I and R-55 zoning of the Property.
- I. Master Plan & SMA: The Property is located in Planning Area 66 and is subject to the Plan.
- J. General Plan: The General Plan places the Property within the "Developed Tier" and within the geographic boundaries of the US Route 1 "Corridor."
- K. Subdivision History: The Property is part of the "Addition to Berwyn" final plat and is exempt from the requirement to resubdivide consistent with § 24-111(c)(4) of the Prince George's County Subdivision Ordinance.<sup>1</sup>

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<sup>1</sup> Preliminary Plan exemption letter enclosed herein as Exhibit 1.

### III. OSAGE ROAD

The Osage road right-of-way exists by virtue of two (2) legal documents.<sup>2</sup> The majority of the Osage right-of-way was created in 1906 through the recordation of the plat known as "Addition to Berwyn".<sup>3</sup> The remainder of the Osage Road right-of-way along the frontage of the Property was created by deed and shown on the 1979 Parcel "B" Berwyn House plat.<sup>4</sup> The procedure for permitting the land encompassed within the Osage right-of-way to be incorporated within the proposed development depends upon the manner in which the right-of-way was originally created.

#### A. PRE-1908 RIGHT-OF-WAY

The majority of the Osage Road right-of-way along the frontage of the Property was created by plat recorded in 1908.<sup>6</sup> In a Memo dated December 14, 2012 from the Office of the General Counsel of the Maryland-National Capital Park and Planning Commission, it is stated that:

"In accordance with Prince George's County Code, §7-132, all platted rights-of-way dedicated to public use by plat referenced as of the year 1908, are automatically accepted without any action required on the part of the public entity within the County. Platted rights-of-way which were dedicated by plat prior to 1908 are subject to the common law rule regarding the method by which government entities may obtain public rights-of-way."<sup>5</sup>

At common law, for land to be dedicated to public use it must be both offered and accepted. The Osage Road right-of-way was offered for public use through the 1906 plat, but has not been accepted for over 100 years. Consequently, in accordance with the Memo, the Applicant respectfully requests the City to provide comment regarding the current status of the Osage Road right-of-way and state whether there are any future plans for such right-of-way.<sup>6</sup> If there are no such plans then the land within the Osage Road right-of-way may be incorporated into the Detailed Site Plan for the proposed development of the Property.

<sup>2</sup> Applicant's color coded right-of-way plan enclosed herein as Exhibit 2.

<sup>3</sup> Addition to Berwyn plat enclosed herein as Exhibit 3. Please note that the Albemarle Avenue right-of-way and the Osage Road right-of-way are the same right-of-way. The name of the right-of-way was changed from Albemarle to Osage in the last 105 years.

<sup>4</sup> Parcel "B" Berwyn House plat enclosed herein as Exhibit 4.

<sup>5</sup> Acceptance of Public Right-of-Way Dedication memorandum enclosed herein as Exhibit 5.

<sup>6</sup> The Applicant will also need to coordinate with the Department of Public Works and Transportation.

## B. DEED RIGHT-OF-WAY

The remainder of the Osage Road right-of-way along the frontage of the Property was created deed.<sup>7</sup> As noted in the deed, the land for the right-of-way was granted directly to the City. The land was granted for the purpose of widening the Osage Road right-of-way. However, this right-of-way has existed for approximately 105 years and has never been constructed. Also, automobiles from the now vacant automotive dealership were parked in the right-of-way for storage purposes. The Applicant respectfully requests that if, in fact, the City has no future plans for this portion of the right-of-way, that it release that small triangular portion of land along the frontage of the Property and allow it to be incorporated into the Detailed Site Plan for the proposed development of the Property.

## II. CONCLUSION

The proposed mixed-use infill development proposed for the Property will be a tremendous asset for the surrounding community. The hotel use will allow visitors to lodge in the City when they are attending a local or regional event. The proposed retail will allow the local community to obtain necessary goods and services without having to travel great distances. The proposed development will increase the amount of amenities available in the community, increase the amount of jobs that are available to the community, and increase the tax base for the City and the County. The Applicant respectfully requests the City to provide comment with regard to the current status and any future plans for the use of the Osage Road right-of-way, and if there are no such plans that it release the land granted for the purpose of widening the right-of-way in order that this area may be incorporated into the Detailed Site Plan for the proposed development of the Property.

Thank you for your time and attention to this matter. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Christopher L. Hatcher

CLH/sh

Enclosures

Cc: Ms. Jill Kosack  
Ms. Terry Schum  
Suellen Ferguson, Esquire

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<sup>7</sup> Deed enclosed herein as Exhibit 6.

EXHIBIT 1

RIFKIN, LIVINGSTON, LEVITAN & SILVER, LLC  
ATTORNEYS AT LAW

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(410) 583-9433 • FAX (410) 583-9439

March 27, 2012



Ms. Whitney Chellis  
Acting Supervisor of Subdivision Section  
Development Review Division  
Maryland-National Capital Park and  
Planning Commission  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**Re: Preliminary Plan Exemption  
Koons Property – 8315 Baltimore Avenue**

Dear Ms. Chellis:

Please be advised that Rifkin, Livingston, Levitan & Silver, LLC represents Crown Real Properties, L.C. (hereinafter the “Owner”) the owner of real property located at 8315 Baltimore Avenue, College Park, Maryland 20740 (hereinafter the “Koons Property”). More specifically, the Koons Property includes Block 10 Lots 6-14, Block 10 Lots 15-26, Block 10 Lots 29-37, and Parcel 121. The purpose of this correspondence is to confirm that the Koons Property is exempt from the requirement to resubdivide consistent with the Prince George’s County Subdivision Ordinance (hereinafter the “Subdivision Ordinance”).

Section 24-111 of the Subdivision Ordinance sets forth the exemption from the requirement to resubdivide property. Specifically, §24-111(c)(4) states:

- (c) A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of a building permit unless:
  - (4) The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least

ten percent (10%) of the total area of a site that is not subject to a Regulating Plan approved in accordance with Subtitle 27A of the County Code, has been constructed pursuant to a building permit issued on or before December 31, 1991.

The Owner asserts that the existing development and construction on the Koons Property satisfies the requirements for an exemption as set forth in the above referenced section of the Subdivision Ordinance.

### ANALYSIS

The Owner respectfully requests confirmation that the Koons Property is exempt from the resubdivision requirements consistent with §24-111(c)(4). Section 24-111(c)(4) of the Subdivision Ordinance establishes four (4) requirements for a property to qualify as exempt. First, a final plat of subdivision must have been approved for the property prior to October 27, 1970. Second, the property must be currently improved by more than 5,000 square feet of development which represents at least ten percent (10%) of the area of the site. Third, the property must not be subject to a Subtitle 27A Regulating Plan. Finally, the development must have been constructed pursuant to a building permit issued prior to December 31, 1991. The Owner's analysis of each of the four (4) requirements is as follows:

#### 1. Final Plat of Subdivision

The Koons Property is subject to a final plat of subdivision, which was approved prior to October 27, 1970. The enclosed "Addition to Berwyn" final plat of subdivision was recorded in Prince George's County land records in 1906. The Koons Property is highlighted in red on the enclosed plat. Thus, this recorded plat from 1906 for the Koons Property fulfills this requirement.

#### 2. Property is Currently Improved

The Koons Property is currently improved by a building which is more than 5,000 square feet in size and represents more than ten percent (10%) of the total area of the site. The current development on the Koons site is 17,806 square feet. The total size of the Koons site is 2.7 acres, which is 117,000 square feet. The current development represents over fifteen percent (approximately 15.2%) of the total area of the Koons site. Thus, the current amount of development on the Koons Property fulfills this requirement.

#### 3. Not Subject to Subtitle 27A Regulating Plan

The Koons Property is not subject to a Subtitle 27A Regulating Plan. The Koons Property is within the geographic boundaries of the Approved 2010 Central US 1 Corridor Sector Plan and Sectional Map Amendment (hereinafter the "Plan"). The Plan was initiated and

Ms. Whitney Chellis  
March 27, 2012  
Page 3

approved consistent with the regulations outlined in Subtitle 27 of the Prince George's County Ordinance, not Subtitle 27A. Thus, the Koons Property is not subject to a 27A Regulating Plan.

4. Building Permit

The development on the Koons Property was constructed consistent with a building permit that was issued prior to December 31, 1991. The enclosed "Permit History" displays all of the permits which were validly issued for the Koons Property from 1983 to 2010. The County permit records for the Koons Property only extend back to 1983; however, the enclosed "1965 Koons Property Grayscale" picture depicts many of the current buildings on the Koons Property which existed in 1965. Thus, the Owner asserts that this evidence is sufficient to establish that this requirement has been met.

CONCLUSION

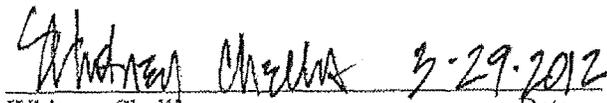
The Koons Property satisfies the four (4) requirements set forth in §24-111(c)(4) and is therefore exempt from the requirement to resubdivide. The Owner respectfully requests your confirmation of the above analysis by the placement of your signature where provided below. Thank you for your consideration of this matter. Please do not hesitate to contact me if you have any questions.

Respectfully submitted,



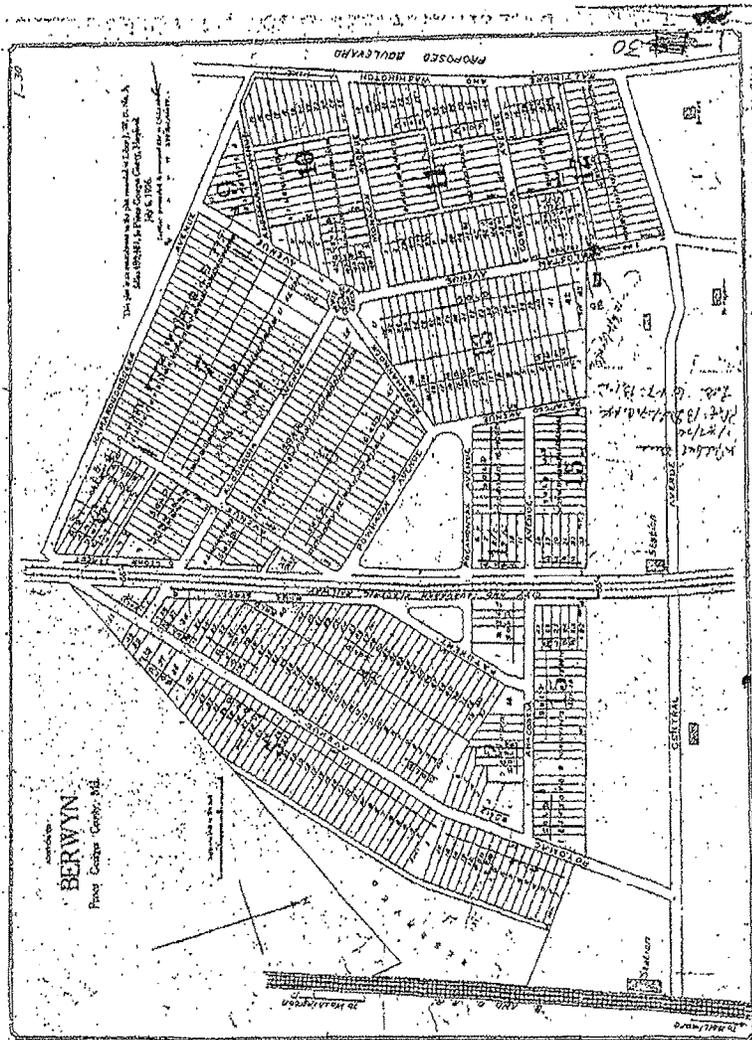
Christopher L. Hatcher

I concur that the property described in this letter is exempt from the requirement to resubdivide pursuant to §24-111(c)(4).

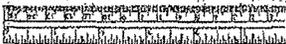


Whitney Chellis  
Subdivision Section  
M-NCPPC

Date



BERWYN  
 First Class City, Md.



Quadrant of Berwyn to the City of Berwyn

**Permit History**

Permit History

file:///C:/Documents and Settings/chatcher/Desktop/Koons Permit.htm

Application Date	Permit Number	Permit Name	Permit Type	Work Description	Permit Mode	Issuance Date
12/13/1983	6033-1983-0	83060330013	SG (SIGN/GROUND MOUNTED)	SIGN/GROUND MOUNTED	CLOSED	12/20/1983
8/24/1983	53206-1983-0	83532060012	GU (GRADING AND USE)	PARKING LOT	CLOSED	8/5/1983
8/3/1984	4687-1984-0	84046870010	CI (COMMERCIAL INTERIOR)	GENERAL INTERIOR	CLOSED	
8/3/1984	4687-1984-1	84046870110	CI (COMMERCIAL INTERIOR)	GENERAL INTERIOR	CLOSED	9/6/1984
	907569-1986-0	KOONS FORD OF COLLEGE PARK	BRL (BOILER LICENSE)		PERMITTED	
	907570-1986-0	KOONS FORD OF COLLEGE PARK	BRL (BOILER LICENSE)		PERMITTED	
3/30/1990	2658-1990-0	90026580010	CEU (COMMERCIAL EXTERIOR AND USE)		ABANDONED	
7/25/1991	6795-1991-0	91067950010	CG (COMMERCIAL EXTERIOR GRADING)		ABANDONED	
8/6/1991	7142-1991-0	91071420010	CG (COMMERCIAL EXTERIOR GRADING)	REMOVE UNDERGROUND TANKS	CLOSED	8/6/1991
10/24/1991	9655-1991-0	91096550010	CI (COMMERCIAL INTERIOR)	REMOVE UNDERGROUND TANKS	CLOSED	10/24/1991
7/25/1991	51392-1991-0	91513920010	CG (COMMERCIAL EXTERIOR GRADING)	REMOVE UNDERGROUND TANKS	CLOSED	7/25/1991
2/19/1998	1047-1998-0	98010470014	UO (USE & OCCUPANCY)		APPLICATION	
9/9/1998	7730-1998-0	98077300010	CI (COMMERCIAL INTERIOR)	GENERAL INTERIOR	CLOSED	10/26/1998
12/1/1998	7730-1998-1	98077300110	CI (COMMERCIAL INTERIOR)	REVISED PLANS	CLOSED	12/1/1998
1/19/1999	7730-1998-2	98077300210	CI (COMMERCIAL INTERIOR)	REVISED PLANS	CLOSED	1/19/1999
10/26/1998	8991-1998-0	98089910015	UTZ (USE & OCCUPANCY-ZONING)		ABANDONED	10/26/1998
11/2/1998	8991-1998-1	98089910115	UTZ (USE & OCCUPANCY-ZONING)	ADMINISTRATIVE CHANGE ONLY	ABANDONED	11/2/1998
10/26/1998	8992-1998-0	98089920015	UTZ (USE & OCCUPANCY-ZONING)		ABANDONED	10/26/1998
10/26/1998	8993-1998-0	98089930015	UTZ (USE & OCCUPANCY-ZONING)		ABANDONED	10/26/1998
12/17/1998	10321-1998-0	98103210013	S (SIGN)	SIGN/BUILDING	CLOSED	12/17/1998
12/17/1998	10322-1998-0	98103220013	S (SIGN)	SIGN/BUILDING	CLOSED	12/17/1998
12/17/1998	10323-1998-0	98103230013	S (SIGN)	SIGN/BUILDING	CLOSED	12/17/1998
12/17/1998	10325-1998-0	98103250013	S (SIGN)	SIGN/BUILDING	CLOSED	12/17/1998
10/28/1998	515728-1998-0	98157280030	EC (ELECTRICAL COMMERCIAL)		CLOSED	10/28/1998
10/28/1998	515729-1998-0	98157290030	EC (ELECTRICAL COMMERCIAL)		CLOSED	10/28/1998
10/28/1998	515730-1998-0	98157300030	EC (ELECTRICAL COMMERCIAL)		CLOSED	10/28/1998

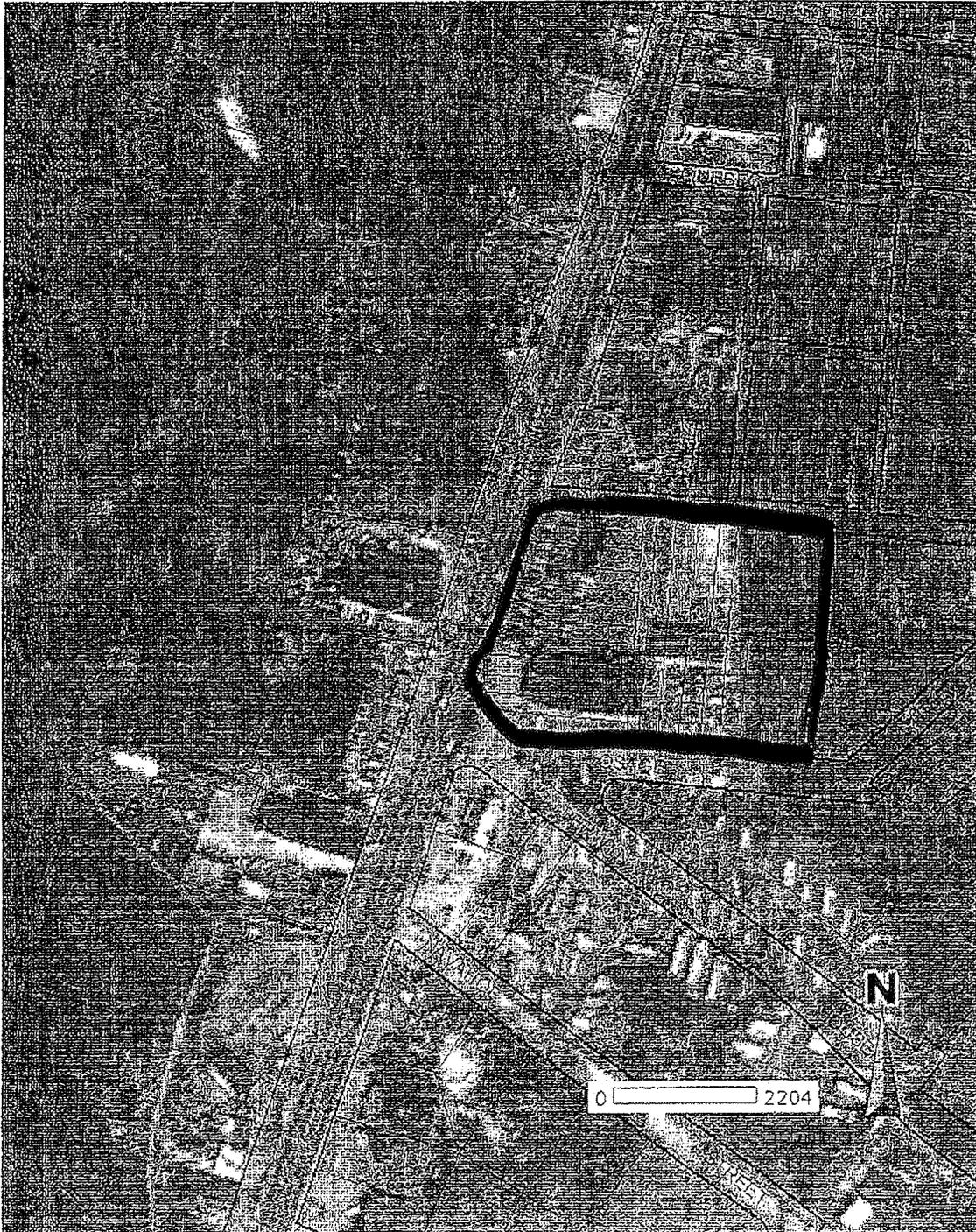
10/29/1998	515744-1998-0	98157440030	EC (ELECTRICAL COMMERCIAL)		CLOSED	10/29/1998
11/13/1998	516340-1998-0	98163400030	EC (ELECTRICAL COMMERCIAL)		CLOSED	11/13/1998
12/9/1998	517398-1998-0	98173980030	EC (ELECTRICAL COMMERCIAL)		CLOSED	12/9/1998
12/17/1998	517661-1998-0	98176610030	EC (ELECTRICAL COMMERCIAL)		CLOSED	12/17/1998
1/15/1999	283-1999-0	99002530013	S (SIGN)	SIGN/BUILDING	CLOSED	1/15/1999
3/1/1999	1274-1999-0	99012740010	CG (COMMERCIAL EXTERIOR GRADING)	POLE/BASE/ELECT	CLOSED	3/1/1999
10/20/1999	8506-1999-0	99085060013	S (SIGN)		ABANDONED	
1/15/1999	518633-1999-0	99186330030	EC (ELECTRICAL COMMERCIAL)		CLOSED	1/15/1999
1/19/1999	518662-1999-0	99186620030	EC (ELECTRICAL COMMERCIAL)	NEW SERVICE	CLOSED	1/19/1999
3/1/1999	520090-1999-0	99200900030	EC (ELECTRICAL COMMERCIAL)		EXPIRED	3/1/1999
9/19/2001	26313-2001-0	VN8315 BALTIMORE AVENUE	VN (VIOLATION)	unsafe condition	CLOSED	9/14/2001
10/4/2001	28146-2001-0	CROWN REAL-DAMAGE	CEW (COMMERCIAL EXTERIOR WALK THRU)	CAR DAMAGE REPAIR INTERIOR & EXTERIOR	CLOSED	10/4/2001
10/9/2001	28586-2001-0	KOONS FORD-SIGN	SG (SIGN/GROUND MOUNTED)	13'5" x 5' 81/8" sign	CLOSED	6/3/2002
6/4/2002	18902-2002-0	KOONS FORD 28586-2001	EC (ELECTRICAL COMMERCIAL)	sign	CLOSED	6/4/2002
5/9/2003	15113-2003-0	KOONS FORD INTERIOR	CIW (COMMERCIAL INTERIOR WALK THRU)	general interior, demollition, mechandal	CLOSED	5/9/2003
5/9/2003	15117-2003-0	KOONS FORD	CIW (COMMERCIAL INTERIOR WALK THRU)	GENERAL EXTERIOR	EXPIRED	5/21/2003
2/10/2004	15117-2003-1	KOONS FORD	CIW (COMMERCIAL INTERIOR WALK THRU)	revise to change architectural plans	EXPIRED	2/10/2004
6/3/2003	17843-2003-0	CROWN REAL PROPERTIES/ KOONS FORD	UTB (USE & OCCUPANCY-BUILDING)	TEMP TRAILER	EXPIRED	6/3/2003
7/18/2003	23850-2003-0	CONSTRUCTION TRAILER #17843-2003	EC (ELECTRICAL COMMERCIAL)	100a service (const trailer)	CLOSED	7/18/2003
9/5/2003	29947-2003-0	EMAX ELECTRICAL	EC (ELECTRICAL COMMERCIAL)	Add't Elec Work	CLOSED	9/5/2003
2/5/2004	3040-2004-0	KOONS FORD CAR DEALER	EC (ELECTRICAL COMMERCIAL)	Add't Elec Work	CLOSED	2/5/2004
2/23/2004	4890-2004-0	KOONS AUTOMOTIVE	EC (ELECTRICAL COMMERCIAL)	data	CLOSED	2/23/2004
4/21/2004	12797-2004-0	KOONS FORD	EC (ELECTRICAL COMMERCIAL)	Add't Elec Work	CLOSED	4/21/2004
7/30/2008	24683-2008-0	JIM KOONS MANAGEMENT CO USE	UO (USE & OCCUPANCY)	NEW TENANT	CLOSED	8/13/2008

Permit History

file:///C:/Documents and Settings/chatcher/Desktop/Koons Permit.htm

3/26/2010	7180-2010-0	JIM KOONS AUTOMOTIVE SIGN	S (SIGN)	4X16 BUILDING SIGN	CLOSED	3/26/2010
3/26/2010	7385-2010-0	JIM KOONS AUTOMOTIVE SIGN	S (SIGN)	4X10 BUILDING SIGN	CLOSED	3/26/2010

# 1965 Koons Property Grayscale



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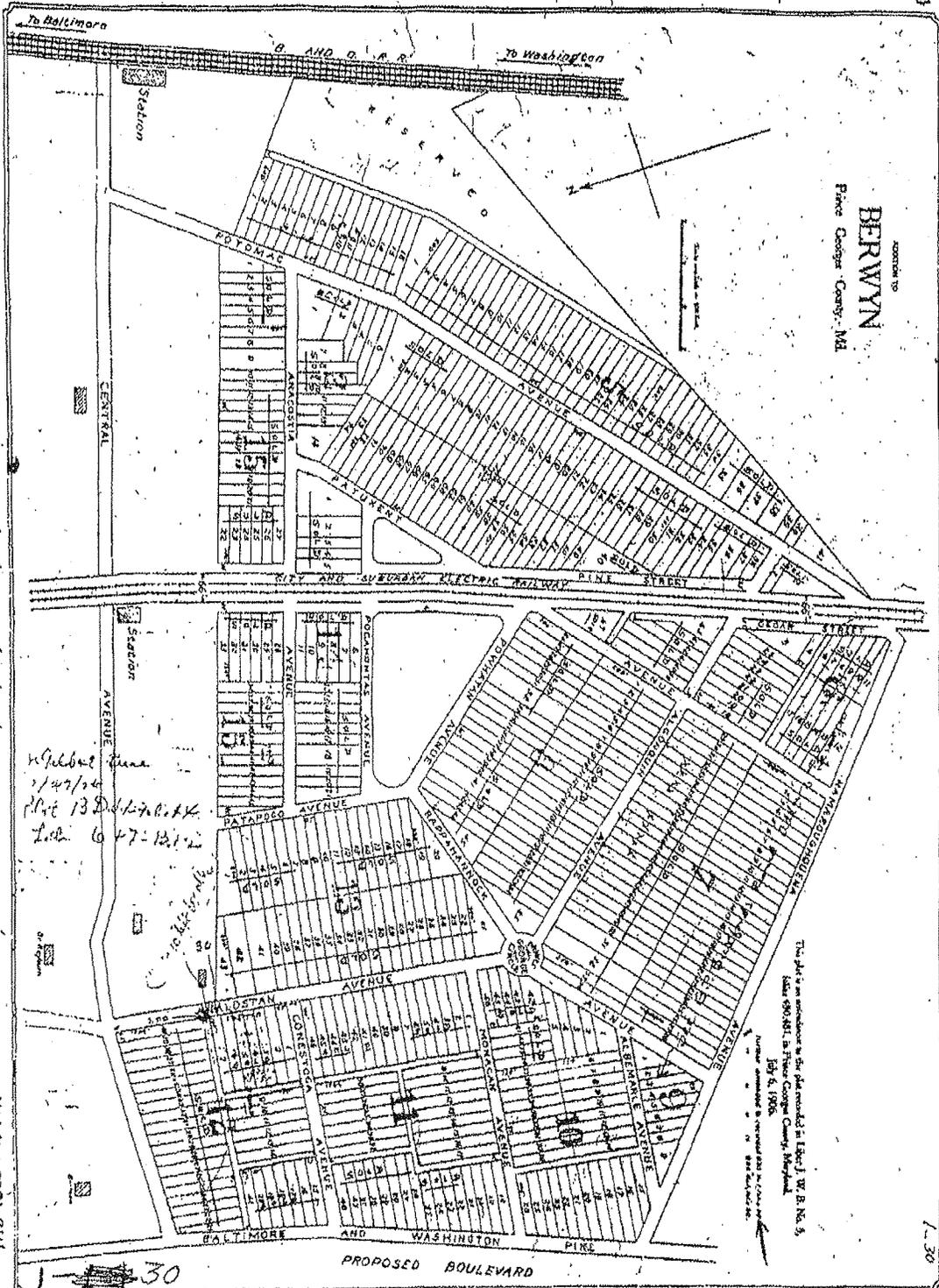


EXHIBIT 2



EXHIBIT 3

Suburban Electric R. R. Station at Berwyn



INCORPORATED TO  
**BERWYN**  
Prince Georges County, Md.

*W. Gilbert*  
*1/27/24*  
*Plot 13 B. 17-18. 11*  
*Lot 6 47-13. 12*

This plan is an amendment to the plan recorded in L&P J. W. B. No. 5  
dated 1924, filed in Prince Georges County, Maryland.  
July 11, 1926.

MSA 050 2381-914

30

PROPOSED BOULEVARD

1-30

EXHIBIT 4



EXHIBIT 5

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# MEMO

OFFICE OF THE GENERAL COUNSEL  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING  
COMMISSION



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14741 Gov. Oden Bowie Dr., Suite 4120  
Upper Marlboro, Maryland 20772  
(301) 952-4501 \* (301) 952-3444 fax

**TO:** Whitney Chellis  
Subdivision Review Division

**FROM:** Debra S. Borden  
Associate General Counsel

**DATE:** December 14, 2012

**RE:** Acceptance of Public Right-of-Way Dedication

## ISSUE

The status of rights-of-way dedications offered by plat reference prior to 1908, which were never accepted by a public entity.

## OPINION

In accordance with the Prince George's County Code, §7-132, all platted rights-of-way dedicated to public use by plat reference as of the year 1908, are automatically accepted without any action required on the part of the public entity within the County. Platted rights-of-way which were dedicated by plat prior to 1908 are subject to the common law rule regarding the method by which government entities may obtain public rights-of way.

The common law rule provides that land may be dedicated to public use if there is both an offer and an acceptance. It is well settled law that an offer of public right of way may be made via plat reference. *Town of Glenarden v. Lewis, et al.*, 261 Md. 1, 3 (1971), *Hackerman v. Mayor and City Council of City of Baltimore*, 212 Md. 618, 624-25 (1957). There are three ways in which a government entity may accept an offer to dedicate public right-of-way: by deed or other record, by acts in pais such as opening, grading, or keeping the road in repair at public expense, or by long continued use on the part of the public. *Town of Glenarden*, 261 Md. at 4.

In the absence of one of these acts of acceptance, the right-of-way dedication is not deemed to have been completed, and is therefore not available for public use until completion of the dedication. While it is clear that a government entity must make an affirmative acceptance of the offer of dedication, it is less clear how long the government can wait before accepting the offer. The general rule is that such an offer must be accepted within a reasonable time or it may be revoked. *Hackerman*, 212 Md. at 625, citing *United Financial Corp. v. Royal Realty Corp.*, 172 Md. 138, 148 (1937). What constitutes a

reasonable time depends upon the facts of the case and is not subject to a fixed rule. *Id.* A mere delay will not result in abandonment, but if the non-acceptance is accompanied by use of the property by the dedicator or by third parties, inconsistent with the public use, the abandonment may be shown. *United Finance*, 172 Md. at 148. The Court in *United Finance* found that the municipality had abandoned its right to accept the offer of dedication noted on the plat based on the following facts:

**in this case, nearly 60 years have elapsed since the final ratification of the plat filed by the street commissioners of Baltimore County without the slightest evidence of any intent on the part of the municipality to open the streets located on the plat across or on the lots . . . During much of that period the land included in the streets projected, has been farmed, and during all of it the owners have paid taxes on it. *United Finance*, 172 Md. at 148.**

As another example, the Court in *Town of Glenarden* found that the Town had failed to accept the dedication upon the following facts:

**Polk Avenue is a "paper street" which, in 48 years, has never actually been utilized as a public way. It has undergone no construction or improvements and has never been maintained or repaired by the Town. The "road" is in fact overgrown with trees and underbrush. Certainly it cannot be argued that forty-eight years was insufficient time for even the most lethargic bureaucracy to make an acceptance. *Town of Glenarden*, 261 Md. at 7-8.**

As a practical matter, when staff encounters pre-1908 rights-of-way during the development approval process, inquiry should be made concerning the affirmative acts, if any, that have been taken by any government entity to accept the right-of-way. In addition, the matter of whether a pre-1908 right of way dedication has been accepted, and can be accepted at this time, should be referred to DPW&T and, if applicable, the appropriate municipality for comment regarding the current status of the right-of-way and the whether there are any future plans for the right-of-way, in light of the time lapse and other facts of the case.

EXHIBIT 6

3689 567

QUIT-CLAIM DEED

THIS DEED, Made this the 12<sup>th</sup> day of FEBRUARY, in the year one thousand nine hundred and sixty-nine, by and between Berwyn House Limited Partnership, a limited partnership, organized and existing under the Laws of the State of Maryland, party of the first part, and The City of College Park, a municipal corporation, organized and existing under the Laws of the State of Maryland, party of the second part,

WITNESSETH, that for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars, receipt whereof is heraby acknowledged, the said party of the first part does grant, quit-claim and release unto thesaid party of the second part, all of its right, title and interest in and to the following described land and premisses, situate in the State of Maryland, County of Prince Georges, and known and distinguished as:

Being part of the land conveyed from National Mobile Village, Inc., to Berwyn House, a limited partnership, by deed dated January 25, 1965, and recorded among the Land Records of Prince Georges County, Maryland, in Liber 3098 at folio 193; also being part of Block "C" as shown on a plat of subdivision entitled "G. P. Bickford's Revised Addition to Berwyn", and recorded among the aforesaid Land Records in Plat Book SDH 3 at plat 78; said plat having been abandoned by the Circuit Court for Prince Georges County, Maryland, in Equity No. C-2059, filed March 19, 1964, among the Equity Records of Prince Georges County, Maryland.

Beginning at a point on the 5th or South 38°54'10" West 61.79 foot line of the aforesaid deed, 30.16 feet from the beginning thereof and running thence with the outlines of said deed

- (1) South 38°54'10" West 31.63 feet to a point; thence
- (2) North 53°08'50" West 653.79 feet to a point; thence
- (3) South 84°52'50" East 148.03 feet to a point; thence leaving the outlines of said deed and running

(4) 64.69 feet along the arc of a curve deflecting to the left, having a radius of 25.00 feet and a chord bearing South 20°59'10" West 48.10 feet to a point, thence running parallel to and 31.61 feet northeast of the 6th or North 53°08'50" West 653.79 foot line of the aforesaid deed and parallel to and 50.00 feet northeast of the northeast line of Block 16 as shown on a plat of subdivision entitled "Lakeland" and recorded among the aforesaid Land Records in Plat Book A at plat 51,

- (5) South 53°08'50" East 515.87 feet to the point of beginning; containing 21,262 square feet or 0.4881 acres.

3689 568-

THIS DEED is given for the improvement and widening of Berwyn House Road and is intended to substitute for and replace a purported previous deed between the parties hereto dated July 27, 1965, which appears never to have been received by the grantee herein or recorded. The grantee herein joins in the execution hereof for the sole purpose of acknowledging delivery of this deed and disclaiming said alleged earlier deed, which said earlier deed is hereby declared to be null and void.

TOGETHER with all and singular the ways, easements, rights, privilege and appurtenances to the same belonging or in anywise appertaining, and all the estate, right, title, interest, and claim, either at law or in equity, or otherwise however, of the said party of the first part, of, in, to, or out of the said land and premises,

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, and the said parties of the second part have hereunto set their hands and seals all done on the day and year first hereinbefore written.

Witness:

*James H. Crawford*  
*Robert A. Edwards*  
*Robert A. Edwards*  
*Robert A. Edwards*  
*Robert A. Edwards*

BERWYN HOUSE LIMITED PARTNERSHIP

By: *Donald E. Wolpe* (Seal)

Donald E. Wolpe - General Partner

By: *Allen M. Wolpe* (Seal)

Allen M. Wolpe - General Partner

By: *Bernard B. Lubcher* (Seal)

Bernard B. Lubcher - General Partner

CITY OF COLLEGE PARK

By: *William W. Gullett*  
William W. Gullett Mayor

Attest: *Margaret W. Gullett*  
Margaret W. Gullett



3689 569.

STATE OF MARYLAND  
COUNTY OF MONTGOMERY

~~DISTRICT OF COLUMBIA~~, TO WIT:

On this the 12<sup>th</sup> day of FEBRUARY, 1969, before me Thomas Allen Phillips the undersigned officer, personally appeared Donald E. Wolpe, Allen M. Wolpe and Bernard B. Lubcher, sole general partners of Berwyn House Limited Partnership, a Maryland limited partnership, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same on behalf of said limited partnership for the purposes therein contained, and as the act and deed of said limited partnership.

IN WITNESS WHEREOF, I, have hereunto set my hand and official seal.

Thomas Allen Phillips  
Notary Public

My commission expires: 7-1-69

STATE OF MARYLAND, COUNTY OF PRINCE GEORGES, TO WIT:

On this the 11<sup>th</sup> day of February, 1969, before me the undersigned officer, personally appeared William W. Gillett the Mayor of The City of College Park, who acknowledged himself to be the same, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of The City of College Park, by himself as such officer; and before me also appeared Margaret W. Wood, Clerk of said corporate entity and acknowledged that the foregoing instrument was executed on behalf of The City of College Park pursuant to a duly passed resolution of the Mayor and Common Council of The City of College Park at a Common City Council meeting on the 11<sup>th</sup> day of March, 1969.

IN WITNESS WHEREOF, I, have hereunto set my hand and official seal.

Richard G. ...  
Notary Public

My commission expires:

My Commission Expires July 1, 1969

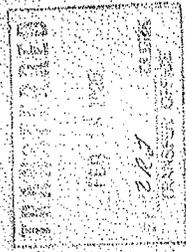


3689 570

Taxes levied and on amount of \$14.15

FEB 18 1969

CHARLES E. CALLOW, Treas.



*Dear  
Perry's Home Plant  
Potomac  
etc*

*City of College Park*

Received for record on the 18  
Day of *Feb*, A. D. - 19*69*  
and the same is recorded in Liber  
No. *3689* at p. *567*  
one of the *LAD* Records  
of Prince George's County, Maryland

*W. Manning*  
Clerk of the Circuit Court

*Return to  
Mayer  
City of College Park  
College Park  
Maryland*

BEFORE THE  
PRINCE GEORGE'S COUNTY  
PLANNING BOARD  
CASE NO. DSP-12034

KOONS PROPERTY

APPLICATION OF  
KEANE ENTERPRISES  
FOR A  
DETAILED SITE PLAN

STATEMENT OF JUSTIFICATION

FEBRUARY 19, 2013

**APPLICANT:** **Keane Enterprises**  
44095 Pipeline Plaza, Suite 210  
Ashburn, Virginia 20147  
Contact: Andy Shuckra  
t: 571.223.0001

**CIVIL ENGINEER:** **Bohler Engineering**  
22636 Davis Drive  
Sterling, Virginia 20164  
Contact: Dan Duke  
t: 703.709.9500  
f: 703.709.9501

**TRAFFIC ENGINEER:** **Wells + Associates**  
170 Jennifer Road  
Annapolis, Maryland 21401  
Contact: Nancy Randall  
t: 410.266.5723  
f: 410.266.9189

**ARCHITECT:** **MV + A Architects**  
7910 Woodmont Avenue, Suite 1250  
Bethesda, Maryland 20814  
Contact: Jack Hollon  
t: 301.654.2454  
f: 301.652.7196

**LANDSCAPE ARCHITECT:** **ParkerRodriguez, Inc**  
101 N. Union Street, Suite 320  
Alexandria, Virginia 22314  
Contact: Trini Rodriguez  
t: 703.548.5010  
f: 703.548.6280

**ATTORNEY:** **Rifkin, Livingston, Levitan & Silver**  
14601 Main Street  
Upper Marlboro, Maryland 20772  
Contact: Richard K. Reed, Esquire  
Contact: Christopher L. Hatcher, Esquire  
t: 301.951.0150  
f: 301.951.0172

I. INTRODUCTION

Keane Enterprises (hereinafter the "Applicant") respectfully requests that the Prince George's County (hereinafter the "County") Planning Board approve this Detailed Site Plan (hereinafter "DSP") application for the property consisting of approximately 3.1 acres on the northeastern corner of the intersection of US Route 1 and Berwyn House Road (hereinafter the "Property") in the City of College Park. The Property is located within the geographic boundaries of the Development District Overlay Zone (hereinafter the "DDOZ") established with the Approved 2010 Central US 1 Corridor Sector Plan and Sectional Map Amendment (hereinafter the "Plan"). Consistent with §27-548.26(b)(1)(B) of the County Zoning Ordinance, the Applicant respectfully requests that the District Council approve this DSP application that seeks to rezone the rear portion of the Property from the R-55 zone to the M-U-I zone.

The Applicant proposes a vibrant, mixed-use, compact, infill development that is consistent with the vision for the Property as outlined in the Plan. Specifically, the Applicant proposes a mixed-use development that includes a 156 room hotel and 25,000 square feet of retail commercial space. This development will increase the County's commercial tax base, retain tax dollars within the County by providing needed lodging along the US Route 1 Corridor, and provide commercial amenities for the immediate and surrounding communities. Thus, the Applicant respectfully requests

approval of this DSP application which will also rezone the rear portion of the Property from the R-55 zone to the M-U-I zone.

II. APPLICATION DATA

- A. Location: The proposed development is located on the northeastern corner of US Route 1 and Berwyn House Road in College Park, Maryland.
- B. Tax Map/Grid: Map 33, Grid D-1.
- C. Frontage: US Route 1.  
Berwyn House Road.
- D. Election District: 21.
- E. Councilmanic District: 3.
- F. Acreage: Approximately 3.1 acres.
- G. Existing Zoning: M-U-I (Mixed Use-Infill).  
R-55 (Single-Family Residential).
- H. Zoning History: The Plan retained the M-U-I and R-55 zoning of the Property.
- I. Master Plan & SMA: The Property is located in Planning Area 66 and is subject to the Plan.
- J. General Plan: The General Plan places the Property within the "Developed Tier" and within the geographic boundaries of the US Route 1 "Corridor."
- K. Subdivision History: The Property is part of the "Addition to Berwyn" final plat and is exempt from the requirement to resubdivide consistent with

§ 24-111(c)(4) of the Prince George's County  
Subdivision Ordinance.<sup>1</sup>

### III. LEGAL AUTHORITY

The Zoning Ordinance permits the Applicant to request a site plan as well as the District Council to rezone the rear portion of the Property from the R-55 zone to the M-U-I zone through the DSP process. Specifically, §27-48.26 of the Zoning Ordinance states as follows:

*§27-548.26. Amendment of Approved  
Development District Overlay  
Zone.*

*(b) Property Owner<sup>2</sup>.*

*(1) A property owner may request that the District Council amend development requirements for the owner's property, as follows:*

*(A) An owner of property in, adjoining, or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.*

*(B) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.*

*(2) The owner's application shall include:*

*(A) A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and*

*(B) A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.*

<sup>1</sup> Preliminary Plan exemption letter enclosed herein as Exhibit 1.

<sup>2</sup> The Applicant, Keane Enterprises is the contract purchaser of the Property. Real Properties, L.C. is the record Owner.

Section VI of this statement of justification analyzes how the proposed development conforms to the purposes and recommendations for the Development District. Thus, the District Council has the authority to approve this DSP application that seeks to approve the site plan and rezone the rear of the Property from the R-55 zone to the M-U-I zone.

#### IV. DETAILED SITE PLAN

This DSP application satisfies both the general and the specific purposes contained in §27-281 of the Zoning Ordinance. The Applicant's analysis of the purposes of a DSP is as follows:

##### A. GENERAL PURPOSES

The Applicant's analysis of the general purposes of a DSP, as contained within §27-281(b) of the Zoning Ordinance, is as follows:

- i. To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;*

**Comment:** The subject DSP provides for development in accordance with the principles for the orderly, planned, efficient and economical development as contained in the Plan and the General Plan. The analysis of the Plan is contained in section "VI". The analysis of the General Plan is as follows:

##### 1. GENERAL PLAN ANALYSIS

As identified in the General Plan, the Property is located in the Developed Tier along the Baltimore Avenue/US Route 1 Corridor. An analysis of the General Plan Developed Tier and US Route 1 Corridor policies are as follows:

a. DEVELOPED TIER

- i. *Encourage medium to high density, mixed-use, transit and pedestrian oriented development.*

**Comment:** The proposed development is mixed-use infill development which will include a 156 room hotel and approximately 25,000 square feet of commercial space. The proposed development has a density that is in line with this policy of the General Plan. Also, the proposed development will have wide sidewalks, ample bike racks, and a parking garage to achieve the transit and pedestrian oriented development goal.

- ii. *Preserve, restore and enhance environmental features and green infrastructure elements.*

**Comment:** The Property is currently improved with a vacant automobile sales lot. The proposed development is mixed-use infill development that will include 156 bedroom hotel and approximately 25,000 square feet of commercial space. Unlike most of the Property, which is paved, the rear of the Property has a wooded buffer. The Applicant proposed to maintain the wooded buffer to act as a transition between the rear of the proposed development and the neighborhood. Along with this buffer, the Applicant will be planting trees throughout the proposed development consistent with the requirements of the Landscape Manual.

- iii. *Provide a transportation system that is integrated with and promotes development and revitalization.*

**Comment:** The proposed development integrates into the existing vehicular transportation system. Also, the proposed development will enhance the walkable and bicycle transportation networks by providing wide sidewalks and ample space for bike racks. These transportation efforts are consistent with the policies outlined in the Plan.

- iv. *Plan and provide public facilities to support and fit into the Development Tiers development pattern.*

**Comment:** The proposed development integrates into the public facilities that are currently being provided along the Corridor. The Property is currently improved with a vacant automobile sales lot. The proposed development is for a mixed-use infill development. Thus, this redevelopment will not require an extension of public facilities, including roads. These public roads do not currently exist.

b. CORRIDOR

- i. *Promote development of mixed residential and nonresidential uses at moderate to high densities and intensities in context with surrounding neighborhoods and with a strong emphasis on transit-oriented design.*

**Comment:** The proposed development is a mixed-use residential and commercial development. Specifically, the development proposes a 156 hotel room and approximately 25,000 square feet of commercial space. The proposed development acts as a transition from the University View Development to the surrounding neighborhoods. Also, the proposed mixed-use development will provide amenities for the neighborhood that the student oriented developments do not. Finally, the design of the development is transit-oriented. The proposed development will have wide sidewalks, ample bike racks, and a sufficient amount of parking in a garage located to the rear of the development.

- ii. *Provide for a multimodal pedestrian-friendly transportation system at Centers and Corridors that are integrated with the desired development pattern.*

**Comment:** The proposed development provides for a multimodal pedestrian-friendly transportation system by implementing the wide sidewalks envisioned by the Plan. Also, the proposed development will include ample bike racks to ensure that local patrons have the ability to ride bikes to the amenities that will be on the development. Finally, the proposed development will include a parking garage to the rear of the site to ensure that the patrons that will be driving to the site will be able to park automobiles. The parking structure will be integrated into the existing slope to the rear of the site and will not create a visual nuisance for the surrounding neighborhoods.

- iii. *Plan and provide public facilities to support Centers and Corridors development.*

**Comment:** The proposed development integrates into the public facilities that are currently being provided along the Corridor. The property is currently improved with a vacant automobile sales lot. The proposed development is for a mixed-use infill development. Thus, this redevelopment will not require an extension of public facilities, including roads. These public roads do not currently exist.

- ii. *To help fulfill the purposes of the zone in which the land is located;*

**Comment:** The proposed development meets the purposes of the M-U-I zone. An analysis of the purposes of the M-U-I zone is contained in section "V". The rear portion of the Property is in the R-55 zone. As permitted in the Zoning Ordinance, and as analyzed in section "V", this DSP seeks to rezone the rear portion of the Property from the R-55 zone to the M-U-I zone.

- iii. *To provide for development in accordance with the site design guidelines established in this Division; and*

**Comment:** The proposed development meets the site design guidelines for DSP as amended by the Plan. The analysis of the site design guidelines as established by the Plan are contained in section "VI".

- iv. *To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.*

**Comment:** The proposed development is being analyzed in accordance with the approval procedures established by the Zoning Ordinance and amended by the Plan. These approved procedures are consistent for all DSP within the geographic boundaries of the Plan.

