



PGCPB No. 12-09

File No. A-10018

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed A-10018, Cafritz Property requesting the expansion of the Town of Riverdale Park Mixed Use Town Center boundary and rezoning the property from the One-Family Detached Residential (R-55) Zone to the Mixed-Use Town Center (M-U-TC) Zone, and requesting an amendment to the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearings on January 12, 2012 and February 2, 2012, the Prince George's County Planning Board finds:

1. **Request:** The owner of the property, Cafritz LLC, and the Town of Riverdale Park is requesting the rezoning of the property from the One-Family Detached Residential (R-55) Zone to the Mixed-Use Town Center (M-U-TC) Zone. This request proposes to expand the Town of Riverdale Park Mixed-Use Town Center Zone Development Plan to include an additional 35.71 acres located along the northern boundary of the eastern portion of the existing mixed-use town center. The applicant is also requesting an amendment to the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* in order to accommodate the proposed development. On January 12, 2012, the Applicant amended the originally submitted zoning request to remove the sliver of land, which crosses the WMATA property to the north, and a triangular shaped area, which lies next to the CSX tracks.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-55	M-U-TC
Use(s)	Vacant	Commercial and Residential
Acreage	35.71	35.71

Proposed Development as shown on the Development Plan

Office	17,600–26,400 S.F.
Retail/Flex	134,560–201,840 S.F.
Residential (All Unit Types)	1,028,000–1,542,200 S.F.
Hotel	96,720–145,080 S.F.
Total Square Footage	1,276,880–1,915,320 S.F.

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Floor Area Ratio (FAR):

Gross tract area: 35.71 acres
 Floodplain: 0.06 acres
 Net Acreage: 35.65 acres
 $35.65 \text{ acres} \times 43,560 \text{ S.F.} = 1,552,914 \text{ S.F.}$
 $\text{FAR} = 0.82\text{-}1.23$

Dwelling Units:

Multifamily		895
Housing	641	
Age Restricted	224	
Scholar Housing	30	
Townhomes		100
Total		995 units

Applicant's Note: "The development program is flexible. The above program was utilized to calculate approximate floor area ratio (FAR) and traffic volumes. However, amount of various uses in the overall development program may be adjusted, as long as the peak-hour traffic trips are not exceeded."

3. **Location:** The Town of Riverdale Park Mixed-Use Town Center (M-U-TC) Zone is located in the Town of Riverdale Park, Council District 3, Planning Area 68, within the Developed Tier, as defined by the 2002 *Prince George's County Approved General Plan*. More specifically, the property is located approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410), on the east side of Baltimore Avenue. The application for rezoning includes only the land area located within the Town of Riverdale Park. A small portion of the underlying parcel (approximately 1.64 acres) located in the northeast corner of the site lies within the City of College Park is not part of the rezoning request.
4. **Existing Conditions:** This 35.71-acre site in the R-55 zone is located on the east side of Baltimore Avenue (US 1) where it intersects with Van Buren Street. A review of available information indicates that streams, wetlands, and steep slopes 15 percent or greater are not found to occur within the limits of this application. A small area of 100-year floodplain is found on the site. The CSX right-of-way is adjacent to the eastern boundary of the site and has been identified as a transportation-related noise generator with potential vibration impacts. The soils found to occur on the site, according to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS), are in the Christiana, Croom, and Beltsville series. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads located adjacent to this property; however, a Phase I archeological survey was completed on the subject

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property in March 2008 and there are archeological features on the site. This property is located in the Northeast Branch watershed of the Anacostia River basin. The site is approximately 90 percent wooded, with two areas of the woodland identified as high-priority woodlands.

5. **Surrounding Uses:**

North— Property owned by the Washington Metropolitan Area Transit Authority (WMATA) in the R-55 Zone

East— CSX railroad tracks. Across the railroad tracks is Historic Site #68-022 located on land owned by the University of Maryland.

South— U.S. Postal Service facility in the R-55 Zone.

West— Baltimore Avenue (US 1) and beyond single-family detached dwellings in the R-55 Zone.

6. **History:** The 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* and corresponding Mixed-Use Town Center (M-U-TC) was approved by the Prince George's County Council on January 20, 2004 by Council Resolution CR-05-2004. The approved plan amends the 1994 Approved Master Plan and Sectional Map Amendment for Planning Area 68.

7. **Future Processing:** If this rezoning to the M-U-TC Zone is approved by the District Council, the subject property must go through the subdivision process (preliminary plan and final plat of subdivision) to address adequate public facilities, mandatory park dedication, tree conservation, and other related issues. In addition, under the M-U-TC Zone, according to Section 27-547 (Uses Permitted) of the Zoning Ordinance, specific uses are outlined and identified as either permitted in the zone (P), subject to special exception criteria (SE), subject to certain specific criteria (PA) or (PB), or subject to special permit review (SP) in accordance with Section 27-239.02, Special Permits. If the District Council adopts the recommendations of the Planning Board, specifically Condition 1, the land will also be subject to review of a Detailed Site Plan, as described in Part 3, Division 9 of the Prince George's Zoning Ordinance. Even though detailed site plan review is not necessarily associated with the review of the M-U-TC Zone, the District Council has the authority, per Section 27-281 (Purposes) of the Zoning Ordinance, to add a requirement for detailed site plan review in order to address the many site and architectural design issues. Further, the applicant has proffered the condition and detailed site plan is a logical review mechanism to ensure that the guidelines and development standards and other county ordinances are adequately addressed.

ZONING ORDINANCE COMPLIANCE AND FINDINGS

8. **Requirements of the Zoning Ordinance:** This application has been reviewed for conformance to the requirements for amendments of an approved Mixed-Use Town Center Zone per Section 27-198.05(d), Amendment of approved Mixed-Use Town Center Zone, of the Zoning Ordinance which states the following:

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Sec. 27-198.05. Map Amendment approval; amendments.

(d) Amendment of approved Mixed-Use Town Center Zone.

(1) In general.

- (A) A request to change the boundaries of an approved M-U-TC Zone, or to amend an approved Town Center Development Plan, may be made by a property owner or any municipality within which any portion of the zone is located. The request shall be in the form of an application.**
- (B) Amendments to change the boundaries of an M-U-TC Zone shall be approved by the District Council in accordance with the provisions of this Subdivision for initial approval.**

The application was submitted by the property owner and also requested by the Town of Riverdale Park and proposes to change the boundary of the M-U-TC Zone and to amend the Town Center Development Plan, as allowed by Section 27-198.05(d) above. The amendment must be approved by the District Council; whereas, the Planning Board review will result in a recommendation to the approving authority.

In a letter dated January 12, 2012, the applicant provided the following discussion regarding an amendment to the originally submitted application, which discusses the Town of Riverdale Park also joining the applicant in requesting the proposed rezoning of the property.

“In this instance, both the property owner, Calvert Tract, LLC, and the municipality, the Town of Riverdale Park, are in agreement to request to change the boundaries of the approved Riverdale Park Mixed-Use Town Center Zone. The Town of University Park has also voted to approve A-10018 with conditions.

“A relatively small portion of the subject property, which includes a portion of the trolley trail and a small triangular shaped area in the upper northeast corner of the property, is located within the municipal boundaries of the City of College Park. In acknowledgment of the position of the City of College Park as reflected by its vote on January 10, 2012 to not support the rezoning application A-10018, and in order to conform the rezoning application to the request in the enclosed letter of support from the Town of Riverdale Park, the Applicant respectfully requests that application A-10018 be amended to include only the area that is within the municipal boundaries of the Town of Riverdale Park.

“Please accept this letter as the property owner’s request to amend the application in order to change the proposed boundary of the zone in accordance with the revised boundary enclosed herewith. Please note that this amendment constitutes a minor decrease in the

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total area of the rezoning request, does not materially affect the Development Plan under consideration, and has been filed prior to the application being transmitted to the Council.”

The applicant, Calvert Tract, LLC, submitted an application in accordance with the provisions of Section 27-198.05(d)(2) above and filed the appropriate forms. In addition to the information required to be filed in Section 27-198.05(d)(3)–(4) above, the applicant submitted the following:

- a. A transportation study dated July 27, 2011—See Finding 17 for a discussion of transportation information.
- b. A stormwater management (SWM) concept plan and approval letter dated May 3, 2010 — See Finding 21 for a discussion of SWM information.
- c. A tree conservation plan (TCP)—See Finding 23 for a discussion of TCP information.

Section 27-198.05(d)(5) Procedure.

- (A) **After the request is accepted, it shall be reviewed by the Technical Staff and processed in accordance with Section 27-198.02, as if it were an original M-U-TC Amendment initiated by the Planning Board. (Emphasis Added)**

The Planning Board reviewed the plan in accordance with the provisions above “as if it were an original M-U-TC amendment initiated by the Planning Board.”

- (B) **Any municipality within which a portion of the zone is located shall be notified of the request within ten (10) days of its acceptance.**

The Town of Riverdale Park and the City of College Park were both notified within ten days of acceptance of the application. The Planning Board included the two municipalities in discussions with the applicant in regard to the review of the plans, as well as, the Town of University Park. The Planning Board considered the testimony of each of the municipalities in making the final decision for this case.

9. **Review of the application:** The following procedures set forth in the review of the application as stated in Section 27-198.02, General Procedures, of the Zoning Ordinance:

- (a) **The Planning Board may initiate an M-U-TC Map Amendment only upon the concurrence (by resolution) of the District Council. A municipality must also provide prior written approval if the affected area lies wholly or in part within its boundaries.**

This section of the Zoning Ordinance does not apply to an application submitted by the owner of the property for an amendment to the boundary of the zone in accordance with Section 27-

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198.05(d). It sets forth the requirements for the initiation of the M-U-TC Zone. However, the next provision begins the process by which the plans were reviewed by the technical staff and the Planning Board when an owner submits an amendment.

- (b) **After the Map Amendment is initiated by the Planning Board, the Technical Staff shall immediately proceed to prepare a proposed Map Amendment. The proposal shall contain the following:**
- (1) **The proposed boundaries of the M-U-TC Zone, shown on the Zoning Map. The proposed boundaries shall be continuous and shall not leave land in a different zone solely enclosed by the M-U-TC.**
 - (2) **A Town Center Development Plan prepared in accordance with Part 10, Division 2, Subdivision 3.**

The section above speaks to the map amendment procedure, but Section 27-198.05(d)(5) of the Zoning Ordinance directs the Planning Board to review the owner's application "as if it were an initial amendment." Based on Section 27-198.05(a)(3)-(4) of the Zoning Ordinance which describes the submittal requirements of the application, the logical conclusion is that Planning Board should review the contents of the application, rather than creating the map amendment and development plan, because this information has already been prepared and submitted by the applicant.

- (c) **During the preparation of the proposed M-U-TC Zoning Map Amendment, the Technical Staff shall contact all owners of land and any municipality lying (wholly or in part) within the anticipated boundaries of the proposed M-U-TC Zone, and any municipality within one (1) mile of the anticipated boundary, to invite comments and recommendations concerning their plans and desires for development within the proposed M-U-TC Zone. The purpose of these mailings, and those required at the time of Planning Board and District Council hearings, is informational only. The failure of the Planning Board to send, or a property owner or municipality to receive, the notice shall not invalidate the adoption or approval of the Zoning Map Amendment.**

The application was sent to the following municipalities which are located within one mile of the subject property:

- a. Town of Riverdale Park—See Finding 27
 - b. City of College Park—See Finding 28
 - c. Town of University Park—See Finding 29
 - d. Town of Edmonston—See Finding 30
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- e. City of Hyattsville—See Finding 31
- (d) **The Planning Board shall review the proposal of the Technical Staff and shall hold a public hearing on the matter pursuant to the procedures in Section 27-198.03. After the public hearing, the Planning Board shall take action on the proposal and shall transmit its recommendation to the District Council for another public hearing and final action.**

The Planning Board reviewed the case on January 12, 2012 and on February 2, 2012 and heard many hours of testimony. This resolution of its action will be forwarded to the District Council.

- 10. **Review of the amendments:** Section 27-198.03 of the Zoning Ordinance provides the specific Planning Board procedures in the review of amendments.

(a) **Notice.**

- (1) **The Planning Board shall release the proposed M-U-TC Zone for public inspection at least sixty (60) days prior to its scheduled public hearing. Written notice of the hearing shall be mailed to all property owners within the boundaries of the proposed M-U-TC Zone and to any municipality lying (wholly or in part) within the proposed M-U-TC Zone, or within one (1) mile of the proposed boundary, at least thirty (30) days prior to the hearing date. Notice of the date, time, and place of the hearing shall be published at least one (1) time in the County newspapers of record, at least thirty (30) days prior to the hearing date. At least sixty (60) days prior to the scheduled hearing date, a copy of the proposal shall be sent to all public agencies and municipalities with operational or planning responsibilities within the boundaries of the proposed Zone; and to the Historic Preservation Commission, if any property within the proposed Zone is an identified historic resource on the Adopted and Approved Historic Sites and Districts Plan of Prince George's County, Maryland.**

The technical staff sent out referrals to all of the municipalities within a one-mile radius of the subject application on October 14, 2011, which was 60 days prior to the Planning Board hearing. The date, time and place of the hearing was published in The Prince George's Post, The Prince George's Sentinel and The Enquirer-Gazette at least 30 days prior to the December 15, 2011 Planning Board hearing. The plans were available for public inspection since the acceptance of the application. The property is not identified as a historic resource and was not be reviewed by the Historic Preservation Commission (HPC). However, the preliminary plan of subdivision application will be required to be reviewed by the HPC per Subtitle 24.

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(b) Planning Board action.