#### B. SPECIFIC PURPOSES

The Applicant's analysis of the specific purposes of a DSP, as contained within §27-281(c) of the Zoning Ordinance, are as follows:

- i. *To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;*

**Comment:** The submitted DSP meets this specific purpose. Please see the submitted DSP.

- ii. *To show specific grading, planting, sediment control, woodland conservation areas, regulated environmental features and storm water management features proposed for the site;*

**Comment:** The submitted DSP meets this specific purpose. Please see the submitted DSP.

- iii. *To locate and describe the specific recreational facilities proposed, architectural form of buildings, and the street furniture (such as lamps, signs, and benches) proposed for the site; and*

**Comment:** The submitted DSP meets this specific purpose. Please see the submitted DSP.

- iv. *To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.*

**Comment:** The submitted DSP meets this specific purpose. Please see the submitted DSP.

## V. CHANGE OF UNDERLYING ZONING CATEGORY

The Applicant respectfully requests that the District Council approve this DSP that seeks to rezone the rear portion of the Property from the R-55 zone to the M-U-I zone. Section 27-548.26 and 27-546.16 of the Zoning Ordinance permits an owner of property in a DDOZ to rezone property

through the DSP process. Also, the proposed development meets both the general and specific purposes of the M-U-I zone.

**A. APPROVAL OF M-U-I ZONE**

The Applicant respectfully requests that the District Council approve the rezoning of the rear portion of the Property, which is within the geographic boundaries of the DDOZ established by the Plan, from the R-55 zone to the M-U-I zone. Both §27-548.26 and §27-546.16 of the Zoning Ordinance permit the District Council to rezone a Property in a DDOZ to the M-U-I zone. Specifically, §27-546.16 states:<sup>3</sup>

**§27-546.16. Approval of Zone.**

*(a) The District Council may approve the M-U-I Zone in a Sectional Map Amendment, a T-D-O Zone map amendment, a D-D-O Zone map amendment, an individual map amendment requested by a municipality or the Prince George's County Redevelopment Authority, or an individual site plan case, subject to the provisions in this Subdivision.*

*(b) The M-U-I Zone may be approved on property which has proposed development subject to site plan review and is in the Transit District Overlay Zone or the Development District Overlay Zone, or on property owned by a municipality or the Prince George's County Redevelopment Authority, which requests the zone.*

*(2) Property in the D-D-O Zone may be reclassified from its underlying zone to the M-U-I Zone through the property owner application process in Section 27-548.26(b). In the review process, the owner shall show that the proposed rezoning and development will be*

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<sup>3</sup> Please see section "III" for section 27-548.26.

*compatible with existing or approved future development on adjacent properties.*

The requested rezoning and development is compatible with existing and approved future developments on adjacent properties. Adjacent to the Property are high rise mixed-use student housing developments with ground floor retail. This DSP proposes a mixed-use walkable hotel development with ground floor retail, that is consistent with the vision of the Plan, and other developments along the US Route 1 Corridor. Furthermore, the request to rezone the Property from the R-55 zone to the M-U-I zone will make the Property consistent and compatible with surrounding properties that are in the M-U-I zone. Thus, the Applicant respectfully requests that the District Council grant this rezoning request from the R-55 zone to the M-U-I zone.

**B. PURPOSES OF THE M-U-I ZONE**

The Applicant asserts that the proposed development meets the purposes of the M-U-I zone. The Applicant's analysis of both the general and specific purposes of the M-U-I zone are as follows:

i. **GENERAL PURPOSES**

- a. *The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans or requested by a municipality or the Prince George's County Redevelopment Authority, a mix of residential and commercial uses as infill development in areas which are already substantially developed. The M-U-I Zone may be approved on properties which adjoin developed properties or otherwise meet plan recommendations and which have overlay zone regulations requiring site plan review, or*

*on property owned by a municipality or the Prince George's County Redevelopment Authority, which requests the zone.*

**Comment:** The Applicant asserts that the proposed development meets this general purpose. The rear of this portion is in the R-55 zone and the front portion of this Property, which is adjacent to US Route 1, is in the M-U-I zone. Also, the Applicant seeks to obtain this rezoning request through the DSP process in the Plan DDOZ. Thus, this proposed development meets this general purpose of the M-U-I zone.

ii. SPECIFIC PURPOSES

- a. *To implement recommendations in approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where most properties are already developed;*

**Comment:** The proposed development meets the recommendations in the Plan. The analysis of the Plan is contained in section "VI". The Property is located along the US Route 1 Corridor. The properties along the US Route 1 Corridor are currently developed. The Plan for this portion of the US Route 1 Corridor envisions a mix of residential and commercial infill uses. The development proposed on the Property is an infill residential and commercial development. Thus, the Applicant asserts that the proposed development meets this specific purpose of the M-U-I zone.

- b. *To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;*

**Comment:** The Zoning Ordinance permits an Applicant in a DDOZ to request the M-U-I zone through the DSP process. The traditional rezoning process is more complicated than the DSP process. The Applicant proposes a mixed-use development through the DSP process. Thus, the Applicant asserts that the proposed development meets this specific purpose of the M-U-I zone.

- c. *To encourage innovation in the planning and design of infill development;*

**Comment:** The Applicant proposes a mixed-use infill development on the Property. The rules and regulations of the R-55 zone will severely hinder the innovative planning and design that is required to achieve the proposed development. The rules and regulations of the M-U-I zone allow for the innovative design that is envisioned and requested by the proposed development and the Plan. Thus, the Applicant asserts that the proposed development meets this specific purpose of the M-U-I zone.

*d. To allow flexibility in the process of reviewing infill development;*

**Comment:** The Property is located along the US Route 1 Corridor. As indicated by the existing development along the Corridor as well as the zoning of the properties along the Corridor, properties along the Corridor are infill properties. The M-U-I zone will provide the Applicant with the flexibility necessary to achieve the innovative planning and design for this infill development. Thus, the Applicant asserts that the proposed development meets this specific purpose of the M-U-I zone.

*e. To promote smart growth principles by encouraging efficient use of land and public facilities and services;*

**Comment:** The proposed development is a mixed-use infill development that incorporates smart growth principles since it is proposed on Property that is currently developed as an automobile dealership. Also, the proposed development maintains a healthy tree buffer for abutting residentially zoned properties. This development will not require the extension of any public facilities and services to areas where they do not currently exist since the Property was previously developed. Thus, the Applicant asserts that the proposed development meets this specific purpose of the M-U-I zone.

*f. To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses; and*

**Comment:** The proposed development is a commercial and residential mixed-use infill development that is surrounded by various commercial and recreational uses and a regional institutional employment center, the University of Maryland. The proposed development will substantially contribute to the community environment by adding a

desirable hotel use as well as additional commercial uses. Thus, the Applicant asserts that the proposed development meets this specific purpose of the M-U-I zone.

*g. To permit redevelopment, particularly in areas requiring revitalization, of property owned by a municipality, or the Prince George's County Redevelopment Authority.*

**Comment:** The Property is not owned by a municipality or the Prince George's County Redevelopment Authority. Thus, this purpose is not applicable.

## VI. DEVELOPMENT DISTRICT OVERLAY ZONE

The proposed development is within the geographic boundaries of the Plan. The Sectional Map Amendment, approved in the Plan, establishes a DDOZ for the area of the Plan. Furthermore, the Property is included within the "Walkable Node" and "Corridor Infill" area, as identified in the Plan. The Applicant asserts that the proposed development meets the purposes of the Development District. Also, the Applicant respectfully requests that the Planning Board approve the Development District Standards, as represented in the submitted DSP, which may differ from the Plan's DDOZ standards.

### A. PURPOSES OF DEVELOPMENT DISTRICT

The Applicant asserts that the proposed development meets the purposes of the DDOZ. The Applicant's analysis of the purposes of the DDOZ is as follows:

- i. To provide a close link between Master Plans, Master Plan Amendments, or Sector Plans and their implementations;*

**Comment:** The proposed development meets the recommendations in the Plan. A specific analysis of the Development District standards as set forth in the Plan are analyzed below in part "B" of this section. The Property is located along the US Route 1 Corridor. The properties along the US Route 1 Corridor are currently developed. The Plan for this portion of the US Route 1 Corridor envisions a mix of residential and commercial infill uses. The development proposed on the Property is a residential and commercial infill development. Thus, the Applicant asserts that the proposed development meets this purpose of the DDOZ.

- ii. *To provide flexibility within a regulatory framework to encourage innovative design solutions;*

**Comment:** The Property is located along the US Route 1 Corridor. As indicated by the existing developments along the Corridor as well as the zoning of the properties along the Corridor, properties along the Corridor are infill properties. The M-U-I zone and the DDOZ will provide the Applicant the flexibility necessary to achieve the innovative planning and design for this infill development. Thus, the Applicant asserts that the proposed development meets this purpose of the DDOZ.

- iii. *To provide uniform development criteria utilizing design standards approved or amended by the District Council*

**Comment:** The Property is currently within the geographic boundaries of the Plan DDOZ. This application seeks to rezone the rear portion of the Property to the M-U-I zone, the same zone as the front portion of the Property. The Property being developed with the same zone, in the same DDOZ, will provide for uniform development criteria. Thus, the Applicant asserts that the proposed development meets this purpose of DDOZ.

- iv. *To promote an appropriate mix of land uses;*

**Comment:** The proposed development is a residential and commercial mixed-use infill redevelopment that abuts the US Route 1 Corridor. The mix of uses proposed by the development represents uses that are currently needed in this area. Thus, the Applicant asserts that the proposed development meets this purpose of the DDOZ.

- v. *To encourage compact development;*

**Comment:** The proposed development is a residential and commercial mixed-use infill redevelopment that abuts the US Route 1 Corridor. The proposed development also includes a garage to meet the use parking needs. The Property is approximately 3.1 acres in size. Thus, the proposed development is compact.

- vi. To encourage compatible development which complements and enhances the character of an area;*

**Comment:** The Property is surrounded by other niche residential and commercial mixed-use infill developments. The hotel use represents a much anticipated and compatible use for the surrounding University of Maryland related uses. This redevelopment will enhance the character of the area by filling a niche that is needed in this market. Thus, the Applicant asserts that the proposed development meets this purpose of the DDOZ.

- vii. To promote a sense of place by preserving character-defining features within a community;*

**Comment:** The Property is currently improved with a vacant automotive dealership. The Property currently does not contain the types of defining features that communities typically preserve. Thus, the Applicant asserts that this purpose is not applicable to the proposed development.

- viii. To encourage pedestrian activity; and*

**Comment:** The proposed development will meet the pedestrian related requirements as outlined in the DDOZ and analyzed in part "B" of this section.

- ix. To promote economic vitality and investment.*

**Comment:** The Applicant proposes a mixed-use infill development that includes a hotel use. This development will increase the commercial tax base of the County, create additional jobs for the County, and provide much needed amenities to serve the existing uses around the Property. The proposed hotel will be utilized by individuals that travel to the University of Maryland for conferences, ceremonies, sports, or other events. The proposed hotel represents an opportunity for out of County dollars to be spent in the County during the course of these events. Thus, the Applicant asserts that the proposed development meets this purpose of the DDOZ.

B. RECOMMENDATIONS OF DEVELOPMENT DISTRICT

The Applicant respectfully requests that the Planning Board approve the Development District Standards, as represented in the submitted DSP<sup>4</sup>, which may differ from the Plan's DDOZ standards. Section 27-548.25 of the Zoning Ordinance permits the Planning Board to apply development standards that differ from the standards approved in the Plan. Specifically, §27-548.25 states:

**§ 27-548.25. Site Plan Approval**

*(c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.*

The Applicant's analysis of each of the Development District Standards are as follows:<sup>5</sup>

- i. Development Character
  - a. Walkable Node

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<sup>4</sup> Please note that any Development District Standard amendment not expressly requested in the text is requested in the form of the DSP submitted with this application as permitted on page 226 of the Plan.

<sup>5</sup> Please note that the Applicant has also submitted a supplemental analysis entitled "Development District Standards Analysis." This supplement should be reviewed in conjunction with this statement of justification and is intended to provide further explanation for the alternative District Standards requested.

**Comment:** The Applicant asserts that the proposed development meets the walkable node standards. As is true for all developments along the US Route 1 Corridor, the Applicant will work with Pepco for a comprehensive approach to underground utility poles along the Corridor. The Applicant has met and will continue to coordinate with the University of Maryland.

b. Corridor Infill

**Comment:** The proposed development complies with the Corridor Infill policies and strategies, but for the impact of the floodplain on the Property. The Applicant proposes a 12 foot build-to line for the proposed development caused by the fact that a retaining wall is required to achieve the floodplain solution approved by the Department of Public Works and Transportation. Also, the proposed building on the corner of Berwyn House Road and US Route 1 is only one (1) story. The building will appear to be two (2) stories from US Route 1.

ii. Building Form

a. Orientation

**Comment:** The Applicant asserts that the proposed development meets the building orientation standard.

b. Character Area 5a – Character Area 4

**Comment:** The Property is within Character Area 5a and Character Area 4 as identified in the Plan. The portion of the Property that is within Character Area 5a meets the standards identified in the Plan except for the location of the build-to line on Route 1. Due to the above described floodplain issue, the build-to line for the Property is 12 feet, not the 10 feet as set forth in the Development District Standards. The portion of the Property that is within Character Area 4 meets the standards identified in the Plan.

c. Private Frontages

**Comment:** Shopfront type frontage is used along the primary frontage which complies with the Plan.

d. Massing

**Comment:** The submitted DSP complies with the standards for Walkable Node and Corridor Infill without arcades. Please review the submitted DSP.

e. Step-Back Transitions and Landscape Buffers

**Comment:** The submitted DSP complies with the standards for Walkable Node and Corridor Infill without arcades. Please review the submitted DSP.

f. Parking

**Comment:** The applicant proposes 293 parking spaces for the development. The parking established in the Plan is 117. The Applicant proposes an additional 173 parking spaces. The Applicant requests additional parking based on the market needs of the proposed types of tenants. The proposed parking is located at the rear of the site inside of a parking garage. The Applicant proposes to include 54 bike spaces, this number takes into account the specialized hotel use and the number of individuals that will likely bike to the hotel. The Applicant proposes sufficient parking for the anticipated uses in a parking garage. Please review the submitted DSP.

g. Parking Access

**Comment:** The Applicant asserts that the proposed development complies with this standard. Please see the submitted DSP.

h. Parking Lots, Loading, and Service Areas

**Comment:** The submitted DSP complies with these standards. Please review the submitted DSP.

i. Structured Parking

**Comment:** The submitted DSP complies with the structured parking standard. Please review submitted DSP.

j. Drive-throughs, Gas Stations, and Bedroom Percentages

**Comment:** These standards are not applicable.

iii. Architectural Elements

a. Facades and Shopfronts

**Comment:** The submitted DSP complies with these standards. Please review the submitted DSP.

b. Awnings, Galleries, and Arcades

**Comment:** The submitted DSP complies with the standard for awnings. No galleries or arcades are proposed. Please review the submitted DSP.

c. Marquees and Balconies

**Comment:** The submitted DSP complies with the standards for marquees. No balconies are proposed. Please review the submitted DSP.

d. Porches and Stoops

**Comment:** No porches or stoops are proposed.

e. Street Screens

**Comment:** No street screens are proposed.

f. Materials

**Comment:** The submitted DSP complies with the material standards. Please review the submitted DSP.

g. Brick Detailing

**Comment:** The submitted DSP complies with the brick detailing standard. Please review the submitted DSP.

h. Landmark Features

**Comment:** The submitted DSP complies with the landmark feature standard. A landmark tower is located to the corner of Baltimore Avenue and Pontiac Street. Please review the submitted DSP.

i. Signage

**Comment:** The submitted DSP complies with these standards for Signage except for two instances. The DSP proposes three small signs for way finding, one at the corner of Baltimore Avenue and Berwyn House Road and one at each of the vehicular entries of the property. These signs are needed to direct hotel guests and others arriving by car to the main hotel entry and to parking. Placement of the hotel entry behind the main façade of the building provides more shop and restaurant space on Baltimore Avenue helping to ensure a more vibrant sidewalk. The DSP also proposes to allow a sign to be mounted perpendicular to the façade to be greater than nine (9) square feet, but not to exceed 36 square feet. This sign is similar to the building mounted sign shown on the bottom photograph on page 254 of the Plan. Please review submitted DSP and sign materials.

iv. Sustainability and the Environment

**Comment:** The Applicant will incorporate a host of sustainable and smart growth elements into the proposed development. Also, the proposed development will comply with the requirements of the new stormwater management regulations. Please review LEED scorecard.

v. Streets and Open Space

a. Street Sections

**Comment:** The Applicant asserts that the proposed development meets the Street Sections standards.

b. Streetscape

**Comment:** The Applicant asserts that the proposed development meets the Streetscape Standards. The proposed planter and walkway are both within the ranges specified Character Area 5a.

c. Streetscape, Amenities, and Adequacy of Transportation Facilities

**Comment:** The Applicant asserts that the proposed development meets the Adequacy Standard. The proposed development is located in segment (2) MD 193 to Paint Branch Parkway, which has a Level-of-Service E based on the peak period levels of service. Please review the submitted transportation study.

Also, bike racks are being provided along the streetscape and in the pedestrian passageway. Additional bike parking is located in the garage. Seating areas are shown in the pedestrian passageway along the street frontage and along the streetscape with furniture at the upper retail level and stair seating along the entire frontage. An internal private street has been provided to create finer urban fabric and provides access to the hotel garage and services. This internal private street also has street tree plantings and a sidewalk along the building edge allowing for a complete circulation around the site and connecting it with the pedestrian passageway.

#### d. Street Trees

**Comment:** Street trees have been planted regularly along continuous planting strips along all road frontages and are regularly spaced respecting setback and clearances from utilities at approximately 30' to 40' on center.

#### e. Street Lighting

**Comment:** The Applicant asserts that the lighting in the proposed development meets this standard. Please review the enclosed light plan.

#### f. Open Space

**Comment:** As recommended in the Plan, we are providing an attractive Streetscape to help establish a sense of place. This project has proposed a unique streetscape that leads to a series of steps arranged in a fashion that lead the passerby to explore and wander next to the shops. The buildings are set at a higher elevation to respond to requirements established by floodplain constraints. Monumental steps are used in a unique way to provide access to the higher level, but also provide informal seating opportunities along the streetscape. As one approaches the site from the south, a series of gently climbing plaza width stairs provide additional informal seating opportunities. The upper level at the retail edge also provides opportunity for outdoor seating and a place to stroll along the shops. The grade difference is mediated by way of stairs and sloped plantings without the need for railings making the upper level visually and physically accessible. In addition, the project provides for a small pocket park and pedestrian passage way linking the streetscape and the interior of the project. This passageway provides seating

opportunities and is animated by festival lighting providing for safety and a vibrant experience. Also, the proposed development maintains a healthy wooded buffer between the Property and the adjacent residential uses.

VII. CONCLUSION

The proposed mixed-use infill development will be a tremendous asset for the surrounding community. The hotel use will allow visitors to lodge in the City of College Park when they are attending a local or regional event. The proposed retail will allow the local community to obtain necessary goods and services without having to travel great distances. The proposed development will increase the amount of amenities available in the community, increase the number of jobs that are available to the community and increase the tax base for the City of College Park and the County. Also, the proposed development represents investment in an area of the County that is ripe for reinvestment.

In consideration of the foregoing, the Applicant respectfully requests the approval of this DSP.

Respectfully submitted,

RIFKIN, LIVINGSTON, LEVITAN,  
& SILVER, LLC.

By:   
Christopher L. Hatcher, Esquire

# Keane Property – DSP

## Development District Standards Analysis



MUSHINSKY VOELZKE ASSOCIATES



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

### Chapter 6: Implementation Recommendations

Item #	Section	Location in Sector Plan	Description	Applicant Comment	District Standards Analysis
1	Development Character Overview	P. 228	<p><b>Corridor Infill</b></p> <p>Consists of mixed-use but primarily residential urban fabric. It may have a wide range of building types, such as single-family, side yard, and row houses. Setbacks and landscaping are variable. New development in corridor infill areas is regulated in detail in these development district standards.</p>	The proposed development complies with the Corridor Infill policies and strategies.	Complies, no alternative standards required.
2	Development Character Overview	P. 228	<p><b>Walkable Node</b></p> <p>Consists of higher-density mixed-use buildings that accommodate retail, offices, row houses, and apartments, with emphasis on nonresidential land uses, particularly on the ground level. It has fairly small blocks with wide sidewalks and buildings set close to the frontages. New development in the walkable nodes is regulated in detail in these development district standards.</p>	<p>The proposed development meets the walkable node standards, but for the impact of the floodplain on the Property.</p> <p>The Applicant proposes a 12 foot build-to line for the proposed development. The need for a retaining wall is required to achieve the floodplain solution approved by the Department of Public Works and Transportation.</p> <p>The Applicant proposes ground floor retail along the US Route 1 which will implement the intent of the Sector Plan.</p> <p>As is true for all developments along the US Route 1 corridor, the Applicant will work with Pepco for a comprehensive approach to underground utilities currently mounted on poles along the corridor. The Applicant has met and will continue to coordinate with the University of Maryland.</p>	A 12' build-to line is necessary because the property is inside of the floodplain thus the building must be lifted and moved farther from the build-to line to accommodate DPWT issues, alternative standard required. Drawings illustrating the solutions to the flood plain issue have been submitted.
3	Building Form/	P. 231	Appropriate building orientation is the first step in making great	See comments on items 4 through 16 below.	N/A



	<b>Orientation</b>		streets and places. The following general principles provide the basis for reviewing the orientation of all new development in the Central US 1 Corridor Development District within existing residential areas, corridor infill areas, and in the walkable nodes.		
4	<b>Building Form/ Orientation</b>	P. 231	<p><b>Primary and Secondary Streets</b></p> <p>US 1, Rhode Island Avenue, and Autoville Drive shall function as primary frontage streets at all times. In the event a lot has frontage on both US 1 and Autoville Drive, the primary frontage for that lot shall be US 1. Other streets may be designated primary frontage streets if requested by the applicant and approved by the Planning Board and District Council (as appropriate) as an amendment to the development district standards at the time of detailed site plan review.</p> <p>All east–west oriented streets in the study area shall function as secondary frontage streets or side streets when a corner lot is located at the intersection of major north–south and east–west streets.</p> <p>When mid-block lots front east–west oriented streets, the east–west oriented street serves as the primary frontage street for that lot.</p>	<p>The project complies with these orientation requirements and the buildings and retail shop fronts are facing the primary street (US RT. 1.)</p> <p>The Pontiac Street to the north and Berwyn House Road to the south are secondary streets that provide vehicular and service access to the project.</p> <p>This configuration retains the vision intended for this standard.</p>	Complies.
5	<b>Building Form/ Orientation</b>	P. 231	<p><b>Building Orientation</b></p> <p>Buildings and lots have fronts, sides, and backs. Fronts display a building’s façade and shall face the public realm. The backs of buildings and lots, which are the private or service side, shall face mid-block and be screened from view. Sides of buildings and lots may face either the public realm or may be concealed mid-block.</p> <p>Frontage streets and side streets shall be faced with the fronts or sides of buildings and lots.</p> <p>Rear alleys and mid-block parking areas shall be faced with the backs or sides of buildings and lots.</p>	<p>The elevations envisioned by the design team address this requirement. The nature of the planning of the site also follows the same standard. The Applicant is proposing an alley at the back of the buildings to provide vehicular access to the loading area and garage structure as well as the hotel building.</p> <p>A pedestrian passageway with landscape features has been proposed that passes through the two building masses and connects to the front of the site and entrances to the shops. This element will emphasize the hierarchy of buildings’ frontage and provide convenient access for the visitors.</p>	Complies.
6	<b>Building Form/ Character area 3</b>	P. 232	<b>Existing Residential</b>	Not applicable for this project.	N/A
7	<b>Building Form/ Character area 4</b>	P. 233	<p><b>Corridor Infill</b></p> <p><b>BUILDING CONFIGURATION</b></p> <p>1. Building height shall be measured in number of stories, excluding attics and raised basements.</p>	<p><u>General Note:</u> The Property is within Character Area 5a and</p>	Alternative standards required.

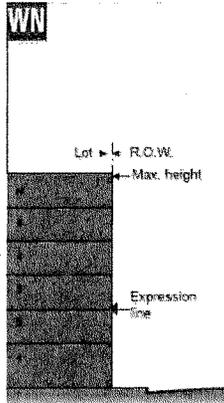


		<p>2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first-floor commercial use, which must be a minimum of 11 ft. with a maximum of 25 ft.</p> <p>3. Height shall be measured to the eave or roof deck.</p> <p><b>SETBACKS</b></p> <p>1. The façades and elevations of buildings shall be distanced from the lot lines as shown.</p> <p>2. Façades shall be built along the principal frontage to the minimum specified by the frontage build out.</p> <p><b>PARKING PLACEMENT</b></p> <p>1. Uncovered parking spaces may be provided within the third layer or setback at least 20 feet from the BTL.</p> <p>2. Covered parking shall be provided within the third layer.</p> <p>3. Trash containers shall be stored within the third layer.</p>	<p>Character Area 4 as identified in the Plan. The portion of the Property that is within Character Area 5a meets the standards identified in the Plan except for the location of the build-to line on US Route 1. Due to the above described floodplain issue in item 2, the build-to line (BTL) for the Property is proposed to be 12 feet, not the zero feet as set forth in the Development Character Map.</p> <p>The portion of the Property that is within the Character Area 4 meets the standards identified in the Plan.</p> <p><b>BUILDING CONFIGURATION</b></p> <p>1. Proposed building is six stories.</p> <p>2. Typical floor height is 10 feet and the first commercial floor is proposed at 14'-8" floor to floor.</p> <p>3. The height of the southern portion of the building follows this guideline to comply with the 25 feet height requirement of standard 2.</p> <p><b>SETBACKS</b></p> <p>Please refer to the general note above.</p> <p><b>PARKING PLACEMENT</b></p> <p>1. The minimal uncovered parking is located in the back of the building and complies with the standard.</p> <p>2. Parking structure is also located in the back of the project as the standard demands.</p> <p>3. Project complies with this requirement. Trash containers will be stored within the third layer also within a gated enclosure to minimize their unsightly impact.</p>	<p>Complies.</p> <p>Complies.</p>
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8	<b>Building Form/ Character area 5a</b>	P. 234	<p><b>Walkable Nodes</b></p> <p><b>BUILDING CONFIGURATION</b></p> <ol style="list-style-type: none"> <li>1. Building height shall be measured in number of stories, excluding attics and raised basements.</li> <li>2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial use, which must be a minimum of 11 feet with a maximum of 25 feet.</li> <li>3. Height shall be measured to the eave or roof deck.</li> <li>4. Expression lines shall be as shown in the Architectural Elements Section.</li> </ol> <p><b>SETBACKS</b></p> <ol style="list-style-type: none"> <li>1. The façades and elevations of principal buildings shall be distanced from the lot lines as shown.</li> <li>2. Façades shall be built along the principal frontage to the minimum specified by the frontage build out.</li> </ol> <p><b>PARKING PLACEMENT</b></p> <ol style="list-style-type: none"> <li>1. Uncovered parking spaces may be provided within the third layer or setback at least 20 feet from the BTL.</li> <li>2. Covered parking shall be provided within the third layer.</li> <li>3. Trash containers shall be stored within the third layer.</li> </ol>	<p>Building Configuration standards have been met.</p> <p>A 12 foot setback is proposed because of the solution to lift the building from the flood plain as described above in "item" 2.</p> <p>The frontage build out along Baltimore Avenue exceeds 80%.</p> <p>Parking Placement standards have been met.</p>	<p>Complies.</p> <p>Alternative standards required.</p> <p>Complies.</p> <p>Complies.</p>
9	<b>Building Form/ Character area 5b</b>	P. 235	<b>Walkable Nodes (University)</b>	Not applicable for this project.	N/A
10	<b>Building Form/ Private Frontage</b>	P. 236	<p>The following images illustrate the different possible arrangements of the private frontage along the primary frontage street, according to the appropriate character area. All of the following elements are permitted to encroach into the setback; galleries and arcades are permitted to encroach into the right-of-way (R.O.W.), with the permission from the applicable transportation agency. The combination of building form and private frontages adds flexibility, diversity, and interest to the built environment.</p> <p><b>Porch and Fence</b></p> <p><b>Terrace or Lightwell</b></p>	<p>Shop front type frontage is used along the primary frontage to comply with mandatory frontage requirement.</p> <p>Not applicable for this project.</p> <p>Not applicable for this project.</p>	<p>Complies.</p> <p>N/A</p> <p>N/A</p>

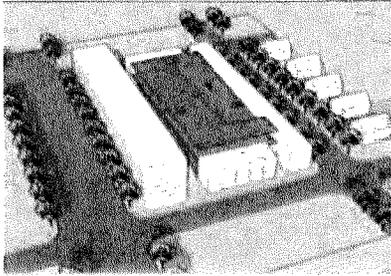
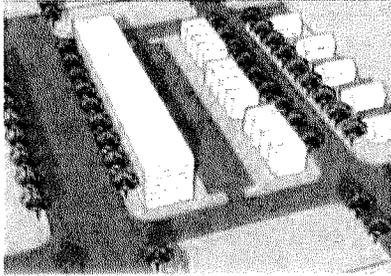
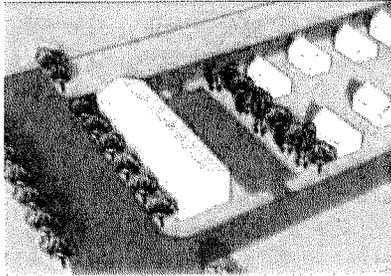


			<b>Forecourt</b>	Not applicable for this project.	N/A
			<b>Stoop</b>	Not applicable for this project.	N/A
			<b>Shop Front</b> A frontage wherein the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that should overlap the sidewalk to within two feet of the curb. Syn: retail frontage.	The building along US Route 1 has shop fronts at the raised sidewalk grade. Canopies and awnings are used to provide pleasant retail experience.	Complies.
			<b>Gallery</b>	Not applicable for this project.	N/A
			<b>Arcade</b>	Not applicable for this project.	N/A
11	<b>Building Form/ Massing</b>	P.237	<p>Massing requirements are shown for new construction up to ten stories and are designed to ensure new development is responsive to issues of scale, natural lighting, and pedestrian comfort. An expression line is required in the corridor infill and walkable node character areas above the second story. Buildings shall include a step-back after eight stories. The maximum height of an arcade varies with building heights. Please note that "N" stands for any stories above those shown, up to the maximum. Refer to specific character area charts on pages 233–235 for exact minimums and maximums. Building heights in excess of those specified in the development district standards shall be considered detrimental to the vision of the sector plan and the goals of this development district.</p> 	<p>The submitted DSP complies with the standards for walkable nodes and corridor infill without arcades. The building elevations show the expression line required by this standard.</p> <p>No step-back requirements apply to the project since the height is below eight stories.</p>	Complies.



12	<b>Building Form/ Step-Back Transitions &amp; Landscape Buffers</b>	P.238	<p>Generally, compatible buildings and uses should be located adjacent to each other. However, along historically commercial strips, tall buildings often share rear lot lines with residential buildings. Where corridor infill and walkable node areas are across the street from or share a rear property line with an existing residential area, a step-back transition and/or a landscape buffer shall be required for all new development within the corridor infill and walkable node areas.</p> <p>Step-back transitions are appropriate where corridor infill and walkable node areas are across the street from existing residential areas. This scenario is illustrated in the top two diagrams on this page, where a block that fronts US 1 is across the street from an existing residential block. The tallest buildings shall be located fronting US 1. The development shall step down through the block to a maximum height of two or three stories facing existing residential development. The top image illustrates the use of a mid-block parking garage that is masked by a residential liner building, while the middle image illustrates a surface parking lot that is similarly screened by townhouse liner buildings.</p> <p>Landscape buffers in combination with step-back transitions are appropriate when corridor infill and walkable node areas share a property line with existing residential areas. This scenario is illustrated in the bottom image on the next page. The buffer area shall be consistent with the standards of the Landscape Manual.</p>	<p>There is a landscape buffer in the back of the site, adjacent to the residential areas. Also the slope of the site is such that the structured parking is buried into the hillside and is compliant with the recommendations of this standard.</p>	Complies.
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			 <p>Stepback transition with a mid-block parking structure and residential liner buildings.</p>  <p>Stepback transition with a mid-block parking lot and townhouse liner buildings.</p>  <p>Landscape buffer between corridor infill development and an existing residential area.</p>		
13	<b>Building Form/ Parking</b>	P.239	<p>1- The number of parking spaces required in the Central US 1 Corridor sector plan area is specified in this section for residential, lodging, office, and retail (including eating or drinking establishments) use. Any deviation from this standard shall require a modification of the development district standards.</p> <p>2- The number of parking spaces required for uses not listed here shall be reduced fifty percent from the number of required off-street parking spaces in accordance with Section 27-568(a)</p>	<p>1-The Applicant proposes sufficient parking for the anticipated uses in a parking garage. Please review the submitted DSP.</p> <p>2- All proposed uses are represented in the chart.</p> <p>3-This is not applicable to the Project.</p> <p>4-The clientele of the hotel are unlikely to use bicycles in this area, therefore, the client is proposing to provide one bicycle space per three retail parking</p>	<p>Alternative standards required to provide sufficient parking for proposed uses to ensure, among other things, that employees do not park in the residential area.</p>





			<p><b>RETAIL (in WN)</b>  <b>(including eating or drinking establishments)</b></p> <p>Retail buildings are limited in square footage to what is required to provide three assigned parking places per 1,000 square feet of net retail space.</p>	To meet market demands the Applicant is providing structured parking and therefore requesting five parking spaces for every 1,000 square feet of net retail space.	Alternative standards required.
14	<b>Building Form/ Parking Access</b>	P.241	<p><b>Parking Access</b></p> <ul style="list-style-type: none"> <li>- When present, alleys shall be the primary source of access to off-street parking. Parking along alleys may be head-in, diagonal, or parallel.</li> <li>- Alleys may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the alley shall be maintained. Access between parking lots across property lines is also encouraged.</li> <li>- When alleys are not present, secondary frontage or side streets may be used as the primary source of access to off-street parking.</li> <li>- When neither alleys, secondary frontage, or side streets are present, primary frontage streets may be used as the primary source of access to off-street parking, with a driveway that either passes to the side of the building or through the building. See Figures 3 and 4. This condition should be avoided to the fullest extent possible to reduce the number of driveways.</li> <li>- Circular drives shall be prohibited for all uses except for civic buildings.</li> <li>- The vehicular access drive of a parking lot or garage shall be no wider than 22 feet.</li> </ul>	<p>The alley provided within the site is the only source of access to the head-in off-street parking. A dedicated drop-off area is also provided for hotel access.</p> <p>The vehicular access drive of the parking lot and garage are 22 feet and comply with the standard.</p>	Complies.
15	<b>Building Form/ Parking Lots, Loading, &amp; Service Areas</b>	P.242	<p><b>Parking Lots</b></p> <ul style="list-style-type: none"> <li>- Off-street surface parking shall be set back a minimum of 20 feet from all property lines along streets, except along alleys.</li> <li>- Parking lots shall be masked from the primary frontage street and the secondary frontage or side street by a liner building whenever possible. Where this is not possible, a street screen, such as a wall, a fence, or a hedge, should be provided to mask parked cars.</li> </ul>	<p>The only off-street surface parking spaces provided are along an alley.</p> <p>The buildings mask the parking from the primary frontage. The garage is built against the hillside and as shown in the elevations in the submitted DSP is naturally screened.</p>	Complies.
			<p><b>Parking Lots Landscaping Requirement</b></p> <ul style="list-style-type: none"> <li>- Interior planting shall be required for any parking lot that is 6,000 square feet or larger. At least six percent of the lot shall be interior planting area.</li> </ul>	There is no surface parking lot provided, therefore no interior planting/landscape strips/landscape island are required.	Complies.



			<ul style="list-style-type: none"> <li>- Landscape strips at least six feet in width shall be provided between parking isles of either head-in or diagonal parking. A minimum of one tree shall be provided every 60 feet along landscape strips.</li> <li>- Landscape islands may be used in lieu of landscape strips. No more than six consecutive parking stalls are permitted without a landscape island at least six feet wide and extending the entire depth of the parking stall. A minimum of one tree shall be planted in each landscape island.</li> <li>- Durable pervious surfaces are recommended for surface parking lots. However, gravel and other coverings prone to dust shall be prohibited.</li> </ul>		
			<p><b>Street screens</b></p> <ul style="list-style-type: none"> <li>- Street screens shall be a minimum of three feet six inches tall. The maximum heights shall be six feet.</li> <li>- All street screens over four feet high should be a minimum of 30 percent visually permeable or articulated.</li> <li>- Street screens shall have openings no larger than necessary to allow automobile and pedestrian access.</li> <li>- Additional street screen standards are located in the street screen section of Architectural Elements.</li> </ul>	Not applicable for this project.	N/A
			<p><b>Loading and service areas</b></p> <ul style="list-style-type: none"> <li>- Loading and service areas shall not be visible from streets, except alleys. These areas shall be located a minimum of 30 feet away from public sidewalks.</li> <li>- Loading and service areas should be hidden from public view by street screens.</li> </ul>	The Project is proposing an enclosure for the loading and service area, the only access to which is from the interior alley. This gated enclosure is hidden from public frontage.	Complies.
16	<b>Building Form/ Structured Parking</b>	P.243	<p><b>Structured Parking</b></p> <ul style="list-style-type: none"> <li>- Parking structures shall be set back a minimum of 50 feet from the property lines of all adjacent thoroughfares (except rear alleys) to reserve room for liner buildings between the parking structure and the lot frontage.</li> <li>- Liner buildings shall be a minimum of two stories in height and may be attached or detached from parking structures.</li> <li>- Parking structures shall be built of durable, high-quality materials, such as brick, decorative cast concrete panels, and natural or quality synthetic stone. The materials and design of the structure should reflect that of the associated building.</li> </ul>	<p>The submitted DSP complies with the structured parking standard and setback requirement.</p> <p>No liner buildings are needed.</p> <p>Parking structure is proposed to be built with concrete and precast concrete and be will be cladded with precast concrete panels and brick; both building materials recommended in this standard.</p>	Complies.



17	<b>Building Form/</b>	P.244	<b>Drive-Throughs, Gas Stations, and Bedroom Percentages</b>	Not applicable for this project.	N/A
18	<b>Architectural Elements/ Facades and Shop Fronts</b>	P.245	Certain design elements are common to all styles of architecture and building types, such as opening compositions, shop fronts, and overall façade articulation—some of these are illustrated below. In general, each floor of any building facing a street, park, or square shall contain transparent windows covering between 20 to 70 percent of the wall area, as measured between finished floors.	The submitted design for the DSP has taken into consideration and complies with this requirement by providing 20 to 70 percent window coverage.	Complies.
19	<b>Architectural Elements</b>	P.246-250	<p><b>Façades and Shop Fronts</b></p> <p>In order to provide clear views of merchandise in stores and to provide natural surveillance of exterior street spaces, the ground floor along the building frontage shall have untinted transparent storefront windows and doors covering between 50 percent and 70 percent of the wall area (between the finished floors).</p> <p>Low emissivity glass with high visual light transmittance may be permitted, but tinted glass shall not be permitted. The top of store front window sills shall be between one and three feet above the sidewalk grade.</p> <p>Storefront windows shall extend to at least eight feet above the adjacent sidewalk.</p> <p>Storefronts shall remain unshuttered at night and shall provide clear views of interior spaces lit from within.</p> <p>Doors or entrances for public access shall be provided at intervals no greater than 50 feet.</p> <p>A minimum of 12 feet of habitable space shall be provided behind each shop front along the building frontage.</p> <p>Each floor of any building facing a frontage street or open space shall contain transparent windows covering from 20 percent to 70 percent of the wall area, as measured between finished floors.</p> <p>Ground-floor residential units should have a raised finish floor at least 24 inches above the sidewalk grade to provide sufficient privacy for ground-floor residents.</p>	<p>Clear glass with low emissivity and high visual light transmittance will be provided as required.</p> <p>The shop front glass starts at recommended one to three feet above sidewalk and extends to at least eight feet above the sidewalk.</p> <p>No shutters will be provided for the storefronts and the future tenants will be informed to comply with this requirement.</p> <p>Entrances to the retail space are provided frequently and at a distance less than 50 feet.</p> <p>The minimum 12 feet of habitable space shall be a requirement that future tenants will comply with and the Applicant will make this part of their lease agreement to comply with the Sector Plan intent.</p> <p>Transparent windows are provided as required.</p> <p>There are no ground-floor residential units in the project.</p>	Complies.
			<p><b>Awnings</b></p> <p>Minimum awning depth = 5' (measured perpendicular to the wall face). Minimum underside clearance = 8' from the sidewalk. The above requirements apply to first-floor awnings. Awnings above the first floor have no minimum requirements.</p> <p>- Awnings may occur forward of the minimum setback and may encroach within the right-of-way with the approval of the pertinent agency but shall not extend closer to the curb line than</p>	At the north and west of the project we are proposing awnings at the first floor shop front which comply with the requirement set forth in this standard.	Complies.



			<p>two feet.</p> <ul style="list-style-type: none"> <li>- Awnings shall be made of durable fabric and may be either fixed or retractable. High-gloss or plasticized fabrics are prohibited. Backlit awnings are also prohibited.</li> </ul>		
			<p><b>Galleries, and Arcades</b></p>	Not applicable for this project.	N/A
			<p><b>Marquees</b></p> <p>Minimum marquee depth = 6' (measured perpendicular to the wall face). Minimum underside clearance = 8' from the sidewalk. The above requirements apply to first floor marquees. Marquees above the first floor shall not be permitted.</p> <ul style="list-style-type: none"> <li>- Marquees may occur forward of the minimum setback, and may encroach within the right-of-way with the approval of the pertinent agency but shall not extend closer to the curb line than two feet.</li> <li>- Marquees typically are used above the primary entrances to buildings such as cinemas, hotels, and office buildings. They may be cantilevered (with the structure hidden internally) or supported from above by suspension cables or chains.</li> </ul>	<p>Marquee is provided at the hotel's main drop-off area in the back of the building which meets the requirements set forth in the standards.</p> <p>A canopy that turns around the building is provided at the north-west corner of the hotel entrance.</p> <p>The Applicant is also proposing a canopy at the anchor retail entrance.</p>	Complies.
			<p><b>Balconies, Porches &amp; Stoops</b></p>	Not applicable for this project.	N/A
			<p><b>Street Screens (Garden Walls, Fences, &amp; Hedges)</b></p>	Not applicable for this project.	N/A
20	Architectural Elements/ Materials	P.251	<p>Building wall materials shall be combined on each façade horizontally only, with the heavier materials (stone, brick, concrete with stucco, etc.) below and supporting the lighter materials (wood, siding, etc). Any change in materials shall preferably occur at the floor or sill level.</p>	The submitted DSP complies with the material standards. Please review the submitted elevations in the DSP.	Complies.
			<p><b>Siding</b></p> <p>Permitted siding types include:</p> <ul style="list-style-type: none"> <li>- Horizontal lap, of wood or composition board (such as Hardiplank®).</li> <li>- Vertical wood board and batten.</li> </ul> <p>All siding types shall incorporate vertical corner boards on outside building corners. Corner boards shall be a minimum of 3" in width.</p> <p>Vinyl and aluminum siding shall not be permitted.</p>	Siding is not intended to be used at this time.	N/A
			<p><b>Stucco</b></p>		



			Surfaces finished in stucco should be smooth and hand trowelled in texture and painted. Sprayed-on stucco finishes and exterior insulation and finish systems (EIFS) are discouraged.	Stucco or EIFS are not intended to be used at this time. The Applicant would like the ability to coordinate with the City of College Park and Park and Planning staff at the time of building permit to explore the possibility of using these materials.	Complies.
			<b>Masonry</b> Masonry walls, whether load bearing or veneer, may only be of brick or natural stone. Masonry is encouraged as the primary building material for all development in the walkable node and corridor infill areas.	The Project is designed with brick as the primary material, with cast stone horizontal accent bands.	Complies.
21	<b>Architectural Elements/ Brick Detailing</b>	P.252	<b>Header</b> The horizontal member spanning the top of an opening. - All openings in masonry construction should be spanned by headers. - Acceptable header types include stone or concrete lintels, brick segmental or semicircular arches, and brick jack arches. - Headers should always be slightly wider than the openings they span.	The headers used at the openings are typically soldier course brick with some areas that have accented double header courses. Modern waterproofing and flashing details require that headers be the same width as the opening.	Alternative standards required.
			<b>Sill</b> The horizontal member at the base of a window opening. - All window openings in masonry construction should have a sill. - Sills are generally rectangular in form and are sloped slightly away from the window opening to shed water. - Sills should be a minimum of two (2) inches in height and should project from the wall surface a minimum of one inch. - Sills should be slightly wider than the window opening.	Cast stone sills are provided for masonry openings. Modern waterproofing and flashing details require that sills be the same width as the opening.	Alternative standards required.
			<b>Cap</b> The protective top layer of a masonry structure exposed to weather from above. - A cap should protect the tops of all masonry structures exposed to the weather, including garden walls, stair treads, planter edges, and freestanding piers. - Caps should project past the edge of the brick structure by a minimum of half an inch.	Cap would be used on top of the walls, and parapets as shown in the elevation drawings.	Complies.
22	<b>Architectural Elements/</b>	P.253	<b>Landmark Features</b>		



	<b>Landmark Features</b>		<p>Landmark features should be provided in the landmark locations designated on the development character maps. Landmark features are designed in response to the prominence and visibility of their sites. A landmark feature can be an architectural element such as a tower or a lantern, described below. If the landmark feature is located in a park or plaza, it may be a gateway feature, sculpture, or other work of public art.</p>	<p>The submitted DSP complies with the landmark feature standard. A landmark tower is located to the corner of Baltimore Avenue and Pontiac Street. Please review the submitted DSP.</p>	Complies.
			<p><b>Towers</b></p> <p>Towers with a footprint smaller than 30 x 30 feet may extend up to one story above the designated height limit. Towers with a footprint smaller than 20 x 20 feet may extend up to two stories above the designated height limit. Towers are permitted on all civic buildings or any building that is located on a corner lot.</p>	<p>The tower proposed for the hotel is 24' x 45' and is raised approximately 10' above the top of parapet.</p>	Complies.
			<p><b>Lanterns</b></p> <p>The maximum lantern height is 12 feet (from the ridge of the roof upon which it sits, excluding pinnacles). Lanterns generally provide light into interior spaces and are often positioned above an interior light or stair well. Lanterns may extend above the designated height limit.</p>	<p>Not applicable for this project.</p>	N/A
23	<b>Architectural Elements/ Signage</b>	P.253	<p><b>Commercial Signs</b></p> <ul style="list-style-type: none"> <li>- All signs shall be attached to the façade. Signs may be flat against the façade or mounted projecting or hanging from the façade. Signs may also be mounted on the roof of landmark or civic buildings in certain cases. Free standing signs shall not be permitted.</li> <li>- Signs shall be externally lit from the front with a full-spectrum source. Internal and back lighting are permitted as an exception only for individual letters or numbers, such as for "channel letter" signage (panelized back lighting and box lighting fixtures are prohibited). Signage within a shop front may be neon lit.</li> <li>- Building numbers are required (commercial buildings require building numbers in both the front and rear).</li> <li>- The maximum gross area of signs on a given façade shall not exceed ten percent of the façade area of the commercial portion of the building. Architectural signs or signage painted on a building façade or mounted on the roof may exceed this limit in certain cases, to be determined at the time of site plan review.</li> <li>- Signs mounted on the façade shall maintain a minimum clear height above sidewalks of eight feet.</li> <li>- Signs shall not extend within two feet of the curb line.</li> </ul>	<p>The submitted DSP complies with these standards for Signage except for two instances. The DSP proposes four small signs for way finding, one at the corner of Baltimore Avenue and Berwyn House Road, Baltimore Avenue at Pontiac Street and one at each of the vehicular entries to the property. These signs are needed to direct hotel guests and others arriving by car to the main hotel entry and to parking. Placement of the hotel entry behind the main façade of the building provides more shop and restaurant space on Baltimore Avenue helping to insure a more vibrant sidewalk. Design studies for these signs have been provided. The DSP also proposes to allow signs mounted perpendicular to the façade to be greater than nine (9) square feet, but not to exceed 36 square feet. These signs will be similar to the building mounted sign shown on the bottom photograph on page 254 of the Plan and installed on the recently completed buildings across Route 1. Please review submitted signage documents.</p>	Alternative standards required.