- (1) The Planning Board may recommend approval, or approval with modifications, of the proposed M-U-TC Zone. The Planning Board shall take action, by resolution adopted at a regularly scheduled public meeting, not more than forty-five (45) days after the close of the hearing record. The Planning Board shall transmit its recommendation to the District Council within one hundred five (105) days of the release for public inspection.**

The Planning Board reviewed the application and took action through the adoption of the resolution in accordance with the time frame above. The timing of the transmittal to the District Council from the date of public release (acceptance of the application for processing) was not completed in accordance with the provisions above because the municipalities asked for a continuance of the scheduled December 15, 2011 hearing and the Planning Board granted that continuance. Further, after the Planning Board heard extensive testimony of the case at the January 12, 2012 hearing, the case was continued again to the February 2, 2012 hearing date. The additional time frame provided the time needed to review and understand the process and the intent of the conditions, as well as to evaluate the legality, enforcement and clarity of the proposed conditions.

REQUIRED FINDINGS FOR APPROVAL OF THE M-U-TC ZONE

Section 27-198.05(a)(1) of the Zoning Ordinance provides the criteria for approval of a map amendment. There are five required findings that the District Council must make in conjunction with the review of the proposed rezoning.

- 11. Section 27-198.05(a)(1)(A)—The entire Map Amendment, including the Development Plan, is in conformance with the purposes and other requirements of the M-U-TC Zone;**

Section 27-546.09, Purposes, of the Zoning Ordinance states the following:

(a) The specific purposes of the M-U-TC Zone are:

- (1) To create with the community a development framework that can capitalize on the existing fabric of the County's older commercial/mixed-use centers and corridors.**

Applicant's Justification: "The proposed development creates a development framework which capitalizes on both the existing fabric of the county's older commercial/mixed use center and corridor and seeks to establish a development framework which continues a street grid pattern established in the development area. A vast majority of the proposed development is within the geographic boundaries of the Baltimore Avenue Corridor and Riverdale MARC Center as defined by the Approved 2002 General Plan. Please see below

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'General Plan' analysis for more details related to the General Plan Centers and Corridors. The proposed development is envisioned to connect to the currently established Town of Riverdale Park Mixed-Use Town Center. The proposed development is envisioned to conform to the M-U-TC Development Plan, as amended with the supplement. This conformance with the Development Plan will ensure consistent and/or compatible development which will retain the fabric of this established town center while creating new opportunities for the residents in these established communities."

The M-U-TC Zone is intended to include community input in the review of development applications prior to the release of permits. The intent of the zone is that it be used in areas located in older developed areas of the county, where a mix of uses exists, which is the area of the subject application. The zone proposes to "capitalize" by providing an enhanced economic revitalization to the area where existing infrastructure is located, which is the case for this property. The subject application meets the purpose stated above.

- (2) **To promote reinvestment in, and the appropriate redevelopment of, older commercial areas, to create attractive and distinctive community centers for shopping, socializing, entertaining, living, and to promote economic vitality.**

Applicant's Justification: "The applicant proposes a transit-supported, mixed-use, pedestrian-friendly development which is adjacent to, and will provide multiple connections with, the existing Riverdale Park Town Center. The proposed development will feature a Whole Foods Market, a fitness center, small shops and retail, office space, and residential units. The proposed development will also feature 5 distinct locations which will promote both active and passive recreation, congregation, socializing, and create a venue which will promote economic vitality. Foot traffic is the life blood of small shops and retail in a town center environment. The proposed development will increase the foot traffic through the existing Riverdale Park Town Center which may serve as the catalyst for the reinvestment, revitalization, and redevelopment of the town center. Furthermore, the proposed development is a natural extension of the Town Center development. Thus, as the proposed development becomes successful, it will gain the attention of additional retailers which will potentially want to locate in the town center.

"In response to the recent filing of the draft "Route One Communities Retail Market Study" prepared by Bolan Smart Associates and dated January 20, 2012, enclosed please find an executive summary prepared by Delta Associates summarizing the key elements of their updated market feasibility study. Importantly, both studies find that the trade area has underserved market demand for Grocery Store space and Restaurant space. The Delta study also projects that the trade area will remain undersupplied into 2015, and that a higher level of quality could be supported.

"Review of the Bolan Smart Study reveals that within the Hyattsville/Riverdale Park/University Park Primary Trade Area, there exists a potential deficit of Grocery and Related space of 58,000 to 62,000 SF and (factoring in a 10% demand variance) that

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deficit could be as much as 112,000 SF. The deficit in the College Park Primary Trade Area could be as much as 155,000 SF. This range closely corresponds to the finding in the Delta report of an undersupply of Grocery Store Space of 166,415 SF. If the "Related" convenience goods space (which has historically been oversupplied in this area) is removed from the Bolan Smart calculation, and the recent decision by Safeway to close its 33,000 SF Hamilton Street store is reflected by removing it from existing inventory, then the undersupply is even more pronounced.

"Additionally, the Bolan Smart report indicates a potential deficit of 38,000 to 54,000 SF of Food & Beverage space which could be as high as 102,000 SF in the Hyattsville/Riverdale Park/University Park Primary Trade Area, and as high as 100,000 SF in the College Park Primary Trade Area. This finding also closely corresponds with the finding in the Delta report of an undersupply of 123,477 SF of Restaurant space."

The Planning Board agreed with the applicant's discussion above, and found that the plans demonstrate the intent to establish a mixed-use development that will result in an investment in the community, as well as create an attractive community center, due to the mix of retail, office, hotel, restaurants and other service uses. The uses proposed will provide shopping and entertainment opportunities. The mini-parks and seating areas will provide a venue for socializing among the users of the town center.

(3) To promote the preservation and adaptive reuse of selected buildings in older commercial areas.

Applicant's Justification: "The proposed development is not inconsistent with this purpose. The proposed development is located on currently undeveloped land. It is not possible for the proposed development to preserve or adaptively reuse buildings that do not exist. However, this development will likely act as a catalyst for the revitalization of the Riverdale Park Town Center. The proposed development is a natural extension of the Town Center and a new potential front door to the Town of Riverdale Park. Thus, as the proposed development becomes successful, it will gain the attention of additional local, regional, and national retailers which will potentially want to locate to the Town Center."

The expansion of the M-U-TC Zone to the north of the existing town center may promote and act as a catalyst for redevelopment of the industrial area and re-use of existing buildings within the town center to the south of the subject property. The key to promoting redevelopment of the existing town center is to provide greater automobile and pedestrian pass-by traffic in the area so a market for reinvestment is created; therefore, vehicular connections to the south are extremely important.

(4) To ensure a mix of compatible uses which complements concentrations of retail and service uses, including institutional uses, encourages pedestrian activity, and promotes shared parking.

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Applicant's Justification: "The applicant proposes to supplement the Development Plan to ensure that the intent of the approved Development Plan can be implemented in a location which was not previously analyzed when that Development Plan was adopted. Since the supplement to the Development Plan will continue a vast majority of the guidelines outlined in the approved Development Plan, including the table of uses and the development plan pattern which seeks to congregate similar uses in distinct locations, the applicant asserts that the proposed development will conform to this purpose. Furthermore, the applicant will create numerous connections within the development and to the surrounding communities to maximize pedestrian activity. Finally, much of the parking for the residential units is located within parking garages located throughout the site."

The proposed development plan ensures a mix of retail, service uses, and residential development. Also included are a proposed hotel and some office space. Institutional uses have not been discussed in the application. The plan provides for pedestrian movement on the site. Shared parking provisions should be refined in future plans of development.

(5) To provide a mix of commercial and residential uses which establish a safe and vibrant twenty-four hour environment.

Applicant's Justification: "The applicant envisions that the proposed development will create a true mixed-use community. This safe, vibrant, mixed-use development will include commercial, office, and residential components. The street grid and numerous pedestrian connections proposed in the development should maximize pedestrian circulation throughout the existing development, and by extension the area. The applicant envisions providing space for a police substation to further enhance the safety of the proposed development."

The mix of retail and residential provides for a 24-hour environment; however, the transition from commercial development to residential development should include residential uses above retail, for an "eyes on the street" community, which contributes to safer neighborhoods.

(6) To establish a flexible regulatory framework, based upon community input, to encourage compatible development and redevelopment, including shared parking facilities that will enhance the Town Center.

Applicant's Justification: "The applicant proposes to supplement the Development Plan to ensure that the intent of the approved Development Plan can be implemented in a location which was not previously analyzed when that Development Plan was adopted. Since the supplement to the Development Plan will continue a vast majority of the guidelines outlined in the approved Development Plan, including the street grid and creating distinct areas for complementary uses to locate, the applicant asserts that the supplement to the Development Plan will continue the flexible regulatory framework

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which the original Development Plan established. The applicant is currently and intends to continue to gather and analyze input from the community to enhance the plans and refine the supplement to the Development Plan. Specifically, the applicant has solicited input from residents and stakeholders over the course of many years. The applicant has been engaged in over twelve (12) meetings which include public hearings, municipal council work sessions, municipal council public hearings, municipal committee hearings, and applicant sponsored community work sessions.”

The Planning Board agreed with the applicant’s statement and recognized the community input and participation in the construction of the Development Plan and the Concept Plans by the Town of Riverdale Park, the Town of University Park, the City of College Park, the City of Hyattsville, and the existing M-U-TC Design Review Committee. The proposed concept plan provides for compatible development based on the location of proposed uses, such as the location of loading spaces for retail uses located adjacent to the United States Post Office distribution center to the south of the property. As indicated herein, the Planning Board recommends Consideration No. 2, which addresses the sharing of parking, both on-site and off-site.

- (7) **To preserve and promote those distinctive physical characteristics that are identified by the community as essential to the community’s identity, including building character, special landmarks, small parks and other gathering places, and wide sidewalks.**

Applicant’s Justification: “The applicant intends to preserve, promote, and enhance several physical characteristics which the community has identified as essential to the community’s identity. For example, the applicant will preserve and enhance the ‘Trolley Trail’ which runs north to south in the middle of the Property. The community, as well as the applicant, recognize this trail as a true gem of the community and believe that it can serve as a real amenity for all. Also, the applicant intends to preserve the wide sidewalks envisioned in Riverdale Park Town Center within the development. Finally, the applicant will seek to preserve, to the extent feasible, several specimen trees located in the ‘Gateway Park’ section of the proposed development.”

Many individual citizens have expressed a desire to preserve existing woodland on the site and to utilize the Trolley Trail as a connection to the north and south of the property. The Planning Board has included conditions to preserve woodland and the Trolley Trail; however, it is not clear that any existing trees will be preserved along the trail area.

12. **Section 27-198.05(a)(1)(B)—Adequate attention has been paid to the recommendations of Area Master Plans and the General Plan which are found to be applicable to property within the proposed M-U-TC Zone;**

Applicant’s Justification: “The property is within the geographical boundaries of the 2002 General Plan which updates the outdated 1994 Planning Area 68 Master Plan.

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“The 2002 General Plan provides broad strategies to guide the future growth and development of the county. It represents the culmination of an evolving definition of growth policies for the County and is, to a great extent, a departure from earlier County plans. Implementation of the General Plan strategies is guided by countywide goals, guiding principles, and priorities, as a whole.

“The General Plan identifies several countywide goals and policies that provide the guidelines and principles necessary for approval of an application. These include the following countywide goals (p. 21):

“Countywide Goals

- “• Encourage quality economic development
- “• Make efficient use of existing and proposed local, state and federal infrastructure and investment
- “• Enhance quality and character of communities and neighborhoods
- “• Preserve rural, agricultural and scenic areas
- “• Protect environmentally sensitive lands

“Guiding Principles

- “• Public health, safety and welfare
- “• Sustainability (Environment, Economy, Equity, Efficiency)
- “• Quality
- “• Meaningful public participation

“The property is located in the Developed Tier on Corridor A (US 1). This development proposal embraces the guiding policies of the General Plan Developed Tier, and will create a model sustainable community for future generations of the county. The applicant’s justification for conformance with the General Plan’s recommendation is below.

“Developed Tier Vision—The vision for the Developed Tier is ‘a network of sustainable, transit-supporting, mixed-used, pedestrian-oriented, medium- to high-density neighborhoods’ (p. 31). The 2002 General Plan provides that these types of uses and densities should be located in Centers and Corridors where they are most appropriate. The Property is within the geographical boundaries of a General Plan Corridor (U.S. Route1) and a Center (Riverdale Park MARC).

“The property is located less than one mile from three currently existing and proposed mass transit stations. Specifically, portions of the Property are located within 0.5 miles of the College Park

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metro station. Portions of the Property are located within 0.5 miles of the proposed Purple line station. Finally, portions of the Property are located within 0.5 miles of the Riverdale MARC station. Between these three stations, the entire property is located within .5 miles of all three mass transit stations. The site is also served by several bus lines including WMATA, the Bus, and Shuttle U.M. The proposed mix of uses and high-quality retail will give residents many options for transit, shopping and employment near their homes.

“Developed Tier Goals—This application conforms to the General Plan Developed Tier goals (p. 31) as follows:

“• Strengthen existing neighborhoods.

“The proposed development will maintain the grid pattern of development found in the adjoining communities of College Park (to the north), Riverdale Park (to the south), and University Park (to the west). Residential communities to the north and south will be linked by pedestrian and bicycle access only. Access onto US 1 can be designed to discourage cut through traffic into University Park. The existing residential neighborhoods will not have any pass-through vehicular traffic as a result of this proposed development. Improved pedestrian access through and around the property will improve the accessibility of existing local mass transit opportunities. This design, along with the proposed retail, commercial, and recreational opportunities and amenities within walking distance, will serve to strengthen existing neighborhoods.

“• Encourage appropriate infill.