			<ul style="list-style-type: none"> <li>- The maximum area of any single sign mounted perpendicular to a given façade shall not exceed nine square feet.</li> <li>- A single external sign band may be applied to the façade of each building, provided that such signs shall not exceed three feet in height.</li> </ul>		
24	<b>Sustainability and the Environment</b>	P. 256 - 258	<p><b>Leadership in Energy and Environmental Design (LEED®) Certification</b></p> <ul style="list-style-type: none"> <li>- LEED® standards for building, as set forth by the U.S. Green Building Council, should be reviewed and integrated into the design and construction process for all new development and renovation projects. LEED-Silver or better certification is desired for all new development.</li> <li>- All development within the walkable nodes shall obtain a minimum of silver certification in one of the following applicable LEED® rating systems: new construction and major renovations, existing buildings, commercial interiors, core and shell, schools, retail, healthcare, and homes.</li> <li>- LEED-Gold or platinum certification under an applicable LEED® rating system is encouraged for all development when feasible.</li> <li>- Developments composed of several buildings should pursue LEED® for Neighborhood Development certification.</li> </ul>	<p>The proposed development will comply with the requirements of the new storm water management regulations. The Applicant will incorporate a host of sustainable and smart growth elements into the proposed development. Specifically, as evidenced by the submitted LEED scorecard, the Applicant intends to make every reasonable effort to develop and construct a LEED Silver quality building. Unfortunately, due to DSP and LEED timing issues, the Applicant cannot guarantee that at this time in the development process, that a LEED Silver standard can be achieved considering the specialized uses proposed in the development.</p>	Alternative standards required.
			<p><b>Passive Solar &amp; Ventilation Design</b></p> <ul style="list-style-type: none"> <li>- Provide shade for south-facing façades by designing properly-sized overhangs on south facing glazing. Mature trees can also fulfill the need for shade on south facing façades.</li> <li>- Solar tubes and skylights can reduce the need for electric lighting or provide sunlight to rooms that have few or no windows. These are encouraged because they provide natural day lighting to interior spaces.</li> <li>- Maximize opportunities to align fenestration on opposite façades of buildings in order to facilitate cross-ventilation. Minimize floor plate sizes so that rooms may have access to light and air.</li> </ul>	<p>Applicant is providing requisite street trees on Berwyn House Road.</p> <p>Applicant is not providing solar tubes or skylights.</p> <p>The uses and size of this project prevent effective cross ventilation.</p>	Alternative standards required.
			<p><b>Materials</b></p> <p>Wherever possible, green materials shall be used in both the structure and interior finishes of buildings. These include: recycled or salvaged materials, rapidly renewable materials (derived from plants with a fast growth cycle), Forest Stewardship Council® certified wood, and materials harvested</p>	Applicant intends to comply to the extent possible.	Complies.

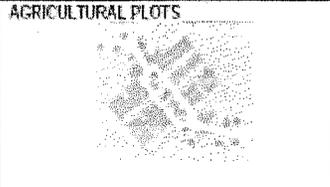
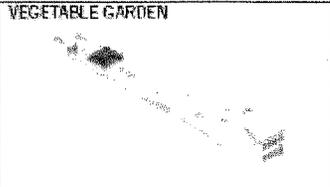
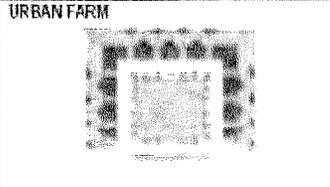
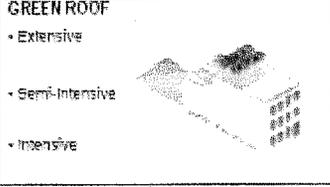
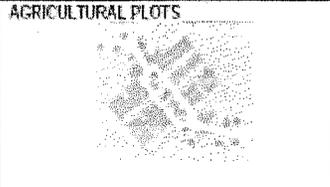
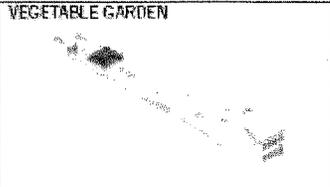
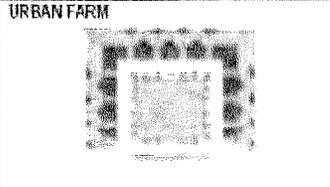
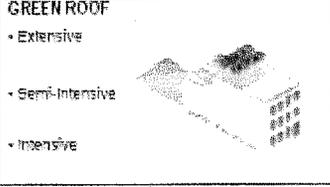
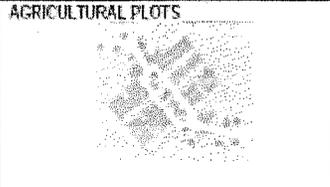
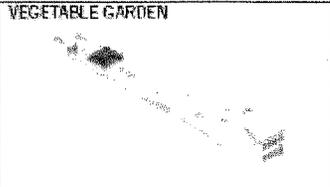
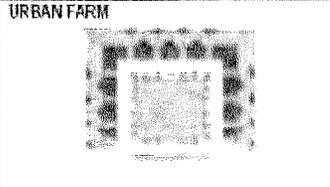
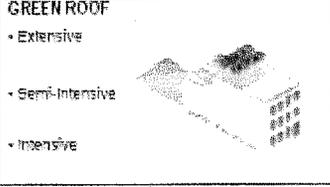


			or manufactured locally.		
			<p><b>On-Site Energy Generation and Efficiency</b></p> <ul style="list-style-type: none"> <li>- In the case of pitched roofs, place photovoltaic panels on the slope that has the highest amount of solar gain.</li> <li>- In the case of flat-roofs, place photovoltaic panels behind a parapet so that they are not visible from the street, and orient them as closely as possible to the ideal angle for solar gain. Sun-tracking panels are encouraged.</li> <li>- Roof-mounted solar hot water and/or photovoltaic panels are encouraged to reduce grid demand energy use.</li> <li>- Proposed plantings and/or building additions that will shade preexisting solar panel installations on adjacent properties should be avoided.</li> <li>- Phase out fossil-fuel climatization systems, such as oil heating. Renewable energy sources, such as wind, solar, and geothermal generation, should be pursued.</li> <li>- Air-conditioning systems and appliances should be of the highest efficiency ratings. Wherever possible, use Energy Star appliances.</li> <li>- All lighting should use high-performance or LED lighting systems.</li> </ul>	<p>N/A</p> <p>Applicant will not provide panels.</p> <p>Applicant will not provide panels.</p> <p>N/A</p> <p>Applicant will use traditional climatization systems.</p> <p>Applicant shall use energy efficient air conditioning systems and appliances.</p> <p>Applicant shall use energy efficient lighting systems to the extent practicable.</p>	Alternative standards required.
			<p><b>Landscaping</b></p> <p>Minimize lawn or turf area. Turf should only be used in areas where it provides functional benefits.</p> <ul style="list-style-type: none"> <li>- Use drought-tolerant and/or slow-growing hardy grasses, native and indigenous plants, shrubs, ground covers, and trees appropriate for local conditions.</li> <li>- Permanent irrigation systems shall only utilize captured rainwater and/or building gray water (with approved filtration systems). Potable water use shall not be permitted in permanent irrigation systems.</li> <li>- Use mulches to minimize evaporation, reduce weed growth, and slow erosion.</li> <li>- Encourage on-site food production by planting fruit-bearing trees adapted to the local climate. Set aside areas and construct composting areas and planting beds for the cultivation of fruits, vegetables, and herbs.</li> </ul>	<p>The use of lawn is minimized, and only used at the planting strips along streets.</p> <p>All provided plant materials, including many native species, are appropriate for local conditions. The proposed planting plan meets the County's Sustainable Landscaping Requirements.</p> <p>Mulches will be used on planting beds.</p> <p>Fruit-bearing trees (Amelanchier) are provided.</p>	Complies.
			<p><b>Water Efficiency and Recharge</b></p> <ul style="list-style-type: none"> <li>- Surface parking areas, alleyways, and driveways should be</li> </ul>	Applicant does not propose pervious paving materials,	Alternative standards



		<p>constructed with durable pervious paving materials (grass paver systems or pervious asphalt) to promote groundwater recharge and reduce stormwater runoff quantity and flow rates. Gravel is discouraged because of issues related to dust generation.</p> <ul style="list-style-type: none"> <li>- All at-grade walks (excluding public sidewalks) and pathways shall be constructed with pervious materials.</li> <li>- Capture slow runoff using exfiltration tanks, drainage swales, and other devices.</li> <li>- Use low-flow water closets, faucets, showerheads, washing machines, and other efficient water-consuming appliances.</li> </ul>	<p>however, the project's Stormwater Management System incorporates bio-retention pond and planters which provide infiltration/groundwater recharge and reduced runoff rates. The project's Conceptual Stormwater Management System has been approved by MDE.</p> <p>Applicant shall use low flow bath fixtures to the extent practicable.</p>	<p>required.</p>
		<p><b>Storm Water Management and the Paint Branch</b></p> <ul style="list-style-type: none"> <li>- All new development within established floodplains shall comply with all adopted county, state, and federal environmental regulations to prevent unnecessary runoff and pressure on the Paint Branch and the greater watershed.</li> <li>- Underground or above-grade cisterns shall be integrated into the site plan for all new development within or abutting the Paint Branch buffer. These cisterns will both reduce the amount of stormwater flowing into the Paint Branch and will help to store water on-site for uses, such as landscape irrigation.</li> <li>- Site grading, paving, and planting shall be done in a manner that minimizes off-site stormwater runoff.</li> <li>- Suburban stormwater management measures, such as regional storage and drainage ponds shall be prohibited.</li> </ul>	<p>This proposed project complies with current floodplain regulations. We minimize floodplain fill, and will provide a contribution (approved by DPW&amp;T) to an offsite Paint Branch restoration project to offset the small amount of fill.</p> <p>No cisterns are proposed.</p> <p>Site grading attempts to minimize stormwater runoff. No regional storage or drainage ponds are proposed.</p> <p>The site is graded to route the required water quality volumes to the proposed bio-retention ponds and planters. The site's Conceptual Stormwater Management System has been approved by MDE.</p>	<p>Alternative standards required.</p>
		<p><b>Food Production</b></p> <ul style="list-style-type: none"> <li>- This table shows ways of incorporating types of local food production throughout the Central US 1 Corridor. Cities are increasingly allowing urban agriculture and the raising of animals for household use to encourage lower-cost food supplies and reduction in energy consumption for food transport.</li> <li>- Community gardens provide a focus for recreation and sociability greater than that of private yards. They are also welcomed by apartment-dwellers who enjoy gardening. Community garden plots are not sold but rather let under municipal or private administration.</li> <li>- Green roofs also provide opportunities for food production, even as they mitigate carbon emissions and reduce stormwater runoff. They may be incentivized by giving developers bonuses for installing them.</li> <li>- As tree preservation and planting regulations are introduced, fruit trees may be included and designated for local food</li> </ul>	<p>The proposed buildings include hotel and retail only, and no residential units provided. Food production community gardens may not be appropriated for the site.</p>	<p>N/A</p>



			<p>production.</p> <p>Appropriate Forms of Open Space</p> <table border="1"> <thead> <tr> <th></th> <th>ER</th> <th>CI</th> <th>WN</th> <th>WNU</th> </tr> </thead> <tbody> <tr> <td> <b>AGRICULTURAL PLOTS</b>   </td> <td>*</td> <td></td> <td></td> <td></td> </tr> <tr> <td> <b>VEGETABLE GARDEN</b>   </td> <td>*</td> <td>*</td> <td></td> <td></td> </tr> <tr> <td> <b>URBAN FARM</b>   </td> <td>*</td> <td>*</td> <td>*</td> <td></td> </tr> <tr> <td> <b>COMMUNITY GARDEN</b>   </td> <td>*</td> <td>*</td> <td>*</td> <td>*</td> </tr> <tr> <td> <b>GREEN ROOF</b>  <ul style="list-style-type: none"> <li>• Extensive</li> <li>• Semi-Intensive</li> <li>• Intensive</li> </ul>  </td> <td>*</td> <td>*</td> <td>*</td> <td>*</td> </tr> </tbody> </table>		ER	CI	WN	WNU	<b>AGRICULTURAL PLOTS</b> 	*				<b>VEGETABLE GARDEN</b> 	*	*			<b>URBAN FARM</b> 	*	*	*		<b>COMMUNITY GARDEN</b> 	*	*	*	*	<b>GREEN ROOF</b> <ul style="list-style-type: none"> <li>• Extensive</li> <li>• Semi-Intensive</li> <li>• Intensive</li> </ul> 	*	*	*	*		
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25	<b>Street and Open Spaces</b>	P. 259	<p><b>Street Sections</b></p> <p>The following street sections refer to specific segments of the Central US 1 Corridor. The street sections supplement the building form standards, creating an integrated sense of place</p>	<p>The Applicant asserts that the proposed development meets the Street Sections standards.</p> <p>A right-of-way dedication of 13 feet is proposed to</p>	Complies.																														



			<p>along the US 1 Corridor. Additional information about each street configuration, including streetscape, street trees, and street lighting, is included in the following pages.</p> <p>The modified street sections for US 1 included in these development district standards are for illustrative purposes only. They depict the ultimate preferred condition of US 1 recommended by the sector plan, but final approval is subject to the applicable transportation agency. Areas not addressed by the illustrative street sections shall be built to the specifications and standards set by the applicable transportation agency and are not recommended for modification by this sector plan.</p> <p>Please note that the Central US 1 Corridor's right-of-way width varies throughout the sector plan area; it varies even within defined walkable nodes. In order to achieve a unified street character within the walkable nodes, easements shall be used where necessary to create a consistent build-to line, planter width, and sidewalk width.</p> <p>Finally, it must be noted that reduction in lane width, curb radii, and effective turning radii is proposed by the sector plan and these development district standards. The desired character of US 1 can be achieved with appropriate reductions in these dimensions and careful consideration of where larger curb radii may be necessary to accommodate bus and truck traffic movements. Specific requirements for truck and transit bus routes and truck loading may apply as determined at the time of detailed site plan review.</p>	provide the ultimate width of 100 feet adjacent to the project consistent with the Corridor Study.	
26	Street and Open Spaces	P. 262	<p><b>Streetscape</b></p> <p>Streetscape refers to the area between the private property line and the edge of the vehicular lanes. General streetscape arrangement types are described below, tied closely to their corresponding character area. More detailed information about each streetscape arrangement type is included on the following page.</p>		
			<p><b>(CS)(AV) For Commercial Street or Avenue:</b></p> <p>This frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible but clears the storefront entrances. This streetscape condition is urban in nature and is recommended for the walkable nodes.</p>	Raised curbs, 6 foot wide planting with single tree species, and 13.5 foot wide sidewalk are provided along RT 1. Tree wells with grates were not proposed to match adjacent properties.	Complies.



<p>27</p>	<p><b>Street and Open Spaces</b></p>	<p>P. 263</p>	<p>Detailed streetscape arrangement types are included below. This table includes descriptions and dimensions for each element of the streetscape, from the full assembly to the specific curb, walkway, and planter. Additional information about street trees and street lighting is included on pages 265–267.</p> <p>Required Streetscape Elements by Character Area</p> <table border="1"> <thead> <tr> <th>CHARACTER AREA Public Frontage Type</th> <th>ER   CI ST-DR-AV</th> <th>CI   WN ST-DR-AV-BV</th> <th>WN   WWU CS-DR-AV-BV</th> <th>WN   WWU CS-DR-AV-BV</th> </tr> </thead> <tbody> <tr> <td><b>Assembly:</b> The principal variables are the type and dimension of curbs, walkways, planters, and landscape.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Width</td> <td>12-18 feet</td> <td>12-18 feet</td> <td>18-24 feet</td> <td>18-30 feet</td> </tr> <tr> <td><b>Curb:</b> The detailing of the edge of the vehicular pavement, incorporating drainage</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Type</td> <td>Flared curb</td> <td>Flared curb</td> <td>Flared curb</td> <td>Flared curb</td> </tr> <tr> <td>Radius</td> <td>5-20 feet</td> <td>5-20 feet</td> <td>5-20 feet</td> <td>5-20 feet</td> </tr> <tr> <td><b>Walkway:</b> The pavement dedicated exclusively to pedestrian activity. Sidewalk widths may vary where necessary to fulfill the vision of the sector plan</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Type</td> <td>Sidewalk</td> <td>Sidewalk</td> <td>Sidewalk</td> <td>Sidewalk</td> </tr> <tr> <td>Width</td> <td>6-8 feet</td> <td>6-8 feet</td> <td>12-21 feet</td> <td>12-21 feet</td> </tr> <tr> <td><b>Planter:</b> The layer which accommodates street trees and other landscape.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Arrangement</td> <td>Regular</td> <td>Regular</td> <td>Regular</td> <td>Opportunistic</td> </tr> <tr> <td>Spacing</td> <td>Asymptotic</td> <td>Asymptotic</td> <td>Asymptotic</td> <td>Asymptotic</td> </tr> <tr> <td>Planter type</td> <td>Continuous planter</td> <td>Continuous planter</td> <td>Continuous planter</td> <td>Discrete</td> </tr> <tr> <td>Planter width</td> <td>8 feet-12 feet</td> <td>7 feet-12 feet</td> <td>4 feet-8 feet</td> <td>4 feet-8 feet</td> </tr> <tr> <td><b>Landscape:</b> Refer to Street Trees section.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><b>Lighting:</b> Refer to Street Lighting section.</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	CHARACTER AREA Public Frontage Type	ER   CI ST-DR-AV	CI   WN ST-DR-AV-BV	WN   WWU CS-DR-AV-BV	WN   WWU CS-DR-AV-BV	<b>Assembly:</b> The principal variables are the type and dimension of curbs, walkways, planters, and landscape.					Total Width	12-18 feet	12-18 feet	18-24 feet	18-30 feet	<b>Curb:</b> The detailing of the edge of the vehicular pavement, incorporating drainage					Type	Flared curb	Flared curb	Flared curb	Flared curb	Radius	5-20 feet	5-20 feet	5-20 feet	5-20 feet	<b>Walkway:</b> The pavement dedicated exclusively to pedestrian activity. Sidewalk widths may vary where necessary to fulfill the vision of the sector plan					Type	Sidewalk	Sidewalk	Sidewalk	Sidewalk	Width	6-8 feet	6-8 feet	12-21 feet	12-21 feet	<b>Planter:</b> The layer which accommodates street trees and other landscape.					Arrangement	Regular	Regular	Regular	Opportunistic	Spacing	Asymptotic	Asymptotic	Asymptotic	Asymptotic	Planter type	Continuous planter	Continuous planter	Continuous planter	Discrete	Planter width	8 feet-12 feet	7 feet-12 feet	4 feet-8 feet	4 feet-8 feet	<b>Landscape:</b> Refer to Street Trees section.					<b>Lighting:</b> Refer to Street Lighting section.					<p>Complies.</p>	
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			<p>- At the time of development, the developer/property owner (including the developer and the applicant's heirs, successors, and/or assignees) is required to install sidewalks.</p> <p>- Special decorative paving materials, such as brick, precast pavers, Belgium block, or granite pavers, are recommended in the walkable nodes and at appropriate locations within the corridor infill areas.</p> <p>- Sidewalk materials should be continued across driveways whenever possible, and accent paving should be used to define pedestrian crossings.</p> <p><b>Streetscape Amenities</b></p> <p>Amenities, such as benches, bicycle racks, trash receptacles, water fountains, sculpture/artwork, game tables, moveable seating, public mailboxes, and bus shelters, shall be required for all development.</p> <p>Streetscape amenities shall be consistent in design within a development project and should be consistent within each distinct walkable node, corridor infill area, or existing residential neighborhood.</p> <p>All proposed streetscape amenities shall be indicated on detailed site plan submittals and shall include information of location, spacing, quantity, construction details, and method of illumination.</p> <p><b>Adequacy of Transportation Facilities</b></p> <p>Within the Central US 1 Corridor Development District, the transportation facilities adequacy standard shall be Level-of-Service E, based on the average peak period levels of service for all signalized intersections in three designated segments of the Central US 1 Corridor. These segments are (1) Capital Beltway south to MD 193; (2) MD 193 south to Paint Branch Parkway/Campus Drive; and (3) Paint Branch Parkway/Campus Drive south to Guilford Drive. Outside the Capital Beltway, the transportation facilities adequacy standard for any new development or redevelopment shall be peak period Levels-of-Service E, for individual intersections calculated in accordance with procedures outlined in the guidelines maintained by the Transportation Planning Section of the Planning Department.</p>	<p>Applicant proposed sidewalks that are consistent with the surrounding properties. The Applicant asserts that the proposed development meets the Streetscape Standards. The proposed planter and walkway are both within the ranges specified in Character Area 5a.</p> <p>Amenities such as bike racks, trash bins, moveable tables, moveable seating, and freestanding planting pots will be provided. Applicant will also coordinate with the tenants for site furnishings selection.</p> <p>The Applicant asserts that the proposed development meets the Adequacy Standard. The proposed development is located in segment (2) MD 193 to Paint Branch Parkway, which has a Level-of-Service E based on the peak period levels of service. Please review the submitted transportation study. Also, bike racks are being provided along the streetscape and in the pedestrian passageway. Additional bike parking is located in the garage. Seating areas are shown in the pedestrian passageway along the street frontage and along the streetscape with furniture at the upper retail level and stair seating along the entire frontage. An internal private street has been provided to create finer urban fabric and provides access to the hotel garage and services. This internal private street also has street tree plantings and a sidewalk along the building edge allowing for a complete circulation around the site and connecting it with the pedestrian passageway.</p>	<p>Complies.</p>
29	Street and Open Spaces	P. 265	<p><b>Street trees</b></p> <p>Street trees are required in all character areas at a minimum spacing of 30 feet on center. The appropriate location, arrangement, and planter type for street trees in each character</p>	<p>Street trees have been planted regularly along continuous planting strips along all road frontages and are regularly spaced respecting setback and clearances</p>	<p>Complies.</p>



			area is described in further detail in the Streetscape Standards of the Streets and Open Spaces Section, found on pages 262-264, as well as in the individual street sections, found on pages 259-261. Refer to the Landscape Manual for appropriate street tree species.	from utilities at approximately 30' to 40' on center. All street trees meet the County's Landscape Manual requirements.	
30	<b>Street and Open Spaces</b>	P. 266	<p><b>Street Lighting General Standards</b></p> <p>A combination of pedestrian-scaled street light fixtures and intersection street light fixtures may be required to ensure a well-lit street area and to establish a unifying element along the street.</p> <ul style="list-style-type: none"> <li>- Pedestrian-scaled fixtures shall be used on all streets.</li> <li>- Street lights shall be placed aligned with the street tree alignment line (generally between two and a half to four feet from the back of the curb). Placement of fixtures shall be coordinated with the organization of sidewalks, landscaping, street trees, building entries, driveways, and signage.</li> <li>- The height of light fixtures shall be kept low (generally not taller than 15 feet) to promote a pedestrian scale to the public realm and to minimize light spill to adjoining properties. Light fixtures in the walkable node and corridor infill areas shall be closely spaced (generally not more than 30 feet on center) to provide appropriate levels of illumination.</li> <li>- In the walkable nodes, business owners are encouraged to assist with lighting the sidewalk and accent their business location by leaving display-window and interior lighting on at night.</li> <li>- Light poles may include armatures that allow for the hanging of banners or other amenities (e.g., hanging flower baskets, artwork, etc.).</li> <li>- Consideration of security and pedestrian comfort shall be prioritized by increasing illumination low to the ground in public parking lots, at building entries, in public plazas, and at transit stops.</li> <li>- Use Louis Poulsen Nyhavn lighting fixtures as selected by the City of College Park along any US 1 frontage.</li> </ul>	<p>The Applicant asserts that the lighting in the proposed development meets this standard.</p> <p>The Louis Poulsen, Nyhavn fixture is used as the street light. Other wall mounted fixtures and hanging festival lights are proposed for the project. Please review the enclosed light plan.</p>	Complies.
31	<b>Street and Open Spaces</b>	P. 266	<p><b>Specific Uses of Lighting</b></p> <p>To increase safety, help with orientation, and highlight the identity of an area, the street elements specified below are recommended to be lit.</p> <ul style="list-style-type: none"> <li>- Transit stops: People feel more secure when transit stops are well-lit. Lighting also draws attention to and encourages use of</li> </ul>	<p>Project is proposing festival lighting above the passageway which improves the connectivity of the space and creates a pleasant experience for the visitors.</p> <p>Street lights along US Rt. 1 are helpful in creating a sense of security along the public routes and in the</p>	Complies.



			<p>such amenities.</p> <ul style="list-style-type: none"> <li>- Edges: Edges of a park or plaza shall be lit to define and identify the space.</li> <li>- Architectural details: Lighting entrances, archways, cornices, columns, and other features can call attention to the uniqueness of a building or place. Lighting of building entrances also contributes to safety.</li> <li>- Focal points: Lighted sculptures, fountains, and towers in a neighborhood, especially those visible to pedestrians and vehicles, provide a form of wayfinding.</li> </ul>	<p>private alleys, wall sconces mounted on the garage wall and on the hotel wall help define the space as well as emphasize the rhythm of the architecture.</p> <p>The flag poles proposed in front of the hotel will have up/ down lighting integrated with the poles for focal point lighting as described in the standard.</p>	
32	Street and Open Spaces	P. 267	<p><b>Lighting Types and Configurations</b></p> <p>Lighting fixtures shall be appropriately chosen for the character area within which they are located; the diagram and standards below shall be used as a guide to selecting fixtures.</p> <ul style="list-style-type: none"> <li>- Variety in character is good to establish identity and uniqueness. However, there shall be consistency along the Central US 1 Corridor, creating a unifying scheme of illumination that is appropriate to the scale of the street and the level of nighttime activity. Lamp styles shall not be mixed along any one particular block of a street.</li> <li>- Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution.</li> <li>- Energy-efficient lamps shall be used for all public realm lighting in order to conserve energy and reduce long-term costs.</li> </ul>	<p>A variety of light fixtures are selected for the project which complies with this standard's intent. Please see the lighting plan submitted in the DSP package.</p>	Complies.
33	Street and Open Spaces	P. 268	<p><b>Open Space</b></p>	<p>As recommended in the Plan we are providing an attractive Streetscape to help establish a sense of place. This project has proposed a unique streetscape that leads to a series of steps arranged in a fashion that lead the passerby to explore and wander next to the shops. The buildings are set at a higher elevation to respond to requirements established by floodplain constraints. This proposal uses monumental steps used in a unique way to provide access to the higher level but also provide informal seating opportunities along the streetscape. As one approaches the site from the south, a series of gently climbing plazas with wide stairs provide additional informal seating opportunities. The upper level at the retail edge also provides opportunity for outdoor seating and a place to stroll along the shops. The grade difference is mediated by way of stairs and sloped plantings without the need for railings, making the upper level</p>	Complies.



				<p>visually and physically accessible. In addition, the project provides for a small pocket park and pedestrian passage way linking the streetscape and the interior of the project. This passageway provides seating opportunities and is animated by festival lighting providing for safety and a vibrant experience. Also, the proposed development maintains a healthy vegetated buffer between the Property and the adjacent residential uses.</p>	
--	--	--	--	---	--



**LEED 2009 for New Construction and Major Renovations**  
Project Checklist

Project Name : Koons Ford Redevelopment  
Date : 2/20/13

**17** Sustainable Sites Possible Points: **26**

Y	?	N			
			Prereq 1	Construction Activity Pollution Prevention	
1			Credit 1	Site Selection	1
5			Credit 2	Development Density and Community Connectivity	5
			Credit 3	Brownfield Redevelopment	1
6			Credit 4.1	Alternative Transportation—Public Transportation Access	6
1			Credit 4.2	Alternative Transportation—Bicycle Storage and Changing Rooms	1
3			Credit 4.3	Alternative Transportation—Low-Emitting and Fuel-Efficient Vehicles	3
			Credit 4.4	Alternative Transportation—Parking Capacity	2
			Credit 5.1	Site Development—Protect or Restore Habitat	1
			Credit 5.2	Site Development—Maximize Open Space	1
			Credit 6.1	Stormwater Design—Quantity Control	1
			Credit 6.2	Stormwater Design—Quality Control	1
			Credit 7.1	Heat Island Effect—Non-roof	1
1			Credit 7.2	Heat Island Effect—Roof	1
			Credit 8	Light Pollution Reduction	1

**4** Water Efficiency Possible Points: **10**

Y	?	N			
			Prereq 1	Water Use Reduction—20% Reduction	
2			Credit 1	Water Efficient Landscaping	2 to 4
			Credit 2	Innovative Wastewater Technologies	2
2			Credit 3	Water Use Reduction	2 to 4

**3** Energy and Atmosphere Possible Points: **35**

Y	?	N			
			Prereq 1	Fundamental Commissioning of Building Energy Systems	
Y			Prereq 2	Minimum Energy Performance	
Y			Prereq 3	Fundamental Refrigerant Management	
3			Credit 1	Optimize Energy Performance	1 to 19
			Credit 2	On-Site Renewable Energy	1 to 7
			Credit 3	Enhanced Commissioning	2
			Credit 4	Enhanced Refrigerant Management	2
			Credit 5	Measurement and Verification	3
			Credit 6	Green Power	2

**6** Materials and Resources Possible Points: **14**

Y	?	N			
			Prereq 1	Storage and Collection of Recyclables	
			Credit 1.1	Building Reuse—Maintain Existing Walls, Floors, and Roof	1 to 3
			Credit 1.2	Building Reuse—Maintain 50% of Interior Non-Structural Elements	1
2			Credit 2	Construction Waste Management	1 to 2
			Credit 3	Materials Reuse	1 to 2

**Materials and Resources, Continued**

Y	?	N			
2			Credit 4	Recycled Content	1 to 2
2			Credit 5	Regional Materials	1 to 2
			Credit 6	Rapidly Renewable Materials	1
			Credit 7	Certified Wood	1

**7** Indoor Environmental Quality Possible Points: **15**

Y	?	N			
			Prereq 1	Minimum Indoor Air Quality Performance	
Y			Prereq 2	Environmental Tobacco Smoke (ETS) Control	
			Credit 1	Outdoor Air Delivery Monitoring	1
			Credit 2	Increased Ventilation	1
1			Credit 3.1	Construction IAQ Management Plan—During Construction	1
			Credit 3.2	Construction IAQ Management Plan—Before Occupancy	1
1			Credit 4.1	Low-Emitting Materials—Adhesives and Sealants	1
1			Credit 4.2	Low-Emitting Materials—Paints and Coatings	1
1			Credit 4.3	Low-Emitting Materials—Flooring Systems	1
1			Credit 4.4	Low-Emitting Materials—Composite Wood and Agrifiber Products	1
			Credit 5	Indoor Chemical and Pollutant Source Control	1
1			Credit 6.1	Controllability of Systems—Lighting	1
1			Credit 6.2	Controllability of Systems—Thermal Comfort	1
			Credit 7.1	Thermal Comfort—Design	1
			Credit 7.2	Thermal Comfort—Verification	1
			Credit 8.1	Daylight and Views—Daylight	1
			Credit 8.2	Daylight and Views—Views	1

**6** Innovation and Design Process Possible Points: **6**

Y	?	N			
1			Credit 1.1	Innovation in Design: Specific Title	1
1			Credit 1.2	Innovation in Design: Specific Title	1
1			Credit 1.3	Innovation in Design: Specific Title	1
1			Credit 1.4	Innovation in Design: Specific Title	1
1			Credit 1.5	Innovation in Design: Specific Title	1
1			Credit 2	LEED Accredited Professional	1

**2** Regional Priority Credits Possible Points: **4**

Y	?	N			
1			Credit 1.1	Regional Priority: Specific Credit	1
1			Credit 1.2	Regional Priority: Specific Credit	1
			Credit 1.3	Regional Priority: Specific Credit	1
			Credit 1.4	Regional Priority: Specific Credit	1

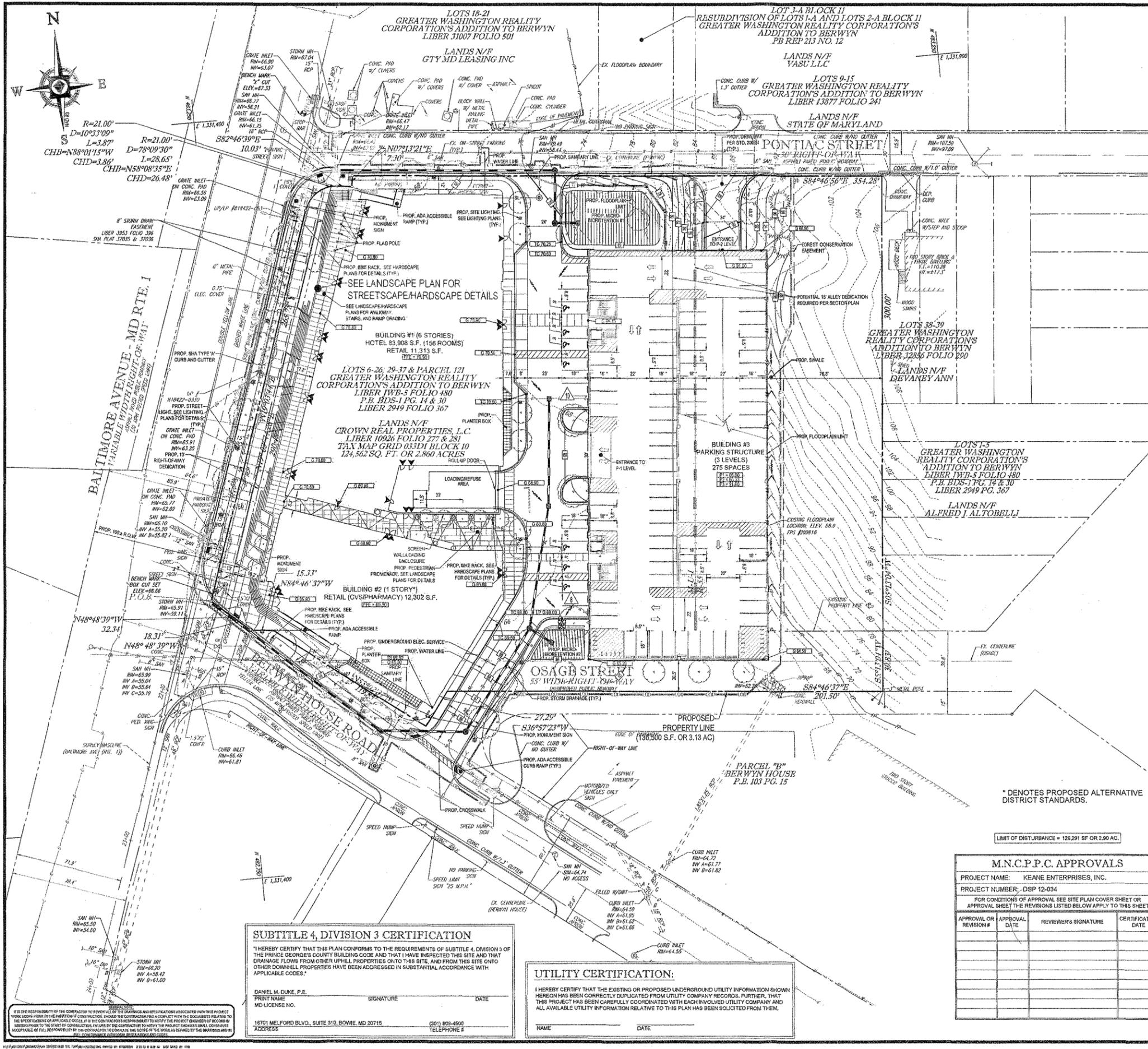
**45** Total Possible Points: **110**

Certified 40 to 49 points Silver 50 to 59 points Gold 60 to 79 points Platinum 80 to 110









### STANDARD DRAWING LEGEND

FOR ENTIRE PLAN SET (NOT TO SCALE)

EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
---	ON-SITE PROPERTY LINE / R.O.W. LINE	---
---	NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	---
---	EASEMENT LINE	---
---	SETBACK LINE	---
---	CONCRETE CURB & GUTTER	---
---	UTILITY POLE WITH LIGHT	---
---	POLE LIGHT	---
---	TRAFFIC LIGHT	---
---	UTILITY POLE	---
---	TYPICAL LIGHT	---
---	ACORN LIGHT	---
---	TYPICAL SIGN	---
---	PARKING COUNTS	---
---	CONTOUR LINE	---
---	SPOT ELEVATIONS	---
---	SANITARY LABEL	---
---	STORM LABEL	---
---	SANITARY SEWER LATERAL	---
---	UNDERGROUND WATER LINE	---
---	UNDERGROUND ELECTRIC LINE	---
---	UNDERGROUND GAS LINE	---
---	OVERHEAD WIRE	---
---	UNDERGROUND TELEPHONE LINE	---
---	UNDERGROUND CABLE LINE	---
---	STORM SEWER	---
---	SANITARY SEWER MAIN	---
---	HYDRANT	---
---	SANITARY MANHOLE	---
---	STORM MANHOLE	---
---	WATER METER	---
---	WATER VALVE	---
---	GAS VALVE	---
---	GAS METER	---
---	TYPICAL END SECTION	---
---	HEADWALL OR ENDWALL	---
---	YARD INLET	---
---	CURB INLET	---
---	CLEAN OUT	---
---	ELECTRIC MANHOLE	---
---	TELEPHONE MANHOLE	---
---	ELECTRIC BOX	---
---	ELECTRIC PEDESTAL	---
---	MONITORING WELL	---
---	TEST PIT	---
---	BENCHMARK	---
---	BORING	---

## BOHLER ENGINEERING

REGISTERED PROFESSIONAL ENGINEERS  
 CIVIL & CONSULTING ENGINEERS  
 1701 MELFORD BLVD., SUITE 310  
 BOWIE, MARYLAND 20715  
 PHONE: (301) 909-4500  
 FAX: (301) 909-4501  
 WWW.BOHLENGINEERING.COM

### REVISIONS

REV	DATE	COMMENT	BY
1	12/14/12	MNCPP INITIAL SUBMITTAL COMMENTS	TT
2	02/01/13	PER DRC COMMENTS	TT

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXAMINATORS, DESIGNERS, OR ANY PERSON PREPARING TO EXERCISE THE ENGINEER'S AUTHORITY BY THE STATE OF MARYLAND, MARYLAND AND DELAWARE #11, (BY E-MAIL: 410-526-4000) OR BY MAIL: 1400-203-3771, (BY FAX: 410-526-7021) (410) 540-6377 (TDD) (410) 540-6383 (TDD)

**NOT APPROVED FOR CONSTRUCTION**

PROJECT NO.: MB112007  
 DRAWN BY: TT  
 CHECKED BY: TT  
 DATE: 10/29/12  
 SCALE: 1" = 30'  
 CAD I.D.: SSZ

### DETAILED SITE PLAN

FOR  
**KEANE ENTERPRISES INC.**  
 LOCATION OF SITE  
 NEC BALTIMORE AVE (RTE 1)  
 & BERWYN HOUSE RD  
 COLLEGE PARK, 20740 MD  
 PRINCE GEORGE'S COUNTY

## BOHLER ENGINEERING

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 BOWIE, MARYLAND 20715  
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 FAX: (301) 909-4501  
 WWW.BOHLENGINEERING.COM

## D.M. DUKE

PROFESSIONAL ENGINEER  
 MARYLAND LICENSE NO. 1027

SHEET TITLE:  
**SITE, GRADING,  
 AND UTILITY  
 PLAN**

SHEET NUMBER:  
**DSP-4**  
 OF DSP-6

REV 2

### M.N.C.P.P.C. APPROVALS

PROJECT NAME: KEANE ENTERPRISES, INC.  
 PROJECT NUMBER: DSP 12-034

FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET. THE REVISIONS LISTED BELOW APPLY TO THIS SHEET.

APPROVAL OR REVISION #	APPROVAL DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE

### SUBTITLE 4, DIVISION 3 CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF SUBTITLE 4, DIVISION 3 OF THE PRINCE GEORGE'S COUNTY BUILDING CODE AND THAT I HAVE INSPECTED THIS SITE AND THAT DRAINAGE FLOWS FROM OTHER UPHILL PROPERTIES ONTO THIS SITE, AND FROM THIS SITE ONTO OTHER DOWNHILL PROPERTIES HAVE BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES.

DANIEL M. DUKE, P.E.  
 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 16701 MELFORD BLVD., SUITE 310, BOWIE, MD 20715 (301) 909-4500  
 ADDRESS: \_\_\_\_\_ TELEPHONE # \_\_\_\_\_

### UTILITY CERTIFICATION:

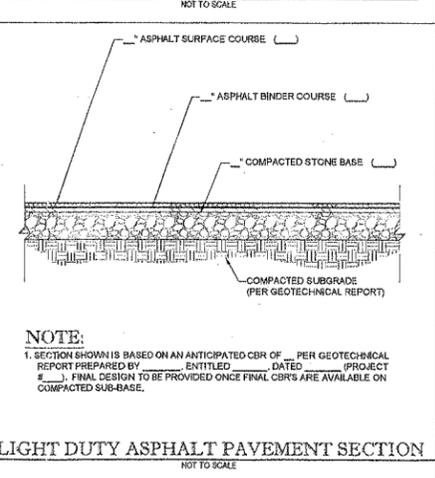
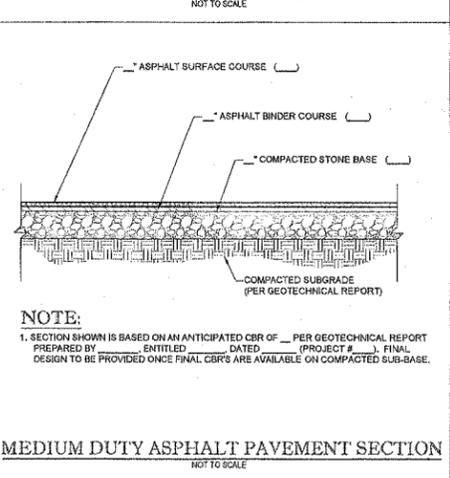
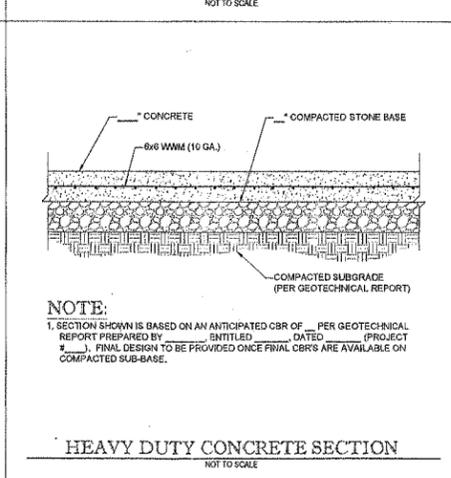
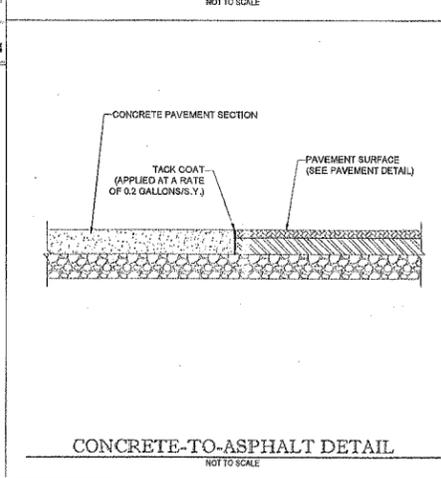
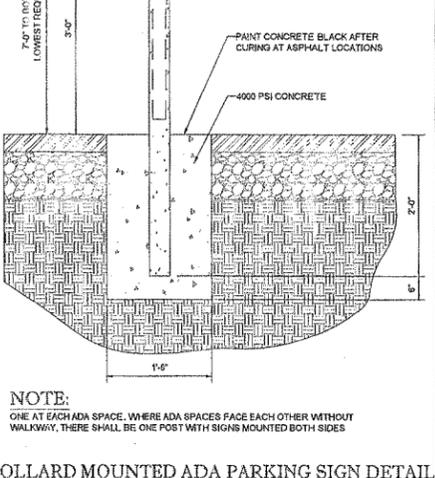
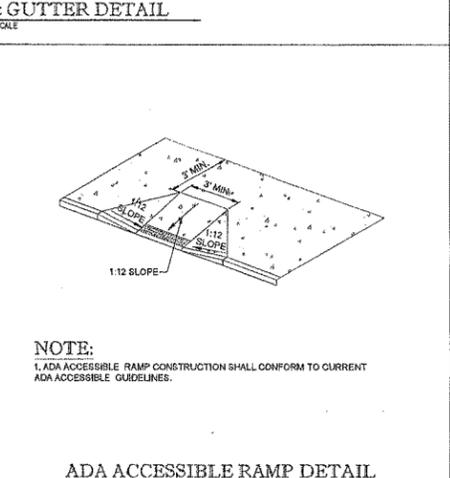
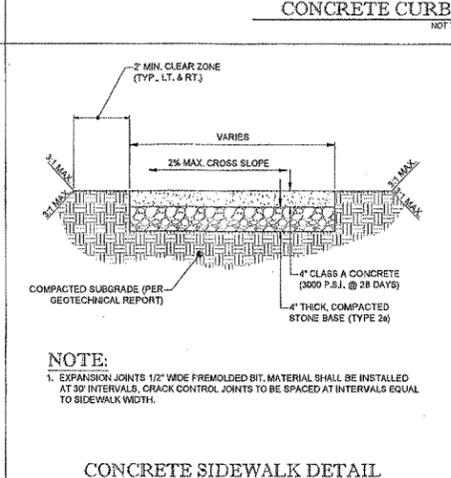
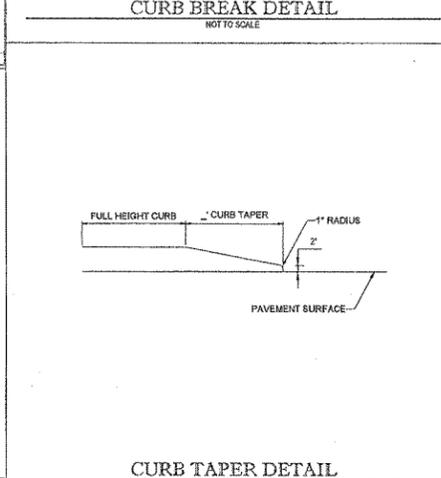
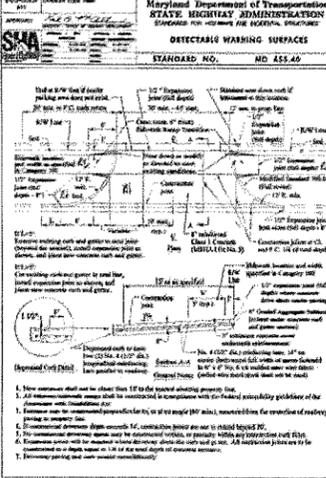
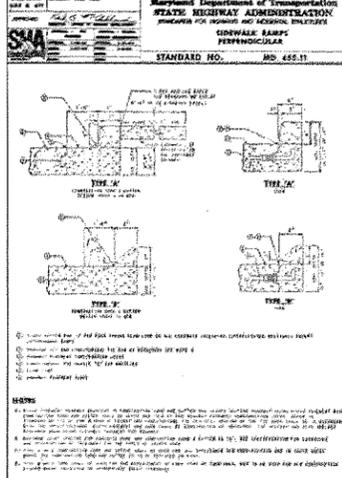
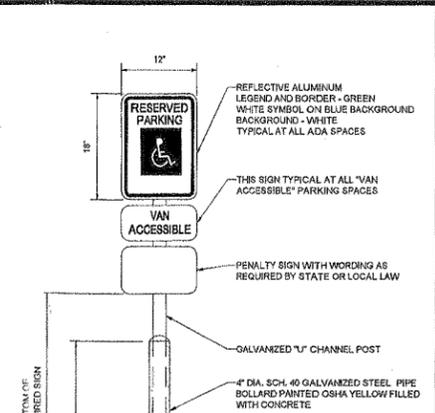
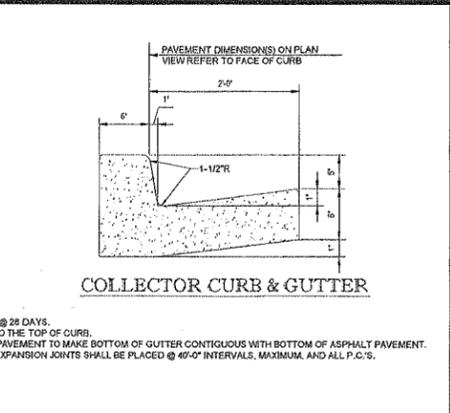
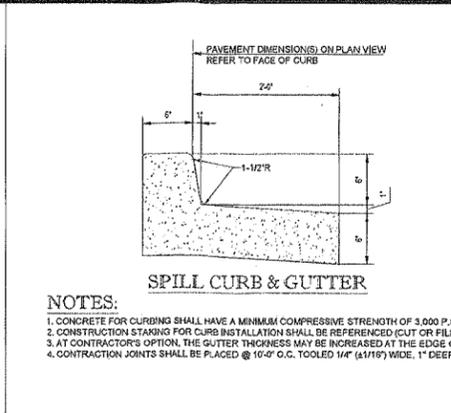
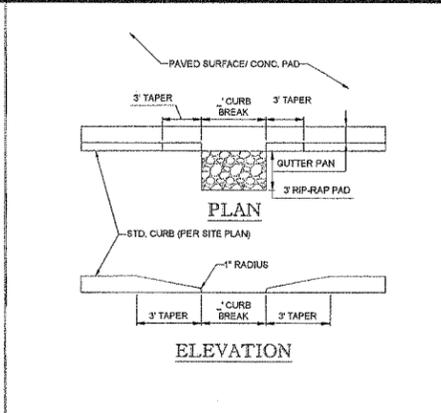
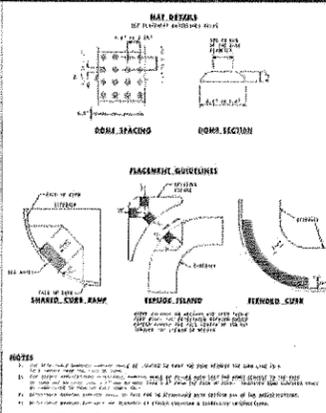
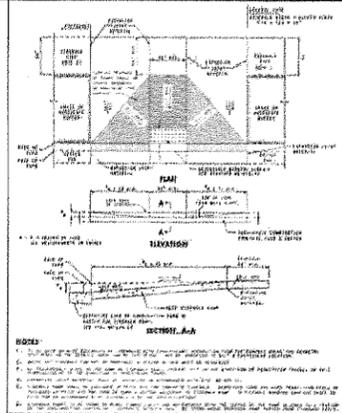
I HEREBY CERTIFY THAT THE EXISTING OR PROPOSED UNDERGROUND UTILITY INFORMATION SHOWN HEREON HAS BEEN CORRECTLY DULICATED FROM UTILITY COMPANY RECORDS. FURTHER, THAT THIS PROJECT HAS BEEN CAREFULLY COORDINATED WITH EACH INVOLVED UTILITY COMPANY AND ALL AVAILABLE UTILITY INFORMATION RELATIVE TO THIS PLAN HAS BEEN SOLICITED FROM THEM.

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

\* DENOTES PROPOSED ALTERNATIVE DISTRICT STANDARDS.

LIMIT OF DISTURBANCE = 128,291 SF OR 2.90 AC.





**NOTES:**  
 1. CONCRETE FOR CURBING SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 P.S.I. @ 28 DAYS.  
 2. CONSTRUCTION STAKING FOR CURB INSTALLATION SHALL BE REFERENCED (CUT OR FILL) TO THE TOP OF CURB.  
 3. AT CONTRACTOR'S OPTION, THE GUTTER THICKNESS MAY BE INCREASED AT THE EDGE OF PAVEMENT TO MAKE BOTTOM OF GUTTER CONTIGUOUS WITH BOTTOM OF ASPHALT PAVEMENT.  
 4. CONTRACTION JOINTS SHALL BE PLACED @ 10'-0\"/>

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**BOHLER ENGINEERING**  
 CONSULTING ENGINEERS  
 16701 MELFORD BLVD., SUITE 310  
 BOWIE, MARYLAND 20715  
 Phone: (301) 808-4500  
 Fax: (301) 808-4501  
 www.BohlerEngineering.com

REV	DATE	COMMENT	BY
1	12/14/12	MNCPPC INITIAL SUBMITTAL COMMENTS	TT
2	02/01/13	PER DRC COMMENTS	TT

**NOT APPROVED FOR CONSTRUCTION**

**PROJECT No.:** MB112007  
**DRAWN BY:** TT  
**CHECKED BY:** JW  
**DATE:** 10/26/12  
**SCALE:** N/A  
**CAD L.D.:** SDJ

**DETAILED SITE PLAN**  
 FOR  
**KEANE ENTERPRISES INC.**  
 LOCATION OF SITE  
 NEC BALTIMORE AVE (RTE 1) & BERWYN HOUSE RD  
 COLLEGE PARK, 20740 MD  
 PRINCE GEORGE'S COUNTY

**BOHLER ENGINEERING**  
 16701 MELFORD BLVD., SUITE 310  
 BOWIE, MARYLAND 20715  
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 Fax: (301) 808-4501  
 www.BohlerEngineering.com

**D.M. DUKE**  
 PROFESSIONAL ENGINEER  
 No. 16186 (MD REG. NO. 1212)

**SHEET TITLE:** SITE DETAILS  
**SHEET NUMBER:** DSP-6 OF DSP-6  
 REV 2

**UTILITY CERTIFICATION:**  
 I HEREBY CERTIFY THAT THE EXISTING OR PROPOSED UNDERGROUND UTILITY INFORMATION SHOWN HEREON HAS BEEN CORRECTLY DULICATED FROM UTILITY COMPANY RECORDS. FURTHER, THAT THIS PROJECT HAS BEEN CAREFULLY COORDINATED WITH EACH INVOLVED UTILITY COMPANY AND ALL AVAILABLE UTILITY INFORMATION RELATIVE TO THIS PLAN HAS BEEN SOLICITED FROM THEM.

**SUBTITLE 4, DIVISION 3 CERTIFICATION**  
 I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF SUBTITLE 4, DIVISION 3 OF THE PRINCE GEORGE'S COUNTY BUILDING CODE AND THAT I HAVE INSPECTED THIS SITE AND THAT DRAINAGE FLOWS FROM OTHER UPHILL PROPERTIES ONTO THIS SITE, AND FROM THIS SITE ONTO OTHER DOWNHILL PROPERTIES HAVE BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES."

**M.N.C.P.P.C. APPROVALS**  
 PROJECT NAME: KEANE ENTERPRISES, INC.  
 PROJECT NUMBER: DSP 12-034  
 FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET

APPROVAL OR REVISION #	DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE

**PROFESSIONAL CERTIFICATION**  
 I, DANIEL M. DUKE, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
 LICENSE NO. 36725 EXPIRATION DATE: 12/31/13

**DISCLAIMER:**  
 IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE ORDINANCES AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

Developer:  
Keane Enterprises, Inc.  
4485 Republic Plaza, Suite 210  
Arlington, VA 22204  
Tel: 703-233-0001  
Fax: 703-233-0002

Architect:  
M.A. & J. Associates/Trade Association  
7510 Woodmont Drive, Suite 1700  
Bethesda, MD 20814  
Tel: 301-424-2424

Civil Engineer:  
Miller Engineering  
22800 Davis Dr.  
Spring, VA 20134  
Tel: 703-209-6500  
Fax: 703-209-4301

KEANE  
PROPERTY  
DSP 12-034

COLLEGE PARK, MD

LIGHTING PLAN

PROJECT NUMBER  
11038.01

DRAWN BY: AA  
CHECKED BY: JH

REV.	ISSUE	DATE
DSP PRE-ACCEPTANCE		11.20.12
DSP SUBMISSION		12.14.12
DSP - MATERIAL		1.28.13
DSP RE-SUBMISSION		2.19.13

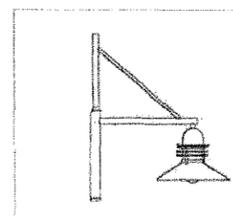
KEY PLAN

DRAWING STAMP

SHEET NUMBER  
A200

LIGHTING LEGEND:

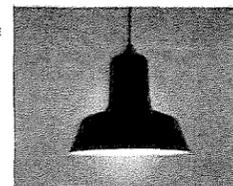
L1 - AH NYHAYN AREA LIGHT TRIANGULAR MOUNT



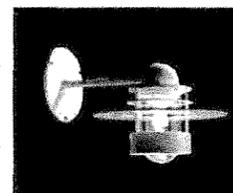
L2 - PRISMA ARCHITECTURAL KYRO 1



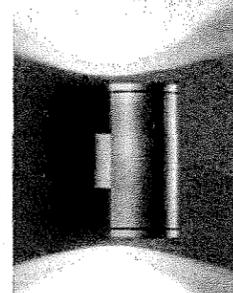
L3 - HI-LITE MFG. CO., INC. SELF BALLASTED WAREHOUSE SHADE



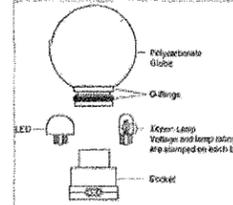
L4 - JENS MALLER-JENSEN ORBITER MARI WALL



L5 - SISTEMALUX SLOT WALL UP & DOWN



L6 - Litesphere™ LED TIVOLI LIGHTING PRODUCT

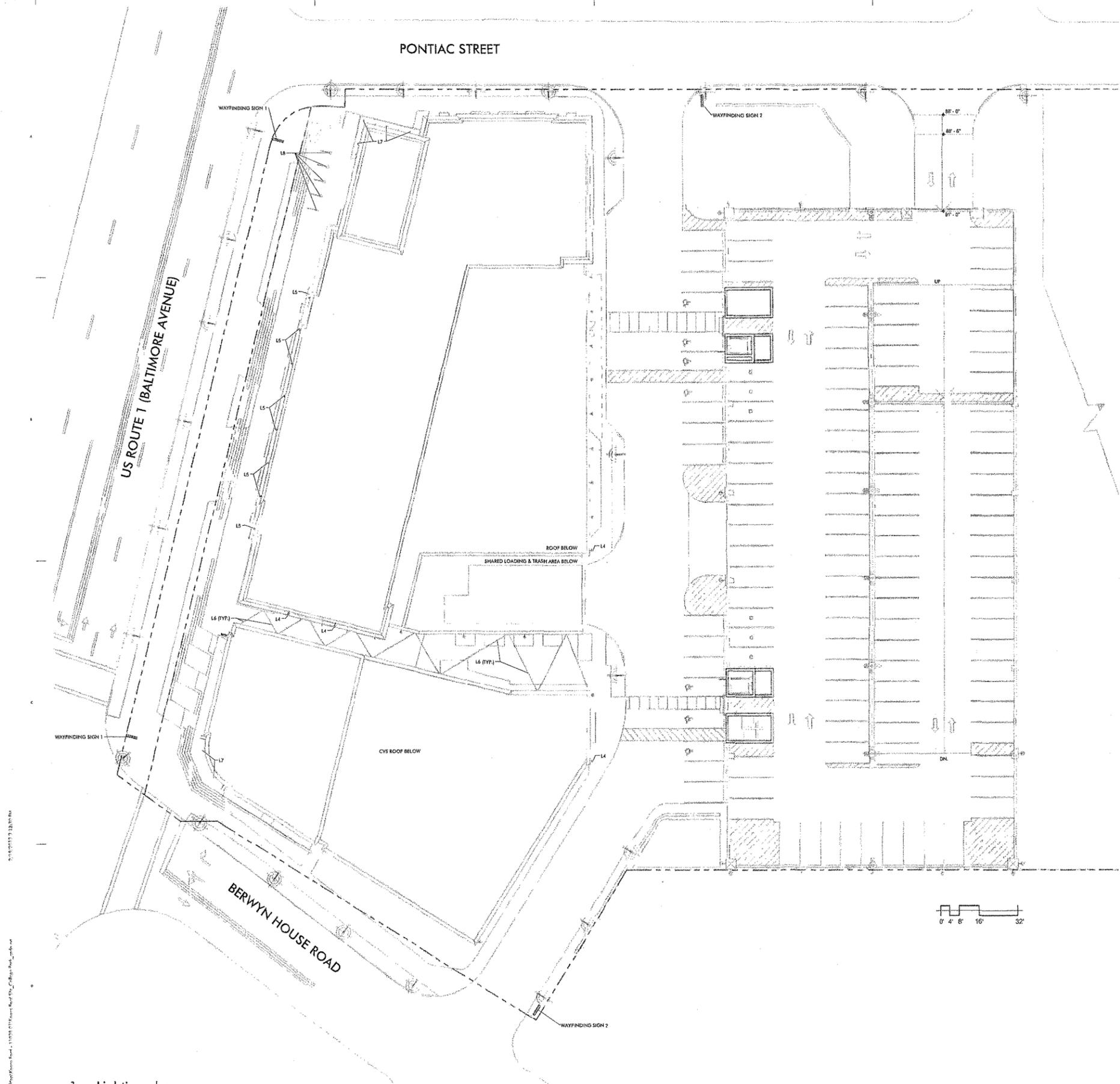


M.N.C.P.P.C. APPROVALS

PROJECT NAME: KEANE ENTERPRISES, INC.  
PROJECT NUMBER: DSP 12-034

FOR CONDITIONS OF APPROVAL, SEE SPEC PLAN COVER SHEET OR APPROVAL SHEET. THIS IS VISUAL REVIEW ONLY AND IS NOT A DESIGN REVIEW.

APPROVAL	APPROVAL NUMBER	DATE	REVIEWER SIGNATURE	CERTIFICATE NUMBER



1 Lighting plan  
A200

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Owner  
Keane Enterprises  
2000 Chain Bridge Road  
Vienna, VA 22182

Developer  
Keane Enterprises, Inc.  
4500 North Point Blvd, Suite 210  
Arlington, VA 22207  
(703) 773-0000  
(703) 773-0001

Architect  
MVA Architects  
7910 Woodmont Avenue, Suite 1200  
Bethesda, MD 20814  
301-454-2424

Civil Engineer  
TSC Engineering  
2410 Lee Blvd  
Spring, VA 22154  
(703) 709-8500  
(703) 709-8501

**KEANE  
PROPERTY**  
DSP 12-034

COLLEGE PARK, MD

**PHOTOMETRIC**

PROJECT NUMBER  
11038.01

REVISIONS  
AA Checker

REV.	ISSUE	DATE
	DSP PRE-ACCEPTANCE	11.20.12
	DSP SUBMISSION	12.14.12
	DSP - MATERIAL	1.28.13
	DSP RE-SUBMISSION	2.19.13

SEE PLAN

BRANDING STAMP

SHEET NO.  
**A200.1**

Lighting Analysis

**Targetti Poulsen**

Project Name: City of College Park  
Project Number: AG1439  
Fig. 10  
Date: November 10, 2012

Disclaimer:  
Temporary data is obtained according to IES procedures under controlled laboratory conditions. Field results may differ from computer predictions due to many uncontrollable factors such as: Line Voltage Variations, Lamp Performance, and Job Site Conditions.  
www.targettipoulsen.com

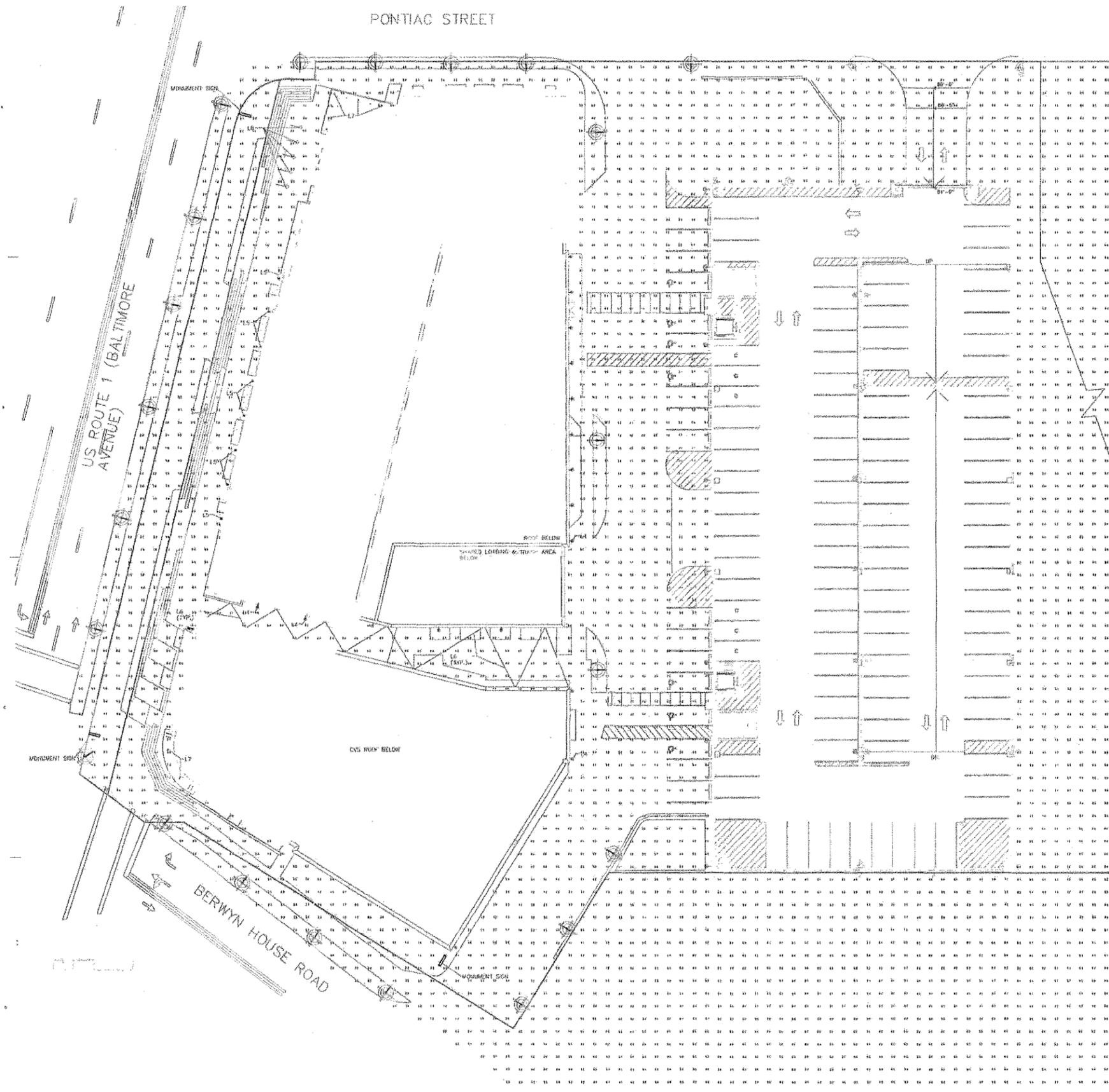
Point by Point calculation  
Calculation Grid 10'x 10' M.H.: 12'  
LAYOUT 1

Illuminance ( Fc)  
Average = 1.54  
Maximum = 6.0  
Minimum = 0.1  
Avg/Min Ratio = 15.40  
Max/Min Ratio = 60.00

**M.N.C.P.C. APPROVALS**

PROJECT NAME	KEANE ENTERPRISES, INC.		
PROJECT NUMBER	DSP 12-034		
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OF APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET			
APPROVAL FOR APPROVAL	REVISION #	DATE	CERTIFICATION DATE

Disclaimer:  
Luminaire data is obtained according to IES procedures under controlled laboratory conditions. Field results may differ from computer predictions due to many uncontrollable factors such as: Line Voltage Variations, Lamp Performance, and Job Site Conditions.  
targettipoulsen.com, 37200 Jackson Parkway, Fort Lauderdale, FL 33331 Telephone: (954) 349-7525 Fax: (954) 349-7530  
www.louisipoulsen.com



**LUMINAIRE SCHEDULE**

Fixture	Symbol	Qty	Description	Lum. Watts	Total Lamp Lum.	Lum. Lumens	LLF
NYPT_1_100W_MH_ED-17_ITL69538	○	17	Nyhavn Post 1/100W/MH/ED-17 medium	100	9000	5796	0.720

2/19/2013 12:14:53 PM  
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UNIVERSITY MICROFILMS



Owner  
Keane Enterprises, Inc.  
7000 Cross Bridge Road  
Manassas, VA 20108

Developer  
Keane Enterprises, Inc.  
4400 Preston Place, Suite 210  
Arlington, VA 22207  
(703) 223-0001  
(703) 223-0001

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7700 Woodlawn Avenue, Suite 1000  
Baltimore, MD 21208  
(410) 554-2454

Civil Engineer  
Biller Engineering  
2220 Davis Dr.  
Basking Ridge, NJ 07005  
(908) 799-9500  
(908) 799-9501

**KEANE  
PROPERTY**  
DSP 12-034

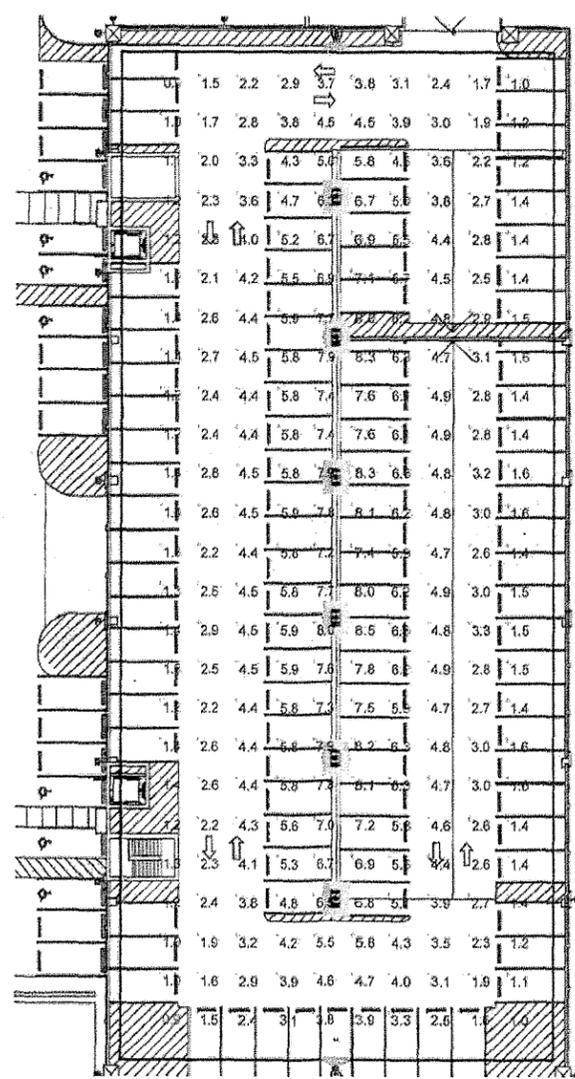
COLLEGE PARK, MD

**GARAGE  
PHOTOMETRIC**

PROJECT NUMBER  
11038.01

DATE: AA  
CREATED BY: JH

REV.	ISSUE	DATE
	DSP PRE-ACCEPTANCE	11.20.12
	DSP SUBMISSION	12.14.12
	DSP - MATERIAL	1.28.13
	DSP RE-SUBMISSION	2.19.13



**STATISTICS**

Description	Avg	Max	Min	Avg/Min
Calc Zone #1	4.0 fc	8.5 fc	0.9 fc	4.4:1

**LUMINAIRE SCHEDULE**

Symbol	Label	Qty	Description	File
	C	26	KYRO2/LED-B-56x1,1-96-ETRC	KYRO 2 LED.IES

**NOTES**

1. Prisma KYRO2 LED #072264 - 70.4w mounted on 20' poles at 23' AFG.
2. Lightlevels measured at grade on 10' x 10' grid.
3. Illuminance from sources other than those depicted in this analysis is not accounted for.

**M.E.N.C.P.C. APPROVALS**

APPROVAL OF	DATE	REVIEWER SIGNATURE	CERTIFICATION DATE

SHEET NO. **A200.2**

7/15/2013 3:15:57 PM

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Client:  
Keane Enterprises, Inc.  
7000 Chain Bridge Road  
Newport, VA 23124

Developer:  
Keane Enterprises, Inc.  
4405 Eagle Run, Suite 210  
Belmont, VA 22157  
(813) 273-0070  
(813) 273-0000

Architect:  
MVA Architects  
7170 Woodland Avenue, Suite 1000  
Baltimore, MD 21284  
(301) 454-2434

Civil Engineer:  
Sudler Engineering  
24200 Route 67  
Newport, VA 23124  
(813) 273-0000  
(813) 273-0000

**KEANE  
PROPERTY**  
DSP 12-034

COLLEGE PARK, MD

**GARAGE PLANS**

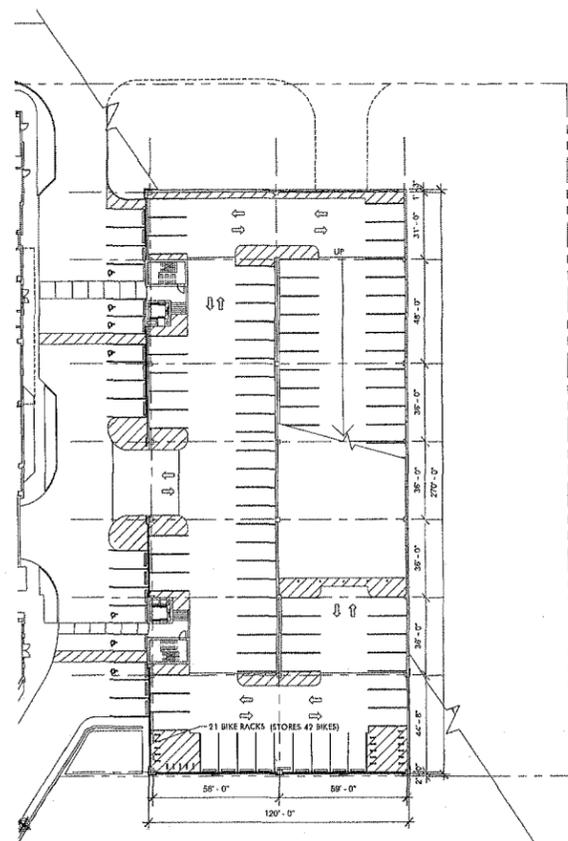
PROJECT NUMBER  
11038.01

REV.	ISSUE	DATE
	DSP PRE-ACCEPTANCE	11.20.12
	DSP SUBMISSION	12.14.12
	DSP - MATERIAL	1.28.13
	DSP RE-SUBMISSION	2.19.13

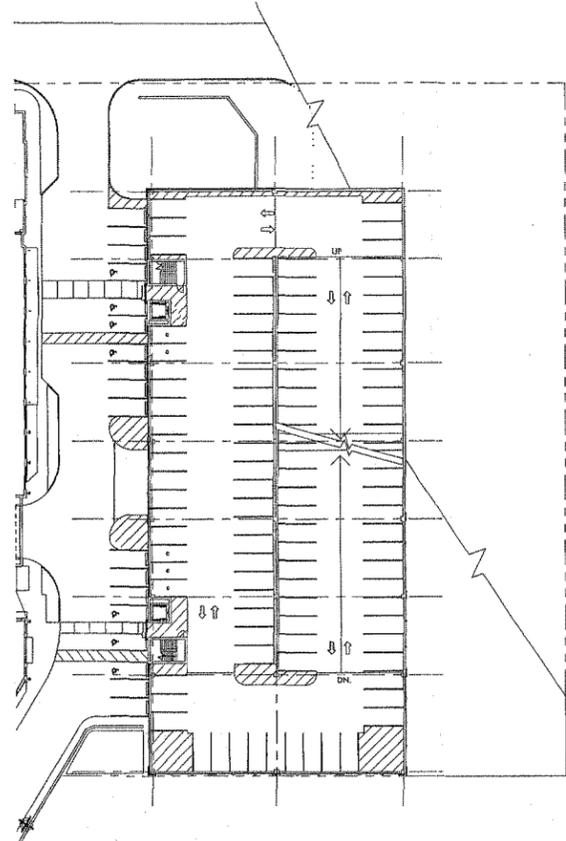
KEY PLAN

DRAWING SHEET

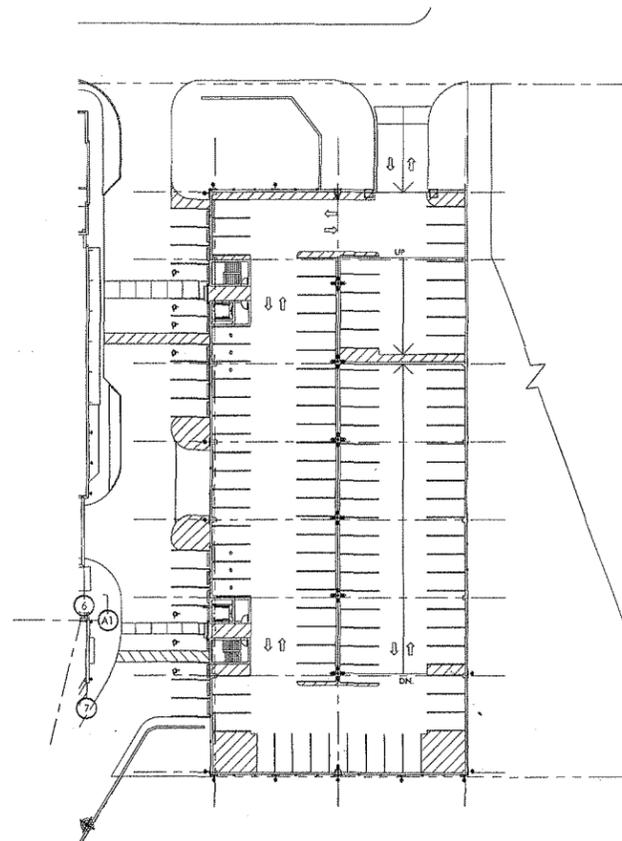
SHEET NUMBER  
**A210**



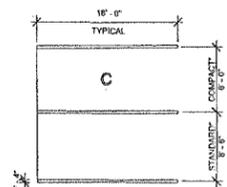
**C1 P1 LEVEL**  
A210 SCALE 1" = 30'-0"



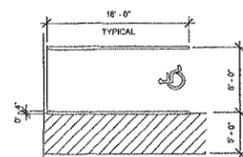
**C2 P-2 LEVEL**  
A210 SCALE 1" = 30'-0"



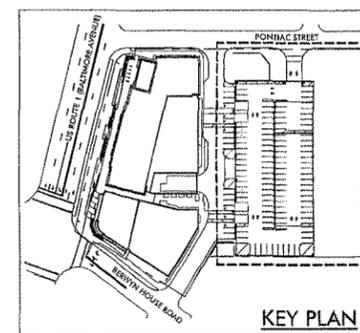
**C4 P-3 LEVEL**  
A210 SCALE 1" = 30'-0"



**D2 PARKING SIZES**  
A210 SCALE 1/8" = 1'-0"



**D3 HANDICAPPED PARKING SIZES**  
A210 SCALE 1/8" = 1'-0"



**KEY PLAN**

TAG	MATERIAL
AW-1	OPTIONAL FABRIC AWNING - COLOR TO BE SELECTED BY TENANT
BR-1	ORANGE ROUGH BRICK
BR-2	ORANGE SMOOTH BRICK
BR-3	RED BROWN BRICK
CS-1	CAST STONE
GL-1	CLEAR INSULATED GLASS
GL-2	SPANDREL GLASS
GL-3	TRANSLUCENT GLASS
IM-1	DOVE GREY
IM-2	SLATE GREY
IM-3	CHOCOLATE BROWN
PC-1	PRECAST CONCRETE
ST-1	BLACK GRANITE

M.N.C.P.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR EACH TYPE OF APPROVAL, THE D.P. PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW MUST BE SUBMITTED			
APPROVAL	DATE	REVIEWER'S SIGNATURE	DISCIPLINATION

2/15/2013 5:18:51 PM

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UNIVERSITY MICROFILMS





**Owner**  
 Keane Enterprises, Inc.  
 3000 East Ridge Road  
 Annapolis, MD 21403

**Developer**  
 Keane Enterprises, Inc.  
 4400 South Pointe, Suite 310  
 Annapolis, MD 21403  
 Tel: 410-223-0001  
 Fax: 410-223-0009

**Architect**  
 MVA Architects  
 1000 Northpointe Blvd, Suite 1000  
 Annapolis, MD 21403  
 Tel: 410-223-0001  
 Fax: 410-223-0009

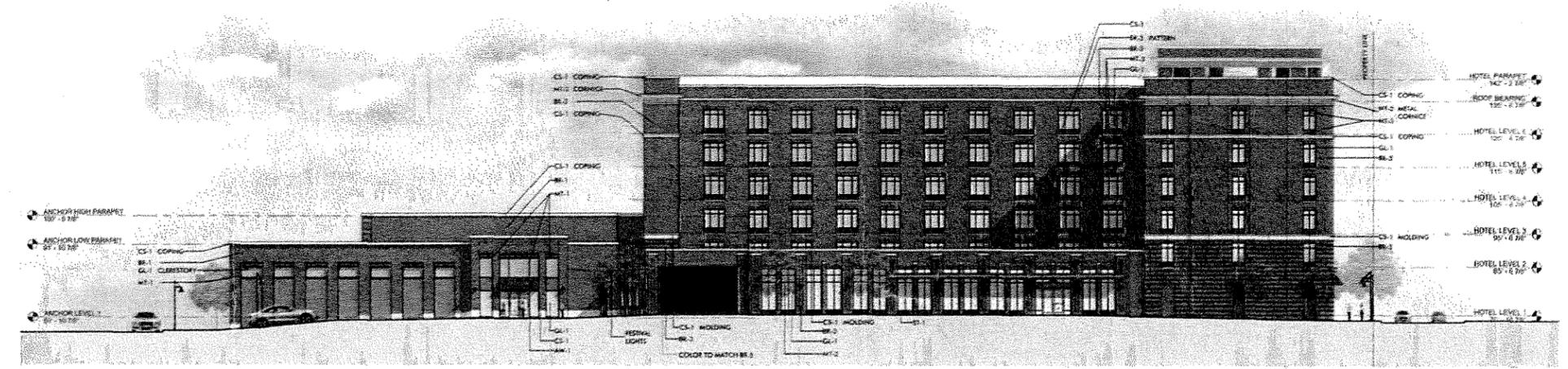
**Civil Engineer**  
 MVA Engineering  
 12000 Greenway  
 Sterling, VA 22152  
 Tel: 703-598-6000  
 Fax: 703-598-6001

**KEANE  
 PROPERTY**  
 DSP 12-034

COLLEGE PARK, MD

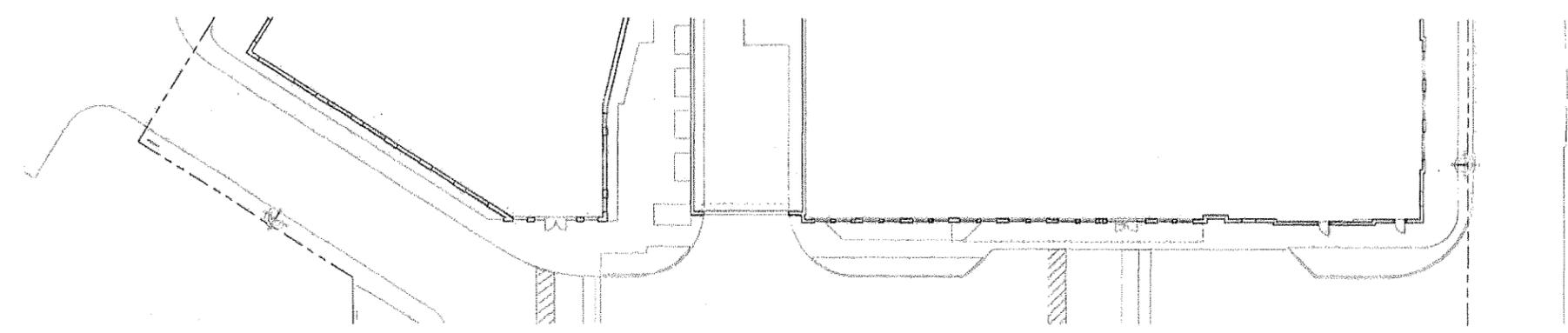
**EAST ELEVATION**

PROJECT NUMBER  
**11038.01**

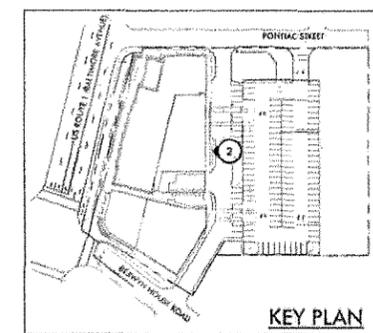


**2 HOTEL ENTRANCE FROM ALLEY (EAST ELEVATION)**  
 A302

EAST ELEVATION FACE AREA	ALLOWED SIGN AREA (10% OF FACE AREA)
9,364 SF	936 SF



TAG	ELEVATION MATERIAL LEGEND	MATERIAL
AW-1	EDIFICAL FABRIC ANHARD - COLOR TO BE SELECTED BY TENANT	
BR-1	ORANGE ROUGH BRICK	
BR-2	ORANGE SMOOTH BRICK	
BR-3	RED BROWN BRICK	
CS-1	CAST STONE	
GL-1	CLEAR INSULATED GLASS	
GL-2	SPANDREL GLASS	
GL-3	TRANSPARENT GLASS	
MT-1	DOVE GREY	
MT-2	SLATE GREY	
MT-3	CHOCOLATE BROWN	
PC-1	PRECAST CONCRETE	
ST-1	BLACK GRANITE	



M.N.C.P.C. APPROVALS		
PROJECT NAME: KEANE ENTERPRISES, INC.		
PROJECT NUMBER: DSP 12-034		
FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET. THE REVISIONS LISTED BELOW APPLY TO THIS SHEET.		
APPROVAL BY	DATE	REVISIONS SIGNATURE
REVISIONS	DATE	DATE

DRAWING SHEET

**A302**

2/18/2013 3:47:07 PM  
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Owner:  
Keane Enterprises, Inc.  
3000 Chesapeake Road  
College Park, MD 20740

Designer:  
Keane Enterprises, Inc.  
4000 Parkers Lane, Suite 210  
Arlington, VA 22204  
Tel: 703-223-0001  
Fax: 703-223-0001

Architect:  
MVA Architects, Inc.  
1100 Northpoint Avenue, Suite 100  
Baltimore, MD 21286  
Tel: 410-528-3100

Civil Engineer:  
Robert Engineering  
3700 South Dr.  
Baltimore, MD 21286  
Tel: 410-491-8000  
Fax: 410-491-8000

**KEANE PROPERTY**  
DSP 12.034

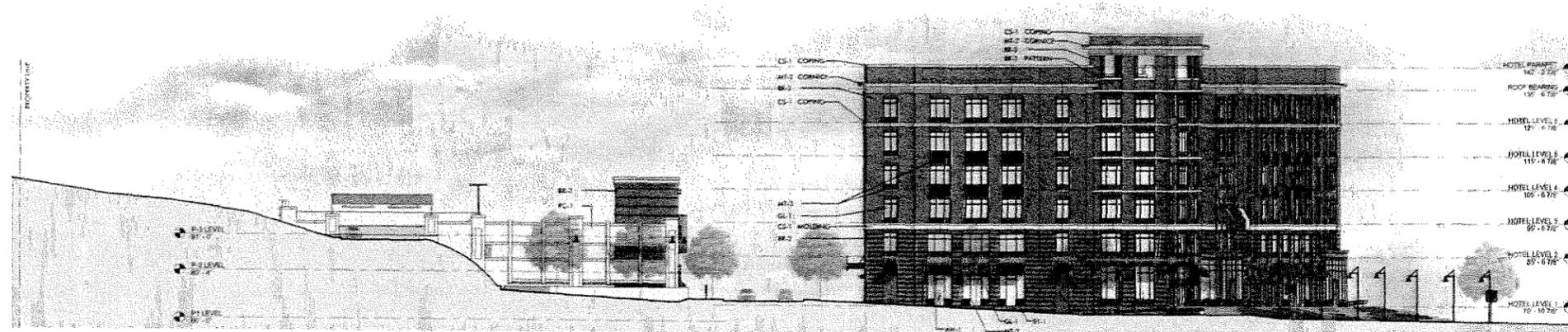
COLLEGE PARK, MD

**NORTH ELEVATION**

PROJECT NUMBER  
11038.01

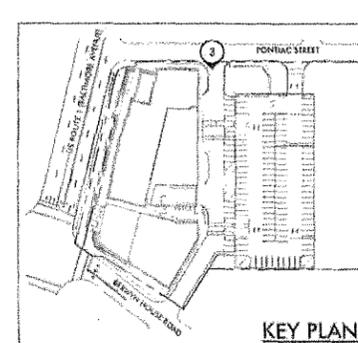
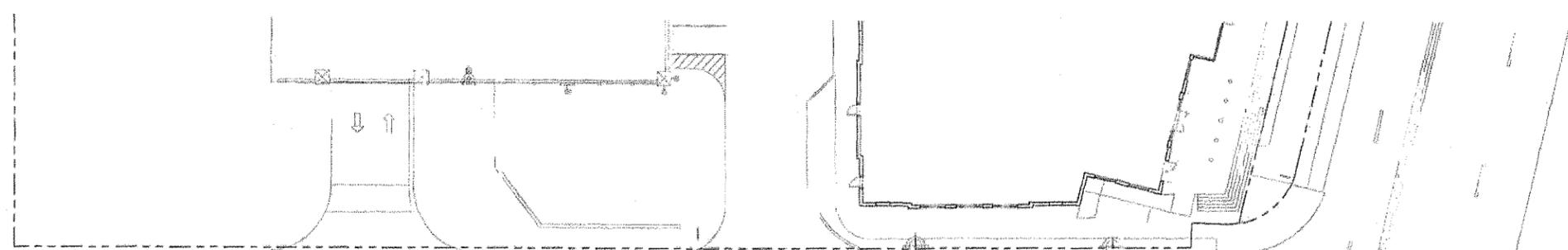
DESIGNER: AA  
CHECKER: JH

REV.	ISSUE	DATE
	DSP PRE-ACCEPTANCE	11.20.12
	DSP SUBMISSION	12.14.12
	DSP MATERIAL	1.28.13
	DSP RE-SUBMISSION	2.18.13



**3 PONTIAC STREET (NORTH ELEVATION)**  
A303 SCALE 1/16" = 1'-0"

NORTH ELEVATION FACADE AREA	ALLOWED SQUARE (10% OF FACADE AREA)
5,011 SF	501 SF



**KEY PLAN**

ELEVATION MATERIAL LEGEND	
TAG	MATERIAL
AN-1	OFFICIAL FABRIC FINISH - COLOR TO BE SELECTED BY OWNER
BR-1	ORANGE ROUGH BRICK
BR-2	ORANGE SMOOTH BRICK
BR-3	RED BROWN BRICK
CS-1	CAST STONE
GL-1	CLEAR INSULATED GLASS
GL-2	SPANDREL GLASS
GL-3	BROWN TINTED GLASS
MT-1	STONE GREY
MT-2	SLATE GREY
MT-3	CHOCOLATE BROWN
PC-1	PURELY CONCRETE
ST-1	BLACK GRANITE

M.N.C.P.C. APPROVALS		
PROJECT NAME: KEANE ENTERPRISES, INC.		
PROJECT NUMBER: DSP 12.034		
FOR CONDITIONS OF APPROVAL SEE SITE PLAN EXHIBIT SHEET 01		
APPROVAL SHEET THIS REVIEWER CHECKS ALL APPROVALS TO THIS SHEET		
APPROVAL DATE	REVIEWER SIGNATURE	COUNTER SIGNATURE DATE

PROJECT NUMBER  
**A303**

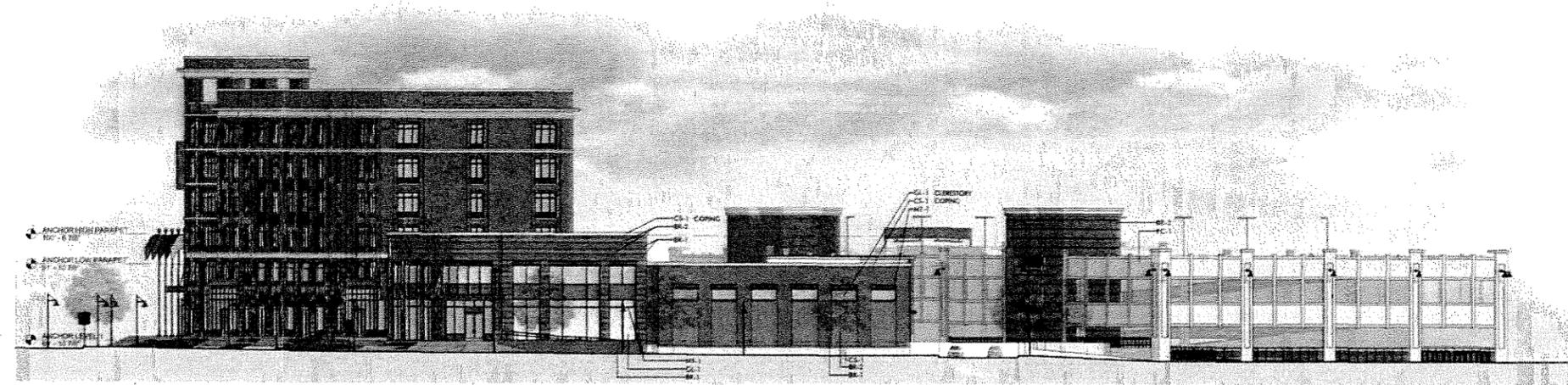


Owner  
Keane Enterprises, Inc.  
2500 North Lake Road  
College Park, MD 20740

Developer  
Keane Enterprises, Inc.  
4400 Reisterstown Road, Suite 200  
Ardmore, MD 21013  
410-571-2222  
410-571-2222

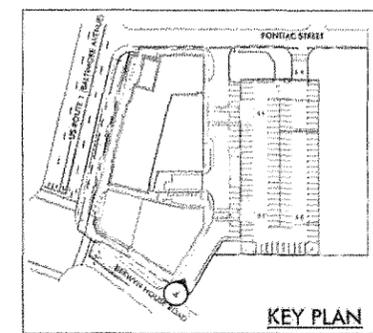
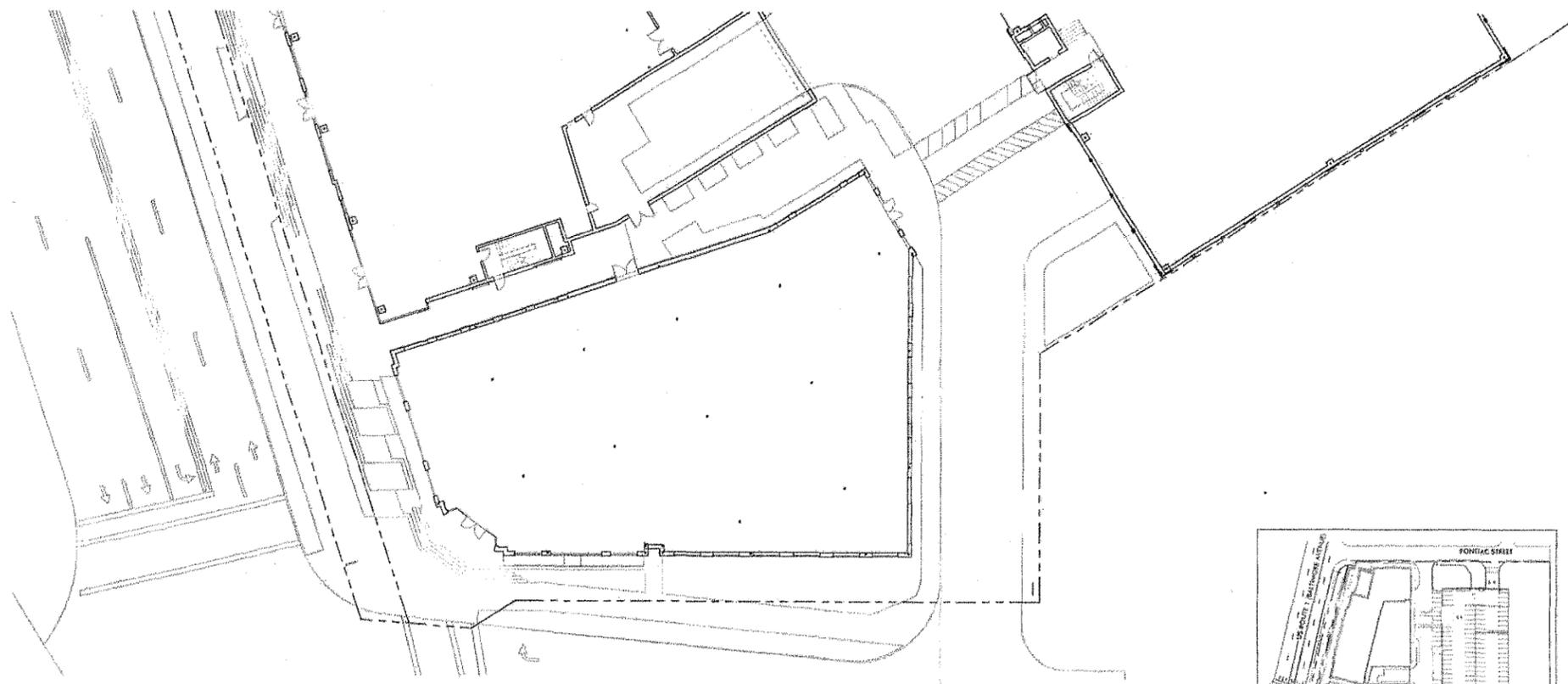
Architect  
MVA Architects  
2115 Woodland Avenue, Suite 100  
Baltimore, MD 21204  
410-571-2222