“The property is located in the US 1, Corridor A, as described in the 2002 General Plan, and is surrounded by properties that were developed decades ago. The property is also located on the edge of the Riverdale MARC proposed future center as described in the General Plan. Single-family residential neighborhoods exist to the north and west, with a U.S. Postal Service distribution facility and armory to the south. The CSX tracks are along the eastern edge of the site. The property is an infill redevelopment project within the General Plan US 1 Corridor and the proposed future Riverdale MARC center. Approval of the M-U-TC Zone will allow the property to be redeveloped with high quality housing in a variety of formats and provide residents with high quality shopping and employment options within walking distance of home. The development of this property will adhere to the goal of providing economic development in General Plan centers and corridors.

“• Encourage more intense, high quality housing and economic development in centers and corridors.

“The property is located in the US 1 Corridor A as described in the General Plan and is surrounded by an established community. The property is also located on the edge of the Riverdale MARC proposed future center as described in the General Plan. Single-family residential neighborhoods exist to the north and west, with a U.S. Postal Service distribution facility and armory to the south. The CSX tracks are along the eastern edge of the site. The property is an infill

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redevelopment project within the General Plan US 1 Corridor and the proposed future Riverdale MARC center. Approval of the M-U-TC Zone will allow the property to be redeveloped with high quality housing in a variety of formats and provide residents with high quality shopping and employment options within walking distance of home, thus achieving the goal of providing economic development in General Plan centers and corridors.

“• Preserve, restore and enhance sensitive features and provide open space.

“The project’s east-to-west-aligned central market square will intersect the ‘Trolley Trail,’ providing pedestrian and bicycle access north and south into College Park and Riverdale Park, respectively.

“• Expand tree cover through the increased planting of trees and landscaping.

“The requirements of the Tree Conservation Ordinance will be met. The applicant proposes extensive landscaping along the streets and open space areas to expand the tree cover.

“• Capitalize on investments in transportation and other infrastructure.

“Rezoning the property from the R-55 Zone to the M-U-TC Zone will capitalize on extensive investments of transportation and infrastructure in the surrounding area. The area is currently served by several bus lines, including: WMATA, the Bus, and Shuttle UM. The property is located less than one mile from three currently existing and proposed mass transit stations. Specifically, the property is located within 0.5 miles of the College Park metro station. The property is located within 0.5 miles of the proposed Purple Line station. Finally, the property is located within 0.5 miles of the Riverdale MARC station. Between these three stations, the entire property is located within 0.5 miles of all three mass transit stations.

“• Maintain/renovate existing public infrastructure.

“The project will benefit the community by providing improvements to existing public infrastructure around the project site. This will include street frontage improvements including paving, lighting, sidewalks, and storm drainage. The construction of the ‘Trolley Trail’ through the site will complete an important link in the local trail network. Stormwater management facilities will provide control of the 100-year storm for runoff from the site. This will reduce the impact of downstream flooding in Wells Run.

“• Promote transit supportive, mixed-use, pedestrian-oriented neighborhoods.

“In keeping with the intent of the 2002 General Plan, this proposed development will provide transit-supporting, mixed-use, pedestrian-oriented development and provide the opportunity for residents to live, work, and shop within the project boundaries, in close proximity to a variety of mass transit options. The property represents a true mixed-use community with residential, offices, and commercial community.

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- “• Renew/redevelop commercial strips.

“This goal is not applicable considering this site currently does not have a commercial shopping strip on it.

- “• Enhance industrial employment areas.

“The property is bordered by an older industrial area zoned M-U-TC to the south. Redevelopment of the property as proposed will strengthen the opportunities for redevelopment of these underutilized industrial properties.

- “• Design and site public facilities in accordance with appropriate development.

“The extension of Van Buren Street will intersect with the improved ‘Trolley Trail,’ which runs north to south through the site. This configuration allows convenient access in and out of the site by both pedestrians and those on bicycles. Additionally, the ‘Trolley Trail’ will provide a link to the existing local trail network. The community space will provide educational, recreational, and social opportunities for the community.

“Developed Tier Policies—The General Plan also identifies four policies for future development. These policies and the proposal’s compliance are demonstrated below.

“POLICY 1: Encourage medium to high density, mixed-use, transit- and pedestrian-oriented development

“Strategies

- “I. Develop incentives for infill/redevelopment such as:

- “• Financial Incentives—Encourage private investment by providing public funds and/or deferring tax increases that would result from new development. Consider seeking authority for a split-rate system of property taxation.
- “• Redevelopment Assistance—Focus the programs of the county’s Redevelopment Authority (such as land assembly and public/private partnerships) on targeted areas.

“The 2002 General Plan encourages redevelopment of the Property as a mixed-use, transit- and pedestrian-oriented development. The property is unique in not only its location and proximity to mass transit but also in its size. The 37± acres provide the acreage necessary to develop an active neighborhood of sufficient size to provide housing, employment, shopping, and recreational opportunities while enhancing the existing communities. The applicant does not foresee the need for financial incentives for redevelopment assistance to create the proposed project.

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“II. Develop land use regulations and processes for infill/redevelopment such as:

- “• Rezoning - Where necessary, rezone vacant or underutilized lands through county initiation, (instead of property owner application) to achieve planned densities.
- “• Flexible development standards - Provide flexibility in building requirements or rehabilitating older buildings as recommended by state ‘smart codes’ programs.
- “• Zoning Code - Revise existing regulations to accommodate the development of older communities and to remove obstacles to quality infill and redevelopment.
- “• Simplify or streamline development review process—Eliminate cumbersome unnecessary processes to encourage compatible infill and redevelopment.

“The 2002 General Plan provides the guidelines and support to rezone the property from the R-55 Zone to the M-U-TC Zone and to allow it to be developed in keeping with the vision of the General Plan. The General Plan envisions a contemporary development to take place on the site in keeping with smart growth concepts and green building techniques. In the surrounding neighborhoods of College Park and Riverdale Park, contemporary sector plans and M-U-TC plans have been put in place to allow for redevelopment in those areas using appropriate mixed-use zones.

“III. Develop a marketing program for targeted areas in the Developed Tier communities to attract developers skilled at developing high quality compact mixed use projects.

“The developer has developed and managed properties in the Washington D.C. area for decades. The developer has owned the property since the 1950’s. Once developed, the developer will have a vested interest in the success of the site, long after initial build out. The developer is experienced in this type of compact urban development. They also have a long history of commitment to the community.

“IV. Improve the image and mix of uses along major roadways not designated as corridors by:

- “• Develop design guidelines and standards for new development.
- “• Encourage infill and redevelopment that contribute to the character and quality of the community.
- “• Limit zoning that allows new commercial development.
- “• Implement an incentive package for commercial strip owners to physically upgrade projects that have proven market feasibility. Priority shall be given to

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owner/businesses that improve their mix of goods and services or reuse commercial space for another appropriate use.

- “• Encourage land assembly and redevelopment of excess commercial for other types of land use.

“These strategies do not apply, as the property site lies within the US 1 Corridor.

“POLICY 2: Preserve, restore and enhance environmental features and green infrastructure elements.

“Strategies

- “I. Encourage the use of innovative technologies to meet the intent of the environmental regulations while encouraging the desired development pattern and implementing the green infrastructure recommendations.
- “II. Provide additional tree cover within the Developed Tier to intercept rainwater, reduce heat island effects, and improve air quality.
- “III. Provide tree cover guidelines as part of the character design elements in future area master plans and sector plans.
- “IV. Provide flexibility in the Woodland Conservation Ordinance for sites in the Developed Tier to allow for use of street trees and landscape trees.
- “V. Revise the Woodland Conservation Ordinance to require the use of woodland conservation fee-in-lieu funds collected in the Developed Tier for woodland conservation within the Developed Tier.

“The proposed development will observe best current practices in sustainability using appropriate metrics to demonstrate success, and all applicable environmental regulations will be followed. The applicant intends to provide an extensive green area along US 1 and to preserve specimen trees to the extent possible. The natural slope and existing site features will be incorporated into the design.

“POLICY 3: Provide a transportation system that is integrated with and promotes development and revitalization.

“Strategies

- “I. Encourage optimum use of all non-automotive mobility options for and in all new development, including light and heavy (regional) rail, bus transit, and integrated and safe pedestrian and bicycle facilities.
-

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- “II. Assign high priority in the county Capital Improvement Program (CIP) and Maryland Consolidated Transportation Program (CTP) to Developed Tier pedestrian and transit infrastructure improvements.
- “III. Provide an integrated sidewalk, trail and bikeway network to divert as many short trips as possible from auto travel.
- “IV. Protect local neighborhoods and their residential streets from excessive or high speed through-traffic by measures such as traffic calming initiatives and pedestrian-oriented design requirements for new development.
- “V. Use traffic Level-of-Service (LOS) E (see Figure 2) as the minimum acceptable standard for road and street network capacity, wherever possible.
- “VI. Develop TOD and TSD criteria as part of transportation system analyses, the Biennial Growth Policy updates and future Developed Tier master and small area plans, that ensures the maximum possible integration of pedestrian and biker access and transit service with future development.
- “VII. Establish transit-based auto trip reduction initiatives to maximize the diversion of SOV trips to transit and non-motorized travel.

“The transportation system proposed in this development will integrate with the area’s existing infrastructure, promoting revitalization of the surrounding neighborhoods. Improvements to the transportation network will be made by the applicant; details are contained in the accompanying traffic analysis. Primary vehicular access to the site will be from US 1. The project will be designed to be pedestrian and biker friendly; sidewalks will create an integrated pedestrian network, and the ‘Trolley Trail’ will provide a hiker/biker link between communities north and south of the property. Because of its proximity to mass transit, this site provides visitors and residents with real options to move about without the use of an automobile, and is in keeping with the intent of the Prince George’s County Preliminary Countywide Master Plan of Transportation, released in December 2008.

“General Plan Centers and Corridors—The property is located in the US 1 Corridor and on the edge of the Riverdale MARC Station center by the 2002 General Plan. The centers and corridors goals are to:

- “• Capitalize on public investment in existing transportation system
 - “• Promote compact, mixed-use development at moderate to high densities
 - “• Ensure transit-supportive and transit-serviceable development
 - “• Require pedestrian-oriented and transit-oriented design
 - “• Ensure compatibility with surrounding neighborhoods
-

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“As demonstrated above, items 1 through 4 have been thoroughly discussed and compliance demonstrated. Compatibility with surrounding neighborhoods has been demonstrated by the placement of a large green buffer along US 1, by the attention to height limitations and by the pedestrian connections and conversion of the abandoned trolley right-of-way to a hiker/biker trail across the property.”

The Planning Board agrees with the applicant that this application is generally consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. The 2002 General Plan designated the Riverdale MARC station, currently located in the existing mixed-use town center, as a possible future community center. This subject application is located in the Developed Tier. The vision for the Developed Tier is a network of sustainable transit supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The property is also located along the Baltimore Avenue Corridor as designated by the 2002 General Plan.

The 2002 *Prince George's County Approved General Plan* states the following:

Baltimore Avenue (US 1) Corridor

The property is located along the Baltimore Avenue Corridor.

The [General] Plan promotes development and redevelopment of higher intensity residential and nonresidential mixed uses at appropriate locations along key transportation routes. This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or major transit stops along the Corridor, in concert with existing and planned investments in public infrastructure. Developed Tier Corridors: Generally contain a higher intensity of residential and nonresidential land uses, and a greater mix of uses that are regional in scope, than the Developing Tier Corridors.

The materials submitted with the application clearly indicate a higher intensity of residential and nonresidential mixed use for the ultimate development of the site and is therefore in concert with the intent of this aspect of the General Plan.

Additional findings relating to conformance with the General Plan are discussed in the Environmental Planning Section, the Transportation Planning Section, and the Community Planning North Division reviews.

In regard to the issue of adequate attention being paid to the Master Plan, the Planning Board disagrees with the statement of justification (received November 10, 2011) that the 2002 General Plan “updates the outdated 1994 Planning Area 68 Master Plan” (p. 6). The 2002 General Plan is not intended to be the guiding document for property specific land use patterns; rather it establishes broader, countywide policy guidance such as the creation of tiers, centers, and corridors. Aside from placing the subject property in the Developed Tier, and along the designated Baltimore Avenue Corridor, the 2002 General Plan does not amend the approved land use

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elements of the 1994 Approved Master Plan and Sectional Map Amendment for Planning Area 68 (See Comprehensive Plan [Land-Use] Map).

The 1994 Master Plan provides the following specific recommendations for this property (P. 16):

The following comments relate specifically to the Cafritz property: While zoned R-55, the property should be considered for a residential Comprehensive Design Zone, provided that the proposed development is compatible with surrounding residential communities and continues existing design and development patterns. Specifically, design of the development should incorporate a street pattern similar to that of the surrounding community, which has right-angle blocks and alleys. Brick should also be used on all units as the primary construction material. Special attention should be given to the development's frontage along US 1 to preserve the existing wooded image. A tree-save area should be provided and the units directly behind the tree-save area should front US 1.

Comprehensive design zones (CDZ) differ from standard "Euclidean" zones which have prescribed height, setback, and lot coverage requirements. The CDZ concept is fundamentally more flexible than standard zones. It allows an increase in residential density or commercial intensity in exchange for the provision of public benefit features such as a community park or neighborhood bike path to improve the quality of the project. This zone requires a three-tiered review process starting with a basic plan that shows general land use relationships, a comprehensive design plan which refines the basic plan by showing details regarding the location and size of structures, public benefit features, etc., and a specific design plan with detailed landscape plans, tree conservation plans, and building elevations.

The applicant is proposing to rezone the subject property from the R-55 Zone to the M-U-TC Zone. While the M-U-TC Zone is not a CDZ, it is quite similar in that its fundamental purpose is to allow flexibility with respect to site design and review procedures. It also does not have prescribed height, setback, and lot coverage requirements and is specifically designed to provide a regulatory mechanism for the redevelopment of more urban areas. A condition of approval requiring detailed site plan would add a layer of review quite similar to the specific design plan required as the final step of the CDZ process. The Planning Board believes it is appropriate to use the M-U-TC Zone for the development of the property because it is the type of urban redevelopment opportunity that the zone was designed to be applied to.

The applicant provided the following supplemental statement of justification submitted January 27, 2012 in regard to conformance to the Master Plan:

"The purpose of this supplement is to respond to certain statements made at the hearing (January 12, 2012) and to provide additional information to the Statement of Justification which was submitted into the record on November 10, 2011. Specifically, this supplement further analyzes the Approved Planning Area 68 Master Plan and Sectional Map

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Amendment (hereinafter the "1994 Plan") particularly as it relates to Section 27-108.05(a)(1)(C) of the Zoning Ordinance.

I. PLANNING AREA SIXTY EIGHT.

"Section 27-198.05(a) of the Zoning Ordinance outlines the criteria of approval for the M-U-TC Zone. Section 27-198.05(a)(1)(C) sets forth the criterion for the finding that "An approved Master Plan recommends a mixed use town center zone or the area is demonstrated to be an older, substantially developed mixed-use community." The area has been clearly demonstrated to be an older community which is substantially developed with a mix of uses. These uses include longstanding industrial uses immediately to the south and to the east, with older retail uses in the Town Center core located further to the south. Institutional uses in the form of the postal facility and the Army Reserve lie to the south with additional institutional uses to the north in the form of the WMATA right-of-way. The property is sandwiched between the CSX railroad tracks abutting to the east and US Route 1 to the west, with established residential uses located further to the west.

A. VISION STATEMENT

"The 1994 Master Plan includes at the outset a Vision Statement for Planning Area 68 formed by its Citizens Advisory Committee. This statement recognizes and celebrates the people who live and work in the area, its rich history, its parks and its older neighborhoods and the high priority placed on education. As for its recommended land uses, the Vision provides for the following:

"We prefer our communities to include a compatible mix of residential and nonresidential uses. We welcome the opportunity to walk from our homes to work, Metro, MARC or a corner grocery. Within neighborhoods, we prefer a variety of land uses, provided they do not conflict with the residential character. We also see a future where concentrations of residences, offices and retail businesses are located along major roadways, such as US 1, and around transit stations. These places will be visually attractive, economically vibrant and physically accessible, providing goods and services not typically found at nearby Prince George's Plaza. People of all ages will be attracted to them for shopping, relaxing and meeting friends. Plan at 2.

"In addition, the central Organizing Theme of the Plan is to stimulate additional investment in the area to encourage overall revitalization efforts. A primary focus of the Plan includes "improving the look and function of the area's major commercial corridors" including US Route 1,

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and to encourage the creation of “lively, vibrant places where people can live, work and shop.” Plan at 14. This translates into taking full advantage of mixed-use development opportunities, particularly on large highly visible parcels along a major transportation corridor: the Cafritz Property.

“Objectives of the Plan include the need to “Stabilize, upgrade and promote the area’s neighborhoods to attract and retain long-term, responsible residents.” Plan at 17. In order to accomplish these objectives, it is stressed throughout the Plan that “Zoning categories which are more flexible in terms of development standards and the uses permitted should be adopted.” Plan at 22. The creation of local design guidelines is encouraged for renovation and/or new development. Finally, with regard to “Industrial Concentrations” which are shown on Map 5 and are located immediately to the south and east of the Cafritz Property, the goal is to enhance these areas and create job opportunities and improve the economic base of the Planning Area. To that end, the following specific recommendations are made:

- “1. Approve flexible zoning that addresses the practical needs of urban industrial areas and encourages revitalization of older industrial areas; and
- “2. Encourage revitalization of underutilized or vacant industrial space using innovative techniques, such as the incubator model, which will assist new business formulation. Plan at 25-26.

B. REVITALIZATION

“The Master Plan includes an entire section entitled “Revitalization.” It initially defines the term and emphasizes that this Plan recommends the “full range of actions” in order to accomplish its goals. It intends to “lay the foundation for continuous and successful revitalization in Planning Area 68.” Plan at 53. Importantly, the Plan states that:

“In addition to specific zoning changes for identified commercial areas, this plan also focuses on creating a prototype for new zoning districts to promote revitalization along the County’s commercial corridors. This Corridor prototype has been created for US 1 to assist the communities along this roadway in their revitalization efforts. This section also includes a discussion of three residential areas in need of special study and assistance. Plan at 53.

“The Plan goes on to discuss the shortcomings of the existing zoning categories were limited to the Commercial-Shopping Center (C-S-C),

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Commercial-Office (C-O) and Commercial-Miscellaneous (C-M) Zones, and summarized as follows:

“While there is an overlap in the uses allowed in the three commercial zones, they do not promote a mix of uses. In addition, they severely restrict the number of residential units allowed in any commercial buildings. It is a mix of uses, including residential, which has been identified as being highly desirable for the Planning Area’s older commercial centers. Plan at 54.

“These findings served as the basis for recommendation that a new zone be created to promote a mix of commercial and residential uses.

ROUTE 1: MAIN STREET PRINCE GEORGE’S COUNTY

“In order to further the interest in “Zoning for Revitalization” the Plan discusses the fact that a group of professionals, known as the Regional Urban Design Assistance Team (RUDAT), was formed and made a number of recommendations. One of the major recommendations was that the County should focus on its major road corridors to improve the image of its older communities.

“The authors pointed out that “the street is the preeminent public space in the city ... their quality and character define our communities.” The report went on to recommend that US 1 should be used to develop a prototype corridor planning process.

“US 1 was selected because of the revitalization interest and commitment of the seven municipalities that adjoin this roadway inside the beltway. These jurisdictions – Mount Rainier, Brentwood, North Brentwood, Hyattsville, Riverdale, University Park and College Park (the latter two are outside the Planning Area) – have joined together to form the Main Street Prince George’s County Partnership Coordinating Committee. The committee as a whole and the individual municipalities have actively pursued funding to physically improve public spaces and private properties along US 1. The group has created the following vision for the corridor.

“To make the historic Route One Corridor a healthy, vibrant place to live, work, shop and visit and to retain the cultural and community center heritage of its earlier years. Further, to promote alternative transportation modes within the corridor as we move into the 21st century.” Plan at 54.

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“US Route 1 is described as a mix of commercial and residential development some of which dates to the early 1900’s. The mix of uses are said to have brought energy and people to the town centers. There is an interest in rezoning the town centers and the areas outside the town centers. The proposal for the Cafritz Property will help accomplish this goal and to ensure this vitality.

“ Another important objective in the Plan is to address the “appearance of the roadway between the town centers.” Development along the corridor is described as commercial and residential in nature. The separate zoning categories were believed to discourage the desired mix of uses. The County’s only existing mixed-use zone at the time, M-X-T, was said to allow a higher density than envisioned and an inappropriate mix of uses, including manufacturing uses. In light of this fact, the Plan expressly states that:

‘Another zone which promotes a mix of commercial and residential uses is necessary to provide flexibility and to encourage more residential development along the corridor at a lower density than the M-X-T Zone. It is important to encourage more residential units along the corridor since the opportunity for additional residential development in the Planning Area is limited. An increase in residents helps provide the needed demand for new and improved commercial uses envisioned by the Plan.

‘Further study is needed to determine if a mixed-use zone would be appropriate outside of the town centers. Incentives and flexibility would be built into the zone to promote a mix of uses and to encourage better site design. This zone should include development standards which would enhance the corridor and maintain the existing small-scale character. In developing a list of uses permitted in a new-mixed-use zone along the corridor, it is recommended that consideration be given to limiting some of the C-M uses currently permitted. Uses within the category of “Vehicle, Mobile Home, Camping Trailer and Boat Sales and Services” are more appropriately located in the industrial areas which adjoin the roadway. It appears that both the function and the look of many of the automobile-related uses in this category cause problems for communities. Many of these uses, including vehicle repair and used automobile sales lots, are located on small lots which do not have adequate space for vehicles waiting for sale or for repair. The only exception to this is the large area in Hyattsville which includes the Lustine and Banning car dealerships. The car businesses in this area, because of the amount of land available, function well and offer an economic asset to the area.’

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“Clearly, all of these studies and findings are the prelude to the Vision contained in the 2002 General Plan for the Developed Tier, as well as designation of this area as the Route 1 Corridor on the edge of the Riverdale MARC Station Center. On October 2, 2002 the County Council adopted CR-47-2002 for the purpose of approving the General Plan for Prince George’s County. The Resolution specifically states:

‘WHEREAS, upon approval by the District Council, the General Plan will define development policies and serve as a guide for future development of the county, will guide implementation and achievement of plan policies, will supersede the 1982 General Plan, and will amend current master plans and functional plans with respect to countywide goals, objectives policies, and strategies.’

“Thus, the General Plan expressly amends the current Master Plan with respect to Countywide goals, objectives, policies, and strategies. The General Plan did not need to amend the land use elements of the 1994 Plan as they clearly shared a completely common Vision of mixed use development and the creation and expansion of existing and future mixed-use town center development.

C. COMPREHENSIVE DESIGN ZONE

“Staff further sites the specific recommendation for the Cafritz Property in the 1994 Plan as stated below.

‘While zoned R-55, the property should be considered for a residential Comprehensive Design Zone, provided that the proposed development is compatible with surrounding residential communities and continues existing design and development patterns.’

“The Applicant agrees with staff that:

‘Comprehensive design zones (CDZ) differ from standard “Euclidean” zones which have prescribed height, setback, and lot coverage requirements. The CDZ concept is fundamentally more flexible than standard zones. It allows an increase in residential density or commercial intensity in exchange for the provision of public benefit features such as a community park or neighborhood bike path to improve the quality of the project. This zone requires a three-tiered review process starting with a basic plan that shows general land use relationships, a comprehensive design plan which refines the basic plan by showing details regarding the location and size of structures, public benefit features, etc., and a specific

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design plan with detailed landscape plans, tree conservation plans, and building elevations.

“The applicant is proposing to rezone the subject property from the R-55 Zone to the M-U-TC Zone. While the M-U-TC Zone is not a CDZ, it is quite similar in that its fundamental purpose is to allow flexibility with respect to site design and review procedures. It also does not have prescribed height, setback, and lot coverage requirements and is specifically designed to provide a regulatory mechanism for the redevelopment of more urban areas. A condition of approval requiring detailed site plan would add a layer of review quite similar to the specific design plan require as the final step of the CDZ process. Staff Report pages 22-23.

“The 1994 Plan also specifies that the Cafritz Property should be acquired by the County and used for a new school site. As a result it is depicted in the Plan as an institutional use. Thus, the 1994 Plan does not treat the Property as single-family R-55 any more than it does the R-55 Zoning retained in the existing town center. The R-55 designation constitutes a phasing or staging recommendation to encourage more creative mixed-use development consistent with the overall Vision for the corridor. The County has not attempted to acquire the property and has indicated that it no longer intends to pursue the property for this institutional use.

“Furthermore, the boundary of the approved M-U-TC zone that was established by the Approved M-U-TC Development Plan includes properties which were previously in an assortment of residential, commercial, and industrial zoning categories. Specifically, the zoning categories that existed at the time of the 1994 Plan which now encompass the Approved M-U-TC Zone were previously in the C-O, C-M, C-S-C, R-18, R-55 and I-2 Zone. The 1994 Plan does not recommend the M-U-TC zone for any property within the Approved M-U-TC. Despite the lack of recommendation for the M-U-TC zone in the Town of Riverdale Park, the Approved M-U-TC was adopted by the District Council in 2004. Considering that the approved M-U-TC Zone is established in an area where a mixture of five (5) or more different zones existed before, which included a mix of commercial, residential, and industrial zones, it is entirely appropriate for this body to find conformance to this criterion for the Cafritz Property which is zoned residentially and has frontage on US Route 1.

II. CONCLUSION

“The Approved Master Plan and Sectional Map Amendment for

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Planning Area 68 recommends that the Cafritz Property should be considered for a Comprehensive Design Zone. A CDZ is akin to the M-U-TC Zone and shows many of the same attributes, including flexibility as a planning tool in achieving a higher quality plan, the three-tiered process and absence of certain prescribed regulations. As stated by staff, the property is the type of urban redevelopment opportunity the zone was designed to be applied to. However, the criterion does not require that the Master Plan recommend the M-U-TC Zone for the specific property. Section 27-198.05 (a)(1)(C) provides that "an approved Master Plan recommends a mixed-use town center zone..." It does not require that the Master Plan recommend mixed-use for the specific property, or even for the area; it simply says the zone is recommended in the Master Plan OR that the area is demonstrated to be an older substantially developed mixed-use community.

"There can be no doubt that the Master Plan for Planning Area 68 recommends a mixed-use town center zone. The Plan is replete with this recommendation and specific suggestions for a new mixed-use zone in an effort to achieve its Vision, including:

- (1) A stated preference for a mix of residential and nonresidential uses;
- (2) A variety of land uses;
- (3) Concentration of residences, offices, and retail businesses along US Route 1 and Prince George's Main Street; and
- (4) Welcoming the opportunity to walk from home to work, Metro or MARC and even to the grocery store.

"The Organizing Theme of the Plan is to stimulate Revitalization and additional investment in the area, and improve the overall look and function of the US 1 corridor. US Route 1 is designated as the Main Street of Prince George's County to include a mix of commercial and residential development in order to bring "energy and people to the town centers." Rezoning the town centers and the area outside the town centers to a new form of mixed-use development is clearly suggested in order "to promote a mix of uses and encourage better site design."

"The Town of Riverdale Park M-U-TC Zone adopted a decade later provides the use flexibility to help achieve the Vision of the 1994 Plan, and its natural extension as proposed accomplishes the specific goals for the US Route 1 corridor and the Cafritz Property as articulated in the 1994 Plan. In fact, the Applicant proposes a mix of commercial uses, and even the grocery store, with the vast majority of the commercial development located closer to US Route 1, the County's Main Street. The Applicant also proposes that the residential portion of the project be located in the areas closer to the CSX crossing. This will create the mix of uses and residential infill consistent with the Vision of the 1994 Plan for this corridor.