Civil Engineer  
Rohde Engineering  
7900 Greenway  
P.O. Box 100  
College Park, MD 20740  
410-200-4500



4 BERWYN HOUSE ROAD (SOUTH ELEVATION)  
A304

SOUTH ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
3,585 SF	358 SF



ELEVATION MATERIAL LEGEND	
TAG	MATERIAL
AN-1	CUSTOM FABRIC AWNING - COLOR TO BE SELECTED BY OWNER
BR-1	ORANGE REDDISH BRICK
BR-2	ORANGE SANDY BRICK
BR-3	RED BROWN BRICK
CS-1	LIGHT STONE
GL-1	CLEAR INSULATED GLASS
GL-2	SPANDREL GLASS
GL-3	TRANSPARENT GLASS
GR-1	IRON GREY
GR-2	SLATE GREY
MT-1	CHOCOLATE BROWN
PC-1	PRECAST CONCRETE
ST-1	BLACK GRANITE

M.N.C.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR CONSIDERATION OF APPROVAL, SEE SHEET A304 AND SHEET A305.			
APPROVAL SHEET THIS REVISIONS LISTED BELOW APPLY TO THIS SHEET.			
APPROVAL OR REVIEWER'S	DATE	REVIEWER'S SIGNATURE	CORRECTED SHEET

KEANE PROPERTY  
DSP 12-034

COLLEGE PARK, MD

SOUTH ELEVATION

PROJECT NUMBER  
11038.01

DESIGN	CHECKED
Author	Checker

REV.	ISSUE	DATE
	DSP PRE-ACCEPTANCE	12.20.12
	DSP SUBMISSION	12.14.12
	DSP - MATERIAL	1.28.13
	DSP RE-SUBMISSION	2.18.13

DATE PLOTTED

EXAMINED BY

DATE PLOTTED  
A304

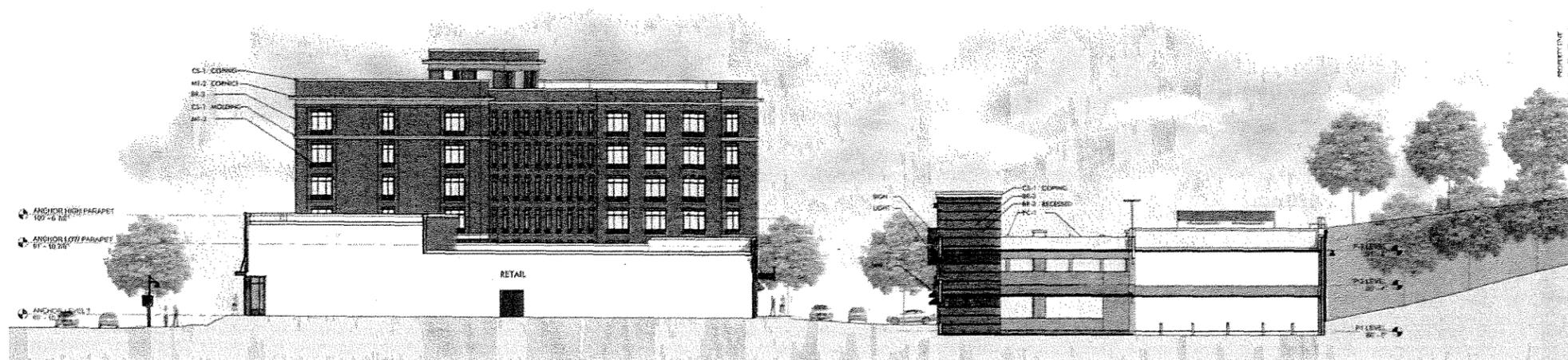
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**A SITE SECTION A-A**  
A310 SCALE 1/16" = 1'-0"



**B SITE SECTION B-B**  
A310 SCALE 1/16" = 1'-0"

**KEANE**  
**PROPERTY**  
DSP 12-034

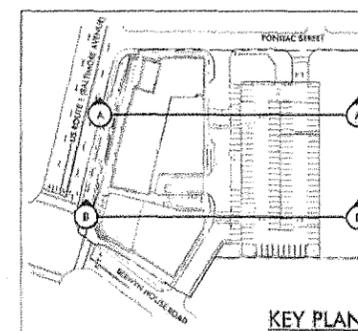
COLLEGE PARK, MD

**SITE SECTIONS**

PROJECT NUMBER  
**11038.01**

REVISION	DESCRIPTION
BS	JH

REV.	ISSUE	DATE
	DSP PRE-ACCEPTANCE	11.20.12
	DSP SUBMISSION	12.14.12
	DSP - MATERIAL	1.28.13
	DSP RE-SUBMISSION	2.18.13

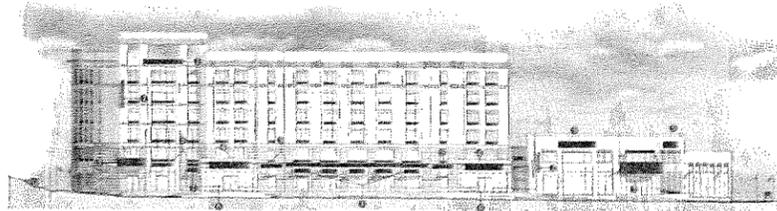


ELEVATION MATERIAL LEGEND	
TAG	MATERIAL
AW-1	CORTICAL FABRIC FINISHING - COLOR TO BE SELECTED BY OWNER
BR-1	ORANGE ROUGH BRICK
BR-2	ORANGE SANDFIRE BRICK
BR-3	RED BROWN BRICK
CS-1	CAST STONE
GL-1	CLEAR INSULATED GLASS
GL-2	SPANDREL GLASS
GL-3	TRANSPARENT GLASS
MT-1	DOCK GREY
MT-2	SLATE GREY
MT-3	CHOCOLATE BROWN
PC-1	PRECAST CONCRETE
SG-1	BLACK GRANITE

M.N.C.P.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR COMPLIANCE OF APPROVALS SEE WITH PLANS/SECTION 1 OR APPROVAL SHEET. THE REVISIONS LISTED BELOW APPLY TO THIS SHEET.			
APPROVAL OR REVISION	APPROVAL DATE	REVISION'S SIGNATURE	DATE

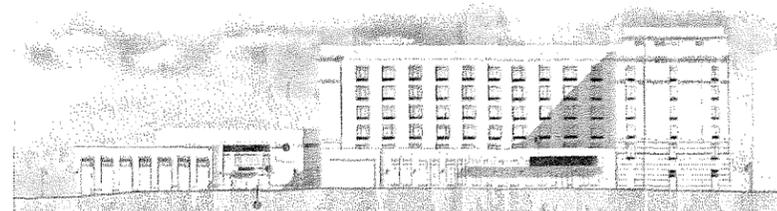
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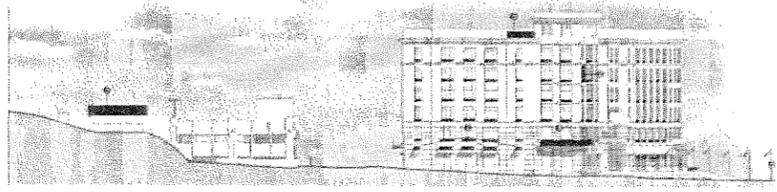
A ROUTE 1 / BALTIMORE AVENUE (WEST ELEVATION)

WEST ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
17,892 SF	1,789 SF



B HOTEL ENTRANCE FROM ALLEY (EAST ELEVATION)

EAST ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
3,584 SF	358 SF



C PONTIAC STREET (NORTH ELEVATION)

NORTH ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
5,071 SF	507 SF



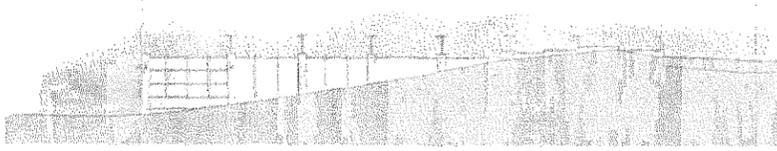
D BREWYN HOUSE ROAD (SOUTH ELEVATION)

SOUTH ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
3,585 SF	358 SF



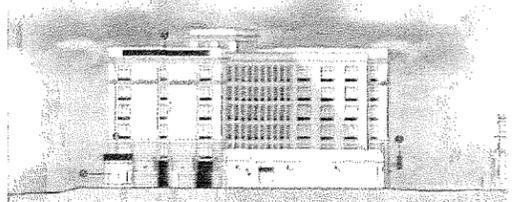
E GARAGE WEST ELEVATION (NORTH ELEVATION)

WEST ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
7,871 SF	787 SF



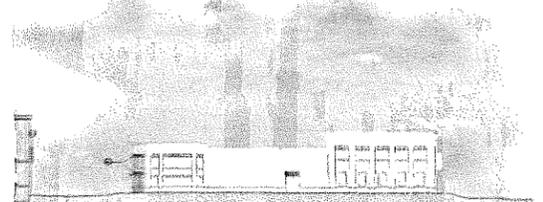
F GARAGE EAST ELEVATION

EAST ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
2,890 SF	289 SF



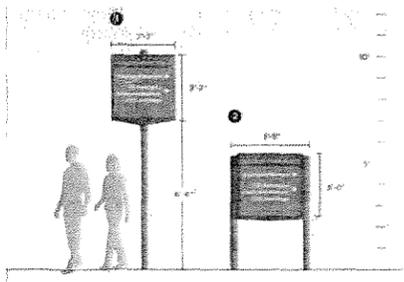
G HOTEL SOUTH ELEVATION

SOUTH ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
6,031 SF	603 SF

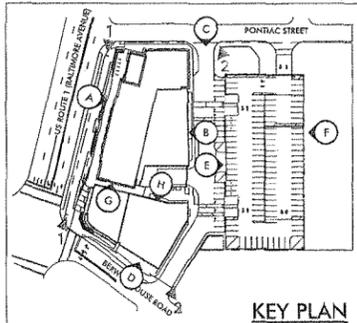


H RETAIL NORTH ELEVATION

SOUTH ELEVATION FACADE AREA	ALLOWED SIGN AREA (10% OF FACADE AREA)
6,031 SF	603 SF



1 & 2 WAYFINDING SIGNS



KEY PLAN

**SIGN REQUIREMENTS:**  
**APPROVED CENTRAL US 1 CORRIDOR SECTOR PLAN & SMA**  
 (JUNE 2010, PP. 254-255):

- ALL SIGNS SHALL BE ATTACHED TO THE FACADE. SIGNS MAY BE FLAT AGAINST THE FACADE OR MOUNTED PROJECTING OR HANGING FROM THE FACADE. SIGNS MAY ALSO BE MOUNTED ON THE ROOF OF LANDMARK OR CONVOC BUILDINGS IN CERTAIN CASES. FREE STANDING SIGNS SHALL NOT BE PERMITTED.
- SIGNS SHALL BE EXTERNALLY LIT FROM THE FRONT WITH A FULL SPECTRUM SOURCE. INTERNAL AND BACK LIGHTING ARE PERMITTED AS EXCEPTION ONLY FOR INDIVIDUAL LETTERS OR NUMBERS, SUCH AS FOR "CHANNEL LETTER" SIGNAGE. ILLUMINATED BACK LIGHTING AND BOX LIGHTING FIXTURES ARE PROHIBITED. SIGNAGE WITHIN A SHOFPRENT MAY BE NEON LIT.
- BUILDING NUMBERS ARE REQUIRED (COMMERCIAL BUILDINGS REQUIRE BUILDING NUMBERS IN BOTH THE FRONT AND THE REAR).
- THE MAXIMUM GROSS AREA OF SIGNS ON A GIVEN FACADE SHALL NOT EXCEED TEN PERCENT OF THE FACADE AREA OF THE COMMERCIAL PORTION OF THE BUILDING. ARCHITECTURAL SIGNS OR SIGNAGE PAINTED ON A BUILDING FACADE OR MOUNTED ON THE ROOF MAY EXCEED THIS LIMIT IN CERTAIN CASES. TO BE DETERMINED AT THE TIME OF SITE PLAN REVIEW.
- SIGNS MOUNTED ON THE FACADE SHALL MAINTAIN A MINIMUM CLEAR HEIGHT ABOVE SIGNAGE OF EIGHT FEET.
- SIGNS SHALL NOT EXTEND WITHIN TWO FEET OF THE CURB LINE.
- THE MAXIMUM AREA OF ANY SINGLE SIGN MOUNTED PERPENDICULAR TO A GIVEN FACADE SHALL NOT EXCEED NINE SQUARE FEET (EXCEPT AS NOTED).
- A SINGLE EXTERNAL SIGN BAND MAY BE APPLIED TO THE FACADE OF EACH BUILDING, PROVIDED THAT SUCH SIGNS SHALL NOT EXCEED THREE FEET IN HEIGHT.

**GENERAL NOTES:**

- SIGN
- SIGN
- MAXIMUM SIGN AREA = 10% OF FACADE AREA OF THE COMMERCIAL PORTION.
- NUMBER OF SIGNS PER BUILDING & INDIVIDUAL SIGN AREA WILL DEPEND ON TENANT QUANTITY.
- THE PROPOSED SIGNS DEVIATE FROM THE REQUIREMENTS 1 & 7.
- THE PROJECT IS PROPOSING FREE STANDING WAY FINDING SIGNS
- THE PROJECT IS PROPOSING SIGNS PERPENDICULAR TO THE FACADE THAT EXCEED 9 SQUARE FEET.

**PROJECT SIGN TYPES:**

The following are definitions and examples of signs to be used on the project.

**1 Awnings**  
 Horizontal projections along Tenant's storefronts made out of exterior fabric stretched over a metal frame, traditionally used to provide shade and as an opportunity for Tenant identity to be displayed along Tenant facades.



**2 Blade / Projecting Signs**  
 Projecting signs to be seen at pedestrian or vehicular level, mounted perpendicular to the storefront walls. These signs are usually built out of rigid materials with distinctive structures. At 12' or less, blade signs are required for all Tenants as part of the Fairfax County approved sign plan.



**3 Canopy or Marquee**  
 Horizontal projections along Tenant's storefronts often built out of rigid construction materials such as metal, glass or wood. Architectural concepts at Tysons West are provided as part of the base building construction.



**4 Storefront**  
 Infill area within the building facade that allows for the Tenant to express its identity. Storefronts at Tysons West are aluminum framing and glass and are provided as part of the base building construction.



**5 Wall Mounted Signs**  
 A sign that is attached to the exterior of the storefront or base building with the display surface approximately parallel to the building or storefront.



**6 Window Signs**  
 Vinyl on glass or graphics mounted or etched on the storefront glass of the Tenant. Window signs also include Tenant signage or logos directly in front of a window and used for advertising purposes.



M.N.C. P.P.C. APPROVALS		
PROJECT NAME	KEANE ENTERPRISES, INC.	
PROJECT NUMBER	DSP 12-034	
DATE OF APPROVAL	11/20/12	
APPROVAL #	DATE	APPROVAL #
1	11/20/12	2
3	12/14/12	4
5	1/28/13	6
7	2/19/13	8



**Owner:**  
 Keane Enterprises, Inc.  
 3000 Chain Bridge Road  
 Vienna, VA 22180

**Developer:**  
 Keane Enterprises, Inc.  
 4409 Frying Pan Lane, Suite 310  
 Arlington, VA 22204  
 Tel: 703-223-0001  
 Fax: 703-223-0005

**Architect:**  
 MVA Architects  
 2710 Woodburn Avenue, Suite 1200  
 Bethesda, MD 20814  
 301-694-2454

**Civil Engineer:**  
 Bolin Engineering  
 2700 Dulles Dr.  
 Sterling, VA 20154  
 Tel: 703-223-9500  
 Fax: 703-209-8501

**KEANE PROPERTY**  
 DSP 12-034

COLLEGE PARK, MD

**SIGNAGE**

PROJECT NUMBER  
 11038.01

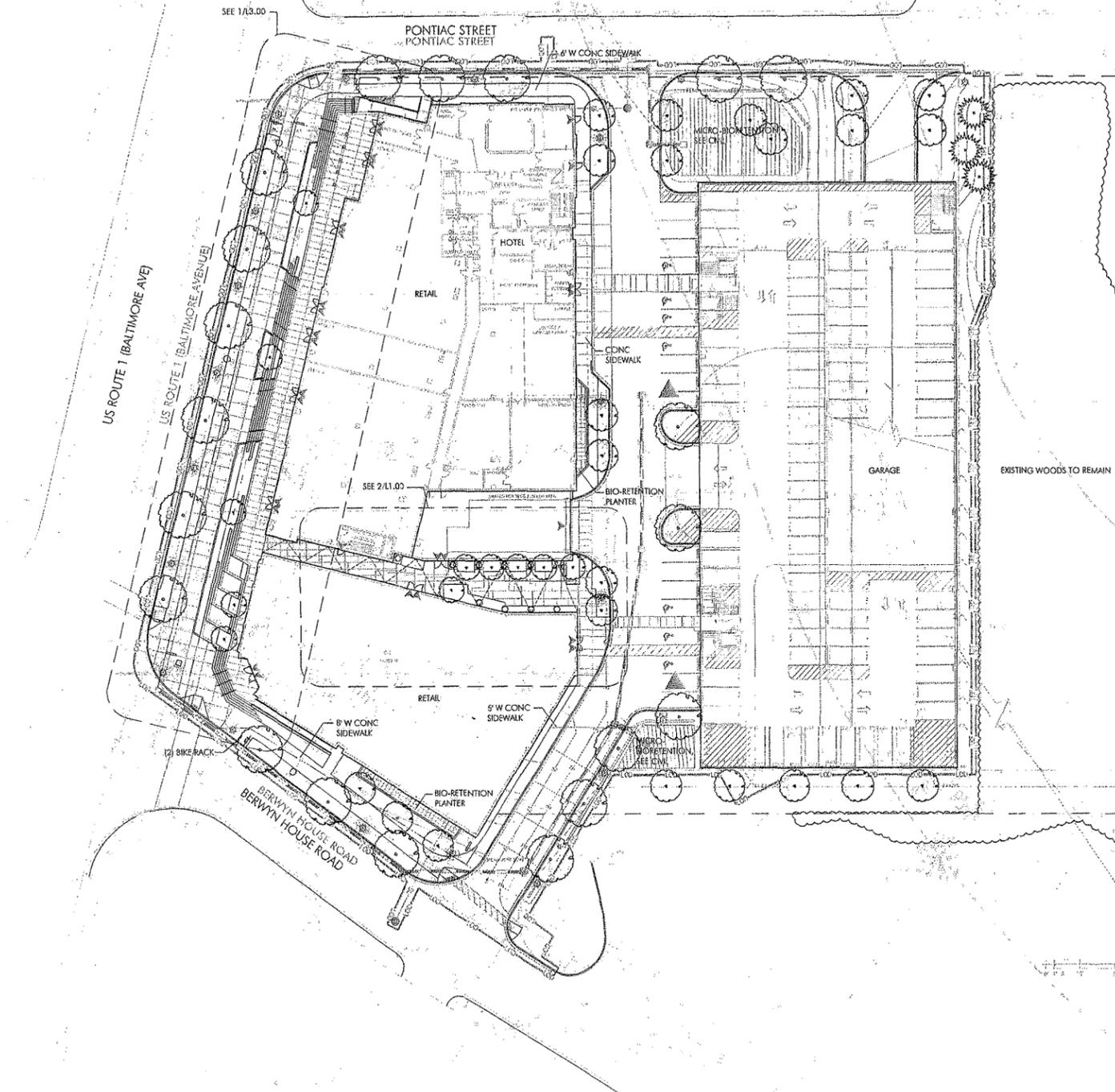
DESIGNED BY	CHECKED BY
Author	Checker

REV.	ISSUE	DATE
DSP PRE-ACCEPTANCE		11.20.12
DSP SUBMISSION		12.14.12
DSP - MATERIAL		1.28.13
DSP RE-SUBMISSION		2.19.13

CITY PLAN

DRAWING STAMP

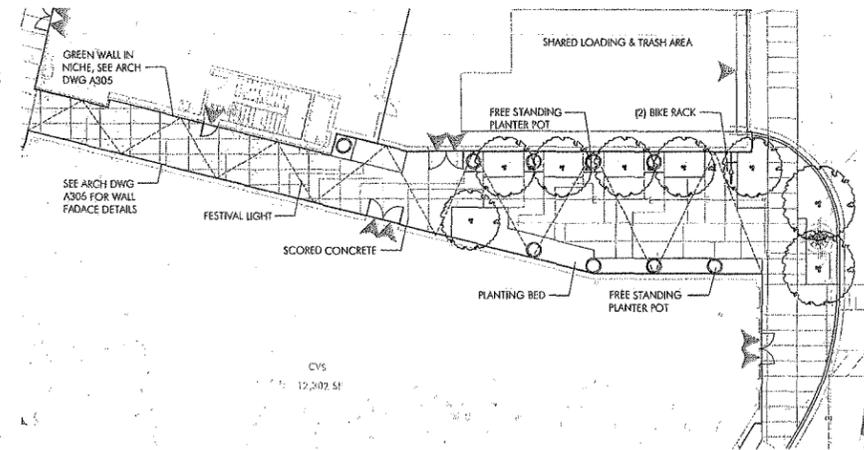
SHEET NUMBER  
**A312**



**01** SITE LANDSCAPE PLAN  
SCALE: 1"=30'-0"

**LANDSCAPE DRAWING LIST**

- L1.00 SITE LANDSCAPE PLAN
- L2.00 SITE PLANTING PLAN
- L3.00 STREETSCAPE PLANS
- L4.00 HARDSCAPE SECTIONS
- L4.10 HARDSCAPE DETAILS
- L5.00 PLANTING DETAILS



**02** PASSAGE WAY ENLARGEMENT  
SCALE: 1/16"=1'-0"

College Park, Maryland  
**PARKER RODRIGUEZ, INC.**  
 PLANNING, DESIGN, CONSTRUCTION, LANDSCAPE ARCHITECTURE  
 101 North Union St. #320  
 Alexandria VA 22314  
 703.548.5010  
 DEVELOPER  
 Keane Enterprises, Inc.  
 44095 Palmetto Plaza  
 Suite 210  
 Ashburn, VA 20147  
 571.223.0001  
 ARCHITECT  
 M44-A  
 7910 Woodmore Ave  
 Suite 1250  
 Beltsville, MD 20814  
 301.654.2454  
 CIVIL ENGINEER  
 Bolter Engineering  
 22650 Davis Dr  
 Sterling, VA 20154  
 703.709.9500



REVISIONS

DSP Submission	11.21.12
DSP Submission Rev.	02.15.13

Site Landscape Plan

DSP SUBMISSION - 02.15.13 - NOT FOR CONSTRUCTION

M.N.C.P.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET			
APPROVAL OR REVISION #	APPROVAL DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE

ORIGINAL ISSUE DATE  
11.21.12  
 DESIGNED BY  
SL, TR  
 DRAWN BY  
SL, MA  
 CHECKED BY  
SL, TR  
 SCALE  
1"=30'-0"  
 0 15 30 60 FEET

L1.00



**KOON'S FORD REDEVELOPMENT**

College Park, Maryland

**PARKER RODRIGUEZ, INC.**  
 ARCHITECTS  
 101 North Union St., #320  
 Alexandria VA 22314  
 703.548.5010

DEVELOPER  
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ARCHITECT  
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 301.654.2454

CIVIL ENGINEER  
 Bohler Engineering  
 22630 Doris Dr  
 Sterling, VA 20164  
 703.709.9500



REVISIONS

DSP Submission	11.21.12
DSP Submission Rev.	02.15.13

Streetscape Plan - Route 1

ORIGINAL ISSUE DATE

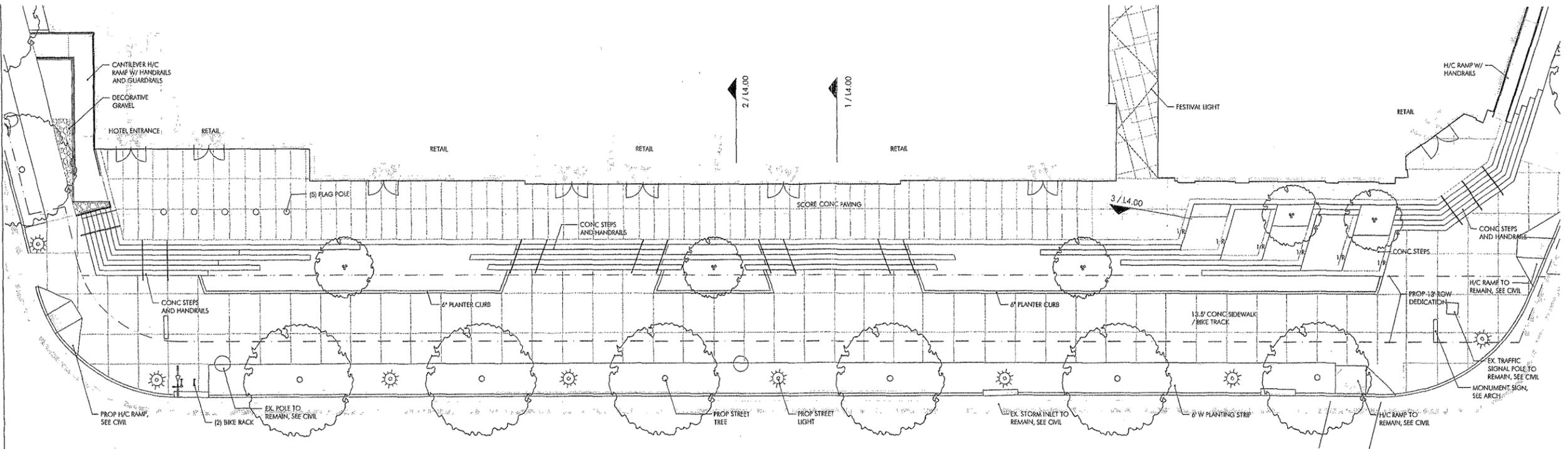
11.21.12  
 DESIGNED BY SL, TR  
 DRAWN BY SL, MA  
 CHECKED BY SL, TR



SCALE  
 1" = 10'-0"  
 FEET

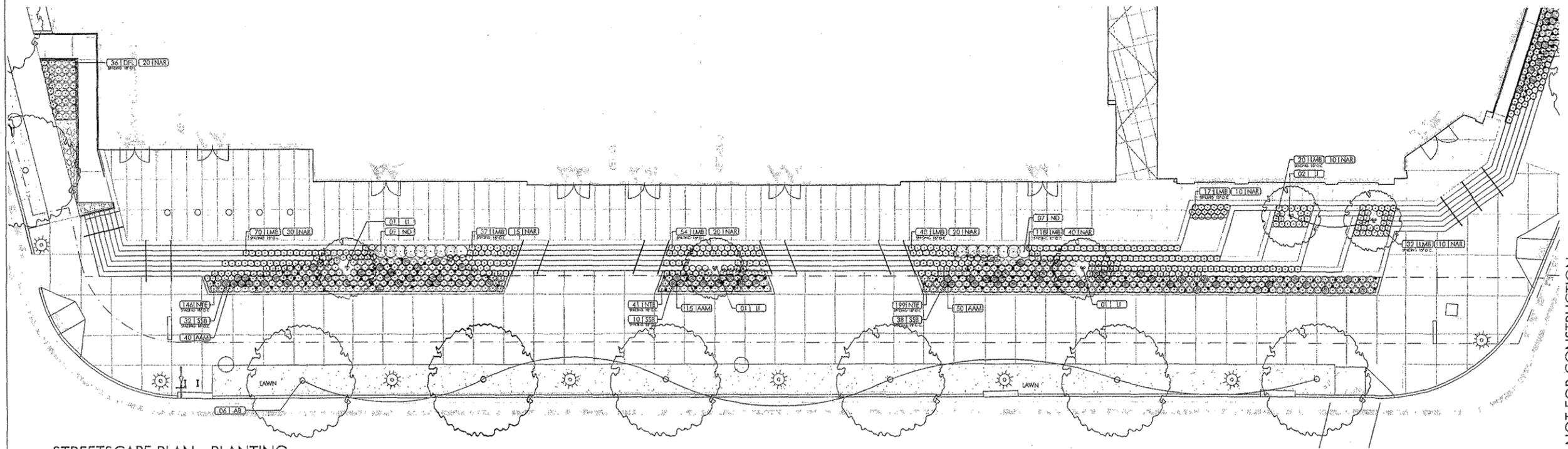
L3.00

DSP SUBMISSION - 02.15.13 - NOT FOR CONSTRUCTION



**01** STREETScape PLAN - HARDSCAPE

SCALE: 1"=10'-0"



**02** STREETScape PLAN - PLANTING

SCALE: 1"=10'-0"

M.N.C.P.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET			
APPROVAL OR REVISION #	APPROVAL DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE

**KOON'S FORD REDEVELOPMENT**

College Park, Maryland

**PARKER RODRIGUEZ, INC.**  
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 703.548.5010

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ARCHITECT  
 MA+A  
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 Bethesda, MD 20814  
 301.654.2454

CIVIL ENGINEER  
 Bolter Engineering  
 22630 Davis Dr  
 Sterling, VA 20164  
 703.709.9500



REVISIONS

DSP Submission	11.21.12
DSP Submission Rev.	02.15.13

DSP SUBMISSION - 02.15.13 - NOT FOR CONSTRUCTION

Hardscape Sections

ORIGINAL ISSUE DATE  
11.21.12

DESIGNED BY  
SL, TR

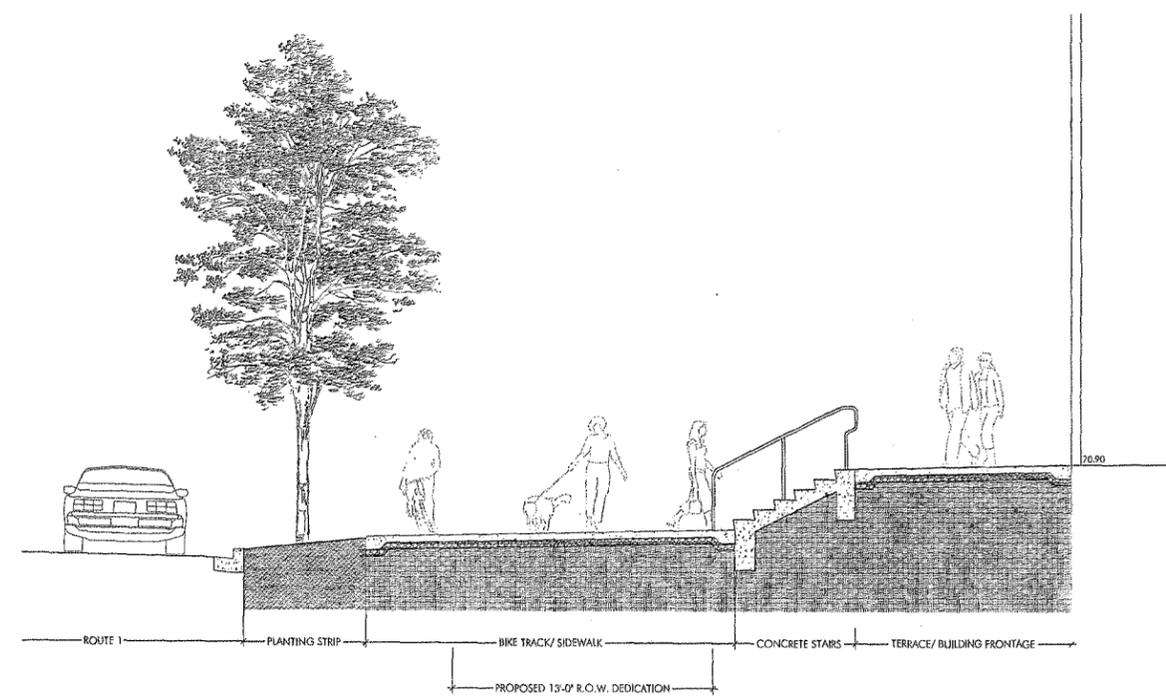
DRAWN BY  
SL, MA

CHECKED BY  
SL, TR

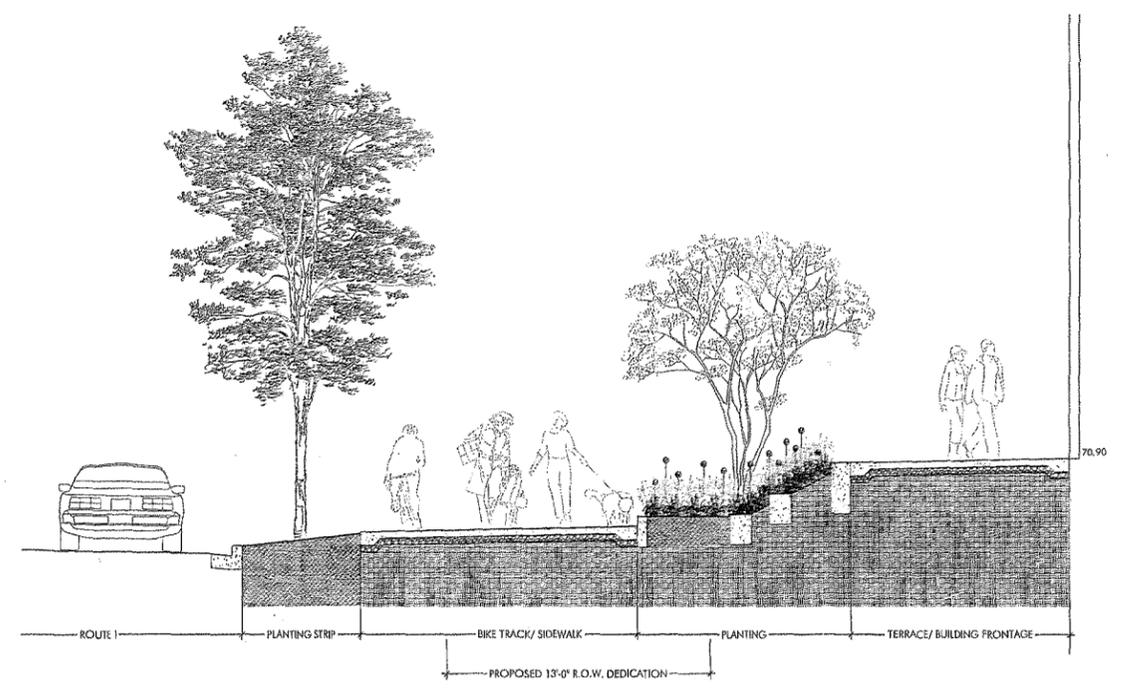
SCALE  
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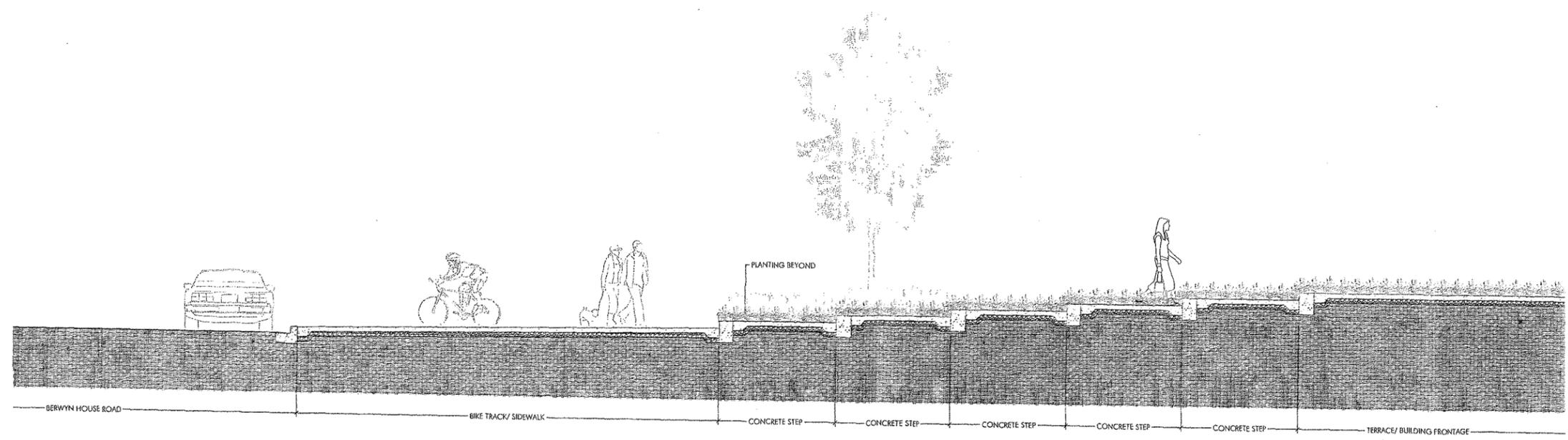
**L4.00**



**01** STREETScape SECTION - A SEE #1/L3.00 FOR SECTION LOCATION ON PLAN  
 SCALE: 1/4" = 1'-0"

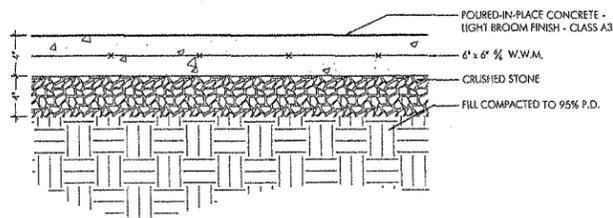


**02** STREETScape SECTION - B SEE #1/L3.00 FOR SECTION LOCATION ON PLAN  
 SCALE: 1/4" = 1'-0"

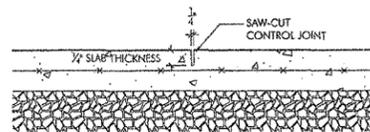


**03** STREETScape SECTION - C SEE #1/L3.00 FOR SECTION LOCATION ON PLAN  
 SCALE: 1/4" = 1'-0"

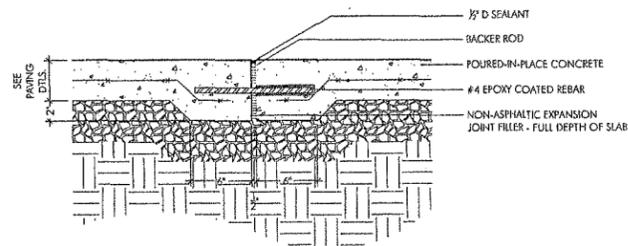
M.N.C.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET			
APPROVAL OR REVISION #	APPROVAL DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE



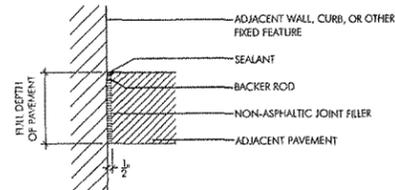
**01 CONCRETE PAVING**  
SCALE: 1 1/2"=1'-0"



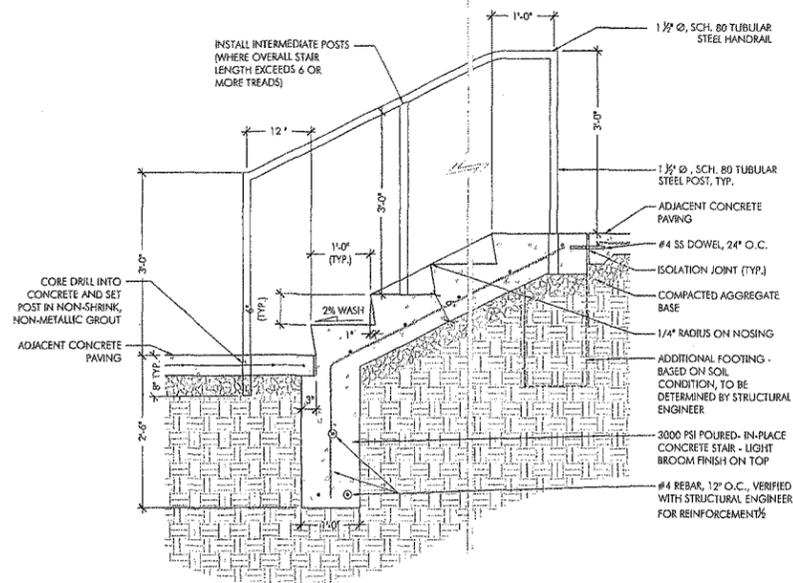
**02 CONTROL JOINT IN CONCRETE PAVING**  
SCALE: 1 1/2"=1'-0"



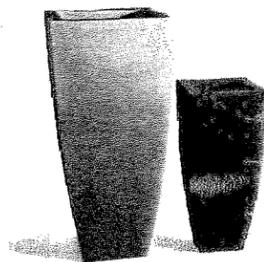
**03 EXPANSION JOINT**  
SCALE: 1 1/2"=1'-0"



**04 ISOLATION JOINT**  
SCALE: 1 1/2"=1'-0"



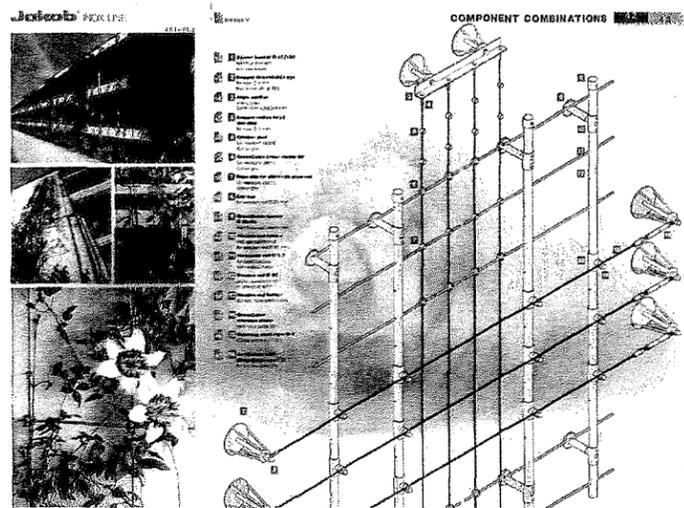
**05 CONCRETE STAIR**  
SCALE: 3/4"=1'-0"



MANUFACTURER: ORE  
MODEL: RADIUS TAPER  
SIZE: 20" X 20" X 44"  
COLOR/FINISH: TBD

OR APPROVED EQUAL

**06 FREE-STANDING PLANTER** PLANTERS AT PASSAGE WAY  
SCALE: NTS



CONCEPTUAL GREEN WALL SYSTEM NOTES:  
1. GREEN WALL TO BE S.S. CABLE SYSTEM BY JAKOB.  
2. ALT: GREEN PANEL MODULAR SYSTEM BY GSKY.  
3. GREEN WALL SYSTEM IS SUBJECT TO CHANGE, FINAL DESIGN TO BE DETERMINED.

OR APPROVED EQUAL

**07 GREEN WALL SYSTEM** GREEN WALL AT PASSAGE WAY  
SCALE: NTS

**KOON'S FORD REDEVELOPMENT**

College Park, Maryland  
**PARKER RODRIGUEZ, INC.**  
PLANNING, URBAN DESIGN, LANDSCAPE ARCHITECTURE

101 North Union St. #320  
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44095 Pipeline Plaza  
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Ashburn, VA 20147  
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ARCHITECT  
MA+A  
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301.654.2454

CIVIL ENGINEER  
Baker Engineering  
27850 Davis Dr  
Sterling, VA 20164  
703.709.9500



REVISIONS

DSP Submission	11.21.12
DSP Submission Rev.	02.15.13

DSP SUBMISSION - 02.15.13 - NOT FOR CONSTRUCTION

Hardscape Details

ORIGINAL ISSUE DATE: 11.21.12  
DESIGNED BY: SL, TR  
DRAWN BY: SL, MA  
CHECKED BY: SL, TR

M.N.C.P.P.C. APPROVALS			
PROJECT NAME: KEANE ENTERPRISES, INC.			
PROJECT NUMBER: DSP 12-034			
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET			
APPROVAL OR REVISION #	APPROVAL DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE



L4.10

**Planting Specifications:**

- The Landscape Contractor is to submit proof of qualifications for review by the Owner's Representative with the bid. The Landscape Contractor's qualifications must include a reference list of at least 5 landscape installations using plant material of a similar size, quantity, and magnitude of work to the current project. Project references are to be provided with the dollar amount of the project, date of completion, and phone numbers of contacts at each location.
- The Landscape Contractor shall furnish, deliver, and install plant material. Plant material shall be healthy, vigorous, free from plant diseases and insects.
- Plant material shall be nursery stock grown in Maryland, Delaware, New Jersey, Ohio, Pennsylvania, Virginia or West Virginia for at least two years prior to digging.
- The Landscape Contractor shall notify the Owner's Representative to select and seal plant material at the nursery and to stake plant material locations at the site before delivery of plants to site.
- Inspection of Planting Beds - the Landscape Contractor shall inspect planting areas before topsoiling or planting are begun to ensure that adequate drainage exists. If areas to be landscaped show evidence of poor drainage, the Landscape Contractor shall notify the Owner's Representative immediately for corrective action. Plant material that dies due to poor or inadequate drainage shall be the responsibility of the Landscape Contractor. The Owner's Representative reserves the right to make changes or substitutions in plant type or quantities for the purposes of insuring proper plant growth. Landscape Contractor may not make any substitutions without approval from the Owner's Representative.
- Shrubs and ground cover beds shall be mulched to a depth of 3" min. Mulch shall be shredded hardwood bark, aged max. 6 months.
- Trees, shrubs and ground cover shall be planted as specified and installed in accordance with A.A.N. Standards and the details and comments noted on the drawings.
- All planting shall be performed by personnel familiar with planting procedure and under the supervision of a qualified planting foreman.
- All landscape work shall be coordinated with other trades to prevent conflicts.
- Proposed and relocated plant material shall be guaranteed for one (1) calendar year from date of acceptance by Owner's Representative.
- On-site topsoil or imported topsoil from some source as topsoil used on site shall be used for planting and finish grading. Topsoil must be free of plant parts, clay lumps, stones, or similar objects larger than 1".