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“The 1994 Plan recommends a mixed-use town center zone in satisfaction of the criterion set forth in Section 27-198.05(a)(1)(C). The 1994 Plan recommends that the properties along US Route 1 and embedded within established areas, which includes the Caftiz Property, develop as a mixed use residential infill community. Further, the area which includes the Caftiz Property is an older, substantially developed mixed-use community.

“In consideration of these findings, the Applicant respectfully suggests that the requirement is entirely satisfied and request approval of this rezoning application.”

The test here is “adequate attention” to the Master Plan. There are many pages of discussion in the technical staff report as well as hours of testimony regarding the vision of the plan. The Planning Board found that the proposed concept plan demonstrates a grid network and includes right-angle blocks with some alleys as recommended by the master plan. However, the application does not comply with the specific recommendation to preserve the existing wooded image or create a tree-save area. The application does not propose to preserve the vast majority of the wooded property, with the exception of, potentially, three specimen trees along Baltimore Avenue (US 1). The Planning Board believes that the requirements of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance should be fulfilled on-site, to the maximum extent possible. Additional findings relating the master plan are discussed in the Environmental Planning Section review.

Additional findings relating to conformance with the Master Plans are discussed in the Environmental Planning Section, the Transportation Planning Section, and the Community Planning North Division reviews.

13. **Section 27-198.05(a)(1)(C)—An approved Master Plan recommends a mixed use town center zone or the area is demonstrated to be an older, substantially developed mixed-use community;**

The 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* recommends infill development via rezoning to a residential comprehensive design zone. Therefore, the proposed rezoning does not adhere to the first clause of the required finding, but it does conform to the second clause of the required finding that states that the area is demonstrated to be an older, substantially developed mixed-use community. The property is located in a substantially developed area within the Town of Riverdale Park, which was developed around the turn of the century. The area is an older community which is developed with a mix of uses. To the south and east are longstanding industrial uses, and property is nearby the existing town center which includes retail uses. Institutional uses are located to the south and west in the form of an existing postal service and the armory, both federally-owned properties. To the north is the WMATA owned property which contains the rail for the nearby metro and to the east is the CSX tracks, both transit uses. Established residential uses surround the property as well. The property is clearly located in an older substantially developed, mixed-use community.

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14. **Section 27-198.05(a)(1)(D)—The Town Center Development Plan will provide a flexible regulatory environment that will support redevelopment and development interests in the area and protect the character of the older mixed use center; and**

The proposed amendment to the Town Center Development Plan is part of the subject application and is discussed at length in Finding 16 below. If the conditions of approval are adopted, then the final plan will provide a flexible regulatory tool that will support redevelopment of the existing town center area and protect the character of the adjacent residential, institutional, and commercial uses.

15. **Section 27-198.05(a)(1)(E)—The M-U-TC Zone boundaries are contiguous with no land in a different zone remaining solely within the approved M-U-TC Zone boundaries.**

The application does not propose to leave any land within the overall boundary in a different zone than the M-U-TC.

2004 TOWN OF RIVERDALE PARK M-U-TC DEVELOPMENT PLAN AMENDMENT

16. The Planning Board has reviewed the proposed amendment to the development plan and compared the design standards to the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*. The following discussion relates to the history of the M-U-TC Zone as found on pages 1 and 2 of the 2004 Development Plan:

The Mixed-Use Town Center (M-U-TC) Zone was created in 1994 to promote reinvestment and redevelopment in the county's older, more established mixed use areas. The M-U-TC Zone utilizes a local development plan to create design standards and a concept plan to manage future development in designated town center areas. The zone was developed in conjunction with the Planning Area 68 master plan, which recommended use of the M-U-TC Zone in the Town of Riverdale Park.

The Town of Riverdale Park has designated two town centers: one along the US 1 corridor and the other along the B&O Railroad line. Different design standards have been created for parts of these centers because of their common characteristics and different opportunities for development. Along US 1 and in the older industrial area north of the town's historic core, larger scale redevelopment projects are recommended. Design standards for new development for these parts of the town center will promote pedestrian-scale development by requiring, in part, an enhanced streetscape and improved architectural design.

The Planning Board finds that the Zoning Ordinance does not limit the size of the land area included in this type of application, which is a common requirement of certain zones and uses. Therefore, the acreage of the parcel is not an issue raised in this application review.

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Goal and Overall Design Principles

The existing 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* recommends overall design principles which are intended to guide the development of a human-scale town center. Essential to the success of the town center, they support the single stated goal of the 2004 Development Plan (p. 26):

Goal: To create a human-scale town center through attractive development that creates a sense of place and supports commercial and residential vitality.

Overall Design Principles:

- **Create a comfortable pedestrian environment and an attractive streetscape.**
 - **Provide continuous interest along the sidewalk through animated storefronts and buildings that engage the passerby with visual information, variety, color, changes in building mass, shading, and lighting.**
 - **Enhance pedestrian and area safety by encouraging a strong visual connection between the interiors of buildings and the sidewalk, private oversight of public space, and the provision of uniform pedestrian-oriented lighting.**
 - **Provide a sense of enclosure through development that abuts the sidewalk creating a street wall.**
 - **Enhance users' interest and enjoyment of the street surroundings by retaining historic details; emphasizing the first story through architectural detailing; designing new structures to signal a hierarchy of massing (base, middle and top) highlighting building openings, defining uses, and clearly delineating public from private uses.**
 - **Create an attractive town center by placing on-site parking behind, beside, or beneath buildings.**
 - **Enliven the street through banners, pedestrian-oriented signage, and other decorative commercial "branding" advertisement.**
 - **Soften the streetscape and increase attractiveness through flower, shade trees, and street furniture.**
 - **Increase a sense of place by encouraging public art, fountains, gardens, and other amenities on private development and at gateway park locations.**
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The applicant proposes to amend the 2004 Development Plan, including Maps 1–3 of the Development Plan and the design standards. The subject application retains many of the design standards from the 2004 Town of Riverdale Park M-U-TC Development Plan relating to the emphasis on the importance of the pedestrian within the town center. However, the applicant proposes a number of new or amended standards in order to accommodate the proposed new development. It should also be noted that the applicant's proposed development plan will act as an addendum to the 2004 Town of Riverdale Park M-U-TC Development Plan and will only apply to the 37-acre Cafritz property and not the remainder of the Town of Riverdale Park M-U-TC Zone.

The following portions of the development plan and the design standards that appear in **bold** type are from the 2004 Town of Riverdale Park M-U-TC Development Plan and warrant discussion. The standards in quotations are proposed by the applicant to be added or amended in the applicant's proposed development plan. The Planning Board comments are based on a review of the new and amended standards and are also provided below. The 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* is referenced as the 2004 Development Plan.

- a. **Development Concept (p. ii)**—The 2004 Development Plan (p. 18) states in part:

A key component of the development plan is flexible parking. The number of parking spaces required for residential and business uses are reduced, and commercial uses are encouraged to share parking. Businesses may also reduce the number of parking spaces required if there are employee incentives for commuting...

The applicant's development plan (p. ii) amended the language to:

"The number of parking spaces required for residential and business uses are specified for the success of the project as driven by the marketplace."

The applicant has amended the language to de-emphasize the reduced parking standards and shared parking provisions which are important to achieving the goal and principles of the M-U-TC, which places the pedestrian before the automobile in the design of the town center. The Planning Board recommends that the plan, as proposed by the applicant, be revised to reemphasize the encouragement of shared parking provisions.

- b. **Map 1: Concept Plan, Map 2: M-U-TC Concept Plan, and Map 3: Street Configurations**—The applicant proposes to amend the 2004 Development Plan, including each of the maps.

Map 1: Concept Plan, Map 2: M-U-TC Concept Plan, and Map 3: Street Configurations are proposed as amendments to the 2004 Development Plan in order to fulfill the requirements of Section 27-546.13 of the Zoning Ordinance, which stipulates that certain contents be included within the development plan.

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The US 1 Street and Streetscape standards in the 2004 Development Plan (p. 25) are omitted from the proposed Cafritz development plan. The US 1 streetscape development standards are specific for the build-to line as either 15 or 20 feet in depth. The plan also suggests the design of improvements within the right-of-way, such as the width of the roadbed and the incorporation of lane width and bike lanes. This information is suggestive only, as the right-of-way is governed by the State Highway Administration (SHA) and local government cannot dictate improvements in this area. However, the build-to line (which is expressed in the plan as a distance from the centerline) does apply to the private property and creates a requirement of buildings being set very close to the public right-of-way. The subject application does not adhere to the requirements of the 2004 Development Plan. In fact, the subject application proposes a large intervening parking compound between the public space of the roadway and the pedestrian zone, set back approximately 250 feet north of Van Buren Street and 400 feet south of Van Buren Street. The Planning Board understands the applicant's desire to have parking visible from the right-of-way to appear convenient and accessible. The staff recommended that a development standard be created to establish a build-to line that sets the building closer to US 1, which will reduce the amount of paving at the front of the building, but no greater than the distance shown on Map 1: Concept Plan for buildings on the north side of Van Buren Street (approximately 250 feet). However, municipalities and the Planning Board accepted the applicant's proposal to mitigate the impact of the parking lot proposed along Baltimore Avenue with the changes for a wide gateway entrance feature and preservation of trees and ample landscaping.

- c. **Applicability (p. iv)**—The proposed Cafritz development plan has omitted the following applicability requirement from the 2004 Development Plan (p. 28):

Development that increases existing gross floor area (GFA) by 15 percent or 7,500 square feet, whichever is smaller, shall subject the site to full review for compliance with the design standards. Lesser changes to the site, and additions to single-family residential dwellings, shall not subject the entire site to review for compliance, only the portion impacted by the improvement.

The language on the previous page should be reinserted into the proposed Cafritz development plan for future development.

- d. **Table 1: Building Recommendations and Table 3: Proposed Roadbed and Streetscape Dimensions (pages 1 through 4)**—The applicant proposes to amend the building recommendations, public space recommendations, and proposed roadbed and streetscape dimension tables of the 2004 Development Plan.

Table 1: Building Recommendations—Modifications to Table 1: Building Recommendations (p. 1) should be considered. Location 6e (see the applicant's Map 1: Concept Plan) defines "Parking" as the recommended use. This recommendation does not

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comply with the overall design principles and the applicant's proposed development plan (p. 9) Standard 1 that states:

“...Parking shall be provided behind, beside, or under the building or in a nearby common lot.”

Table 3: Proposed Roadbed and Streetscape Dimension—Additionally, consideration should be given to reducing the drive lane dimension widths. Drive lane dimension widths for all streets should be reduced to a range of 10 to 12 feet and the use of medians should be evaluated, subject to further review by the Planning Department's Transportation Planning Section and the Development Review Division, at the time of preliminary plan of subdivision.

The proposed roadbeds and streetscape dimensions in the plan should be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and emergency access. The use of public streets in accordance with the standards of DPW&T should also be considered to serve certain uses and to determine the future maintenance of transportation facilities, including a possible bridge over the CSX railroad.

- e. **Build-to Line (p. 5)**—The proposed development Standard 3 does not reference Table 3 in conjunction with the build-to line. The 2004 Development Plan, Standard 7 (p. 34) states:

Gas stations may add a maximum of 30 feet to the build-to line in order to place a pump between the station and the sidewalk. The additional setback may not be used for customer parking, loading or outdoor storage.

This standard was omitted from the proposed development plan. The applicant's development plan Standard 3 should reference “Table 3: Proposed Roadbed and Streetscape Dimension” after “build-to line...”

Gas stations have not been requested to be deleted from the use table by the applicant at this time and the rezoning of the property cannot limit uses permitted in the zone. Therefore, Standard 7 should be reinserted since it pertains to a permitted use by special exception per the 2004 Development Plan use table.

- f. **Building Placement and Streetscape (p. 5)**—The 2004 Development Plan, Standard 1 states:

Buildings shall occupy a minimum of 50 percent of the net lot area.

The applicant's development plan proposes that this standard be amended as follows:

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“Buildings shall occupy the net lot area ratios consistent with the development plan.”

The amended language should provide a specific lot area ratio or range associated with each lot; this will provide a measurable amount of minimum building coverage to the site.

The 2004 Development Plan (p. 34) includes the following Standard 2:

The building façade shall occupy a minimum of 66 percent of the build-to line, except in the historic core.

The applicant’s development plan proposes to amend the standard as follows:

“Buildings shall occupy the net lot area ratios consistent with the development plan.”

The amended language should retain the original language or provide a specific lot area ratio range for each lot, in order to provide a measurable length of building façade to the lot frontage.

g. **Access and Circulation (p. 7)**—The 2004 Development Plan, Standard 1 (p. 37) states:

Alleys should be part of new developments and shall be created in accordance with the Riverdale Park town center concept (See Map 3).

The applicant’s development plan proposes to amend Standard 1 as follows:

“Alleys should be part of new developments.”

The 2004 Development Plan standard demonstrates the importance of the proposed concept plan that includes proposed streets and alleys. Map 1: Concept Plan proposes the layout of townhouses such that there will be a predominance of ends of units from the view of public spaces. Each small stick of townhomes is designed as a rear-load garage unit, combined with the units perpendicular to the main serving street, which results in a layout of alleys and end units being highly visible from traffic. A preferred layout would enclose the alleys from the view from the street and serve the units along a rear alley that is not highly visible. The Planning Board recommends that Map 1: Concept Plan be revised and that the preliminary plan further refine the design of the units such that the units provide for an ample front yard and that the rear of the units be oriented so that the alley is parallel to the roadway serving the units. This will result in a semi-private alley, and is in keeping with the traditional use of alleys.