- All topsoil shall be tested by a recognized laboratory for pH and soluble salts. A pH of 4.5 to 7.5 is required. Soluble salts shall not be higher than 500 parts per million.
- Backfill material around tree balls shall be a mixture by volume of the following materials in quantities specified: 4/5 existing clean topsoil and 1/5 organic compost. Trees are to be fertilized on the soil surface at a rate of 1 lb. of nitrogen/1000sq.ft. of soil surface area.
- Water all plants immediately after planting sufficient to thoroughly moisten all of the backfilled earth. Plants shall be kept in a moistened but not saturated condition for the duration of the guarantee period by the Landscape Contractor. Where water is not available on site, the Landscape Contractor shall furnish sufficient quantities to complete the work at no cost to the Owner's Representative.
- All broken or damaged roots shall be cut off smoothly and the tops of all trees shall be pruned in a manner complying with standard horticultural practice. At the time pruning is completed, all remaining wood shall be alive. Fine pruning for tree shape and appearance shall be done only under the direction of the Owner's Representative. At the end of the guarantee period at least 80 percent of the wood remaining shall be alive.
- The Landscape Contractor shall maintain plantings prior to the beginning of the guarantee period by watering, fertilizing, disease control, pruning, weeding, and replacement of dead, stolen, or unacceptable materials, etc., so as to keep the completed work and/or incomplete work in clean and neat condition at all times.
- The Landscape Contractor shall give written notice to the Owner's Representative requesting an inspection to begin the one year guarantee period at least ten days prior to the anticipated date of completion.
- After review, the Landscape Contractor will be notified of the date that the work has been approved for beginning the guarantee period or, if there are any deficiencies, a list of work items to be corrected prior to the beginning of the guarantee period.
- The Landscape Contractor shall notify Owner's Representative at least 10 days prior to the end of the guarantee and such guarantee shall be extended until notification is received. The Landscape Contractor shall guarantee that plants shall be in vigorous and thriving condition and request full inspection prior to final acceptance of work. At the end of the guarantee period, all plants that are dead or show unsatisfactory growth shall be replaced within one month.
- Within the guarantee period, the Landscape Contractor will notify the Owner's Representative of any maintenance practices being followed or omitted which would be detrimental to the health of the plants.
- The Landscape Contractor shall be responsible for the removal of all stakes and/or guys after the second growing season following planting.

**Schedule 4.9-1**  
**Sustainable Landscaping Requirements**

- Percentage of native plant material required in each category:  
 Shade Trees: total 20, x 50% = 10, total number required total number provided 12 = 60% native  
 Ornamental Trees: total 32, x 50% = 16, total number required total number provided 27 = 84% native  
 Evergreen Trees: total 3, x 30% = 1, total number required total number provided 3 = 100% native  
 Shrubs: total 75, x 30% = 23, total number required total number provided 35 = 47% native
- Are invasive species proposed?  yes  no
- Are existing invasive species on-site in areas that are to remain undisturbed?  yes  no
- If "yes" is checked in numbers 2 or 3, is a note included on the plan requiring removal of invasive species prior to certification in accordance with Section 1.5, Certification of Installation of Plant Materials?  yes  no
- Are trees proposed to be planted on slopes greater than 3:1?  yes  no

**PLANTING LIST**

**KOON'S FORD PLANT SCHEDULE - SITE**

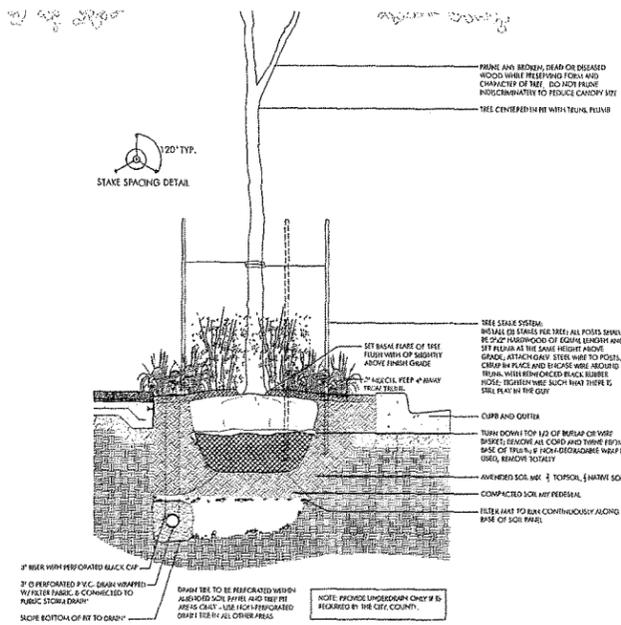
Key	Qty.	Botanical name	Common name	Stock size (height/caliper)	Stock type	Comments
<b>Native</b>						
<b>Canopy Trees</b>						
AR	8	Acer buergerianum	Trident Maple	3" x 1 1/2" cal.	B&B	single leader; full branching
AR	6	Acer rubrum 'Red Sunset'	Red Sunset Red Maple	3" x 1 1/2" cal.	B&B	single leader; full branching
LS	6	Liquidambar styraciflua 'Nuttalliana'	Sweetgum	3" x 1 1/2" cal.	B&B	single leader; full branching
	total					20
<b>Ornamental Trees</b>						
IO	3	Ilex opaca	American Holly	10-12 ht.	B&B	heavy, matched, symmetrical
	total					3
<b>Ornamental Trees</b>						
AS	15	Amelanchier x grandiflora 'Autumn Brilliance'	A.B. Serviceberry	10-12 ht.	B&B	multi-stem-3 stems minimum; full branching
CC	5	Cercis canadensis	Eastern Redbud	10-12 ht.	B&B	single stem; full branching
MV	7	Magnolia virginiana	Sweetbay Magnolia	10-12 ht.	B&B	multi-stem-3 stems minimum; full branching
LI	5	Ligustrum indica 'Watkings'	Mistakenly Called Myrtle	12 ht.	B&B	multi-stem-3 stems minimum; full branching
	total					32
<b>Shrubs</b>						
BM	9	Buxus microphylla 'Winter Gem'	Winter Gem Boxwood	24-30" ht.	Cont.	full branching
IG	35	Ilex glabra 'Nigra'	Common Inkberry	30-36" ht.	Cont.	full branching to ground
ND	16	Nandina domestica 'Heavenly Dancer'	Heavenly Dancer Heavenly Bamboo	18-24" ht.	Cont.	full branching; upright
RD	15	Rhododendron 'Delaware Valley White'	White Azalea	24-30" ht.	Cont.	full branching
	total					75
<b>Herbaceous Perennials, Ornamental Grasses, and Ground Covers</b>						
NTI	523	Nassella tenuissima	Mexican Feather Grass	2 gal.	Cont.	18" o.c.
DFL	36	Deschampsia flexuosa	Wavy Hairgrass	2 gal.	Cont.	18" o.c.
YCA	1768	Hypericum calycinum	St. John's Wort	2 1/4"	PP	12" o.c.
SSI	105	Scalanthium accorans 'The Blues'	The Blues Little Bluestem	1 gal.	Cont.	18" o.c.
CPI	545	Carex pensylvanica	Pennsylvania Sedge	1 gal.	Cont.	18" o.c.
LMP	710	Liriodendron muscari	Lilyturf	1 gal.	Cont.	15" o.c.
<b>Vines</b>						
CSZ	10	Gelsemium sempervirens	Carolina jessamine	2 gal.	Cont.	18" o.c.
LSZ	10	Lonicera sempervirens	Turkey honeysuckle	2 gal.	Cont.	18" o.c.
PCJ	10	Porhennocissus quinquefolia	Virginia Creeper	2 gal.	Cont.	18" o.c.
<b>Bulbs</b>						
AAA	145	Allium Ambassador	Purple Large-Headed Allium		bulbs	accent
NAR	435	Narcissus 'Talent', 'Silver Chimes', 'Inesolble'	White Daffodil mixture		bulbs	accent

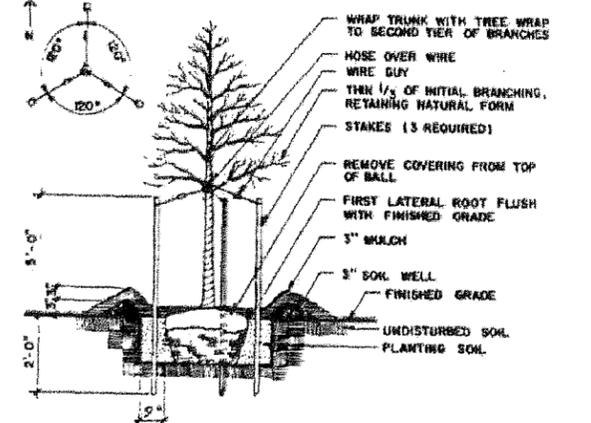
**KOON'S FORD PLANT SCHEDULE - BIO-RETENTION AREAS**

Key	Qty.	Botanical name	Common name	Stock size (height/caliper)	Stock type	Comments
<b>Ornamental Trees</b>						
MV	2	Magnolia virginiana	Sweetbay Magnolia	10-12 ht.	B&B	multi-stem-3 stems minimum; full branching
	total					2
<b>Shrubs</b>						
IG	9	Ilex glabra 'Nigra'	Common Inkberry	30-36" ht.	Cont.	full branching to ground
IV	7	Ilex verticillata	Common Winterberry	48" ht.	B&B	specimen
	total					16
<b>Herbaceous Perennials, Ornamental Grasses, and Ground Covers</b>						
AM	342	Andropogon virginicus	Broomcorn	1 gal.	Cont.	18" o.c.
COB	31	Elymus hystrix	Burnt Spikes	1 gal.	Cont.	12" o.c.
EPE	194	Eragrostis pectinacea	Purple Lovegrass	1 gal.	Cont.	24" o.c.
IVE	22	Isis verticillata	Blue Flag	1 gal.	Cont.	18" o.c.
JEF	548	Juncus effusus	Soft Rush	1 gal.	Cont.	18" o.c.
MCR	18	Monarda x 'Coral Reef'	Coral Reef Bee Balm	1 gal.	Cont.	24" o.c.
MVI	11	Mertensia virginica	Virginia Bluebells	1 gal.	Cont.	18" o.c.
OSE	82	Onoclea sensibilis	Sensitive Fern	1 gal.	Cont.	18" o.c.
PBI	16	Polypodium biflorum	Salamander Seed	1 gal.	Cont.	18" o.c.
PVI	80	Panicum virgatum 'Shenandoah'	Shenandoah Switchgrass	2 gal.	Cont.	42" o.c.
TNO	23	Thelypodium novboracensis	New York Fern	1 gal.	Cont.	18" o.c.

NOTE: All materials specifications shall be in accordance with the industry standard for grading plant material - The American Standard for Nursery Stock (ANSI Z60.1). Maintenance of all trees and landscape materials shall conform to accepted industry standards set forth by the Landscape Contractors Association, American Society of Landscape Architects, the International Society of Arboriculture, and the American National Standards Institute.



**01 TYP. DECIDUOUS TREE PLANTING DETAIL**  
SCALE: N.T.S.

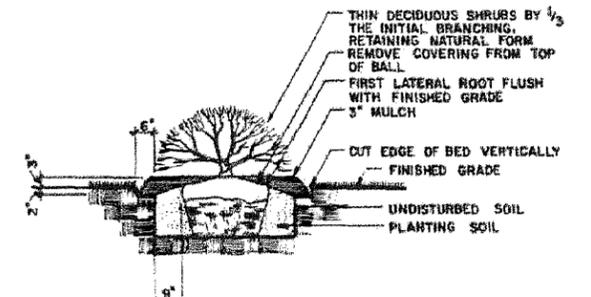


**02 TYP. DECIDUOUS TREE PLANTING DETAIL**  
SCALE: N.T.S.

**03 GROUND COVER SPACING**  
SCALE: N.T.S.

PLANT SPACING (O.C.)	ROW (O.C.)
6" O.C.	5" O.C.
8" O.C.	7" O.C.
10" O.C.	9" O.C.
12" O.C.	10" O.C.
14" O.C.	12" O.C.
15" O.C.	13" O.C.
16" O.C.	14" O.C.
18" O.C.	16" O.C.
24" O.C.	21" O.C.
30" O.C.	26" O.C.
36" O.C.	30" O.C.

NOTE: GROUND COVERS AND PERENNIALS TO BE INSTALLED WITH TRIANGULAR SPACING



**04 TYP. SHRUB PLANTING DETAIL**  
SCALE: N.T.S.

**KOON'S FORD REDEVELOPMENT**

College Park, Maryland  
**PARKER RODRIGUEZ, INC.**  
 PLANNING, DESIGN, CONSTRUCTION  
 101 North Union St. #320  
 Alexandria, VA 22314  
 703.548.5010  
 DEVELOPER  
 Keane Enterprises, Inc.  
 44095 Pipeline Plaza  
 Suite 210  
 Ashburn, VA 20147  
 571.223.0001  
 ARCHITECT  
 M+A+A  
 7910 Woodmont Ave  
 Suite 1250  
 Bethesda, MD 20814  
 301.654.2454  
 CIVIL ENGINEER  
 Bolter Engineering  
 23830 Davis Dr.  
 Stafford, VA 20164  
 703.709.9500



10/27/2010  
 DSP Submittal  
 1/21/12  
 DSP Submittal Rev. 02.15.13

**Planting Details**

**M.N.C.P.P.C. APPROVALS**

PROJECT NAME: KEANE ENTERPRISES, INC.  
 PROJECT NUMBER: DSP 12-034  
 FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET THE REVISIONS LISTED BELOW APPLY TO THIS SHEET

APPROVAL OR REVISION #	APPROVAL DATE	REVIEWER'S SIGNATURE	CERTIFICATION DATE

SCALE AS NOTED  
 0' 10' 20' 40' FEET

**L5.00**

DSP SUBMISSION - 02.15.13 - NOT FOR CONSTRUCTION

Transportation Planning Section

March 18, 2012

**MEMORANDUM**

TO: Jill Kosack, Urban Design Review Section, Development Review Division  
FROM: Faramarz B. Mokhtari, Transportation Planning Section, Countywide Planning Division  
VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division  
SUBJECT: DSP-102034 - Detailed Site Plan for Keanes (Koons) Ford

The Transportation Planning Section has reviewed the detailed site plan referenced above. The subject property consists of several lots and one parcel which together encompass about 3.1 acres in the M-U-I and R-55 zones. The entire subject property is proposed to be rezoned to M-U-I and redeveloped with a 156-room hotel and approximately 24,500 gross square feet of commercial retail uses.

The subject property is located in the Developed Tier and on the east side of Baltimore Avenue (US1). It is located in the northeast quadrant of the US1 and Berwyn House Road and US1 with Pontiac Street. The subject site is also within the *Approved 2010 Central US1 Corridor Sector Plan and Sectional Map Amendment* (US1 Plan).

The applicant proposes to raze the existing commercial building and its surface parking lot uses and construct a 156-room hotel and approximately 24,500 gross square feet of commercial retail uses and maximum of 293 parking spaces as structured parking. The maximum allowed parking by the plan is 117 spaces. This is an increaser of 173 spaces over the maximum allowed number of parking spaces. The site with frontage on US1, and the plan is not proposing any direct vehicular access to or from US1. Access to the site will be limited to one access driveway from Berwyn House Road and one from Pontiac Street, both approximately 100 feet east of its intersection with US1. Both of these roadways are two-lane, undivided facilities owned maintained by the City of College Park.

The findings and recommendations outlined below are based upon a review of relevant and submitted material and analysis, all conducted in accordance with the requirements of the approved US1 Plan, and the "Guidelines for the Analysis of the Traffic Impact of Development Proposals."

**Detailed Site Plan Review and Findings**

With the proposed site plan, the applicant submitted On January 9, 2013, for review a comprehensive traffic analysis, dated October 24, 2012. In the submitted traffic impact study it is reported that the proposed development of 156-room hotel and approximately 24,500 gross square feet of commercial

retail uses will generate 129 and 246 vehicles trips during the AM and PM peak hours, respectively. The AM, and PM peak- hour trip totals include the recommended reduction for pass-by trips for the proposed commercial uses (60 percent).

In addition to the site’s generated traffic, the traffic impact study includes the calculated annual growth of one half of one percent per year for through traffic for US1 through the projected build out year, 2014, and the projected 2,981 AM and 3,821 PM peak- hour traffic for all of the approved but not yet built or occupied development applications within the study area.

This study was referred to SHA and DPW&T, and the City of College Park for their review and comments. The SHA referral comments and the traffic consultant’s point-by-point response to SHA referral comments are attached...

The calculated weighted average of the critical lane volume (CLV) and level of service (LOS) under existing, background, and total traffic for the AM and PM peak periods for the US1 corridor between Campus Way/Paint Branch Parkway and Greenbelt Road are reported below:

Study Period	Existing Traffic CLV / LOS	Background Traffic CLV / LOS	Total Traffic CLV / LOS
AM peak Period	953 / A	1149 / B	1168 / CA
PM peak Period	1134 / B	1408 / D	1478 / E

The minimum acceptable average CLV/LOS for any of the three corridor segments per the approved and adopted adequacy standards of the US1 Plan is 1600/E.

The approved US1 Plan contains a number of recommendations and policies for exploring the diversion of shorter vehicle trips to walking or biking trips. The walkability, complete streets, and urban design discussions of the US1 Plan include and identify the need for provision of safe and adequate street crossings, and pedestrian and bike accommodations at intersections throughout the study area and especially in the downtown areas.

It is important to note that the US1 Plan recommends the establishment of a corridor-wide Transportation Demand Management (TDM) district and a self-sustaining Transportation Management Association (TMA) to manage it. As of this writing the US1 TDM district has not been established.

**Transportation Staff Conclusions**

Based on the preceding findings, the Transportation Planning Section concludes that existing transportation facilities will be adequate, as required by the 2010 US1 plan, to serve the proposed redevelopment of the site as shown on the submitted detailed site plan, if the approval is conditioned on the following:

- Total development within the subject property shall be limited to development which generates no more than 129 AM peak hour and 129 and 246 PM peak-hour vehicle trips.
- Prior to the Certification of approval, the plan shall be revised to correctly reflect and is dedicated to SHA the required Row for entire property frontage with US per the most recent SHA planning drawings for the US1, and/or the approved by the *Approved 2010 Central US1 Corridor Sector Plan* Central US 1.
- Prior to the issuance of any building permits within the subject property the following improvements shall (1) have full financial assurance, (2) have been permitted for construction by

the SHA for part (a), and the city of College Park for (b), and (3) have an agreed-upon timetable for construction with the SHA and the City:

The provision of any traffic signal modifications, pedestrian/ bike push buttons and count-down displays at all approaches, and inclusion of highly visible and well delineated pedestrian cross walks and stop bars on all approaches at the intersections of US1 with Berwyn House Road per the SHA and the City of College Park Standards.

The provision of wide pedestrian cross walks on all approaches of Pontiac Street and US1, if deemed necessary by the City of College Park.

Martin O'Malley, *Governor*  
Anthony G. Brown, *Lt. Governor*



Darrell B. Mobley, *Acting Secretary*  
Melinda B. Peters, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

March 4, 2013

RE: Prince George's County  
US 1 - Mile Point 4.61  
**Keane Property (Koons Ford)**  
**SHA Tracking No. 13APPG003**  
**County No. DSP-12034**  
Traffic Impact Study

Mr. Faramarz Mokhtari  
M-NCPPC  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

Dear Mr. Mokhtari,

Thank you for the opportunity to review the Traffic Impact Study prepared by Wells & Associates, Inc., dated October 24, 2012, for the Koons Ford Property retail/hotel development in Prince George's County, Maryland. The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- The proposed development consists of 25,000 square feet of retail space and a 157-room hotel which will be accessed via two (2) full-movement intersections on County Roads, one (1) on Pontiac Street and one (1) on Berwyn House Road.
- The study analyzed the following intersections under existing, background and future conditions:
  - US 1 & Greenbelt Road
  - US 1 & Berwyn Road
  - US 1 & Berwyn House Road
  - US 1 & Melbourne Place
  - US 1 & Lakeland Road
- The report concludes that under total future conditions the intersection of US 1 & Greenbelt Road will operate at LOS "F" during the PM peak hour (CLV 1,769) and the intersection of US 1 & Berwyn House Road will operate at LOS "E" during the PM peak hour (CLV 1554). However, the report declares that, "Per the corridor average technique established in the US 1 Corridor Sector Plan, all of the signalized intersections within the study area will operate within the transportation facility adequacy standard (i.e. at Level of Service "E" or better) with the proposed development."

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0900 • [www.roads.maryland.gov](http://www.roads.maryland.gov)

Based on the information provided, the SHA offers the following comments:

1. The Scoping Letter in Appendix A includes the intersection of US 1 & Paint Branch Parkway. This intersection should be included in the revised analyses.
2. Since one of the access points to the new development is on Pontiac Street, it is recommended that the intersection of US 1 & Pontiac Street be included in the analysis.
3. On Page 5 please provide the posted speed limit for Melbourne Place.
4. The methodology for concluding that all signalized intersections within the study area will operate within the transportation facility adequacy standard is understood based on the Sector Plan standard which calls for evaluating the corridor weighted average CLV. However, it is SHA's recommendation that mitigation be offered to improve individual intersections operating below a Level of Service "D". As such, mitigation should be offered for the intersection of US 1 & Greenbelt Road to bring the Total Future CLV down to 1,733 or better (the Background CLV).
5. The methodology for concluding that all signalized intersections within the study area will operate within the transportation facility adequacy standard is understood based on the Sector Plan standard which calls for evaluating the corridor weighted average CLV. However, it is SHA's recommendation that mitigation be offered to improve individual intersections operating at a Level of Service worse than "D". As such, mitigation should be offered for the intersection of US 1 & Berwyn House Road to bring the Total Future CLV down to 1,425 or better (LOS "D" or better).
6. The subject property is located within the study area of an active SHA Development and Evaluation project to reconstruct US 1 from College Avenue to Sunnyside Avenue which is currently listed in the 2013-2018 Consolidated Transportation Program (CTP). Design is funded and underway for the segment of the project along US 1 from College Avenue to MD 193, which is where the subject property is located. The proposed widening for the SHA project may have impacts to the right of way along the frontage of the subject property. For additional information on the US 1 Reconstruction Project, please contact Mr. John Jenkins, Project Manager, SHA at 410-545-8763 or via email at JJenkins@sha.state.md.us.
7. The subject property is currently served by three access points; two on US 1 and one on Berwyn House Road. However, the proposed development includes two access points; one on Pontiac Street and the other on Berwyn House Road and would have no access points on US 1. SHA concurs with the proposed access points.
8. Any improvements within the SHA right of way must include bicycle and pedestrian accommodations consistent with SHA policies, standards, and practices.

SHA will require the submission of six (6) hard copies and one (1) electronic revised traffic impact study and a point-by-point response. Please send this information to the SHA Access Management Division addressed to Mr. Steven D. Foster to the attention of Mr. Nick Driban and reference the SHA Tracking Number on the submission. Unless specifically indicated in the SHA response on this report, the comments contained herewith do not supersede previous comments made on this development application. Please keep in mind that

Mr. Faramarz Mokhtari

Page 3

you can view the reviewer and project status via the SHA Access Management Division's web page at (<http://www.roads.maryland.gov/pages/amd.aspx>). If you have any questions regarding the enclosed traffic report comments, please contact Mr. Nick Driban at 410-545-0398 or via email at [CDriban@sha.state.md.us](mailto:CDriban@sha.state.md.us).

Sincerely,



Steven D. Foster, Chief  
Access Management Division

SDF/cnd

cc: Mr. Michael Bailey, SHA Access Management Division  
Ms. Rola Daher, SHA Data Services Engineering Division  
Ms. Mary Deitz, SHA Regional Intermodal Planning Division  
Mr. Nick Driban, SHA Access Management Division  
Mr. Daniel Duke, Bohler Engineering  
3701 Melford Boulevard / Suite 310 / Bowie, Maryland 20715  
Mr. Bob French, SHA Office of Traffic & Safety  
Mr. John Jenkins, SHA Office of Highway Development  
Mr. Joseph Katzenberger, SHA Access Management Division  
Mr. Jim Koons, Crown Real Properties, LLC  
2000 Chain Bridge Road / Vienna, Virginia 22182  
Mr. Vaughn Lewis, SHA Regional Intermodal Planning Division  
Mr. Subrat Mahapatra, SHA Data Services Engineering Division  
Ms. L'Kiesha Markley, SHA Regional Intermodal Planning Division  
Mr. Venu Nemani, SHA District 3  
Ms. Shaneka Owens, SHA District 3  
Mr. Johnson Owusu-Amoako, SHA Office of Traffic & Safety  
Mr. Saed Rahwanji, SHA Traffic Development & Support Division  
Ms. Nancy Randall, Wells & Associates, Inc.  
170 Jennifer Road / Annapolis, Maryland 21401  
Mr. Richard Read, Esq., Rifkin, Livingston, Levitan & Silver  
14601 Main Street / Upper Marlboro, Maryland 20772  
Mr. Erica Rigby, SHA Access Management Division  
Mr. David Rodgers, SHA Regional Intermodal Planning Division  
Mr. Andy Shuckra, Keane Enterprises, Inc.  
44095 Pipeline Plaza / Suite 210 / Ashburn, Virginia 20147  
Mr. Errol Stoute, SHA Traffic Development & Support Division  
Mr. Morteza Tadayon, SHA Data Services Engineering Division



WELLS + ASSOCIATES

March 8, 2013

Mr. Steven Foster  
Engineering Access Permits Division  
707 N. Calvert Street  
Baltimore, Maryland 21202

Subject: Comment Response for Keane Property (Koons Ford)  
Prince George's County, Maryland  
SHA Tracking No. 13APPG003  
Prince George's Tracking No: DSP-12034

Dear Mr. Foster:

In response to the SHA review memo dated March 4<sup>th</sup> 2013 regarding the Keane Property /Koons Ford Traffic Study dated October 24, 2012, we have prepared a point-by-point response to each of the comments and they are presented below:

**Comment 1)** – *The Scoping Letter in Appendix A includes the intersection of US 1 & Paint Branch Parkway. This intersection should be included in the revised analysis.*

Response: The scope was modified by MNCPPC staff as contained in Appendix A. As contained in the MNCPPC guidelines the US 1 corridor is divided into three sections and the analysis for the section in which this project is located does not include the intersection of US1/Paint Branch Parkway.

**Comment 2)** – *Since one of the access points to the new development is on Pontiac Street, it is recommended that the intersection of US 1 & Pontiac Street should be included in the revised analyses.*

Response: As noted in the scoping agreement this intersection was not required to be included in the analysis. The requirements of the US 1 corridor limit the analysis to signalized intersections, only. Additionally, the State improvement project will be including a median and this intersection will be limited to a right-in/out intersection. Based on this planned median, our analysis treated this intersection as a right in/out only intersection when assigning the site traffic along the corridor.

**Comment 3)** – *On page 5, please provide the posted speed limit for Melbourne Place.*

Response: Melbourne Place does not have a posted speed limit. A speed limit sign has not been installed on this cul-de-sac.

**Comment 4)** - *Mitigation should be offered for the intersection of US 1 & Greenbelt Road to bring the Total Future CLV down to 1,733 or better. (the Background CLV)*

Response: As stated previously, MNCPPC guidelines require the use of corridor averaging along US 1, and require improvements only if the corridor average is above the 1600. Additionally, the MD SHA Access Permits Traffic Study guidelines state that "some counties have guidelines of their own and these are not intended to replace those guidelines but rather supplement them". By requiring a LOS D, the MNCPPC guidelines would be replaced.

**Comment 5)** - *Mitigation should be offered for the intersection of US 1 & Berwyn House Road to bring the Total Future CLV down to 1,425 or better ( LOS "D" or better).....*

Response: As stated previously MNCPPC guidelines require the use of corridor averaging along US 1, and require improvements only if the corridor average is above the 1600. In addition even without corridor averaging, this intersection will operate below the acceptable MNCPPC CLV standard of 1,600 for any intersection inside the beltway. Again by requiring a LOS D, the SHA would be replacing the MNCPPC guideline standard for US 1 as well as the standard for any intersection within the beltway.

**Comment 6)** - *The subject property is located within the study area of an active SHA Development and Evaluation project...*

Response: The Project proposes 13' of right-of-way dedication along the US1 frontage. This dedication accommodates an ultimate ROW width of 100' for the US 1 corridor and is consistent with the ultimate right-of-way width identified in the Sector Plan and previous dedications on recent projects in the immediate vicinity. Bohler Engineering contacted Mr. Jenkins (SHA) and obtained the 30% plans for the SHA Project, and in turn, provided Mr. Jenkins with their Detailed Site Plan. Per the 30% plans and Bohler Engineering's discussions with Mr. Jenkins, the right-of-way identified on the 30% plans is accommodated within the 13' of dedication proposed and SHA has acknowledged that Applicant will proceed with the design as proposed in the Detailed Site Plan.

**Comment 7)** - *The subject property is currently served by three access points.....*

Response: This project will be closing the existing access on US 1.

**Comment 8)** – Any improvements within the SHA right of way must include bicycle and pedestrian accommodations consistent with SHA policies, standards, and practices.

Response: As shown on the Bohler Engineering Detailed Site Plan and consistent with current SHA Design Standards, the improvements within the SHA right-of-way include removal of the existing direct access driveways and the streetscape improvements required per the Sector Plan, with the curb line remaining in its current location. No modifications beyond-the existing curb line are proposed or required.

Additionally, it is our understanding that Bohler Engineering will provide the following note on the DSP plans;

“This project is within the limits of SHA Contract No. PG6245171, US 1 (Baltimore Avenue), College Avenue to MD 193. The current plans are at 30% status and were provided to Applicant in February 2013. The 30% plans propose a wider curb-to-curb width on Route 1 than the existing condition. However, Applicant’s proposed US 1 ROW dedication of 13’ as shown on DSP 12-0234 accommodates the ROW dimensions for this property shown in the in the SHA 30% Plans. DSP 12-034 has been transmitted to the SHA Project Manager for incorporation into the future SHA design documents, and SHA has acknowledged Applicant will proceed with its design as shown in the DSP.”

If you have any questions, or require any additional information to help in your review please call me at 410-266-5723.

Sincerely,



Nancy Randall, AICP, PTP  
Principal

CC: Mr. Nick Driban  
Dr. Faramarz Mokhtari  
Chris Hatcher  
Andy Shuckra  
John Wojdak  
Dan Duke



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

Prince George's County Planning Department  
Countywide Planning Division, Transportation Planning Section

(301) 952-3680  
www.mncppc.org

MEMORANDUM

February 27, 2013

TO: Jill Kosack, Urban Design Section, Development Review Division  
VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division  
FROM: Dan Janousek, Senior Planner, Transportation Planning Section  
Subject: DSP-12034 Keane Property

Type of Master Plan Bikeway or Trail

Municipal R.O.W.	<u>X</u>	Public Use Trail Easement	_____
PG Co. R.O.W.	_____	Nature Trails	_____
SHA R.O.W.	<u>X</u>	M-NCPPC – Parks	_____
HOA	_____	Bicycle Parking	<u>X</u>
Sidewalks	<u>X</u>	Trail Access	<u>X</u>

**Review Comments**

The following review is limited to the provisions of sidewalks and bicycle for circulation and access.

The subject property is located on Baltimore Avenue (US-1) between Pontiac Street and Berwyn House Road. The property is within the “Walkable Node” area as described in the *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (area master plan). The subject property is within the Central US-1 Corridor Development District Overlay Zone (DDOZ). The DDOZ is superimposed over the Central US 1 Corridor sector plan area to ensure that the development of land meets goals and objectives of the sector plan. The development district standards are specifically intended to address new development and redevelopment proposals in the development district. The standards establish a consistent design framework to ensure quality in future development.

**Analysis**

1. As stated in the plan, planning staff, city residents, and businesses have worked closely with SHA to develop a plan for the reconstruction of US 1 from College Avenue, north to the Capital Beltway. Initial project planning is complete, but funding is needed for design and construction. As redevelopment occurs along the corridor, the city plans to require developers to implement the proposed streetscape until the full project receives funding. Public Improvements
2. The area master plan recommends that the Walkable Node (which the subject site is located within) contain generous sidewalks along US 1 and all side streets, with a width between 15 to 20 feet along US 1 and 6 to 10 feet on the side streets (page 65). These widths provide space for outdoor dining and street trees along US 1 and a comfortable walking area on the side streets, while providing an adequate distance between the building frontages and the streets.

3. The area master plan states that sidewalk widths may vary where necessary to fulfill the vision of the sector plan where the pavement is dedicated exclusively to pedestrian activity, (page 263). The applicant's proposed sidewalks on US-1 range in dimensions of between approximately 15 to 20 feet in width. The sidewalks are adequate and the total area dedicated to landscaping and sidewalk pavement will not interfere with future redevelopment or re-construction of US-1 by the Maryland State Highway Administration (SHA).

4. The area master plan recommends the developer/property owner is required to construct and maintain all the streetscape improvements of the proposed development (page 302). These improvements may include, but are not limited to, the installation of sidewalks, curbs and gutters, street trees, street furnishings, and the undergrounding of utilities where feasible or in accordance with any comprehensive undergrounding program that may be established to implement the recommendations of the sector plan.

The proposal is for a mixed use building, and the applicant proposes the installation of sidewalks, curbs and gutters, street trees, street furnishings. Adequate sidewalk facilities are shown on the applicant's detailed site plan. The following table describes the sidewalks and bicycle facilities:

Table 1. Sidewalks and Bicycle Facilities

	SIDEWALKS		BIKEWAYS	
Location	Master Plan Recommended Sidewalk Width	Proposed Sidewalk Width	Master Plan Recommended Bicycle Treatment	Proposed Bicycle Treatment
<b>Berwyn House Road</b>	6 to 10 ft.	8 ft.	Shared Use Road	To Be Determined by City of College Park in Future Project
<b>Baltimore Avenue (US-1)</b>	15 to 20 ft.	15 to 20 ft.	Cycle Tracks or Bike Lanes	To Be Determined by SHA in Future Project
<b>Pontiac Street</b>	6 to 10 ft.	6 ft.	None	To Be Determined by City of College Park in Future Project

5. The subject site is located within the Walkable Node as described in the area master plan. Within the corridor infill and walkable node areas, a minimum of one bicycle parking space shall be provided within the public or private frontage for every three vehicular spaces. The applicant proposes an "alternative district standard" for parking at 293 automobile parking spaces. The 1 to 3 ratio requirement requires 98 bicycle parking spaces based on the proposed amount. The applicant proposes 54 bicycle parking spaces,

which is deficient by 44 spaces.

However, because the minimum required number of bicycle parking spaces would be 39 spaces based on the minimum automobile parking requirement of 117 spaces, staff believes that the proposed bicycle parking is adequate for the proposed use and will provide sufficient bicycle parking for the residents.

<b>BICYCLE PARKING</b>		
<b>Master Plan Recommended Bicycle Parking</b>	<b>Required Automobile and Bicycle Parking</b>	<b>Proposed Alternative District Standard for Automobile and Bicycle Parking</b>
1 for every 3 Automobile Parking Spaces	117 Automobile Parking Spaces 39 Bicycle Parking Spaces (33%)	293 Automobile Parking Spaces 54 Bicycle Parking Spaces (18%)

**Conclusion**

Based on the preceding analysis, the Transportation Planning Section concludes that adequate bicycle and pedestrian transportation facilities exist to serve the proposed use if the application were to be approved.

March 19, 2013

MEMORANDUM

TO: Jill Kosack, Urban Design  
VIA: Whitney Chellis, Subdivision Section  
FROM: Quynn Nguyen, Subdivision Section  
SUBJECT: Referral for Keanes Property, DSP-12034

The site is located on Tax Map 33 in Grid D-1, known as Lots 6-26, 29-37, Parcel 121 and including Osage Street. The site is currently split zoned and in the M-U-I and R-55, and is 3.13 acres. The subject property was recorded in Plat Book BDS 1-30 on July 6, 1906. Based the on the record plat Parcel 121 is an alley and not a parcel. The DSP should be to be revised to reflect Parcel 121 as an alley. The site is currently improved with a 14,434-square-foot building and a 3,542-square-foot building. The applicant submitted a detailed site plan for the development of a mixed-use development with 156 room hotel, 24,530 square feet of retail and parking garage.

The subject site and right-of-way were recorded in Plat Book BDS 1-30 on July 6, 1906. In accordance with the Prince George's County Code, 7-132, all platted rights-of-way dedicated to public use by plat after 1908, are automatically accepted without any action required on the part of the public entity within the County. Platted rights-of-way which were dedicated by plat prior to 1908 are subject to the common law rule regarding the method by which government entities may obtain public rights-of-way. The common law rule provides that land may be dedicated to public use if there is both an offer and an acceptance. A government entity may accept the dedication of public right-of-way either by deed, by action through operating and maintaining the road with public funding, or by long continued use by the general public. In the absence of one of these acts of acceptance, the right-of-way dedication is not deemed to have been completed, and is therefore not available for public use until completion of the dedication. Based on the archive aerial photos of the site on PGAtlas, the alley (Parcel 121) and Osage Street does not appear to have been fully graded, maintained or operated as a public right-of-way. Therefore it appears that the right-of-way dedication of the alley and Osage Street was not been complete based on the common law rule. The alley and Osage Street are considered as part of the abutting lots and will not require a vacation (Section 24-112). Staff would recommend that the applicant to file a final plat for property in accordance with Section 24-108 of the Subdivision Regulations for which no preliminary plan is required to incorporate Osage Street into the lots and to clarify the new property line.

Osage Street is shown as a 55-foot-wide right-of-way on the DSP. Osage Street was recorded as a 40-foot-wide right-of-way in Plat Book BDS 1-30 on July 6, 1906. A 15-foot-wide right-of-way dedication for Osage Street from Parcel B was recorded in Plat Book NLP 103-15 on May 12, 1979. In accordance with the Prince George's County Code, 7-132, all platted rights-of-way dedicated to public use by plat reference as of the year 1908, are automatically accepted without any action required on the part of the public entity within the County. Since the 15-foot-wide right-of-way dedication for Osage Street was recorded in a plat after 1908, it is considered as a completed dedication to public use and therefore a vacation would be required. The DSP shows the subject property line up to the 40-foot-wide right-of-way of Osage Street. The DSP does not show the 15-foot-wide right-of-way of Osage Street along Parcel B as part of the subject site for proposed development.

The DSP shows the site entrance driveway and a small portion of proposed building for the CVS to be located with the Berwyn House Road right-of-way. The portion of Berwyn House Road was previously dedicated by deed in Liber 3689 Folio 567. The City of College Park needs to provide comments regarding the location of the site entrance driveway and portion of the proposed building within Berwyn House Road deed dedicated right-of-way. Prior to approval of the DSP, the applicant should provide written documentation from The City of College Park regarding a determination of the status of the portion of Berwyn House Road right-of-way along the site. If the portion of the Berwyn House Road right-of-way along the site has not been abandoned or quit-claim by the City of College Park then the DSP should be revised to relocate the site entrance driveway and a small portion of the proposed building for CVS to be outside of Berwyn House Road right-of-way, which is owned in fee simple by the City of College Park.

Section 24-111 of the Subdivision Regulations provides for exemptions from the requirement of filing a preliminary plan of subdivision for parcels with a record plat. Specifically, this property is subject to Section 24-111(c)(4) which provides:

- (c) **A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of a building permit unless:**
  - (4) **The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of the site, has been constructed pursuant to a building permit issued on or before December 31, 1991.**

The property has a record plat approved prior to October 27, 1970. Based on the DSP, the total land area for site is 136,500 square feet based and the existing development on the property is 17,976 square feet (13.16% of the total land area). Based on the archive aerial photos of the site on PGAtlas, the buildings have been in existing prior to 1991. It appears that property is exempt from the requirement of filing a preliminary plan of subdivision by Section 24-111(c)(4) based on the existing conditions, information contained in the application, and PGAtlas. A note regarding the date of construction of the existing buildings should be added to the DSP.

This DSP has some inconsistencies that need to be address. It appears that no easements are provided for utilities on the DSP, therefore an approved utilities plan should be provided to determine that adequate area exists for installation of utilities and if a PUE should be required. Prior to certification of the DSP, the following technical corrections should be made:

- a. General Note 6 should be revised to reflect the correct total acreage for the site to include the 40-foot-wide right-of-way of Osage Street as shown on the Site, Grading and Utility Plan

- b. Show all lots line on the Site, Grading and Utility Plan.
- c. Label the masterplan right-of-way and the dedication along US 1

Failure of the site plan and record plat to match will result in the building permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

Countywide Planning Division  
Environmental Planning Section  
301-952-3650

March 20, 2013

**MEMORANDUM**

TO: Jill Kosack, Senior Planner, Urban Design Section  
VIA: Katina Shoulars, Supervisor, Environmental Planning Section  
FROM: Chuck Schneider, Planner, Environmental Planning Section  
SUBJECT: Keanes (Koons) Property; **DSP-12034 and TCP2-002-13**

The Environmental Planning Section (EPS) has reviewed the above referenced Detail Site Plan and Type 2 Tree Conservation Plan stamped as received on March 20, 2013. Verbal comments were provided in a Subdivision Development Review Committee meeting on February 1, 2013 and at a project meeting on March 13, 2013. The Environmental Planning Section recommends approval of DSP-12034 and TCP2-002-13 subject to the required revisions found at the end of this memorandum.

**Background**

The Environmental Planning Section reviewed a Natural Resource Inventory plan (NRI-007-12-01) for the site. There are no records for any development review case on the subject area. The current application proposes retail, commercial and hotel uses on the partially developed property fronting on Baltimore Avenue (Maryland Route 1) within the M-U-I and R-55 zones. This application proposes to revise the zoning for the entire site from M-U-I/R-55 to M-U-I.

**Grandfathering**

The project is subject to the environmental regulations of Subtitle 27 that came into effect on September 1, 2010 because there are no previously approved development plans. The project is subject to the Woodland and Wildlife Habitat Conservation Ordinance effective September 1, 2010, because there are no previous tree conservation plan approvals.

### Site Description

The subject 3.12 acre Keanes Property site is located on the east side of Baltimore Avenue between Pontiac Street and Berwyn House Road. A review of the available information indicates that a 100-year floodplain is present on the subject project. The predominant soils found to occur according to the USDA NRCS Web Soil Survey are Christina-Downer Complex, Christina-Downer-Urban land complex, and Urban land-Woodstown complex soils series. According to available information, Marlboro clay does not occur on or in the vicinity of this site. According to the Sensitive Species Project Review Area (SSSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. The site has frontage on Baltimore Avenue/Maryland Route 1, a master planned major collector road and frontage on Pontiac Street and Berwyn House Road. These roadways are not regulated for traffic-generated noise when residential uses are proposed. The road frontage along the entire project area is not designated a historic or scenic road. The property is in the Developing Tier as reflected in the adopted General Plan.

### Environmental Review

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

1. The subject site has an approved Natural Resource Inventory (NRI-007-12), dated March 20, 2013 that was included with the application package. The site does not contain any streams or wetlands, but has 100-year floodplain associated with an off-site stream. The subject site contains 2.23 acres of 100-year floodplain, 0.16 acres wooded floodplain 0.80 acres of net tract woodlands and two specimen trees on-site.

**Comment:** No revisions are required for conformance to the NRI.

2. This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the gross tract is in excess of 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan, TCP2-002-13, has been submitted.

The site has a woodland conservation threshold of 0.34 acres and proposes to meet the requirement with 0.44 acres of on-site woodland preservation. The woodland conservation worksheet show 0.44 acres of woodlands preserved and the TCP plan view states 0.46 acres of woodlands to be preserved.

**Recommended Condition:** Prior to signature approval of the detail site plan the TCP2 Plan should be revised as follows:

- a. Revise the woodland conservation worksheet to match the woodland acreage of preservation on the plan view of the TCP2.
  - b. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to

survive construction as provided in the Technical Manual.”

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010.

A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were stamped as received by EPS on February 18, 2013.

The specimen tree table on the TCP2 shows the removal of one specimen tree. The limits of disturbance on the plan also show that this tree is to be removed.

Section 25-119(d) of the WCO contains six required findings [text in bold] to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the one specimen tree to be removed. Staff agrees with the approach to the analysis to remove the one specimen tree because of the close proximity to the existing development, existing contours, and the need for a level site prevents this tree from being saved.

**(A) Special conditions peculiar to the property have caused the unwarranted hardship**

This topography on the site is such that the existing slope occupied by the Specimen Tree is extremely steep and must be removed in order to bring the site to grade that is suitable for development. Preservation of the specimen tree is not feasible given the amount of cut required. The applicant is preserving a second Specimen Tree (ST-1) located on the property as well as providing a woodlands conservation area as shown on the TCP.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas**

Enforcement of this rule will prevent the applicant from utilizing the developable area of the proposed site. Other developed properties within and immediately adjacent to the site are not subject to the same topographic issues.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants**

Other Developed properties within and immediately adjacent to the site are not subject to the same topographic issues, therefore would not convey a special privilege denied to the other applicants.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant**

The topographic conditions are not a result of any action by the applicant.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property**

The existing topographic conditions are not related to land or building use on a neighboring property.

**(F) Granting of the variance will not adversely affect water quality**

Water quality will remain unaffected and will be subject to the requirements of the Maryland Department of the Environment (MDE) and Prince George's County Soil Conservation District.

**Recommended Finding:** The required findings of Section 25-119(d) have been adequately addressed for the removal of one specimen tree (ST-1).

3. The site contains significant environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 27-(285)(b)(4) of the Zoning Ordinance. A significant portion of the site is located within the 100-year floodplain. This feature is included within the primary management area (PMA) on the subject property. The on-site PMA is associated with the Paint Branch stream system located west of U.S. Route 1 (Baltimore Avenue).

The Subdivision Ordinance requires that: "...all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible." (Sec. 24-130(b)(5))

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. A Letter of Justification dated February 18, 2013, stamped as received February 26, 2013, has been submitted. The applicant also provided 5 exhibits showing the areas within the PMA that are proposed for impacts for the entire project area. Some of the exhibits show multiple impacts of different types.

The project area is impacted by 100-year floodplain which comprises 71% of the site. There are existing buildings and parking areas within this floodplain which will be removed as part of the development. The detailed site plan proposes to impact the PMA in order to construct a new mixed use development project. This application is to propose 2.17 acres of permanent PMA impacts to the 100-year floodplain.

The applicant indicates that attempts were made to avoid all impacts to the regulated environmental features of the site, but no practicable alternative could be found to achieve complete avoidance because of the amount of floodplain and the topography of the site.

According to the letter of justification, the applicant is proposing a total of approximately 2.18 acres of impacts for a garage, hotel/retail building, sidewalks, SWM, and landscaping/hardscape. At least one of the impacts will result in the restoration of green space currently impacted by parking. The other impacts are considered permanent; however, the proposed stormwater management facilities will result in pervious areas that will continue to have some natural infiltration functions.

The following chart summarizes each impact as shown on Exhibit "B". Applicant commentary, acreage, and staff's recommendation is also included.

Exhibit Number	Impacts	Quantity of Impact	Staff Recommendation
1	Parking Garage	0.47 acres	Supported.
2	Hotel and Retail Building	0.86 acres	Supported
3	Paved entrances and surface parking and sidewalk connections to the ROW	0.31 acres	Supported
4	SWM	0.02 acres	Supported
5	Landscaping/Hardscaping	0.52 acres	Supported

Because a significant portion of the site is encumbered by floodplain, staff agrees with the applicant that there is no practical alternative to avoid or minimize the floodplain impacts. To deny the applicants request would impose an undue hardship and render the site undevelopable.

Authorization from DPW&T will be required for the proposed development in the floodplain and to ensure that the design is in conformance with the floodplain ordinance and State regulations. Submission of the approved Final Stormwater Plans is acceptable in lieu of written authorization.

Based on the review of the impacts along with discussions with the applicant, the staff supports the requested impacts with conditions.

**Recommended Finding:** The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review. The impacts approved are for the construction of a parking garage, hotel/retail buildings, bioretention facilities, paved areas, and landscaping/hardscaping.

**Recommended Condition:** Prior to certification of the detail site plan, and the issuance of any permits which impact floodplains, the applicant shall submit copies of all federal and state wetland permits if required, along with evidence that approval conditions have been complied with, and associated mitigation plans.

4. A copy of the approved Stormwater Management Concept plan and letter (23848-2012) dated October 2, 2012, were submitted with the subject application. The concept plan appears to show all stormwater to be directed to two micro-bio-retention ponds that is ultimately conveyed to the

county storm drain system. There are two landscape planter boxes that will also infiltrate stormwater into the subsurface. According to the approval letter, water quantity and quality control on-site are not met and a fee is required. The DSP and TCP2 are consistent with the concept plan.

**Comment:** No additional information with regard to stormwater management is required.

5. According to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), the predominant soils found to occur on-site include the Christina-Downer Complex, Christina-Downer-Urban land complex, and Urban land-Woodstown complex. According to available information, Marlboro clay is not found to occur on this property, but Christiana complex soil types are present.

**Comment:** This information is provided for the applicant's benefit. The county may require a soils report in conformance with CB-94-2004 during the building permit process review.

#### **Summary of Recommended Revisions, Findings, and Conditions**

The Environmental Planning Section recommends approval of Detail Site Plan-12034 and TCP2-002-13 subject to the following revisions, findings and conditions:

#### **Recommended Finding:**

1. The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review. The impacts approved are for the construction of a parking garage, hotel/retail buildings, bioretention facilities, paved areas, and landscaping/hardscaping.

#### **Recommends Conditions:**

1. Prior to signature approval of the detail site plan the TCP2 Plan should be revised as follows:
  - a. Revise the woodland conservation worksheet to match the woodland preservation acreage on the plan view of the TCP2.
  - b. Have the revised plan signed and dated by the qualified professional preparing the plan.
2. Prior to the issuance of any permits which impact 100-year floodplain, the applicant shall submit copies of all federal and state wetland permits if required, along with evidence that approval conditions have been complied with, and associated mitigation plans.

If you have any questions concerning these comments, please contact me at 301-952-3650 or by e-mail at [alwin.schneider@ppd.mncppc.org](mailto:alwin.schneider@ppd.mncppc.org).

ACS:acs

January 24, 2013

MEMORANDUM

TO: Jill Kosack, Urban Design Section, Development Review Division

FROM: Tempi Chaney, Permit Review Section, Development Review Division

SUBJECT: Keanes (Koon's) Property, DSP-12034

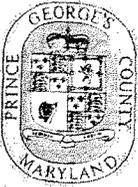
1. How many rooms will be in the hotel? The site plan shows 156, the justification statement keeps referencing 157 rooms. Please clarify.
2. Is the parking schedule correct on the site plan? The parking schedule on the site plan shows one (1) parking space for every two (2) rooms. On page 242 of the *Central US 1 Corridor Sector Plan*, Lodging located in Charter Areas 4, 5a and 5b "The number of bedrooms available on each lot for lodging is limited by the requirement of 1 assigned parking place for each bedroom".

If the parking is based on 1 space for every 1 bedroom then 156 parking spaces for the hotel would be required and 74 for the retail space for a total of 230 spaces with a shared parking factor of 1.3 which would equal 30 spaces for an overall total of 200 parking spaces required for this site, not 117 as shown on the site plan.

The site plans shows a total of 293 parking spaces so there is excess parking being provided for this site. Are they allowed the excess parking per the *Central US 1 Corridor Sector Plan*?

3. If the required parking is 200 parking spaces, the number of bicycle parking spaces would need to be increased. Based on 200 parking spaces, 67 bicycle parking spaces would be required.
4. Standard parking space sizes are 9.5' X 19', compact parking space sizes are 8' X 16.5', standard handicap parking space sizes are 8' X 19' with 5' access isle and van accessible handicap parking spaces are 8' X 19' with 8' access isle. Not all parking spaces shown on the site plan meet the required parking space sizes.
5. According to the site plan, there will be retail located in the same building as the hotel. Provide a breakdown of the number of units and their square footages on the site plan.
6. Provide the overall square footage of the hotel and demonstrate that not more than 15% of the gross floor area will be devoted to retail.

7. A Tree Conservation Plan or exemption letter will be required, refer Environmental Planning for review.
8. Does this site meet all landscaping requirements of the *Central US 1 Corridor Sector Plan*?
9. Does this site meet all architectural elements of the *Central US 1 Corridor Sector Plan*?
10. Signs were not reviewed as part of this referral. No sign information was provided at time of referral to be reviewed for the standards of the *Central US 1 Corridor Sector Plan*, however, signs should be reviewed and approved as part of this detailed site plan approval.



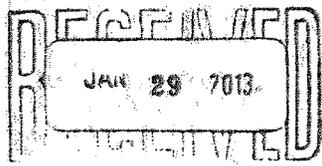
# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Fire/EMS Department



M-NCPPP

P.G. PLANNING DEPARTMENT



Office of the Fire Marshal

DEVELOPMENT REVIEW DIVISION

Date: 1/29/03

TO: Jim Kosack Planner, Urban Design Section  
Development Review Division

FROM: Kenny Oladeinde, Project Coordinator  
Office of the Fire Marshal

RE: DSP-12034

The following Preliminary Plan Referral has been reviewed by this office according to Departmental Procedures and Operational Guidelines of the Prince George's County Fire/ Emergency Medical Services Department.

Description: Keane Property  
District 03

Please be advised Subtitle 11-276, titled required Access for *Fire Apparatus*, which states:

“(a) All premises which the Fire/EMS Department may be called upon to protect in case of fire or other emergencies and which are not readily accessible to fire apparatus from public streets shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus, and in accordance to Subtitle 4, the County Building Code Section 4-222.”

Private roads shall be: “(a) At least 22 feet in width.”

Subtitle 11-277, title *Fire Lanes States*:

“(b) Whenever the Fire Chief or his authorized representative shall find that any private entrance, exit sidewalk, vehicular driveway, interior private driveway, sidewalk, fire lane, or fire hydrant is obstructed by snow, debris, construction material, trash containers, vehicles, or other matter likely to interfere with the ingress or operation of the Fire Department or other emergency vehicles in case of fire, he may order the obstruction removed. To effectuate this Subsection, the Fire Chief or his authorized representative may order “no parking” fire lane signs erected and may designate the placement thereof. He may order that curbs be painted a distinctive color.”

6820 Webster Street  
Landover Hills, Maryland 20784

Page Two

Please note and direct the owner to comply with aforementioned Subtitle. I have highlighted on the submitted drawings all areas which may contribute to the loss of emergency vehicle access due to its configuration. These locations shall be marked with painted yellow curbs and posted 'No Parking Fire Lane by order of the Prince George's County Fire/EMS Department' signs. The developer should contact the Fire /EMS Department's Office of Office of the Fire Marshal to assist in designating the fire lanes.

In addition, please be advised Subtitle 4-164. Fire Protection Systems; Section 912, Yard Hydrants. (a) Section 912.1 is added to read as follows: "Location and Performance of Fire Hydrants." Every building of more than one thousand (1,000) square feet in area shall be provided with sufficient fire hydrants located such that no exterior portion of the building is located more than five hundred (500) feet from a fire hydrant. The distance shall be measured as a hose line would be laid along paved streets, through parking lot entrances, and around obstructions, in accordance with the determination of the authority having jurisdiction. A fire hydrant is required within two hundred (200) feet of any required fire department connection, as hose is laid. The fire department connection must be located on the front, address side of the building and be visible from a fire hydrant or as approved by the Fire Code Official. Each hydrant shall provide a minimum of one thousand (1,000) gpm at a residual pressure of twenty (20) psi.

**Also areas may be highlighted on the drawing in noted colors to show areas that do not accommodate the turning radius of a 43-foot wheel base vehicle or other comments. These areas need to be widened to allow emergency apparatus to turn.**

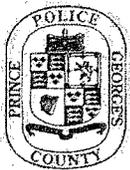
Any courts or dead-end created should provide 43-foot turning radius within 200 feet of the end of the road.

These requirements should be incorporated into the final plat and a condition of release of the use and occupancy permit. If I may be of further assistance, please contact me at (301)-583-1830

mko

H: \DSP 12034

Copy to: Christine Osei, Public Facilities Planner, Special Projects Section,  
Countywide Planning Department, Maryland National Capital Park and  
Planning Commission.



PRINCE GEORGE'S COUNTY  
POLICE DEPARTMENT

MEMORANDUM

DATE: January 22, 2013

TO: Jill Kosack, Urban Designer  
Urban Design Section  
Development Review Division

FROM: Corporal Richard Kashe  
Prince George's County Police Department  
Community Services Division

SUBJECT: **DSP-12034, Keans Property**

After visiting the site and reviewing the plans there are no CPTED related issues at this time.



Roshern L. Baker, III  
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT

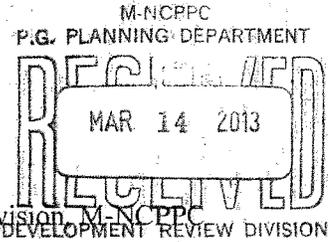


Department of Public Works and Transportation  
Office of Engineering



MEMORANDUM

March 11, 2013



**TO:** Jill Kosack, Urban Design Section, Development Review Division, M-NCPPC  
**FROM:** Dawit Abraham, P.E., Associate Director, Office of Engineering, DPW&T  
**RE:** Kean (Koons) Property  
 Detailed Site Plan No. 12034

In response to the Detailed Site Plan No. 12034 referral, the Department of Public Works and Transportation (DPW&T) offers the following:

- The property is located on the northeast corner of Baltimore Avenue (US 1) and Berwyn House Road within the City of College Park. This site does not impact any County-maintained roadways. Coordination with the City of College Park is required. US 1 is a State-maintained roadway; therefore, coordination with the Maryland State Highway Administration is required.
- The right-of-way for Osage Street was dedicated prior to 1908 and was never accepted for maintenance by the County. DPW&T has no current or future plans for improving the Osage Street right-of-way; therefore, we have no objection to the land being included in the development.
- Floodplain waiver approval is required for the proposed development.
- The proposed Detailed Site Plan is consistent with approved Stormwater Management Concept Plan No. 23848-2012, dated October 03, 2012.

If you have any questions or need additional information, please contact Ms. Elizabeth McKinney, District Engineer for the area, at (301) 883-5710.

DA:MA:dar

- cc: Elizabeth M. McKinney, District Engineer, EISD, OE, DPW&T  
 Mariwan Abdullah, Engineer, EISD, OE, DPW&T  
 Lertchai Seebstitt, Senior Engineer, EISD, OE, DPW&T  
 John Tarr, Engineer, EISD, OE, DPW&T  
 Ikem Nwolisa, Engineer, EISD, OE, DPW&T  
 Robin Jones, Engineering Technician, EISD, OE, DPW&T  
 Bohler Engineering, 16701 Melford Boulevard, Suite 301, Bowie, Maryland 20715  
 Keane Enterprises, 44095 Pipeline Plaza, Suite 210, Ashburn, Virginia 20147

Inglewood Centre 3  
(301) 883-5710

9400 Peppercorn Place, Suite 420  
FAX (301) 925-8510

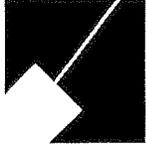
Largo, Maryland 20774  
TDD (301) 985-3894

January 11, 2013

Referral Request – Response

The Historic Preservation Section review of DSP-12034 Keane (Koons) Property found the subject application for a mixed use development with 156 room hotel, 24,350 square foot retail space and a structured parking facility will have no effect on identified Historic Sites, Resources, or Districts.

Cecelia Garcia Moore  
Principal Planning Technician  
Historic Preservation Section  
301-952-3756



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

**Prince George's County Planning Department  
Historic Preservation Section**

**(301) 952-3680  
www.mncppc.org**

January 18, 2013

MEMORANDUM

**TO:** Jill Kosack, Senior Planner  
Urban Design Section  
Development Review Division

**FROM:** Jennifer Stabler, Archeology Planner Coordinator  
Historic Preservation Section  
Countywide Planning Division

**SUBJECT: DSP-12034 Keanes (Koons) Property**

Phase I archeological survey is not recommended on the above-referenced 2.86-acre property located at 8315 Baltimore Avenue in College Park, Maryland. The subject property is currently developed with a vacant automobile sales building and lot. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, documented properties, or known archeological sites.

I:\HISTORIC\REFERRALS\13\Archeology\DSP-12034 Keanes Property\_jas 18 jan 2013.docx  
J:\Referrals-DRD\DSP-12034\_jas.docxPhase I

### 1 - - WSSC Plan Review Comments

Created by: Mary Mapes  
On: 01/22/2013 10:45 AM

WSSC Plan Review Comments  
DSP-12034 - Keane (Koons) Property

### 2 - - WSSC Plan Review Fee Due

Created by: Mary Mapes  
On: 01/22/2013 10:45 AM

- WSSC Plan Review Fee Due

The required WSSC plan review fee of \$1,100 is outstanding. Invoice 2013-151 has been created and will be sent to the applicant.

### 3 - - WSSC Standard Comments for all Plans

Created by: Mary Mapes  
On: 01/22/2013 10:45 AM

- WSSC Standard Comments for all Plans

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.
2. Coordination with other buried utilities:
  - a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
  - b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
  - c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
  - d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSC pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
  - e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
  - f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
  - g. Upon completion of the site construction, utilities that are found to be located within WSSCs rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.
3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water

and/or sewer systems) must be reviewed and approved by County staff.

4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSCs Development Services Center at (301-206-8650) or visit our website at [www.wsscwater.com/Development Services](http://www.wsscwater.com/Development%20Services) for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSCs Permit Services at (301) 206-4003.

## 1 - WSSC Plan Review Comments

Created by: Andres Villarraga  
On: 01/22/2013 01:26 PM

This site is currently being served by existing and active water and sewer connections (P-998047). Show and label all existing house connections to site and adjacent to work area. The applicant will be responsible for all costs associated with the abandonment and/or relocation of existing house connections.

Align water and sewer service connections and mains to avoid environmental, storm water management facilities, other utilities, landscaping, tree boxes, ESDs, and structures or paving impacts for future maintenance. See WSSC Design Manual C-3.1

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

Provide proper protection of water supply where water main is below or parallel to sewer main, building drain, sewer house connection or septic field and when pipe crosses other utilities. See WSSC Design Manual C-3.1

Design the plan to align any water and sewer pipeline that conflicts with large storm drains, culverts, deep side ditches, etc. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC Design Manual C-3.1

There is a 8-inch diameter water main located on Pontiac Street and Berwyn House Road. WSSC records indicate that the pipe materials are Cast Iron (Pontiac Street) and Ductile Iron (Berwyn House Road). It is the applicants responsibility to test pit the line and determine its exact horizontal and vertical location as well as to verify the type of pipe material prior to SEP Phase-2 System Integrity Review submittal. A WSSC inspector must be present at the time of the test pit.

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

A Phase-1 Environmental Site Assessment report may be required for the proposed site.

Tree planting, lighting, and landscaping improvements in an existing road right of way must not impact existing WSSC water and sewer facilities. Proposed light fixtures should not be located over existing WSSC facilities.

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC Design Manual, C-5.1 and Part Three, Section 11.

Follow WSSC Demolition/Abandonment procedures to obtain a County Raze Permit.

Note: Failure to obtain an SDC fixture credit permit inspection prior to the removal of existing fixtures will result in the issuance of Basic Credit Only. To obtain System Development Charge (SDC) credits for existing plumbing fixtures, an SDC Fixture Count Inspection MUST be completed by a WSSC Regulatory Inspector BEFORE REMOVAL OF FIXTURES OR DEMOLITION of the structure. The inspection requires a permit which can only be obtained through a WSSC Registered Master Plumber. SDC Fixture Credit Procedures are available at the WSSC Permit Services website.

## 2 - WSSC Design Specific Comments

Created by: Andres Villarraga  
On: 01/24/2013 09:10 AM

There are also a 16"W (cast iron) and 12"S to tie in along Route 1. These lines should also be test pit to see if they are as close to the site as indicated on the plan.

Need 15' from building to on property waterline.

If proposed waterline on Osage Street is on public right of way, this should be a public water extension. HPA would be required for this.

Refer to Plumbing Code Section 1003.8.3 for parking garages. Garage may need to be sprinklered.

A detail for the planter box is needed to see how deep it goes and if it affects the proposed on property sewer.

Proposed lighting must be 5' clear of the waterline and sewer lines.

## 3 - WSSC Plan Review Comments

Created by: Andres Villarraga  
On: 01/22/2013 01:38 PM

Site Utility System reviews are required for projects with proposed water connections greater than 2-inch or sewer connections greater than 4-inch. Contact the WSSC Permit Services Unit on (301) 206-4003 for submittal requirements or view our website.

A 8-inch water main is available to serve the proposed site. Contact the Permit Services Unit at 301-206-4003 for details regarding applying for service connections or visit our website.

A 8-inch and 6-inch gravity sewer mains are available to serve the proposed site. Contact the Permit Services Unit at 301- 206-4003 for details regarding applying for service connections or visit our website.

The sewer main alignment should be revised to avoid deep and shallow sewer.



*Division of Environmental Health*

Date: February 1, 2013

To: Jill Kosack, Urban Design, MNCPPC

From:  Frank L. Wise, Subdivision Review Specialist, Environmental Engineering Program

Re: DSP-12034, Keanes (Koons) Property

The Environmental Engineering Program of the Prince George's County Health Department has completed a health impact assessment review of the detailed site plan submission for the Keanes (Koons) Property as has the following comments/recommendations:

1. The Statement of Justification makes reference to a lighting plan, but no lighting plan was received for review. There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. The plan should indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.
2. Historic aerial photography indicates the existence of an automobile based sales, service and repair facility on the property from at least 1965 through approximately 2010. Due to this history and the potential for petroleum contamination of both soils and groundwater frequently associated with automobile based operations, it is recommended that an environmental site assessment be completed, and/or such a report submitted for review at least 35 days prior to the Planning Board Hearing.
3. The property is located in an area of the county considered a "food desert", where affordable and healthy food is difficult to obtain. Records indicate that within a ½ mile radius of this location there are 17 carry-out/convenience store food facilities, but only 2 markets/grocery stores. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. As such, the developer should consider a retail tenant that would provide additional healthy food choices to the area.
4. During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.



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

# 6. PROPERTY TRANSFER – OSAGE R-O-W

## MEMORANDUM

**To:** Mayor and Council

**From:** Suellen M. Ferguson, Esq.

**CC:** Joe Nagro, City Manager

**Date:** March 28, 2013

**Re:** Request For Transfer Of City Property In Osage Right Of Way and Letter To Maryland-National Capital Park and Planning Commission

### ISSUE:

As part of the project submitted by Keane Enterprises, they have requested that the City transfer a small portion of City property located in the Osage right of way to the owner of the property, Crown Royal, LLC. They have also requested a letter to Maryland-National Capital Park and Planning Commission ("M-NCPPC") indicating that the City has no plans for the use of the Osage right of way adjacent to the property. Both items are necessary to approval of the detailed site plan for the project.

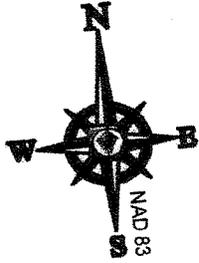
### SUMMARY:

Keane Enterprises is proposing a rezoning and detailed site plan for what is referred to as the Koons Ford property that is before Council for review. Keane will not be purchasing the property, which will continue to be owned by Crown Royal, LLC. In order to construct the project, Kean has requested that the City transfer by quit claim deed a small triangular piece of property measuring .014 acres located in the Osage right of way. A diagram of that property is attached. They have also requested that the City indicate that it has no intention of using the Osage right of way in the future. If this letter is provided, M-NCPPC will "vacate" the right of way to the applicant/owner, although a formal vacation procedure will not be used due to the length of time the right of way has existed.

If the Council determines that it will support this project, then the transfer is necessary to its eventual construction. Pursuant to Article 23A, 20 days notice of intent to transfer or sell City real property is required. If Council determines that it will transfer this property as requested, then a resolution should be introduced at the next Council voting session and adopted at least 20 days later.

### RECOMMENDATION

If the Council determines that it will support the application by Keane Enterprises for a rezoning and detailed site plan, then it must also authorize the transfer of the City property in the Osage right of way and the letter to M-NCPPC indicating that the City has no plans for the right of way.



BALTIMORE AVENUE - MD RTE. 1  
VARIABLE WIDTH RIGHT-OF-WAY

22+00

21+00

N19°03'44"E 265.78'

N48°48'39"W 32.34'

P.O.C. 15.33'

LOTS 6-26, 29-37 & PARCEL 121  
GREATER WASHINGTON REALTY  
CORPORATION'S ADDITION TO BERWYN  
LIBER JWB-5 FOLIO 480  
P.B. BDS-1 PG. 14 & 30  
LIBER 2949 FOLIO 367

17

16

LANDS N/F  
CROWN REAL PROPERTIES, L.C.  
LIBER 10926 FOLIO 277 & 281  
TAX MAP GRID 033D1 BLOCK 10

15

N84°46'37"W 423.11'

OSAGE STREET  
55' WIDE RIGHT-OF-WAY

AREA: 592 S.F.  
OR 0.014 AC.

S84°46'37"E 51.46'

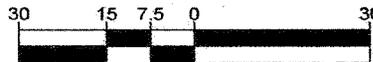
P.O.B.

N53°02'37"W 43.77'

S36°57'23"W 27.07'



EXHIBIT FOR  
**KEANE ENTERPRISES, INC.**  
OSAGE STREET AND BERWYN HOUSE ROAD  
COLLEGE PARK  
PRINCE GEORGE'S COUNTY, MARYLAND  
SCALE: 1"=30'      DATE: MARCH 11, 2013



1"=30'

SB112007EXB



**BOHLER**  
ENGINEERING

22636 DAVIS DRIVE, SUITE 250  
STERLING, VIRGINIA 20164  
703.709.9500 - 703.709.9501 FAX

[www.bohlerengineering.com](http://www.bohlerengineering.com)

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# **7. MARYLAND STATE RETIREMENT PLAN**



**Memo**

**To: Mayor and Council**

**Through: Joseph Nagro**

A handwritten signature in black ink, appearing to be "J. Nagro", is written over the name "Joseph Nagro".

**From: Stephen Groh, Chantal Cotton, and Jill Clements**

**Date: March 28, 2013**

**Re: Review of Maryland State Retirement Plan (SRP) and City of College Park's retirement plans**

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**ISSUE**

The Mayor asked the City administration to investigate the possibility of joining the Maryland State Retirement Plan for City employees. Administration also believes that it is important to ensure that we provide the optimal retirement plan for our employees with the dollars we can spend. Due to the complexity of this issue, staff would like to present some basic information and request your input on whether or not we should continue.

**SUMMARY**

The City currently offers a 401(a) defined contribution plan to fund a retirement program for our employees. The City contributes 6.5% of annual salary for each employee after one year of service. Employees become fully vested in that plan after five years of service. In addition, employees are encouraged to contribute pre-tax dollars to a 457 deferred compensation plan. The City matches employee contributions to the 457 plan from \$20 to \$120 per pay, depending on years of service and the amount the employee contributes.

Although the City is spending approximately 8% of payroll on our retirement savings plans, many of our employees are not saving enough to retire. Our current plans do not provide a guaranteed retirement income. An employee's retirement income (from the City) is dependent on their investment results and their ability to save. While the City has taken steps to limit the number of loans an employee can get from the 401 plan, many employees borrow from their accounts as soon as funds become available and pay themselves back through payroll deduction, thereby inhibiting their ability to save more for retirement.

The State of Maryland offers a defined benefit pension plan, known as the Maryland State Retirement Plan (SRP) which guarantees a retirement benefit after a minimum of ten years of service. Many counties and municipalities belong to the Plan and it is open to any municipality who chooses to join. We believe a defined benefit plan, either the SRP or another existing defined benefit plan, will better suit the needs of our employees and enable them to retire comfortably after a career with the City. After our discussion this evening, we would like your input as to whether or not we should continue to investigate a defined benefit plan for our employees.

## Maryland State Retirement Plan (SRP)

Preliminary Information for Council  
April 2, 2013

1

### City's current retirement plans and costs

401(a) Defined Contribution plan = 6.5% payroll  
City contributes for each employee after one year  
of service.

457 Deferred Compensation plan – City's matching  
contribution = approximately 1.3% payroll  
City matches a portion of each employee's  
contribution.

2

## City's match to 457 Plan

Years of Service	Employee Contrib./Pay	City Contrib./Pay
Up to 1 year	\$20 or more	\$20
1 year to 5 years	\$20 - \$99 \$100+	\$20 \$25
5 to 10 years	\$20 - \$99 \$100 - \$199 \$200+	\$20 \$30 \$60
10 to 15 years	\$20 - \$99 \$100 - \$199 \$200+	\$ for \$ match to max of \$30 \$50 \$95
15+ years	\$20 - \$99 \$100 - \$199 \$200+	\$ for \$ match to max of \$40 \$60 \$120

## What is the SRP?

- A *Defined Benefit* Pension plan is based on length of service and Average Final Compensation (AFC)  
AFC = highest 5 consecutive years of wages
- A plan that guarantees a retirement benefit based on the State's formula after an employee reaches retirement age with a minimum of 10 years of service

$$\text{Formula} = 1.5\% * \text{years of service} * \text{AFC}$$

What would SRP cost the City?  
(% of total payroll)

- |                              |            |
|------------------------------|------------|
| • FY 2014 Normal SRP Cost    | 6.47%      |
| • Benefit Surcharge          | 2.42%      |
| • Unfunded accrued liability | varies/TBD |

5

What would the SRP cost employees?

- Employee participants must contribute 7% of their earnable compensation each pay.
- The deduction is on a pre-tax basis, approximating a 5% reduction per pay.

6

## Prior service credit purchasing costs

- 2005 actuarially determined costs:

<u>Amount</u>	<u>Purchase Percentage</u>
• \$5,160,238	100%
• \$2,778,402	50%
• \$2,036,528	33.3%

- New actuarial valuation in progress

Estimated costs: \$3,600,000 for 50% service credit

7

## Financing Options and Sample Costs

- Financing Options (to pay amount over time):
  - Through State at 7.7% for up to 25 years  
For example: \$3.6M = \$336,000/yr
  - Through bank at ~3.5% for up to 15 years  
For example: \$3.6M = \$313,000/yr

8

### Other participating governmental units

- Over 200,000 members in 2012 including members from the following governmental units:
  - Prince George’s County Government
  - Greenbelt
  - Cheverly
  - New Carrollton
  - Hyattsville
  - University Park (entered in 2009)
  - Berwyn Heights (entered in 2008)

9

### Benefits for College Park from a Defined Benefit Plan

- Improve employees’ ability to retire
  - Defined benefit plan does not rely on each employee’s savings and investment results
  - Combined with social security, guaranteed retirement income will be increased.
- Strengthen the City’s position when recruiting new employees

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## Next steps

- Does Council want staff to continue to investigate SRP or other defined benefit plans?

### **Yes or No**

– If no, staff ceases research on this subject

– If yes, staff:

- Continues to research SRP and/or other defined benefit plans
- Presents more information to City Council as more information becomes available

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# 8. FORMULA 2040 COMMENTS

## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Terry Schum, Planning Director 

**DATE:** March 28, 2013

**SUBJECT:** Formula 2040  
Preliminary Functional Master Plan for Parks, Recreation and Open Space

### ISSUE

The Maryland-National Capital Park and Planning Commission Department of Parks and Recreation recently released a draft plan to guide the future of parks and recreation in Prince George's County for the next 30 years. A joint public hearing with the Prince George's Planning Board and County Council is scheduled for April 9, 2013 at 7:00 pm at the County Administration Building. Written comments for the record will accepted for a period of 30 days following the hearing.

### SUMMARY

The Plan is organized under 3 broad goals: connectivity, health and wellness, and economic development. It examines the status of the parks and recreation system today, proposes a vision for the future of parks and recreation in the county and recommends actions under 4 categories: systems, programs, land and facilities. Based on a staff review of the plan and the recent presentation of the plan by M-NCPPC at a City Council worksession, staff offers the following comments:

- Support the general goals and direction of the plan. The goals in regard to cost recovery, however, might be too ambitious and have a negative impact on the quality of services.
- As county becomes more urban, use of trails for commuting and other activities besides recreation becomes more important. New design standards for urban trails should be developed and implemented. Priority should be given to missing trail links that will enhance connectivity over costly, new trail systems.
- Neighborhood recreational opportunities will remain important and shouldn't be overlooked in favor of the larger, multigenerational centers. Try to strike a balance between them.

- Improving the environmental quality of parkland is not explicitly addressed in the plan. There should be more attention given to environmental sustainability issues.
- Ensure that the need for quality, appropriately-sized playing fields is met for all ages and uses.
- Engage municipalities more directly to explore opportunities for partnerships to meet the needs of residents.
- Take advantage of the county's historic resources for culturally-based economic development and partner with the private sector when these resources are discovered or endangered during new development.
- Revisit the formula used to determine open space land dedication and recreation facilities required of developers during the development review process.
- Recognize the importance of public art in parks and recreation facilities.

## **RECOMMENDATION**

Staff recommends that comments be discussed for inclusion in a letter to the Clerk of the County Council in response to a request for public input on the Formula 2040 Plan.

# 9. LEGISLATION

## INFORMATIONAL REPORT

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**TO:** Mayor and City Council  
**FROM:** Chantal R. Cotton, Assistant to the City Manager *CRC*  
**THROUGH:** Joseph Nagro, City Manager  
**DATE:** March 28, 2013  
**SUBJECT:** State Legislation Update

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### SUMMARY

The bills below represent the City's legislative priorities and bills on which we have taken a position. The 'topic of interest' section contains information about speed camera legislation and the agricultural certainty bill which was tabled by City Council on March 26<sup>th</sup>.

Bill Name and Sponsor	Description and Update
<b>HB 1372 and SB 934:</b> Omnibus "Prior Authorizations" Request bill <b>HB 111 / SB 45:</b> Maryland Consolidated Capital Bond Loan of 2006 - Prince George's County - College Park City Hall	<b>3.28 Update:</b> The House prior authorizations omnibus bill (HB 1372) passed through the House and is now in the Senate. The omnibus bills (HB 1372 and SB 934) still include our city hall project (HB 111 and SB 45).
<b>PG 309-13 (HB 1070):</b> Alcoholic Beverages - City of College Park - Sales by License Holders  <b>Sponsors:</b> Delegate Benjamin Barnes and Senator Jim Rosapepe	<b>3.28 Update:</b> The House-approved version of the bill was heard by the Senate Education, Health, and Environmental Affairs (EHEA) Committee on March 22 <sup>nd</sup> and a Committee vote should occur on March 28 <sup>th</sup> .
<b>PG 310-13:</b> City of College Park - Alcoholic Beverages Licenses for Supermarkets  <b>Sponsors:</b> Delegate Benjamin Barnes and Senator Jim Rosapepe	No new update. Bill died.
<b>School Impact Fees:</b> There will not be a bill for this issue this session.	No new update. No bill.
<b>PG 401-13 (HB 1111):</b> Prince George's County - Authority to Impose Fees for Use of Disposable Bags  <b>Sponsor:</b> Delegate Barbara Frush and Senator Paul Pinsky	The City supported this bill this session.  <b>3.28 Update:</b> This bill has still not made it out of Prince George's County House Delegation. However, there is a statewide bill, HB 1086 (SB 576) that seeks to make a statewide bag tax. HB 1086 and SB 576 have been heard but not voted on.
<b>HB 337 (SB 514):</b> Natural Gas - Hydraulic Fracturing - Prohibition  <b>Sponsor:</b> Delegate Shane Robinson (Montgomery County) and Senator Karen Montgomery (Montgomery County)	The City supported this bill to ban fracking in Maryland.  Bill withdrawn. No other updates.

<b>Bill Name and Sponsor</b>	<b>Description and Update</b>
<b>HB 339:</b> Vehicle Laws – Bicycles – Required Use of Protective Headgear  <b>Sponsor:</b> Delegate McIntosh (Baltimore City)	<b>3.28 Update:</b> The bill has not yet moved out of subcommittee.
<b>HB 820 (SB 893):</b> Municipal Property Taxes – Annual Budget Ordinance and Special Rates  <b>Sponsor:</b> Delegate Frick (Montgomery County) and Senator Manno (Montgomery County)	The City and MML opposed this bill.  <b>3.28 Update:</b> Bill heard in both the House and the Senate. No vote yet.
<b>HB 640:</b> Washington Suburban Sanitary Commission – Sewage Leaks – Notice Requirements MC/PG 115-13  <b>Sponsor:</b> Delegate Hucker	The City supported this bill.  <b>3.28 Update:</b> This bill passed through the House. The Senate EHEA Committee heard the bill on March 28 <sup>th</sup> .
<b>SB 641 (HB 1085):</b> Statewide Container Recycling Initiative  <b>Sponsor:</b> Senator Frosh and Delegate McIntosh	The City opposed this bill due to its negative impact on municipal curbside recycling programs.  <b>3.28 Update:</b> The House Environmental Affairs Committee voted unfavorably on this bill on March 25 <sup>th</sup> . The Senate Education, Health, and Environmental Affairs and Finance Committees heard this bill on March 5 <sup>th</sup> .
<b>HB 217 (SB 373):</b> Early Voting Act of 2013  <b>Sponsors:</b> Delegate Rosenberg and Senator Ferguson (Baltimore City)	The City supported this bill.  No update. Bill unfavorable.
<b>HB 224 (SB 279):</b> Election Law – Improving Access to Voting	The City supported this bill.  <b>3.28 Update:</b> The Senate and House passed this bill with amendments.
<b>SB 281 (HB 294):</b> Firearms Safety Act of 2013  <b>Sponsor:</b> President Michael Miller (by Request of the Governor)	The City supported the bill.  <b>3.28 Update:</b> SB 281 passed the Senate and is now in the House Judiciary Committee. HB 294 was heard on 3-1-13.
<b>SB 266 (HB 375):</b> Regulated Firearms - Database - Applications for Dealer's License - Record Keeping and Reporting Requirements  <b>Sponsor:</b> Senator Frosh (Montgomery County) and Delegate McIntosh (Baltimore City)	The City supported this bill.  Bill Heard. No update.
<b>SB 540:</b> Public Safety - Regulated Firearms - Reporting Lost or Stolen  <b>Sponsor:</b> Senator Raskin (Montgomery County)	The City supported this bill.  Bill heard. No update.

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**HB 1515 (SB 1054):** Transportation Infrastructure Act of 2013

**Sponsor:** President Michael Miller and Speaker Michael Busch (by Request of the Governor)

The City supported this bill with concerns stated about its effects on HUR funding.

**3.28 Update:** HB 1515 passed through the House and is now in the Senate. The bill was amended in the House Ways and Means Committee last week to restore local government Highway User Revenues (HURs) at funding levels currently specified in the FY 2014 budget. The bill could potentially provide additional funding for Route 1.

In addition to HB 1515, both the House and the Senate included the \$15.4 million in one-time municipal HURs and it was approved in both the House and Senate, therefore very unlikely to be removed during the budget conference committees.

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**SB 207:** Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

**Sponsor:** Senator Brochin (Baltimore County)

SB 207, as amended and passed by the Senate, requires that certain time-stamped images of a motor vehicle provide sufficient information to show the progression of the motor vehicle; requires quarterly calibration checks instead of annual checks which must be performed by separate contractors; certain persons; requires a flat rate contractor fee instead of a per-citation fee.

The City opposed this bill.

**3.28 Update:** The Senate passed SB 207 as described above. The bill is now in the House. The House has been working with MACo and MML on amendments for HB 929 which counter negative aspects of SB 207.

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**HB 1433 (PG 420-13):** Prince George's County – School Facilities Surcharge

**Sponsor:** Delegation Chair (on behalf of the County Council)

PG 420-13 reduces the school surcharge by 50 percent for multifamily housing units that meet one of the following criteria: a) existence within a Transit District Overlay Zone (TDOZ); or b) within ¼ mile of a Metro station that is not within a TDOZ. The bill would also completely remove the school facility surcharge for studio and efficiency apartments located in any of the following:

1. County urban centers or corridors
2. Transit District Overlay Zones
3. Within ¼ mile of a Metro station that is not within an approved TDOZ

The City supported this bill.

**3.28 Update:** Bill passed the House and is now in the Senate EHEA Committee with a hearing date of April 2<sup>nd</sup>.

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## Topics of Interest:

Topic	More Information and Current Status
<p><b>HB 929:</b> Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions</p> <p><b>Sponsor:</b> Delegate Malone (Baltimore and Howard County) and Delegate McMillan (Anne Arundel County)</p>	<p>Officially, the bill only alters who can review and approve a citation. Many amendments are being considered to add to the bill, including amendments offered by MACo and MML which counter many negative aspects of the Senate speed cameras bill (SB 207).</p> <p><b>3.28 Update:</b> Copies of the most recent MACo and MML amendments will be distributed in your red folders on Tuesday.</p>
<p><b>SB 1029:</b> Maryland Agricultural Certainty Program (Bill as amended before passage by the Senate: Attachment 1)</p> <p><b>Sponsor:</b> Senator Middleton (Charles County)</p>	<p>SB 1029 would allow farmers to voluntarily sign up for a 10-year exemption program which would excuse them from new environmental regulations if they volunteer to do their own environmentally friendly practices, such as planting winter cover crops and tracking nutrients. This bill establishes a voluntary Maryland Agricultural Certainty Program to certify agricultural operations that meet State agricultural nitrogen, phosphorus, and sediment reduction goals. The bill exempts agricultural sources that are certified under the voluntary compliance regime from the Chesapeake Bay Total Maximum Daily Loads and Local Maximum Daily Loads that other sources are required to comply with under current State law.</p> <p><b>Current State Status:</b> The bill passed the Senate and will be heard by the House Environmental Matters Committee on April 2<sup>nd</sup> at 1pm.</p> <p><b>Local Status:</b> The City Council motion, 13-G-50, to take a position on this bill, was tabled on March 26<sup>th</sup>. Councilmember Wojahn organized a draft letter for Council's consideration in Special Session. Attachment 3 shows the draft letter. Attachment 2 shows the Sierra Club SB 1029 fact sheet.</p>

## ATTACHMENTS

1. SB 1029: Maryland Agricultural Certainty Program Bill
2. Sierra Club SB 1029 Fact Sheet
3. Draft Letter for SB 1029

## SENATE BILL 1029

M4, M3

3lr3135

By: ~~Senator Middleton~~ Senators Middleton, Dyson, and Jennings Jennings, and Glassman

Introduced and read first time: February 26, 2013

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 7, 2013

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 20, 2013

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Agricultural Certainty Program**

3 FOR the purpose of establishing the Maryland Agricultural Certainty Program;  
 4 stating the intent of the General Assembly; establishing the purpose of the  
 5 Program; requiring the Department of Agriculture to develop the Program in  
 6 coordination with the Department of the Environment; requiring that the  
 7 Program be self-sustaining and revenue neutral; requiring the Department of  
 8 Agriculture to administer the Program; authorizing the Department of  
 9 Agriculture to establish by regulation reasonable fees to cover operation of the  
 10 Program; requiring a person applying for certification to submit a certain  
 11 application to the Department of Agriculture; establishing certain requirements  
 12 for certification and recertification; authorizing the Department of Agriculture  
 13 to certify an agricultural operation after certain requirements are met;  
 14 requiring the Department of Agriculture to, on request, make certain records  
 15 and information available to the Department of the Environment; requiring  
 16 that a certified agricultural operation be in compliance with certain laws,  
 17 regulations, rules, and permit conditions at the end of the certification period;  
 18 exempting an agricultural operation certified under the Program from certain  
 19 nitrogen, phosphorus, and sediment reduction requirements; prohibiting a local  
 20 government entity from ~~adopting or~~ enforcing certain laws, regulations, rules,  
 21 ordinances, or standards for a certified agricultural operation for a certain  
 22 period of time; stating that, if the Program is terminated, an agricultural  
 23 operation certified at the time of termination shall remain certified for the

## EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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1 duration of the certification period; requiring a person that manages a certified  
2 agricultural operation to submit annually certain documentation to the  
3 Department of Agriculture; requiring a person that manages a certified  
4 agricultural operation to report certain changes to the Department of  
5 Agriculture within a certain amount of time; requiring the Department of  
6 Agriculture to make certain information available to the Department of the  
7 Environment; requiring ~~the Department of Agriculture~~ a certified verifier to  
8 conduct an on-site inspection of each certified agricultural operation with a  
9 certain frequency; requiring the Department of the Environment to, if  
10 applicable, assure compliance with certain requirements administered by the  
11 Department of the Environment with a certain frequency; requiring a certified  
12 verifier conducting an on-site inspection to provide the certified agricultural  
13 operation with certain information during the on-site inspection; requiring a  
14 certified verifier who conducts an on-site inspection to submit a certain report  
15 and information to the Department of Agriculture, the Department of the  
16 Environment if applicable, and the certified agricultural operation; requiring  
17 the Department of Agriculture, in coordination with the Department of the  
18 Environment, to establish a program to certify a person to verify whether an  
19 agricultural operation meets certain requirements; requiring the Department of  
20 Agriculture to maintain and publish on the Department of Agriculture's Web  
21 site a list of all certified verifiers; requiring the certification program to provide  
22 verifiers with certain training and education; prohibiting a certified verifier  
23 from verifying an agricultural operation in which the certified verifier holds an  
24 interest or that the certified verifier initially determined met certain  
25 requirements; authorizing the Department of Agriculture to charge a  
26 reasonable fee to administer the verifier certification program; authorizing the  
27 Department of Agriculture to require continuing education or training for  
28 verifiers; authorizing the Department of Agriculture to designate an entity to  
29 train, certify, and recertify verifiers; authorizing the Department of Agriculture  
30 to recognize the training program of an entity employing verifiers if the  
31 program meets certain requirements; requiring the Department of Agriculture  
32 to maintain certain information and make the information available for public  
33 review in a manner that protects the identity of a certain person; requiring a  
34 certified verifier to maintain certain information in a manner that protects the  
35 identity of a certain person; requiring the Department of the Environment and  
36 a certified verifier to maintain certain records and information in a manner that  
37 protects the identity of a certain person; prohibiting the ~~Department of~~  
38 ~~Agriculture from disclosing~~ disclosure of certain records and information before  
39 an agricultural operation is certified; requiring the Department of Agriculture  
40 to submit a certain annual report to the Governor and relevant committees of  
41 the General Assembly; authorizing the Department of Agriculture to suspend or  
42 permanently revoke a certification under certain circumstances; requiring the  
43 Department of Agriculture, with approval from the Department of the  
44 Environment, to adopt certain regulations; requiring the Department of  
45 Agriculture, ~~with approval from the Department of the Environment~~, to  
46 establish a certain committee to assist with the development of the regulations  
47 and to make certain recommendations related to the Program; requiring the

1 committee to meet with a certain frequency; defining certain terms; and  
2 generally relating to the Maryland Agricultural Certainty Program.

3 BY adding to

4 Article – Agriculture

5 Section 8–1001 through 8–1013 to be under the new subtitle “Subtitle 10.  
6 Maryland Agricultural Certainty Program”

7 Annotated Code of Maryland

8 (2007 Replacement Volume and 2012 Supplement)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
10 MARYLAND, That the Laws of Maryland read as follows:

11 **Article – Agriculture**

12 **SUBTITLE 10. MARYLAND AGRICULTURAL CERTAINTY PROGRAM.**

13 **8–1001.**

14 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
15 INDICATED.

16 (B) (1) “AGRICULTURAL SOURCES OF NITROGEN, PHOSPHORUS, OR  
17 SEDIMENT” MEANS SOURCES OF NITROGEN, PHOSPHORUS, OR SEDIMENT THAT  
18 ORIGINATE FROM AN AGRICULTURAL OPERATION’S ~~CROPS~~ LAND OR ANIMALS.

19 (2) “AGRICULTURAL SOURCES OF NITROGEN, PHOSPHORUS, OR  
20 SEDIMENT” DOES NOT INCLUDE SOURCES OF NITROGEN, PHOSPHORUS, OR  
21 SEDIMENT THAT ORIGINATE FROM A RESIDENTIAL, MUNICIPAL, INDUSTRIAL,  
22 OR COMMERCIAL ACTIVITY.

23 (C) “PROGRAM” MEANS THE MARYLAND AGRICULTURAL CERTAINTY  
24 PROGRAM.

25 **8–1002.**

26 IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CREATE A VOLUNTARY  
27 PROGRAM TO RECOGNIZE THE ENVIRONMENTAL STEWARDSHIP AND  
28 CONTRIBUTION OF MARYLAND FARMERS WHO IMPLEMENT AND MAINTAIN BEST  
29 MANAGEMENT PRACTICES CONSISTENT WITH THE STATE’S GOALS TO REDUCE  
30 THE AMOUNT OF NUTRIENTS AND SEDIMENT ENTERING THE CHESAPEAKE BAY,  
31 ITS TRIBUTARIES, AND OTHER WATERS OF THE STATE.

32 **8–1003.**

1 (A) THERE IS A VOLUNTARY MARYLAND AGRICULTURAL CERTAINTY  
2 PROGRAM.

3 (B) THE PURPOSE OF THE PROGRAM IS TO ~~CERTIFY AN AGRICULTURAL~~  
4 ~~OPERATION THAT MEETS~~ ACCELERATE THE IMPLEMENTATION OF  
5 AGRICULTURAL BEST MANAGEMENT PRACTICES TO MEET STATE  
6 AGRICULTURAL NITROGEN, PHOSPHORUS, AND SEDIMENT REDUCTION GOALS.

7 (C) (1) THE DEPARTMENT SHALL DEVELOP THE PROGRAM IN  
8 COORDINATION WITH THE DEPARTMENT OF THE ENVIRONMENT.

9 (2) THE PROGRAM SHALL BE SELF-SUSTAINING AND REVENUE  
10 NEUTRAL.

11 (D) THE DEPARTMENT:

12 (1) SHALL ADMINISTER THE PROGRAM; AND

13 (2) MAY ESTABLISH BY REGULATION REASONABLE FEES  
14 SUFFICIENT TO COVER ANY COSTS INCURRED IN OPERATING THE PROGRAM.

15 8-1004.

16 (A) (1) A PERSON THAT MANAGES AN AGRICULTURAL OPERATION  
17 MAY APPLY FOR CERTIFICATION UNDER THE PROGRAM.

18 (2) TO APPLY FOR CERTIFICATION, A PERSON SHALL SUBMIT AN  
19 APPLICATION TO THE DEPARTMENT ON THE FORM THE DEPARTMENT  
20 REQUIRES.

21 (B) AN AGRICULTURAL OPERATION MAY BE CERTIFIED AS MEETING  
22 THE REQUIREMENTS OF THE PROGRAM IF THE AGRICULTURAL OPERATION IS  
23 DETERMINED BY THE DEPARTMENT TO MEET:

24 (1) A FULLY IMPLEMENTED SOIL CONSERVATION AND WATER  
25 QUALITY PLAN THAT ADDRESSES ALL SOIL CONSERVATION AND WATER QUALITY  
26 ISSUES ON THE AGRICULTURAL OPERATION;

27 (2) A FULLY IMPLEMENTED NUTRIENT MANAGEMENT PLAN FOR  
28 THE AGRICULTURAL OPERATION IN ACCORDANCE WITH REGULATIONS  
29 ADOPTED BY THE DEPARTMENT UNDER SUBTITLE 8 OF THIS TITLE;

1           (3) THE ~~MINIMUM~~ AGRICULTURAL NITROGEN, PHOSPHORUS, AND  
2 SEDIMENT ~~ALLOCATION LOADS~~ LOAD REDUCTIONS NECESSARY FOR THE  
3 AGRICULTURAL OPERATION TO MEET:

4           (I) THE FULL IMPLEMENTATION OF THE MOST RECENT  
5 CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD AS APPROVED BY THE U.S.  
6 ENVIRONMENTAL PROTECTION AGENCY;

7           (II) THE APPLICABLE WATERSHED IMPLEMENTATION PLAN;

8           (III) ~~THE~~ ALL APPLICABLE LOCAL TOTAL MAXIMUM DAILY  
9 LOAD REQUIREMENTS; AND

10           (IV) ANY OTHER WATER QUALITY REQUIREMENTS FOR  
11 AGRICULTURAL SOURCES OF NITROGEN, PHOSPHORUS, OR SEDIMENT; AND

12           (4) STATE AND FEDERAL LAWS, REGULATIONS, AND PERMIT  
13 CONDITIONS RELATING TO AGRICULTURAL SOURCES OF NITROGEN,  
14 PHOSPHORUS, OR SEDIMENT REDUCTION APPLICABLE TO THE AGRICULTURAL  
15 OPERATION.