The 2004 Development Plan, Standard 3 (p. 37) states:

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All new gas stations shall have a maximum of two 18-foot-wide driveways.

Standard 4 states:

Gas stations should minimize the area of impermeable surface.

Standard 5 states:

Car repair businesses may have a maximum of two curb cuts that are a maximum width of ten feet each.

The applicant proposes to delete Standards 3, 4, and 5. These standards should be reinserted or appropriately modified since gas stations will continue to be permitted uses as part of the Riverdale Park M-U-TC Zone.

The 2004 Development Plan, Standard 6 (p. 37) states:

Drive-through window are inconsistent with the pedestrian orientation of the town center and are strongly discouraged. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property.

The applicant proposes to amend the standard to:

“Drive through windows should be accessed by alleys and located on the rear of the property.”

The 2004 Development Plan, Standard 6 should be retained because the plan discourages the use of drive-through windows and this basis for the restriction should be retained. Additionally, consideration may be given to placing a restriction to the number of drive-throughs permitted within the subject area.

The 2004 Development Plan, Standard 8 (p. 37) states:

ATMs may be located on the front or side of the building, but may not have vehicular access.

The applicant's proposed development plan Standard 4 amends the standard to:

“ATMs may be located on the front or side of the building. Vehicular access should be accessed by alleys and located on the rear of the property.”

Staff recommended that consideration should be given to requiring that ATMs may only allow vehicular access if accessed at the rear of the building as not to be visible from US 1

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and allow pedestrian ATMs on the front or side of buildings along a street line. However, the Planning Board recommends the following conditions as recommended by the Town of Riverdale Park and the applicant:

Pedestrian accessed ATMs may be located on the front or side of the building along a street line. Vehicular oriented ATMs shall not be visible from Woodberry Street or Van Buren Street.

- h. **Parking and Loading Provision (p. 8)**—The 2004 Development Plan, Standard 1 (p. 39) states:

The maximum number of off-street parking spaces permitted for each land use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568 (a) of the Zoning Ordinance. If structured parking is provided, this maximum number may be increased.

The applicant proposes to amend Standard 1 as follows:

“Maximum retail parking shall be 1 space for every 200 square feet of GLA.”

A proposed increase in the maximum number of parking spaces will diminish the goal and principles of the M-U-TC which intend to create a walkable and transit-oriented town center. Further, the above standard only speaks to the number of parking spaces for retail development. The Planning Board disagrees with the applicant’s proposed modification and recommends the following condition:

The maximum number of off-street parking spaces permitted for commercial (nonresidential) land use type shall be equal 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. If structured parking is provided, this maximum number may be increased.

The applicant proposes to omit Footnote 3 from Standard 4 of the 2004 Development Plan (p. 39) which states:

The Town of Riverdale Park shall maintain an up-to-date inventory of shared parking facilities with accurate data on shared parking agreements and remaining capacity of shared parking facilities, until another entity is designated through the establishment of a parking district.

It appears that, at the time of the original 2004 approval, the Town of Riverdale Park was directed to maintain an inventory. A determination should be made if the Town of Riverdale Park currently maintains an inventory for shared parking facilities.

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The applicant proposes to delete Standard 5 (p. 39) which states:

To encourage the construction of off-street structured parking facilities in the town center and to promote economic development, the establishment of a parking district in accordance with the requirements of Division 27, Section 399-413 of the Prince George's County Code is recommended.

The applicant also proposes to delete Standard 7 which states:

When off-site parking is necessary to meet the parking requirements, the applicant will need to provide satisfactory documentation such as affidavits, leases, or other agreements to show that parking is provided off site.

The Planning Board recommends that the first standard be retained as a consideration of the rezoning.

- i. **Parking and Loading Design (p. 9)**—The 2004 Development Plan Standard 2 (p. 40) states:

Parking shall be accessed from an alley, side street, or if appropriate, adjacent shared parking.

The applicant proposes to amend Standard 2 as follows:

“Parking shall be accessed from an alley, street, side street, or if appropriate, adjacent shared parking.”

The Planning Board supports retaining the applicant's language to modify the 2004 Development Plan in order to provide flexibility. The applicant should try to minimize the number, location, and associated impacts that surface parking lots and parking structures may have on the streetscape and the pedestrian environment along major/primary streets, particularly along Baltimore Avenue (US 1).

Standard 8 from the 2004 Development Plan (p. 40) states:

Car repair businesses may not store vehicles in front of or alongside the building, but may store cars inside or in the rear, with appropriate screening if adjacent to a residential use.

While it may not be the applicant's intent to incorporate car repair businesses as part of the proposed concept plan, this standard should be reinserted since car repair businesses are permitted uses, generally through special exception, within the 2004 Development Plan use table.

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- j. **Signage (p. 10)**—The applicant proposes to retain all standards associated with signage, except that “approximately” has been added in proposed Cafritz Standards 3 and 4.
- k. **Landscaping (p. 11)**—The 2004 Development Plan Standard 2 (p. 44) states:

Healthy trees shall be preserved. Where they cannot be preserved on site, a professional arborist may transplant them to a new location within Riverdale Park.

The applicant proposes to amend this standard as follows:

“Healthy trees shall be preserved within proposed green areas. Where they cannot be preserved on site, a professional arborist may transplant them to a new location within Riverdale Park.”

The Planning Board recommends the following revised standard:

Healthy trees shall be preserved within proposed green areas, landscape strips, streetscapes, and parking lots, where feasible. Where they cannot be preserved on-site, a professional arborist may transplant them to a new location either on-site or within the Town of Riverdale Park.

- l. **Architecture (p. 13)**—The applicant proposes the following Standard 5:

“Synthetic modern sidings shall not be used. Materials facing buildings in this area, such as masonry, brick, wood, and clear glass, should be historically appropriate and generally reflect an early twentieth-century character. Alternative materials may be approved if (a) material samples and examples of existing buildings that use such materials in the proposed way are submitted and (b) it is found that they satisfy the condition of appearing to be constructed of pre-modern materials.”

The Applicant has changed from the original 2004 Development Plan in order to provide some flexibility in the review of the architectural elevations for the project and the Planning Board agreed with the proposed language.

- m. **Building Openings (p. 15)**—Standard 10 of the 2004 Development Plan (p. 55) states:

Walls facing public streets or to the rear shall have windows that occupy at least 40 percent of the wall area.

The applicant proposes to amend the standard as follows:

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“Walls facing public streets shall have windows that occupy at least 40 percent of the wall area.”

The Planning Board agreed with the applicant request.

- n. **Signage (p. 16)**—The applicant proposes to delete the majority of signage standards and also refers to Part 12: Signs of the Zoning Ordinance.

All signage standards should be consolidated into one location in the proposed development plan. Section 27-546.13 of the Zoning Ordinance states that signage standards should be included in the proposed development plan. The M-U-TC Design Review Committee will require standards in which to evaluate all sign permit applications. The sign standards should be equivalent to the level of detail provided in the 2004 Development Plan, which surpasses the level of detail for sign standards provided in the Zoning Ordinance. The Planning Board adopted the recommendation of the Town of Riverdale Park.

SUMMARY OF PLAN REVIEW AND REFERRAL COMMENTS:

17. The Transportation Planning Section has reviewed the zoning map amendment application, including the required information as stated in Section 27-198.05(d)(3)–(4) of the Zoning Ordinance and the traffic study dated July 27, 2011, which was provided by the applicant, but is not required at the time of rezoning of the property. A traffic study is required at the time of preliminary plan of subdivision to test the proposal for adequate public facilities to support the development of the property in accordance with Section 24-124 of the Subdivision Regulations.

Analysis of Traffic Impact of Proposed Development

The application proposes to develop the site in two phases. According to the traffic study, the first phase will include 162,000 gross square feet (GSF) of commercial retail space, and 22,000 GSF of general office space. The second phase will include an additional 6,000 GSF of retail space, a 120-room hotel, and 995 residential units consisting of 224 senior residential housing units, 641 apartment units, and 131 townhouse units.

It should be noted that the amount of development in the traffic study and the amount shown on Sheet 1 of 7 of the development plan is not the same, see Finding 2 for the development data as shown on the development plan. To this end, The Planning Board has evaluated the above mix of uses and levels by determining the generated peak hour and daily trip volumes for each phase as noted above. The Planning Board utilized the AM and PM peak hour and daily trip generation rates from Figure 4 of the Planning Board’s “Guidelines for the Analysis of the Traffic Impact of Development Proposals” (Guidelines) and the applicable Institute of Transportation Engineers (ITE) Trip Generation, 8th Edition, the table below (Table 1) was developed. The information

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presented in this table assumes that the entire site is developable and that the practical density in the existing R-55 Zone is an average of 4.60 residences per acre as stated in the Guidelines.

Table 1—Comparison of Estimated Net Trip Generation, A-10018, 37.55 acres						
Zoning or Use	Units or Square Feet	AM Peak Hour Trips		PM Peak Hour Trips		Weekday Trips (ADT)
		In	Out	In	Out	
Existing Zoning						
R-55 (residential)	173 detached residences	26	104	102	54	1,557
Proposed Zoning						
M-U-TC						
Retail	184,000 square feet	131	83	538	538	11,774
Office	22,000 square feet	40	4	8	33	440
Hotel	120 rooms	83	33	217	217	1,200
Residential – senior housing	224 units	134	20	43	94	780
Residential – apartment	641 units	64	269	250	135	4,167
Residential – townhouse	130 units	18	73	68	36	1,040
TOTAL		470	482	1,124	1,053	19,401
Difference (between bold numbers)		+444	+378	+1,022	+999	+17,844

The comparison of estimated net site trip generation indicates that the proposed rezoning would increase the traffic by as much as 820 trips during the AM peak hour and 2,020 trips during the PM peak hour.

The weekday average daily travel could increase by as much as 17,800 daily trips. Due to the proposed retail uses, the increase in the weekend average daily traffic could be as much as 1,840 daily trips. These figures do not include discounts for trips considered as pass-by and internal trips, as explained below.

Pass-by discount—A component of travel associated with retail uses is pass-by i.e., already on the adjacent roadway. Therefore, while the estimates in the above table reflect traffic at the site entrance, off-site traffic impact of the retail use would be less than indicated in the table above. Also, while the Guidelines suggest that 50 percent of peak-hour retail trips may be pass-by, that percentage would not apply to average weekday and weekend daily trips. This is because most trips using retail uses during the midday or evening hours of a week day or on a weekend day are made specifically for that purpose, and therefore, the pass-by percentage should be assumed to be somewhat lower than the stated peak hour percentage.

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Internal trip discount—Another component of travel associated with the overall site development plan is internal trips. Internal trips are a portion of trips generated that has a beginning and ending in a mixed-use development. These trip discounts could be as much as 10 percent of the generated trips. These trips do not use the external road system.

Master Plan Compliance

Given the size of the traffic impact that would occur if the subject property were to be rezoned as requested, it is appropriate to also assess the potential traffic impact of the proposed rezoning on the 2009 *Approved Countywide Master Plan of the Transportation* (MPOT), which fully incorporated the recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* for Baltimore Avenue (US 1) as a collector facility.

The criteria for evaluation of zoning cases are contained in Section 4 of the Guidelines. However, there are no criteria specifically recommended for the M-U-TC Zone at this time. The Planning Board applied the criteria for comprehensive design zone basic plans (also used for M-X-T) in Section 4 of the Guidelines be used for this purpose, since the proposed zone is not in accordance with the currently approved master plan for this area (the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*).

The site is located in the Developed Tier, as provided in the 2002 General Plan. The applicable level-of-service (LOS) standard in the Developed Tier is LOS E. According to Figure 5 in the Guidelines (p. 35), LOS E corresponds to a volume-to-capacity ratio (V/C) of 1.0 on roadway links. For US 1 in the vicinity of the site, which is a collector roadway with a two-way center left-turn lane, the recommended maximum daily service volume is 46,800 vehicles per day.

The traffic forecasts developed for the preparation of the 2009 MPOT, by using the existing R-55 Zone for the subject property, indicated 44,200 vehicle trips as the estimated average daily traffic for the portion of US 1 that the subject property fronts. This corresponds to a volume-to-capacity ratio (V/C) ratio of 0.94, or about six percent below the maximum LOS E threshold. With the proposed rezoning to the M-U-TC Zone, the projected build-out daily traffic volume, including estimated site generated trip discounts, would increase to approximately 55,500 vehicle trips, with a V/C ratio of 1.19, along US 1. Therefore, the rezoning and amount of proposed development plan depicted in the traffic study would result in a 19 percent increase of the 2002 General Plan recommended V/C level.

The Planning Board also evaluated the impact of a new east-west road connection over the CSX railroad from the site to River Road on the forecast average daily traffic on US 1 in the vicinity of the site. The projected build-out traffic volume along US 1 would decrease from 55,500 (V/C 1.19) to about 50,500 (V/C 1.08), using the assumption that 50 percent of the traffic generated by the site would be oriented to Kenilworth Avenue (MD 201). In this scenario, the rezoning and amount of proposed development plan depicted in the traffic study would result in an eight percent increase of the 2002 General Plan recommended V/C level.

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The preceding sections indicate that the proposed rezoning would worsen the anticipated vehicle travel along US 1 in the vicinity of the subject site, with or without an east-west roadway connection over the CSX railroad to River Road.

One way to mitigate the projected impact on US 1, in addition to the construction of a new east-west road connection over the CSX railroad from the site to River Road, would be by providing a circular shuttle service operating both on weekdays and weekends with ten to twelve hours of service each day. The shuttle would provide service along US 1 between Queensbury Road and Paint Branch Parkway with stops at the proposed site, the Riverdale Marc Station, the University Park town hall, downtown College Park, the College Park—UMD Metro Station, and the Prince George's Plaza Metro Station.

Review of Applicant's Traffic Impact Report

The applicant has voluntarily submitted a traffic impact report by Wells and Associates, dated July 27, 2011, with the zoning map application; however, this traffic study is not a submittal requirement, nor does it relate to the required findings for rezoning of the property to the M-U-TC Zone. The traffic impact report was prepared in accordance with the methodologies in the "Guidelines for the Analysis of the Traffic Impact of Development Proposals" (Guidelines) for preliminary plats of subdivision. While the report indicates and evaluates the impact of the development to some degree, a finding of adequate public facilities is not required for this type of zoning change.

The information contained in the submitted report is provided for transparency purposes and to allow comment upon the scope of future studies, as a part of the development process. If the zoning is granted, detailed transportation conditions will be imposed at the time of the preliminary plan application, which is required pursuant to Section 24-124 of the Subdivision Regulations.

The traffic study was referred to the Maryland State Highway Administration (SHA), the Prince George's County Department of Public Works and Transportation (DPW&T), the City of College Park, the Town of Riverdale Park, and the Town of University Park. DPW&T provided the Planning Board with written comments, see Finding 23. The SHA provided comments as well, see Finding 25.

Given the above, the Planning Board review of the applicant's submitted traffic report indicates that all of the intersections studied, except for the signalized intersections of US 1/Paint Branch Parkway and US 1/East-West Highway (MD 410), operate acceptably (LOS E) under existing conditions. The report finds that all intersections would continue to operate acceptably with development under the proposed development intensities noted above, with the provision of:

- a. On-site transportation demand management measures;
- b. A neighborhood shuttle service with connections to nearby Metro and MARC stations;

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- c. A traffic signal at the intersection of US 1 at Van Buren Street/main site access driveway;
- d. Extension of the Rhode Island Avenue "Trolley Trail," north and south of the site;
- e. A bike trail connection from the Rhode Island Avenue "Trolley Trail" to US 1; and
- f. A roadway connection via Maryland Avenue to the Riverdale MARC station.

However, the Planning Board noted the following issues with the submitted traffic report:

- a. The report included analysis of Intersections 1 through 6 using the procedure described in the 2010 *Approved Central US 1 Corridor Sector Plan and Adopted Sectional Map Amendment*. However, the subject property is not located within the sector plan area, so this methodology does not apply to the site.
- b. The scoping agreement indicates "TDOZ" as the type of application. However, the subject property is not located within a Transit District Overlay Zone area, so this does not apply to the site.
- c. The report did not analyze the intersections of Rivertech Court with River Road, and River Road with Kenilworth Avenue (MD 201), to evaluate the impact of additional traffic that would be oriented to these intersections with the proposed new east-west road connection and the CSX railroad crossing.
- d. The transportation facilities mitigation plan (TFMP) procedures may be applied per Section 24-124(a)(6) of the Subdivision Regulations, but this was not done in the submitted traffic report.

If the rezoning is approved, these issues and the right-of-way dedication for US 1 will be addressed at the time of preliminary plan of subdivision and should be consistent with the MPOT, the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*, and the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*, or as amended. A revised traffic impact study will be required at the time of preliminary plan of subdivision.

The Planning Board is aware that the adequacy or inadequacy of transportation facilities is not a required finding pertaining to the proposed rezoning to the M-U-TC Zone per the criteria for approval set forth in Section 27-198.05 of the Zoning Ordinance. Based on the potential trip generation, the proposed rezoning would have a sizable impact on the existing transportation facilities in the area of the subject property. While no transportation facility conditions are warranted as a means of ensuring the coordinated, harmonious, and systematic development of the regional district at the time of rezoning to the M-U-TC Zone, a number of issues have been identified that will need to be addressed during the review of the preliminary plan of subdivision.

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The applicant proffered the following transportation related conditions before the Planning Board on February 2, 2012:

- “14. Prior to acceptance of any application for a preliminary plan of subdivision, the following information shall be provided:
 - “c. A Revised Traffic scoping agreement and Impact Study that:
 - “(1) Accurately reflects the development proposal and anticipated phasing;
 - “(2) Eliminates corridor averaging for all intersections included in the Study;
 - “(3) Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;
 - “(4) Analyzes all proposed connections, including the proposed CSX crossing and Maryland Avenue;
 - “(5) Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate;
 - “(6) Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bikeshare, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing.
 - “(7) Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved Detailed Site Plan or Preliminary Plan of Subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and
 - “(8) Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.

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- “15. After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.
 - “17. At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan (“TMP”) for the entire development. The TMP will include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District (“TDMD”) is established and includes the property. The TMP will identify and establish a series of measures to achieve a maximally efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the Applicant’s letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant’s heirs, successors, and/or assignees’ expense.
 - “18. Prior to approval of a Preliminary Plan of Subdivision the applicant will provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George’s Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.
 - “19. Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.
 - “20. Prior to approval of any DSP for the project, the applicant shall submit a traffic signal warrant study following the accepted methodology of DPW&T or the Maryland State Highway Administration for the intersection of Baltimore Avenue and Van Buren Street with channelization as shown on Sheet 4 of the Development Plan. This analysis will examine both existing and total projected
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traffic volumes. If signals are deemed warranted by the appropriate agency, the applicant shall initiate a bond to secure the entire cost prior to the release of any building permits within the subject property and shall agree to install the signals directed by DPW&T or the State Highway Administration. Further, subject to SHA approval, the applicant shall install the traffic control devices as noted on the Development Plan (Pork Chop Islands) or as modified by SHA to direct traffic so that no traffic may directly access or egress the property across Baltimore Avenue along Van Buren Street. Both entrances and exits at Woodberry and Wells Parkway, respectively north and south of the Van Buren "gateway," must be right turn only in and out. Prior to the issuance of a grading permit, the applicant shall demonstrate that the State Highway Administration has preliminarily approved the installation of the traffic signal and other traffic control devices at Van Buren Street and Baltimore Avenue, subject to approval of the final construction plan and permit by SHA. If for any reason, including lack of warrants or SHA or other required governmental approval, the traffic signal and other traffic control devices described in this paragraph are not installed or cannot be installed at Van Buren and Baltimore Avenue, no permits may be issued.

- "22. Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.

"Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, all in a manner acceptable to the Town of Riverdale Park:

- "a. The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").
- "b. Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied for retail, office, or hotel use until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety and emergency service vehicles.
- "c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120

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residential dwelling units, the construction of the Van Buren Extension shall be complete as verified by the Town of Riverdale Park.

- “25. Prior to the approval of a Preliminary Plan of Subdivision (the “Preliminary Plan”), the applicant shall do the following, all in a manner acceptable to Prince George’s County and the Town of Riverdale Park:
- “a. The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the “CSX Crossing”). The “CSX Crossing” shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.
 - “b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.
 - “c. Provide letters from the CSX and University of Maryland, (or the affected land owner) that recommends approval of the CSX Crossing as shown on the Preliminary Plan and identifies the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University.
 - “d. Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.
- “The applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars (\$5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local laws. If the manner of public funding is tax increment financing, or any other funding mechanism that requires the approval of the County Council or other government body or entity, the approval of the County Council and all other government bodies or entities must be obtained prior to the approval of any Detailed Site Plan for the subject property.
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- “26. The implementation of the CSX Crossing shall be in accordance with the following:
- “a. Prior to the issuance of any permits for development on the property, the applicant (1) shall submit a roadway plan for the location and design of the CSX Crossing to CSX, or to AECOM or other agent designated by CSX, and to the University Maryland, (or the affected land owner) and (2) shall submit letters received from both of them that approve the construction of the CSX Crossing in accordance with the roadway plan, subject to approval and authorization of the final construction plan, and verification by the Department of Public Works and Transportation that the roadway plan meets AASHTO standards and is appropriate for construction of the CSX Crossing and has been approved by CSX and the University of Maryland, (or the affected land owner).
 - “b. Prior to the issuance of building permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the applicant (1) shall have received all necessary permits and approvals for construction of the CSX Crossing, (2) shall have provided the Prince George’s County Department of Public Works and Transportation with all approved financial assurances and performance security to ensure completion of construction of the Crossing, and (3) shall have commenced construction of the CSX Crossing as verified by the Prince George’s County Department of Public Works and Transportation.
 - “c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and no more than 120 residential dwelling units, the construction of the CSX Crossing shall be at least fifty percent complete as verified by the Prince George’s County Department of Public Works and Transportation, and the Department of Department of Public Works and Transportation shall have verified that all approved financial assurances and performance security to ensure completion of construction of the crossing remain in full force and effect.
 - “d. Prior to the issuance of building permits for more than 382 residential dwelling units, the CSX Crossing shall be open for use by public vehicular traffic as verified by the Prince George’s County Department of Public Works and Transportation.
 - “e. Applicant shall timely provide the Towns of Riverdale Park and University Park, the City of College Park, and the Prince George’s County Department of Public Works and Transportation with copies of all
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submittals, notices, approvals and determinations made pursuant to this condition.

- “f. The applicant, the Town of Riverdale Park and the Town of University Park will work together to petition the District Council to initiate and establish a Transportation Demand Management District (“TDMD”) program under the Prince George’s County Transportation Demand Management District Ordinance Subtitle 20A. Consideration should be given to establishing the boundaries of the TDMD to extend from Paint Branch Parkway to Queensbury Road. Once a TDMD is established, the applicant will provide financial support and the TMP will become part of the District and will be monitored by the Transportation Management Authority (“TMA”). The TDMD should provide for traffic reduction goals and periodic independent verification of monitoring whether the goals have been met, including restricting the maximum allowable density to a level that will generate average net additional daily vehicle trips on Baltimore Avenue that are not more than twenty percent above current levels and net additional peak hour trips that are no more than twenty percent above current peak-hour vehicle trips at AM (06:00-09:00), mid-day (11:00-14:00), PM (16:00-19:00), Saturday (10:00-18:00). These counts will be performed at a fixed location specified in the TDMD between East-West Highway and the southern entrance, and between Queens Chapel Road and the northern entrance, to the project and will be based upon traffic estimates that have been reviewed and determined to be reasonably accurate by the Transportation Planning Section of M-NCPPC. If the goals of the TDMD are not met, additional vehicle trip reduction measures to resolve the problem will be required pursuant to the requirements of Subtitle 20A.”

The Planning Board reviewed and made minor modifications to the proposed conditions and heard testimony from the applicant and the municipalities, who were in agreement with adding the proposed conditions in order to achieve connectivity to the east, to mitigate the impact of the proposed development on the existing neighborhood to the west, to determine future impacts analysis of the development on exiting road systems at the time of the adequate public facilities test and to limit the overall development to the amount shown and proposed in the amendment to the Development Plan. The Planning Board found the arguments for incorporation into the conditions of approval to be compelling and recommends the modified conditions contained in the recommendation below be adopted by the District Council.

18. **Subdivision Review**—The property is located on Tax Map 42 in Grid D-1, and is known as Parcel 81. The site is located on both the west and east side of what appears to be an extension of Rhode Island Avenue, which has been depicted on some mapping information as a 50-foot-wide right-of-way. In 1988, pursuant to a deed recorded in Prince George’s County Land Records in Liber 7227 Folio 243, Parcel 32 to the north was subdivided from Parcel 81 by a declaration of

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taking by the Washington Metropolitan Area Transit Authority (WMATA) for a “public use for construction, maintenance and operation of a rapid rail transit system and related facilities necessary.” Parcel 81 is a legal acreage parcel never having been the subject of a preliminary plan of subdivision. Pursuant to Section 24-107(c) of the Subdivision Regulations, a preliminary plan of subdivision is required for the construction of more than 5,000 square feet of gross floor area on Parcel 81.

The development plan indicates that the Capital Transit Company right-of-way has been abandoned and incorporates that land area into this application. The plan provides reference to a deed recorded in Liber 34 Folio 436. The third paragraph of that 1895 deed of conveyance to the Columbia and Maryland Railroad contains a reverter clause which states that, if the railroad was not constructed within 18 months, the contract was null and void. There is no evidence that an extension was granted or that the railroad was constructed. It appears that the application includes all of Parcel 81 and the land which contained the transit right-of-way, which is also labeled as Rhode Island Avenue. The Riverdale post office located on Parcel A (Plat WWW 69 at 62) abuts the subject property to the south and west. At the time of approval of the record plat in 1968, right-of-way was dedicated to public use for Rhode Island Avenue along the eastern property line of Parcel A. The development plan should clearly delineate the property line on all sheets of the application and label the dedicated right-of-way. The vacation of that part of the right-of-way, dedicated with Parcel A, may be appropriate in the future based on the proposed development of Parcel 81.

The Planning Board Recommends the following conditions to clarify the plans:

- a. Revise the site plan general notes to provide the tax map, grid, and parcel number, and clearly indicate if the right-of-way is a part of the gross tract area.
- b. Revise the site plan to correctly label that the 80-foot-wide right-of-way for ingress and egress for the post office from US 1 was conveyed to the United States of America by quit claim deed recorded in land records in Liber 3624 Folio 948.
- c. The site plan should delineate the boundary of the Aviation Policy Analysis Zone 6 (APA-6) and the municipal boundaries of College Park and Riverdale Park.
- d. Noise and vibration may be a variable on the layout and development for site planning purposes related to the transit right-of-way. The site plan should reflect the 65 dBA Ldn from noise generators if it is determined appropriate at this time. Section 24-121 of the Subdivision Regulations requires a 300-foot lot depth abutting a transit right-of-way for residential development. The preliminary plan should establish additional restriction on the layout if it is determined that noise and vibration issues are associated with the transit right-of-way.
- e. The applicant should provide information and verify that the right-of-way extending north and south through Parcel 81 and the WMATA property has, in fact, been abandoned and

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that the issue is settled and/or provide information of the disposition of that area of land, as appropriate.