16           (C) (1) THE DEPARTMENT MAY CERTIFY AN AGRICULTURAL  
17 OPERATION AFTER:

18           (I) NOTIFICATION TO THE DEPARTMENT OF THE  
19 ENVIRONMENT;

20           (II) ~~CONDUCTING AN~~ AN ON-SITE INSPECTION IS  
21 CONDUCTED BY A CERTIFIED VERIFIER, WITH THE ASSISTANCE OF THE  
22 DEPARTMENT OF THE ENVIRONMENT, AS APPROPRIATE;

23           (III) APPROVAL FROM THE DEPARTMENT OF THE  
24 ENVIRONMENT IF THE AGRICULTURAL OPERATION IS PERMITTED OR HAS AN  
25 APPLICATION SUBMITTED TO BE PERMITTED UNDER THE ENVIRONMENT  
26 ARTICLE; AND

27           (IV) A CERTAINTY AGREEMENT HAS BEEN ENTERED INTO  
28 BETWEEN THE DEPARTMENT AND THE PERSON MANAGING THE AGRICULTURAL  
29 OPERATION THAT OUTLINES THE TERMS AND CONDITIONS OF CERTAINTY  
30 APPLICABLE TO THE AGRICULTURAL OPERATION, INCLUDING:

31           1. MAINTENANCE OF BEST MANAGEMENT  
32 PRACTICES REQUIRED FOR CERTIFICATION;

1                   2.    REQUIREMENTS FOR VERIFICATION TO ASSURE  
2 CERTAINTY REQUIREMENTS ARE MAINTAINED;

3                   3.    RECORDS THAT THE DEPARTMENT REQUIRES  
4 THE AGRICULTURAL OPERATION TO MAINTAIN; AND

5                   4.    ANY OTHER ITEM THE DEPARTMENT  
6 DETERMINES TO BE NECESSARY FOR THE ADMINISTRATION OF THE PROGRAM.

7                   (2) ON REQUEST, THE DEPARTMENT SHALL MAKE AVAILABLE TO  
8 THE DEPARTMENT OF THE ENVIRONMENT RECORDS AND INFORMATION  
9 ACQUIRED BY THE DEPARTMENT UNDER SUBSECTIONS (A), (B), OR (C) OF THIS  
10 SECTION RELATED TO COMPLIANCE WITH LAWS, REGULATIONS, PERMITS, OR  
11 OTHER REQUIREMENTS ENFORCED BY THE DEPARTMENT OF THE  
12 ENVIRONMENT.

13                  (D) A CERTIFICATION ISSUED UNDER THIS SECTION IS VALID FOR 10  
14 YEARS IF:

15                   (1) THE AGRICULTURAL OPERATION REMAINS IN COMPLIANCE  
16 WITH THE REQUIREMENTS UNDER THIS SUBTITLE; AND

17                   (2) EXCEPT AS AUTHORIZED BY REGULATION, THERE ARE NO  
18 MATERIAL CHANGES TO THE OPERATION, INCLUDING CHANGE OF OWNERSHIP  
19 OF THE OPERATION.

20                  (E) AT THE END OF THE 10-YEAR CERTIFICATION PERIOD, AN  
21 AGRICULTURAL OPERATION CERTIFIED UNDER THIS SECTION SHALL ENSURE  
22 THAT THE AGRICULTURAL OPERATION IS IN COMPLIANCE WITH ALL  
23 APPLICABLE LAWS, REGULATIONS, RULES, AND PERMIT CONDITIONS THAT  
24 WENT INTO EFFECT AFTER THE DATE OF CERTIFICATION.

25    8-1005.

26                  AN AGRICULTURAL OPERATION CERTIFIED UNDER § 8-1004 OF THIS  
27 SUBTITLE MAY BE RECERTIFIED FOR 10 YEARS IF THE AGRICULTURAL  
28 OPERATION:

29                   (1) MEETS THE REQUIREMENTS UNDER THIS SUBTITLE;

30                   (2) MEETS THE LAWS, REGULATIONS, RULES, AND PERMIT  
31 CONDITIONS APPLICABLE TO THE AGRICULTURAL OPERATION AT THE TIME OF  
32 RECERTIFICATION; AND

1           (3) RECEIVES APPROVAL FROM THE DEPARTMENT OF THE  
2 ENVIRONMENT IF THE AGRICULTURAL OPERATION IS PERMITTED OR HAS AN  
3 APPLICATION SUBMITTED TO BE PERMITTED UNDER THE ENVIRONMENT  
4 ARTICLE.

5 8-1006.

6           (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN  
7 AGRICULTURAL OPERATION THAT IS IN COMPLIANCE AND CERTIFIED UNDER  
8 THIS SUBTITLE IS NOT SUBJECT TO:

9           (1) STATE OR LOCAL LAWS OR REGULATIONS ENACTED OR  
10 ADOPTED AFTER THE DATE OF CERTIFICATION THAT REQUIRE THE REDUCTION  
11 OF AGRICULTURAL SOURCES OF NITROGEN, PHOSPHORUS, OR SEDIMENT TO  
12 MEET:

13           (I) CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOADS,  
14 INCLUDING THE REQUIREMENTS IN A WATERSHED IMPLEMENTATION PLAN;

15           (II) LOCAL TOTAL MAXIMUM DAILY LOADS; OR

16           (III) OTHER WATER QUALITY REQUIREMENTS FOR  
17 MANAGING AGRICULTURAL SOURCES OF NITROGEN, PHOSPHORUS, OR  
18 SEDIMENT; OR

19           (2) ~~REQUIREMENTS~~ STATE OR LOCAL LAWS AND REGULATIONS  
20 ENACTED OR ADOPTED AFTER THE DATE OF CERTIFICATION RELATED TO  
21 MEETING A REALLOCATION OF NITROGEN, PHOSPHORUS, OR SEDIMENT ~~LOADS~~  
22 LOAD REDUCTIONS NECESSARY TO MEET:

23           (I) CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOADS,  
24 INCLUDING THE REQUIREMENTS IN A WATERSHED IMPLEMENTATION PLAN;

25           (II) LOCAL TOTAL MAXIMUM DAILY LOADS; OR

26           (III) OTHER WATER QUALITY REQUIREMENTS FOR  
27 MANAGING NITROGEN, PHOSPHORUS, OR SEDIMENT.

28           (B) SUBSECTION (A) OF THIS SECTION MAY NOT PREVENT THE  
29 APPLICATION OR ENFORCEMENT OF ANY OTHER LAWS, REGULATIONS, OR  
30 PERMITS, INCLUDING:

31           (1) ORDERS SEEKING A CORRECTIVE ACTION FOR A VIOLATION  
32 OF TITLE 4, SUBTITLE 4 OF THE ENVIRONMENT ARTICLE;

- 1           (2) TITLES 5 AND 16 OF THE ENVIRONMENT ARTICLE;
- 2           (3) TITLE 9, SUBTITLES 2 AND 3 OF THE ENVIRONMENT  
3 ARTICLE;
- 4           (4) TITLE 8, SUBTITLE 18 OF THE NATURAL RESOURCES  
5 ARTICLE;
- 6           (5) THE ADOPTION OF A GROWTH TIER MAP BY A LOCAL  
7 JURISDICTION UNDER TITLE 1, SUBTITLE 5 OF THE LAND USE ARTICLE;
- 8           (6) ANY STATE OR LOCAL LAW OR REGULATION THAT REGULATES  
9 THE DEVELOPMENT OF LAND;
- 10          (7) THE FEDERAL CLEAN WATER ACT;
- 11          (8) ANY REGULATION GOVERNING THE MANAGEMENT OF  
12 AGRICULTURAL SOURCES OF NITROGEN, PHOSPHORUS, OR SEDIMENT  
13 INITIATED BY THE DEPARTMENT BEFORE THE ENACTMENT OF THIS SUBTITLE;  
14 OR
- 15          (9) ANY APPLICABLE LAWS OR REGULATIONS THAT HAVE BEEN  
16 ENACTED, BUT ARE SUBJECT TO A DELAYED IMPLEMENTATION PERIOD.
- 17          (C) A LOCAL GOVERNMENT ENTITY MAY NOT ENFORCE STATE OR  
18 LOCAL LAWS, REGULATIONS, RULES, ORDINANCES, OR STANDARDS ADOPTED  
19 AFTER THE DATE OF CERTIFICATION RELATING TO AGRICULTURAL SOURCES OF  
20 NITROGEN, PHOSPHORUS, OR SEDIMENT FOR AN AGRICULTURAL OPERATION  
21 CERTIFIED UNDER THIS SUBTITLE UNTIL THE END OF THE CERTIFICATION  
22 PERIOD.
- 23          (D) IF THE PROGRAM ESTABLISHED UNDER THIS SUBTITLE IS  
24 TERMINATED, AN AGRICULTURAL OPERATION CERTIFIED UNDER THE  
25 PROGRAM SHALL:
- 26                 (1) REMAIN CERTIFIED FOR THE REMAINDER OF THE  
27 CERTIFICATION PERIOD FOR THE AGRICULTURAL OPERATION; AND
- 28                 (2) BE SUBJECT TO STATE AND LOCAL LAWS OR REGULATIONS  
29 APPLICABLE AT THE TIME OF CERTIFICATION.

1 (A) A PERSON THAT MANAGES AN AGRICULTURAL OPERATION  
2 CERTIFIED UNDER THIS SUBTITLE SHALL:

3 (1) SUBMIT ANNUALLY TO THE DEPARTMENT:

4 (I) NUTRIENT MANAGEMENT PLAN RECORDS, INCLUDING:

5 1. INFORMATION IDENTIFYING THE PERSON WHO  
6 MANAGES THE AGRICULTURAL OPERATION;

7 2. SOIL ANALYSIS DATA FOR THE LAND RECEIVING  
8 NUTRIENTS;

9 3. FERTILITY RECOMMENDATIONS FOR CROPS  
10 PRODUCED; ~~AND~~

11 4. A SUMMARY OF NUTRIENTS APPLIED BY SOURCE  
12 AND CROP TYPE; AND

13 ~~4.~~ 5. MAPS IDENTIFYING THE LOCATION AND  
14 BOUNDARIES OF THE AGRICULTURAL OPERATION;

15 (II) SOIL CONSERVATION AND WATER QUALITY PLAN  
16 RECORDS;

17 (III) A CERTIFICATION SIGNED BY THE PERSON MANAGING  
18 THE AGRICULTURAL OPERATION THAT STATES THAT THE REQUIREMENTS OF  
19 THE PROGRAM WILL BE MAINTAINED FOR THE UPCOMING YEAR; AND

20 (IV) ANY ADDITIONAL DOCUMENTATION THE DEPARTMENT  
21 DETERMINES TO BE NECESSARY TO DETERMINE COMPLIANCE WITH THE  
22 REQUIREMENTS OF THIS SUBTITLE; AND

23 (2) REPORT TO THE DEPARTMENT WITHIN 60 DAYS ANY CHANGE  
24 IN THE AGRICULTURAL OPERATION THAT AFFECTS CERTIFICATION UNDER THIS  
25 SUBTITLE.

26 (B) THE DEPARTMENT SHALL MAKE AVAILABLE TO THE DEPARTMENT  
27 OF THE ENVIRONMENT RECORDS AND INFORMATION PROVIDED UNDER  
28 SUBSECTION (A) OF THIS SECTION RELATED TO COMPLIANCE WITH LAWS,  
29 REGULATIONS, PERMITS, OR OTHER REQUIREMENTS ENFORCED BY THE  
30 DEPARTMENT OF THE ENVIRONMENT.

31 8-1008.

1 (A) (1) AT LEAST ONCE EVERY 3 YEARS WITHIN THE 10-YEAR  
2 CERTIFICATION PERIOD:

3 ~~(1)~~ (I) THE DEPARTMENT SHALL REQUIRE AN ON-SITE  
4 INSPECTION, AS DEFINED BY REGULATIONS ADOPTED UNDER THIS SUBTITLE,  
5 OF EACH AGRICULTURAL OPERATION CERTIFIED UNDER THIS SUBTITLE TO  
6 ASSURE THE AGRICULTURAL OPERATION CONTINUES TO MEET THE  
7 REQUIREMENTS OF THIS SUBTITLE; AND

8 ~~(2)~~ (II) THE DEPARTMENT OF THE ENVIRONMENT SHALL, IF  
9 APPLICABLE, ASSURE COMPLIANCE WITH LAWS, REGULATIONS, PERMITS, OR  
10 OTHER REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF THE  
11 ENVIRONMENT.

12 (2) THE INSPECTIONS REQUIRED UNDER PARAGRAPH (1) OF THIS  
13 SUBSECTION SHALL BE CONDUCTED BY A CERTIFIED VERIFIER DETERMINED BY  
14 THE DEPARTMENT.

15 (B) THE CERTIFIED VERIFIER CONDUCTING THE ON-SITE INSPECTION  
16 SHALL PROVIDE A:

17 (1) A REPORT TO THE DEPARTMENT DETAILING THE  
18 AGRICULTURAL OPERATION'S COMPLIANCE WITH PROGRAM REQUIREMENTS,  
19 INCLUDING:

20 (I) EFFORTS TO MANAGE SOIL CONSERVATION AND WATER  
21 QUALITY; AND

22 (II) NUTRIENT APPLICATION, INCLUDING LOCATION, RATE,  
23 SOURCE, AND TIMING, BY CROP; AND

24 (2) NOTICE TO THE CERTIFIED AGRICULTURAL OPERATION AT  
25 THE TIME OF THE ON-SITE INSPECTION OF ALL NEW STATE AND LOCAL LAWS  
26 AND REGULATIONS ENACTED OR ADOPTED SINCE THE DATE OF CERTIFICATION.

27 (C) FOLLOWING THE THIRD ON-SITE INSPECTION IN THE 10 YEAR  
28 CERTIFICATION PERIOD, THE CERTIFIED VERIFIER WHO CONDUCTED THE MOST  
29 RECENT ON-SITE INSPECTION SHALL PROVIDE INFORMATION TO THE  
30 DEPARTMENT, THE DEPARTMENT OF THE ENVIRONMENT AS APPLICABLE, AND  
31 THE CERTIFIED AGRICULTURAL OPERATION ON BEST MANAGEMENT PRACTICES  
32 APPLICABLE TO THE OPERATION AND NECESSARY FOR THE AGRICULTURAL  
33 OPERATION TO COMPLY WITH NEW LAWS, REGULATIONS, OR RULES ~~THAT WENT~~

1 ~~INTO EFFECT~~ ADOPTED OR ENACTED AFTER THE DATE OF CERTIFICATION AND  
2 NECESSARY FOR RECERTIFICATION.

3 8-1009.

4 (A) THE DEPARTMENT, IN COORDINATION WITH THE DEPARTMENT OF  
5 THE ENVIRONMENT, SHALL:

6 (1) ESTABLISH A PROGRAM TO CERTIFY A PERSON TO VERIFY  
7 WHETHER AN AGRICULTURAL OPERATION MEETS AND IS IN COMPLIANCE WITH  
8 THE REQUIREMENTS OF THIS SUBTITLE;

9 (2) MAINTAIN A LIST OF ALL CERTIFIED VERIFIERS; AND

10 (3) PUBLISH THE LIST OF ALL CERTIFIED VERIFIERS ON THE  
11 DEPARTMENT'S WEB SITE.

12 (B) (1) THE CERTIFICATION PROGRAM SHALL PROVIDE VERIFIERS  
13 WITH THE TRAINING AND EDUCATION NECESSARY TO DETERMINE WHETHER AN  
14 AGRICULTURAL OPERATION IS IN COMPLIANCE WITH THE PROGRAM.

15 (2) A CERTIFIED VERIFIER MAY NOT VERIFY AN AGRICULTURAL  
16 OPERATION:

17 (I) IN WHICH THE CERTIFIED VERIFIER HOLDS AN  
18 INTEREST, AS DEFINED BY REGULATION; OR

19 (II) THAT THE CERTIFIED VERIFIER INITIALLY  
20 DETERMINED HAD MET THE REQUIREMENTS UNDER ~~§ 8-1004(B)(1) AND (2)~~ OF  
21 THIS SUBTITLE.

22 (C) IN ESTABLISHING THE CERTIFICATION PROGRAM, THE  
23 DEPARTMENT MAY:

24 (1) CHARGE REASONABLE FEES, INCLUDING AN ANNUAL  
25 CERTIFICATION FEE, TO COVER THE COSTS ASSOCIATED WITH THE  
26 CERTIFICATION PROGRAM;

27 (2) REQUIRE CONTINUING EDUCATION OR TRAINING FOR  
28 VERIFIERS;

29 (3) DESIGNATE AN ENTITY TO TRAIN, CERTIFY, AND RECERTIFY  
30 VERIFIERS; AND

1           (4) RECOGNIZE THE TRAINING PROGRAM OF AN ENTITY  
2 EMPLOYING VERIFIERS IF THE PROGRAM MEETS THE CERTIFICATION AND  
3 RECERTIFICATION TRAINING AND EDUCATION STANDARDS ESTABLISHED BY  
4 THE DEPARTMENT.

5 8-1010.

6           (A) EXCEPT AS PROVIDED IN § 8-1007(B) OF THIS SUBTITLE, ALL  
7 RECORDS AND INFORMATION CONCERNING ANY AGRICULTURAL OPERATION  
8 CERTIFIED BY THE DEPARTMENT UNDER ~~§ 8-1004~~ OF THIS SUBTITLE SHALL BE  
9 MAINTAINED BY THE DEPARTMENT AND MADE AVAILABLE FOR PUBLIC REVIEW  
10 IN A MANNER THAT ~~PROTECTS~~ PROVIDES THE GREATEST PUBLIC DISCLOSURE  
11 OF RECORDS AND INFORMATION WHILE PROTECTING THE IDENTITY OF THE  
12 PERSON FOR WHOM THE RECORDS OR INFORMATION RELATES.

13           (B) EXCEPT AS PROVIDED IN § 8-1008(B) OF THIS SUBTITLE, A  
14 CERTIFIED VERIFIER SHALL MAINTAIN ALL RECORDS AND INFORMATION  
15 CONCERNING A CERTIFIED AGRICULTURAL OPERATION IN A MANNER THAT  
16 PROTECTS THE IDENTITY OF THE PERSON FOR WHOM THE RECORDS OR  
17 INFORMATION RELATES.

18           (C) (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE  
19 DEPARTMENT OF THE ENVIRONMENT SHALL MAINTAIN ALL RECORDS AND  
20 INFORMATION RECEIVED FROM THE DEPARTMENT UNDER §§ 8-1004(C)(2) AND  
21 8-1007(B) OF THIS SUBTITLE IN A MANNER THAT PROTECTS THE IDENTITY OF  
22 THE PERSON FOR WHOM THE RECORDS OR INFORMATION RELATES.

23           (2) THIS SUBSECTION DOES NOT AFFECT THE MAINTENANCE AND  
24 DISCLOSURE OF RECORDS AND INFORMATION OBTAINED FROM ANY OTHER  
25 SOURCE BY THE DEPARTMENT OF THE ENVIRONMENT, EVEN IF THE RECORDS  
26 AND INFORMATION ARE DUPLICATIVE OF INFORMATION PROVIDED TO THE  
27 DEPARTMENT OF THE ENVIRONMENT BY THE DEPARTMENT UNDER THIS  
28 SUBTITLE.

29           (D) ~~THE DEPARTMENT MAY NOT DISCLOSE ANY~~ EXCEPT AS PROVIDED  
30 IN § 8-1007(B) OF THIS SUBTITLE, RECORDS AND INFORMATION RELATING TO  
31 AN AGRICULTURAL ~~OPERATION~~ OPERATION THAT ARE GENERATED OR  
32 OBTAINED SOLELY FOR THE PURPOSE OF OBTAINING CERTIFICATION MAY NOT  
33 BE DISCLOSED BY ANY STATE AGENCY, DEPARTMENT, OR CERTIFIED VERIFIER  
34 BEFORE THE AGRICULTURAL OPERATION IS CERTIFIED UNDER THIS SUBTITLE.

35           (E) THE DEPARTMENT SHALL SUBMIT AN ANNUAL REPORT TO THE  
36 GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT

1 ARTICLE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
2 COMMITTEE AND THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE ON:

3 (1) PARTICIPATION IN THE PROGRAM; AND

4 (2) RECOMMENDATIONS OF THE STAKEHOLDER COMMITTEE  
5 ESTABLISHED IN § 8-1013 OF THIS SUBTITLE.

6 8-1011.

7 (A) IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT, ON  
8 NOTICE AND OPPORTUNITY TO BE HEARD, THE DEPARTMENT MAY SUSPEND OR  
9 PERMANENTLY REVOKE THE CERTIFICATION OF:

10 (1) AN AGRICULTURAL OPERATION CERTIFIED UNDER THIS  
11 SUBTITLE; AND

12 (2) A PERSON CERTIFIED ~~TO EVALUATE AND CERTIFY AN~~  
13 ~~AGRICULTURAL OPERATION AS A VERIFIER~~ UNDER THIS SUBTITLE.

14 (B) A CERTIFICATION FOR AN AGRICULTURAL OPERATION OR A  
15 VERIFIER ISSUED UNDER THIS SUBTITLE MAY BE SUSPENDED OR  
16 PERMANENTLY REVOKED ACCORDING TO PROCEDURES ESTABLISHED BY  
17 REGULATION IF THE CERTIFICATION HOLDER VIOLATES:

18 (1) THIS SUBTITLE; OR

19 (2) A REGULATION ADOPTED BY THE DEPARTMENT UNDER THIS  
20 SUBTITLE, INCLUDING A REGULATION ESTABLISHING OTHER GOOD CAUSE FOR  
21 SUSPENSION OR REVOCATION.

22 8-1012.

23 THE DEPARTMENT, WITH APPROVAL FROM THE DEPARTMENT OF THE  
24 ENVIRONMENT, SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT THE  
25 PROGRAM.

26 8-1013.

27 (A) (1) THE DEPARTMENT SHALL ESTABLISH A STAKEHOLDER  
28 COMMITTEE.

29 (2) THE STAKEHOLDER COMMITTEE SHALL INCLUDE  
30 REPRESENTATIVES OF DIVERSE INTERESTS.

1 (B) THE STAKEHOLDER COMMITTEE SHALL:

2 (1) ASSIST IN THE DEVELOPMENT OF REGULATIONS ADOPTED TO  
3 IMPLEMENT THIS SUBTITLE; AND

4 (2) MEET AT LEAST ONCE EVERY 4 YEARS TO EVALUATE THE  
5 PERFORMANCE OF THE PROGRAM AND MAKE RECOMMENDATIONS FOR  
6 IMPROVEMENTS TO OR TERMINATION OF THE PROGRAM.

7 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
8 General Assembly that soil conservation districts shall provide services related to  
9 certification and verification under Title 8, Subtitle 10 of the Agriculture Article, as  
10 enacted by Section 1 of this Act, without cost or fee until existing resources are  
11 inadequate to provide these services without cost or fee.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2013.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
President of the Senate.

\_\_\_\_\_  
Speaker of the House of Delegates.

Anacostia Riverkeeper, Assateague Coastal Trust/Assateague Coastkeeper  
 Audubon Naturalist Society, Baltimore Harbor Waterkeeper, Clean Water Action, Environmental Integrity Project, Environment Maryland, Gunpowder Riverkeeper, Food & Water Watch, League of Women Voters of Maryland, Lower Susquehanna Riverkeeper, Maryland League of Conservation Voters, Maryland Pesticide Network, National Wildlife Federation Mid-Atlantic Center, Patuxent Riverkeeper, Potomac Riverkeeper, Severn Riverkeeper, Sierra Club - Maryland Chapter, Virginia Eastern Shorekeeper, West/Rhode Riverkeeper

**SIERRA CLUB FACT SHEET FOR SENATE BILL 1029**  
**“Agriculture Certainty” is Bad for the Bay and Bad for Business**

Agriculture is the single largest source of nutrient pollution to the Chesapeake Bay. Yet, SB 1029 enables MDA to create an unprecedented program that grants participating farms a 10-year exemption from new rules or regulations to reduce nitrogen, phosphorus or sediment pollution.

SB 1029 is unfair and short-sighted, posing a serious threat to clean water and the Chesapeake Bay

**SB 1029 gives unequal treatment to agriculture and agriculture, alone.**

- No other source of Chesapeake Bay pollution is granted similar immunity from future state and local laws.
- Other pollution sources, from car washes to regional sewage treatment plants, are subject to restrictive permits that contain standard “re-opener” clauses, allowing for changes as needed to protect water quality.
- New pollution reductions are being required from such sources as wastewater treatment plants, stormwater runoff and septic systems. Granting one source an exemption from new regulations is inherently unfair.

**It is irresponsible to give a 10-year exemption to an industry with little transparency and documented enforcement and verification problems.**

- Maryland farms are provided a level of secrecy not afforded to comparable businesses. Farms publicly reveal little information about whether operations comply with clean water laws and information needed to determine whether most farms are in compliance with the law is well-hidden from the public.
- How much pollution a farm generates, details of pollution prevention and management practices, verification that those practices are being implemented, farm field conditions and the amount of nutrient-laden manure applied by the farmer remain shielded from public scrutiny.
- Last year, one out of every three farms that MDA audited had major violations of their nutrient management plans, and a quarter remained out of compliance even after follow up visits (*Baltimore Sun*: “Maryland’s farm oversight called weak,” February 2, 2013).
- New technologies or practices developed over the next decade could potentially save farmers and taxpayers time and money, while also improving water quality. SB 1029 would prevent agriculture from having to adopt any such new pollution-reducing practices or technologies during this time.

**The bill threatens state, county and municipal efforts to restore the Chesapeake Bay and local waterways.**

- The Chesapeake Bay restoration blueprint (the TMDL) sets limits for all pollution sources (farms, municipal storm sewer systems, sewage treatment plants, etc.). In 2017, a critical “check in” will ensure the state is on track to achieve these limits. If not, adjustments will be made. Giving agriculture a potential “free pass” from any readjustments could not only jeopardize the Bay restoration effort, it could also make other pollution sources do *more* to reduce pollution – costing municipalities and taxpayers more money – while allowing agriculture to do *less*.
- The 10-year exemption is available to Maryland Animal Feeding Operations (or MAFOs), which are governed by a MDE permit. Because the MAFO permit is slated to be revised next year, this bill would essentially tie state regulators’ hands from applying responsible new permit conditions to participating farms.

April 2, 2013

Honorable Delegate Maggie McIntosh, Chair  
Environmental Matters Committee  
6 Bladen Street, Room 251  
Annapolis, MD 21401

RE: SB 1029 – Maryland Agriculture Certainty Program

The City of College Park has concerns about SB 1029 in its current form. The bill appears to relax toxic pollutant regulations for agriculture at a time of increased stormwater regulations for the rest of the state.

SB 1029 would allow farmers to voluntarily sign up for a 10-year exemption program which would excuse them from environmental regulations if they volunteer to do environmentally friendly practices, such as planting winter cover crops and tracking nutrients. This bill establishes a voluntary Maryland Agricultural Certainty Program to certify agricultural operations that meet State agricultural nitrogen, phosphorus, and sediment reduction goals. The bill exempts agricultural sources that are certified under the voluntary compliance regime from the Chesapeake Bay Total Maximum Daily Loads and Local Maximum Daily Loads that other sources are required to comply with under current State law. It is unclear whether the voluntary compliance regime will be effective in ensuring an adequate reduction of runoff from agricultural sources to clean up agricultural runoff from the Chesapeake Bay (the Bay) watershed.

While the bill would offer stability for farmers eligible to participate, it could potentially expose the Bay to further toxic waste. Currently, no other entity receives an exemption from the requirement to reduce total stormwater pollution. Thus, the bill would create an unfair system with undue weight placed on non-eligible agencies, municipalities, and the State, which would be responsible for carrying an extra burden to reduce pollution. The agricultural industry should share the burden to clean up the Bay as municipalities like College Park, currently engage in significant steps to reduce urban and suburban pollution in the Bay.

Due to our questions about voluntary participation and how this bill will impact the long-term health of the Bay, we cannot support this legislation at this time. We ask that you consider our concerns in your discussion of SB 1029.

Sincerely,

Andrew M. Fellows

cc: 21<sup>st</sup> Delegation

# 10. BOARDS AND COMMITTEES

**City of College Park**  
**Board and Committee Appointments**

Shaded rows indicate a vacancy or reappointment opportunity.  
 The date following the appointee's name is the date of initial appointment.

<b>Advisory Planning Commission</b>			
Appointee	Represents	Appointed by	Term Expires
Larry Bleau 7/9/02	District 1	Mayor	12/15
Rosemarie Green Colby 04/10/12	District 2	Mayor	04/15
VACANT (formerly Huffman)	District 2	Mayor	11/14
James E. McFadden 2/14/99	District 3	Mayor	11/12
Clay Gump 1/24/12	District 3	Mayor	01/15
Charles Smolka 7/8/08	District 4	Mayor	08/14
Mary Cook 8/10/10	District 4	Mayor	08/13
<p>City Code Chapter 15 Article IV: The APC shall be composed of 7 members appointed by the Mayor with the approval of Council, shall seek to give priority to the appointment of residents of the City and assure that there shall be representation from each of the City's four Council districts. Vacancies shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term. Terms are three years. The Chairperson is elected by the majority of the Commission. Members are compensated. Liaison: Planning.</p>			

<b>Airport Authority</b>			
Appointee	Resides in	Appointed by	Term Expires
James Garvin 11/9/04	District 3	M&C	07/14
Jack Robson 5/11/04	District 3	M&C	02/14
Anna Sandberg 2/26/85	District 3	M&C	03/16
Gabriel Iriarte 1/10/06	District 3	M&C	02/13
Christopher Dullnig 6/12/07	District 2	M&C	10/13
VACANT		M&C	
VACANT		M&C	
<p>City Code Chapter 11 Article II: 7 members, must be residents and qualified voters of the City, appointed by Mayor and City Council; <i>term to be decided by appointing body</i>. Vacancies shall be filled by M&amp;C for an unexpired portion of a term. Authority shall elect Chairperson from membership. Not a compensated committee. Liaison: City Clerk's Office.</p>			

<b>Animal Welfare Committee</b>			
Appointee	Resides in	Appointed by	Term Expires
Cindy Vernasco 9/11/07	District 2	M&C	09/13
Linda Lachman 9/11/07	District 3	M&C	09/13
Marcia Booth 3/9/10	District 1	M&C	03/13
Dave Turley 3/23/10	District 1	M&C	03/16
Christiane Williams 5/11/10	District 1	M&C	05/13
Patti Brothers 6/8/10	Non resident	M&C	06/13
Taimi Anderson 6/8/10	Non resident	M&C	06/13

Harriet McNamee 7/13/10	District 1	M&C	07/13
Suzie Bellamy 9/28/10	District 4	M&C	09/13
Harleigh Ealley 12/14/10	District 1	M&C	12/13
Christine Nagle 03/13/12	District 1	M&C	03/15
10-R-20: Up to fifteen members appointed by the Mayor and Council for three-year terms. Not a compensated committee. Liaison: Public Services.			

<b>Board of Election Supervisors</b>			
Appointee	Represents	Appointed by	Term Expires
John Robson (Chief) 5/24/94	Mayoral appt	M&C	03/15
Terry Wertz 2/11/97	District 1	M&C	03/15
Maxine Gross 3/25/03	District 2	M&C	03/15
VACANT	District 3	M&C	
Charles Smolka 9/8/98	District 4	M&C	03/15
<p>City Charter C4-3: The Mayor and Council shall, not later than the first regular meeting in March of each year in which there is a general election, appoint and fix the compensation for five qualified voters as Supervisors of Elections, one of whom shall be appointed from the qualified voters of each of the four election districts and one of whom shall be appointed by the Mayor with the consent of the Council. The Mayor and Council shall designate one of the five Supervisors of Elections as the Chief of Elections. This is a compensated committee. For purposes of compensation the year shall run from April 1 – March 31. Per Council action (item 11-G-66) effective in March, 2013: In an election year all of the Board receives compensation. In a non-election year only the Chief Election Supervisor will be compensated. Liaison: City Clerk's office.</p>			

<b>Cable Television Commission</b>			
Appointee	Resides in	Appointed by	Term Expires
Jane Hopkins 06/14/11	District 1	Mayor	06/14
Blaine Davis 5/24/94	District 1	Mayor	12/15
James Sauer 9/9/08	District 3	Mayor	09/14
Tricia Homer 3/12/13	District 1	Mayor	03/16
Clay Gump 3/12/02	District 3	Mayor	11/13
<p>City Code Chapter 15 Article III: Composed of four Commissioners plus a voting Chairperson, appointed by the Mayor with the approval of the Council, three year terms. This is a compensated committee. Liaison: City Manager's Office.</p>			

<b>College Park City-University Partnership</b>			
Appointee	Represents	Appointed by	Term Expires
Robert T. Catlin	Class A Director	UMD President	01/13
Rob Specter	Class A Director	UMD President	01/13
Linda Clement	Class A Director	UMD President	01/11
Brian Darmody	Class A Director	UMD President	01/12
Andrew Fellows	Class B Director	M&C	01/14
Maxine Gross	Class B Director	M&C	01/15

Senator James Rosapepe	Class B Director	M&C	01/13
Stephen Brayman	Class B Director	M&C	01/14
Dr. Richard Wagner	Class C Director	City and University	01/13
<p>The CPCUP is a 501(c)(3) corporation whose mission is to promote and support commercial revitalization, economic development and quality housing opportunities consistent with the interests of the City of College Park and the University of Maryland. The CPCUP is not a City committee but the City makes appointments to the Partnership. Class B Directors are appointed by the Mayor and City Council; Class C Directors are jointly appointed by the Mayor and City Council and the President of the University of Maryland.</p>			

<b>Citizens Corps Council</b>			
Appointee	Represents	Appointed by	Term Expires
	CPNW	M&C	
Michael Burrier 3/14/06	BVFCRS	M&C	03/15
Matthew Cardoso 3/27/12	CPVFD	M&C	03/15
Dan Blasberg 3/27/12		M&C	03/15
David L. Milligan (Chair) 12/11/07		M&C	02/14
<p>Resolution 05-R-15. Membership shall be composed as follows: A Citizen Corps Coordinator for each neighborhood shall be nominated and appointed by the Mayor and Council and serve as a potential member of the CPCCC for the term of their respective office in the neighborhood group. Mayor and Council shall nominate and appoint 5 to 7 residents to serve as community coordinators and to serve on the CPCCC. At least one member of the CPCCC shall be the Neighborhood Watch Coordinator, and at least one member shall represent each of the other Citizen Corps programs such as CERT, Fire Corps, Volunteers In Police Service, etc. Each member of the CPCCC shall serve for a term of 3 years, and may be reappointed for an unlimited number of terms. The Mayor, with the approval of the City Council, shall appoint the Chair and Co-Chair of the CPCCC from among the members of the committee. The Director of Public Services shall serve as an ex officio member. Not a compensated committee. Liaison: Public Services.</p>			

<b>Committee For A Better Environment</b>			
Appointee	Resides in	Appointed by	Term Expires
Kennis Termini 11/9/04	District 1	M&C	05/14
Janis Oppelt 8/8/06	District 1	M&C	09/15
Stephen Jascourt 3/27/07	District 1	M&C	05/13
Suchitra Balachandran 10/9/07	District 4	M&C	01/14
Donna Weene 9/8/09	District 1	M&C	12/15
Ballard Troy 10/13/09	District 3	M&C	09/15
Alan Hew 1/12/10	District 4	M&C	01/13
Gemma Evans 1/25/11	District 1	M&C	01/14
Benjamin Mellman 1/10/12	District 1	M&C	01/15
Richard Williamson 05/08/12	District 3	M&C	05/15
Macrina Xavier 08/14/12	District 1	M&C	08/15
Stephen Brimer 02/26/13	District 1	M&C	02/16
<p>City Code Chapter 15 Article VIII: No more than 25 members, appointed by the Mayor and Council, three year terms, members shall elect the chair. Not a compensated committee. Liaison: Planning.</p>			

<b>Education Advisory Committee</b>			
Appointee	Represents	Appointed by	Term Expires
VACANT	District 1		
Kennis Termini 11/09/11	District 1	M&C	11/13
Charlene Mahoney	District 2	M&C	12/14
VACANT	District 2	M&C	
Harold Jimenez 4/14/09	District 3	M&C	11/13
Araceli Jimenez 4/14/09	District 3	M&C	11/13
Melissa Day 9/15/10	District 3	M&C	11/14
Carolyn Bernache 2/9/10	District 4	M&C	02/14
Doris Ellis 9/28/10	District 4	M&C	09/13
Peggy Wilson 6/8/10	UMCP	UMCP	02/14
<p>Resolutions 97-R-17, 99-R-4 and 10-R-13: At least 9 members who shall be appointed by the Mayor and Council: at least two from each Council District and one nominated by the University of Maryland. Two year terms. The Committee shall appoint the Chair and Vice-Chair of the Committee from among the members of the Committee. Not a compensated committee. Liaison: Youth and Family Services.</p>			

<b>Ethics Commission</b>			
Appointee	Represents	Appointed by	Term Expires
Edward Maginnis 09/13/11	District 1	Mayor	09/13
Forrest B. Tyler 3/24/98	District 2	Mayor	06/13
Sean O'Donnell 4/13/10	District 3	Mayor	04/12
Gail Kushner 09/13/11	District 4	Mayor	09/13
Robert Thurston 9/13/05	At Large	Mayor	09/12
Alan C. Bradford 1/23/96	At-Large	Mayor	11/12
Frank Rose 05/08/12	At-Large	Mayor	05/14
<p>City Code Chapter 38 Article II: Composed of seven members appointed by the Mayor and approved by the Council. Of the seven members, one shall be appointed from each of the City's four election districts and three from the City at large. 2 year terms. Commission members shall elect one member as Chair for a renewable one-year term. Commission members sign an Oath of Office. Not a compensated committee. Liaison: City Clerk's office.</p>			

<b>Farmers Market Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Margaret Kane 05/08/12	District 1	M&C	05/15
Robert Boone 07/10/12	District 1	M&C	07/15
Lily Fountain 07/10/12	District 2	M&C	07/15
Leo Shapiro 07/10/12	District 3	M&C	07/15

Julie Forker 07/10/12	District 3	M&C	07/15
VACANT	District 4	M&C	
Kimberly Schumann 09/11/12	District 1	M&C	09/15
VACANT	Student	M&C	

Established April 10, 2012 by 12-R-07. Up to 7 members. Quorum = 3. Three year terms. Not a compensated committee. Liaison: Planning Department. Agreement reached during July 3, 2012 Worksession to fill the seven positions as outlined above. Effective September 11, 2012 by 12-R-17: Membership increased to 8.

### Housing Authority of the City of College Park

Helen Long 11/12/02		Mayor	05/01/17
George L. Marx 7/8/03		Mayor	05/01/13
John Moore 9/10/96		Mayor	05/01/14
Thelma Lomax 7/10/90		Mayor	05/01/15
Carl Patterson 12/11/12	Attick Towers resident	Mayor	05/01/16

The College Park Housing Authority was established in City Code Chapter 11 Article I, but it operates independently under Article 44A Title I of the Annotated Code of Maryland. The Housing Authority administers low income housing at Attick Towers. The Mayor appoints five commissioners to the Authority; each serves a five year term; appointments expire May 1. Mayor administers oath of office. One member is a resident of Attick Towers. The Authority selects a chairman from among its commissioners. The Housing Authority is funded through HUD and rent collection, administers their own budget, and has their own employees. The City supplements some of their services.

### Neighborhood Stabilization and Quality of Life Workgroup

	Appointee	Represents
1	Andrew M. Fellows	Mayor
2	Patrick L. Wojahn	District 1 Councilmember
3	Monroe Dennis	District 2 Councilmember
4	Stephanie Stullich	District 3 Councilmember
5	Marcus Afzali	District 4 Councilmember
6	Lisa Miller	PGPOA Representative
7	Paul Carlson	PGPOA Representative
8	Richard Biffi	Landlord selected by Council
9	Andrew Foose	Landlord selected by Council
10	Jackie Pearce Garrett	District 1 Resident selected by Council
11	Jonathan Molinatto	District 1 Resident selected by Council
12	Robert Thurston	District 2 Resident selected by Council
13		District 2 Resident selected by Council
14	Kelly Lueschow-Dineen	District 3 Resident selected by Council
15	Sarah Cutler	District 3 Resident selected by Council
16	Suchitra Balachandran	District 4 Resident selected by Council
17	Bonnie McClellan	District 4 Resident selected by Council
18	Dr. Andrea Goodwin	UMD representative selected by University

19	Gloria Aparicio Blackwell	UMD representative selected by University
20	Chief David Mitchell (Jagoe – alt.)	University of Maryland Police Department rep
21	Josh Ratner	University of Maryland Student Government Liaison
22	Samantha Zwerling	Student Government Association representative
23	David Colon Cabrera	Graduate Student Government Association rep
24	Greg Waterworth	IFC/PHA representative
25	Robert W. Ryan	Director, College Park Public Services Department
26	Jeannie Ripley	Manager, College Park Code Enforcement Division
27	Major Rob Brewer (or alternate)	Prince George’s County Police Department
Established September 25, 2012 by Resolution 12-R-18. No terms. Not a compensated committee. Liaison: City Clerk’s office.		

<b>Neighborhood Watch Steering Committee</b>			
	Resident of:	Appointed By:	Term Expires:
Robert Boone 04/12/11	District 1	M&C	04/15
Aaron Springer 02/14/12	District 3	M&C	02/14
VACANT	District 4	M&C	
The Neighborhood Watch Steering Committee was created on April 12, 2011 by Resolution 11-R-06 as a three-person Steering Committee whose members shall be residents. Coordinators of individual NW programs in the City shall be ex-officio members. Terms are for two years. Annually, the members of the Steering Committee shall appoint a Chairperson to serve for a one-year term. Meetings shall be held on a quarterly basis. This Resolution dissolved the Neighborhood Watch Coordinators Committee that was established by 97-R-15. This is not a compensated committee. Liaison: Public Services.			

<b>Noise Control Board</b>			
Appointee	Represents	Appointed by	Term Expires
Mark Shroder 11/23/10	District 1	Council, for District 1	11/14
Harry Pitt, Jr. 9/26/95	District 2	Council, for District 2	03/16
Alan Stillwell 6/10/97	District 3	Council, for District 3	09/16
Suzie Bellamy	District 4	Council, for District 4	12/16
Adele Ellis 04/24/12	Mayoral Appt	Mayor	04/16
Bobbie P. Solomon 3/14/95	Alternate	Council - At large	12/12
Larry Wenzel 3/9/99	Alternate	Council - At large	12/12
City Code Chapter 138-3: The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor. In addition, there shall be two alternate members appointed at large by the City Council. The members of the Noise Control Board shall select from among themselves a Chairperson. Four year terms. This is a compensated committee. Liaison: Public Services.			

<b>Recreation Board</b>			
Appointee	Represents	Appointed by	Term Expires
Wade Price 12/14/05	District 1	M&C	02/15
Sarah Araghi 7/14/09	District 1	M&C	07/15
Alan C. Bradford 1/23/96	District 2*	M&C	02/14
VACANT	District 2	M&C	
Adele Ellis 9/13/88	District 3	M&C	02/14
VACANT	District 3	M&C	
Barbara Pianowski 3/23/10	District 4	M&C	03/13
VACANT	District 4	M&C	
Bettina McCloud 1/11/11	Mayoral	Mayor	01/14
VACANT	Mayoral**	Mayor	

City Code Chapter 15 Article II: 10 members: two from each Council district appointed by the Mayor and Council and two members nominated by the Mayor and confirmed by the Mayor and Council. The Chairperson will be chosen from among and by the district appointees. 3 year terms. Not a compensated committee. Liaison: Public Services.

\*Although Mr. Bradford lives in what is now considered District 1, his residence was part of District 2 when he was appointed. The designation of his residence was changed to District 1 during the last redistricting. He is still considered an appointment from District 2.

\*\* Effective April 2012: Jay Gilchrist, Director of UMD Campus Recreation Services, changed his status from Rec Board member (Mayoral Appointment) to UM liaison to the Rec Board, similar to the M-NCPPC representative.

<b>Rent Stabilization Board</b>			
Appointee	Represents	Appointed by	Term Expires
Justin Fair 1/11/11	Member	M&C	01/14
VACANT		M&C	
Richard Biffi 6/6/06	Landlord	M&C	09/13
Bradley Farrar 6/14/11	Landlord	M&C	06/14
VACANT (formerly R. Day)		M&C	
VACANT		M&C	
Chris Kujawa 10/11/11	Resident	M&C	10/14

City Code Chapter 15 Article IX: Board shall have between 5 - 7 members appointed by M&C with priority given to the appointment of residents and to owners of real property located in the City. Three year terms. Vacancies shall be filled for unexpired portions of a term. At least two members should be tenants and two members should be landlords. Chairperson chosen by the Board from among the members. This is a compensated committee. Liaison: Public Services.

→7/10/12: Ordinance was extended until September 1, 2013, and the administration and enforcement of the law was suspended until September 1, 2013. The RSB is on hiatus. There is no need to maintain a quorum at this time.

<b>Sustainable Maryland Certified Green Team</b>		
Appointee	Represents	Term Expires
Denise Mitchell 04/10/12	City Elected Official	04/14
Patrick Wojahn 04/10/12	City Elected Official	04/14
Jonathan Brown	City Staff	04/14
Loree Talley 05/08/12	City Staff	05/14
Ballard Troy 05/08/12	CBE Representative	05/14
	A City School	
James Jalandoni 04/10/12	UMD Student	04/14
Eric Maring 04/10/12	UMD Faculty or Staff	04/14
Chrissy Rey - Pongos 05/08/12	City Business Community	05/14
Ben Bassett - Proteus Bicycles 09/25/12	City Business Community	09/14
Rebecca Hayes 04/10/12	Resident	04/14
Christine Nagle 04/10/12	Resident	04/14
	Resident	
	Resident	
<p>Established March 13, 2012 by Resolution 12-R-06. Up to 14 people with the following representation: 2 elected officials from the City of College Park, 2 City staff, 1 representative from the CBE, 1 representative of a City school, 1 student representative from the University of Maryland, 1 faculty or staff representative from the University of Maryland, 2 representatives of the City business community, up to 4 City residents. Two year terms. Not a compensated committee. A quorum shall be 6 people. The SMCGT shall select a Chair and a Co-Chair from among the membership on an annual basis. The SMCGT should meet at least bi-monthly. The liaison shall be the Planning Department.</p>		

<b>Tree and Landscape Board</b>			
Member	Represents	Appointed by	Term Expires
Dennis Herschbach 3/26/02	Citizen	M&C	07/13
John Krouse	Citizen	M&C	11/14
VACANT	Citizen	M&C	
Mark Wimer 7/12/05	Citizen	M&C	02/14
Amelia Murdoch 9/9/97	Citizen	M&C	11/11
Ballard Troy – liaison to CBE	CBE Chair		
John Lea-Cox 1/13/98	City Forester	M&C	12/14
Jonathan Brown	Planning Director		
Brenda Alexander	Public Works Director		
<p>City Code Chapter 179-5: The Board shall have 9 voting members: 5 citizens appointed by M&amp;C, plus the CBE Chair, the City Forester, the Planning Director and the Public Works Director. Two year terms. Members choose their own officers. Not a compensated committee. Liaison: City Clerk's office.</p>			

<b>Veterans Memorial Improvement Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Winston Hazard 1/7/01		M&C	03/14
Deloris Cass 11/7/01		M&C	12/15
Joseph Ruth 11/7/01	VFW	M&C	12/15
Leonard Smith 11/25/08		M&C	03/15
Blaine Davis 10/28/03	American Legion	M&C	12/15
Rita Zito 11/7/01		M&C	02/15
Doris Davis 10/28/03		M&C	12/15
Mary Cook 3/23/10		M&C	03/13
VACANT		M&C	
Resolution 01-G-57: Board comprised of 9 to 13 members including at least one member from American Legion College Park Post 217 and one member from Veterans of Foreign Wars Phillips-Kleiner Post 5627. Appointed by Mayor and Council. Three year terms. Chair shall be elected each year by the members of the Committee. Not a compensated committee. Liaison: Public Works.			