19. **Trails**—The Transportation Planning Section trails specialist reviewed the submitted basic plan application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (MUTCD Plan), and the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

Master Plan Compliance and Prior Approvals Relating to Trails

The MPOT and the area master plan identify two master plan trails issues that impact the subject property; the Rhode Island Avenue Trolley Trail and policies relating to the Complete Streets section. The abandoned right-of-way of the Rhode Island Avenue Trolley Trail bisects the subject site. This former rail corridor has been identified as a master plan trail corridor. The MPOT includes the following project description for the Rhode Island Avenue Trolley Trail project:

Rhode Island Avenue Trolley Trail (MPOT, page 31)

Provide a shared-use trail along this former trolley right-of-way. Several segments of this trail have been implemented by the City of College Park. Planning work is also being done in Riverdale Park and Hyattsville. Where an existing roadway is within the former trolley right-of-way, bikeway and sidewalk improvements may be appropriate. Designated bike lanes shall be provided from Greenbelt Road north to Quimby Avenue.

The City of College Park has constructed several segments of this trail, including the segment immediately to the north of Albion Street. The Maryland-National Capital Park and Planning Commission (M-NCPPC), Department of Parks and Recreation, is currently doing more detailed design work for the construction of this trail south of the subject site in the Town of Riverdale Park and the City of Hyattsville, and a segment of the trail has been approved for construction as part of the EYA development. The Planning Board is recommending the development of the trail within the boundary of the subject property and extending improvements over the WMATA property in order to connect to the north.

The MPOT also includes several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Developed and Developing Tiers. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The Trails, Bikeways, and Pedestrian Mobility chapter of the MPOT also includes the following policy regarding pedestrian connections between and within communities.

POLICY 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.

Baltimore Avenue (US 1)—The development and design concepts included in the existing 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* recommends an enhanced streetscape for Baltimore Avenue (US 1). The town center streetscape width requirement varies from a minimum of 15 feet to a maximum of 23 feet. Within this area the following is required:

- a. **Sidewalk:** An unobstructed seven-foot-wide walkway that is located adjacent to the street wall that is formed by the buildings. The development plan proposes to set the building back from the US 1 right-of-way and provide a buffer between the development and the street.
- b. **Landscaping/Pedestrian Amenity Strip:** Include street trees, landscaping, and space for the placement of amenities such as benches, post office boxes, and pedestrian-oriented lights. The development plan indicates landscaping and amenities along the street line.
- c. **Bike Lanes:** The 2004 plan (p. 25) recommends five-foot-wide bike lanes along most of US 1 in the town center to facilitate bicycle commuting to the University of Maryland and other communities along US 1. The provision of bike lanes within the right-of-way of US 1 is contingent on approval of the State Highway Administration (SHA).

Internal Road Network—The proposed internal road network includes:

- (a) seven-foot-wide sidewalks on commercial roads;
- (b) five-foot-wide sidewalks on residential roads;
- (c) eight-foot-wide sidewalks on the Van Buren entry configuration; and
- (d) seven-foot-wide sidewalks on the Woodbury entry configuration.

This pedestrian system proposal appears to be adequate to accommodate movement through the site and to both US 1 and the Rhode Island Avenue Trolley Trail. However, the Planning Board recommends that one east-west trail/bicycle connection be provided through the site between US 1 and the trolley trail. A connection should be determined at the time of preliminary plan and may consist of a trail or wide sidewalks with designated bike lanes along either Van Buren Street or Woodbury Street.

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In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*, the applicant and the applicant's heirs, successors, and/or assignees should provide the following:

- a. Sidewalks and streetscape along US 1 to ensure that the pedestrian is provided for in a safe and attractive pedestrian zone. This streetscape should incorporate an unobstructed seven-foot-wide walkway and sufficient space for designated bike lanes, street trees, landscaping, public art space for the placement of pedestrian-oriented lighting and other pedestrian amenities, and designated bike lanes within the roadbed (subject to SHA approval).
 - b. Consider extending the master plan trail along the entire length of the subject site's portion of the former Rhode Island Avenue Trolley right-of-way, across the WMATA property, to connect with the terminus of the existing trail at Albion Street and south to Tuckerman Avenue. This trail should be dedicated to public use within a maintenance easement (or other suitable agreement), to be determined at the time of preliminary plan.
 - c. Crosswalks at the signalized intersection(s) at US 1 including highly visible and attractive pedestrian crosswalks, pedestrian signals, and other pedestrian or warning signage as appropriate, subject to SHA approval. Crosswalks providing appropriate pedestrian safety features should be provided throughout the site.
 - d. Bicycle parking shall be provided throughout the site, per Design Standard 4 (MUTCD Plan, p. 60). The exact number and location shall be determined at the time of preliminary plan.
 - e. Provide one east-west bicycle route through the site either along Van Buren Street and extending over the CSX Crossing bridge in order to accommodate east-west bicycle movement through the site, and connections to the trolley trail and to the planned bicycle facilities along US 1.
20. **Historic Preservation**—The review of A-10018, Cafritz Property, found that the subject property is adjacent to two National Register historic districts: University Park to the west and Riverdale Park to the south. The subject property is one property away from the Calvert Hills National Register historic district to the north. The Cafritz Property is also adjacent to the Engineering Research Corporation (ERCO) Historic Site (#68-022), to the east. General Note 17 on the development plan, Sheet 1 of 7, should be revised to include this information concerning the adjacent historic site and the historic districts.

The proposed elevated roadway, as shown on Map 1: Concept Plan, over the CSX rail lines connecting Rivertech Court and the Cafritz Property at the unnamed street between Blocks J and L is within the ERCO historic site environmental setting. This connection is not shown on any of the development plans (Sheets 1 through 7).

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The NRI should be revised to include information concerning the three identified archeological features within the Cafritz Property.

The ERCO Historic Site (#68-022), a Prince George's County historic site, is adjacent to the southeastern portion of the subject property. Built in 1939, the ERCO building is a two-story industrial structure with a large administrative block finished in the Moderne style and a larger rear factory that is without ornamentation. This industrial building mimicked the design of contemporary transportation machinery such as ships, airplanes, and automobiles, and industrial and consumer products, such as bicycles, toasters, radios, and vacuum cleaners. Owned by Henry Berliner, the ERCO plant is representative of the significant developments in aviation that took place in the county; the factory produced the Ercope (the first tricycle aircraft that was touted as characteristically incapable of spinning) and was later adapted to meet defense needs during World War II.

Also adjacent to the subject property are the Riverdale Park (#68-004), University Park (#66-029), and Calvert Hills (#66-037) National Register historic districts to the south, west, and north, respectively.

The Riverdale Park National Register historic district (listed December 2002) is significant as a late 19th and early 20th century railroad and streetcar suburb that surrounds the Calvert family's Riversdale plantation house (a national historic landmark completed in 1807). The suburb of Riverdale Park began in earnest around 1890 and includes a range of houses that reflect late 19th and early 20th century residential architectural preferences. The University Park historic district (listed in October 1996; boundary expansion pending) is an early 20th century automobile suburb begun in 1920 that reflects middle-class residential architectural styles through World War II, and in the post war period until 1960). The Calvert Hills National Register historic district (listed in December 2002); formerly a part of the Calvert family's Riversdale Plantation is significant as a late 19th and early 20th century streetcar and automobile suburb. The earliest houses in Calvert Hills are from the 1890s, although the majority dates from the 1920s and 1930s, and reflect the architectural taste of the pre-World War II period.

The developing property was once part of Charles Benedict Calvert's Riversdale Plantation. Charles Calvert donated land for and was the founder of the Maryland Agricultural College, now the University of Maryland. In addition, he served one term in the United States Congress from 1861 to 1863, representing the Sixth District of Maryland. After the death of Charles Calvert in 1864, his estate was divided among his wife and children. His son, Charles Baltimore Calvert, was allotted a tract comprising 203.5 acres that was approximately 600 yards wide and stretched from Baltimore Avenue on the west, across the Baltimore and Ohio Railroad tracks to Paint Branch and Edmonston Road on the east. Calvert built a residence, known as MacAlpine, and developed an agricultural and dairy farm on his property around 1868. Calvert designed and supervised the construction of the house and the various outbuildings that included a brick cow barn, a brick icehouse, a brick carriage barn, a meat house, a smokehouse, and a wooden corn shed/wagon shed. MacAlpine was built on the site of an earlier structure, occupied by a foreman of the Riversdale

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estate that was destroyed by fire. An old well from the earlier structure served MacAlpine until it ran dry. A new well, pump house, and water tower were placed directly behind the house and served as the water supply until public water utilities were installed in the 20th century.

Historic photographs of MacAlpine show that the structure was a Georgian-style brick residence with a full-length porch on the front with a central stairway and a low balustrade. The farm produced about 200 barrels of corn per year, as well as a substantial quantity of dairy products. Charles Baltimore Calvert died in 1906 and his family continued to reside at the MacAlpine estate until 1910. Between 1910 and 1917, MacAlpine was used as the Calvert family's summer residence. Charlotte Calvert Spence, a daughter of Charles Baltimore and Eleanor Calvert, and her husband, Thomas H. Spence, a Dean of the University of Maryland, moved into MacAlpine in 1917. Eleanor Calvert died in 1932 and Charlotte and Thomas Spence moved from MacAlpine in 1934. The Calvert family eventually rented the MacAlpine estate to the Longfellow School for Boys in 1934 and subsequent years. The subject property was acquired by the federal government in 1942 and a housing development was built for the workers in the nearby ERCO plant, known as Calvert Homes. All of the houses were built on concrete pads, some units containing two bedrooms and others just one. The Calvert Homes housing development was closed in 1954 and subsequently demolished.

In 1948, the Prince George's County Board of Education purchased a 1.4-acre tract adjacent to the MacAlpine house for use as a school for the residents of Calvert Homes. After demolition of the Calvert Homes development, the school continued to be used for physically-handicapped children. Morris Cafritz acquired the subject property in 1960 and the property remains in the possession of the Cafritz family. The MacAlpine house was subsequently demolished and there are no remaining standing structures on the subject property.

A Phase I archeological survey was completed on the subject property in March 2008. Two historic archeological sites were previously recorded on the property in 1984, 18PR259, the MacAlpine Mansion, and 18PR260, the Calvert Homes housing development. Pedestrian survey identified numerous concrete pads associated with the Calvert Homes housing development. Several features related to the MacAlpine Mansion were also noted, including a concrete-lined cellar hole, a pile of bricks where a barn is thought to have been located, and an ice house. A substantial amount of earth movement had taken place when the Calvert Homes development was built. The cellar hole is lined with concrete and measures approximately 9.5 by 8.5 meters. A circular ice house, located to the south of the house, is about 8.5 meters in diameter and is built against a steep slope. A large number of late 19th to early 20th century artifacts were scattered around the surface. A small pile of bricks was noted to the southwest of the cellar hole and probably represents a smokehouse noted in a 1934 University of Maryland honors thesis. A possible brick barn was located some distance south of the main house. Although the property is highly disturbed, further evaluation of the site may identify intact cultural deposits or shed light on the construction techniques of the buildings. Phase II investigations were recommended on the four features associated with the MacAlpine estate. Very little cultural material was found in association with the Calvert Homes housing development. Therefore, no further work was recommended in the areas associated with the housing development.

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The development plans and the natural resources inventory do not show the ERCO Historic Site (#68-022), the foundations related to the MacAlpine house and outbuildings, or the adjacent National Register historic districts.

Tree conservation and other illustrative plans for the application indicate several potential impacts on the property: (1) substantial grading that would remove all of the trees and seemingly all of the archeological features currently identified; (2) a vehicular connection between the subject property and the ERCO property to the east by means of a flyover across the railroad right-of-way. As illustrated, the eastern portion of the flyover would be located within the environmental setting of the ERCO historic site; (3) the illustrative plans for the proposed development indicate the possibility of multi-story buildings on the east side of the property that may have a visual impact on the adjacent ERCO historic site.

Summary of Historic Preservation Issues

- a. The Planning Board concurs with the conclusions and recommendations of the Phase I archeology report that no further archeological work is necessary in Area B and portions of Area A associated with the Calvert Homes housing development on the Cafritz Property. In addition, the Planning Board concurs with the conclusions and recommendations of the report that Phase II investigations be conducted in the areas surrounding the location of the MacAlpine Estate's ice house, meat house, concrete cellar, and brick barn. A Phase II work plan is included in the report as Appendix D. The Planning Board concurs that the Phase II work plan presented by the consultant is appropriate and sufficient to evaluate the extent and integrity of the identified features. Interpretive signage should also be developed to interpret the remains of the MacAlpine mansion and the Calvert Homes development.
- b. The development plans and natural resources inventory should identify the ERCO Historic Site (#68-022) adjacent to the southeast of the subject property, archeological site 18PR259 on the subject property, and the adjacent National Register historic districts.
- c. The proposed grading of the property may result in the removal of all currently identified archeological features. Before any decision about a preliminary plan of subdivision for the property, the character and significance of archeological features should be assessed to inform appropriate mitigation measures, if the features are proposed to be removed, through a Phase II archeology report. The development plans also provide for a potential vehicular access road to the property to be located within the environmental setting of the ERCO historic site. This would likely represent a substantial and negative impact on the historic character of the ERCO property and should be evaluated through the review of the preliminary plan of subdivision and the detailed site plan. Further, if the site is rezoned to M-U-TC, it is possible that the eastern portion of the subject property may include multi-story buildings that overlook the ERCO historic site and the adjacent National Register historic districts and may not be compatible with the character of these resources. As a

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result, these impacts should be reviewed by the Historic Preservation Commission (HPC) at the time of preliminary plan and through subsequent site plan applications.

Planning Board Recommendations relating to Historic Preservation

- a. Prior to acceptance of the preliminary plan, the applicant should provide a draft report detailing the Phase II investigations.
 - b. If Phase III archeological mitigation is proposed, the applicant should provide a final report detailing the Phase II and Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to any ground disturbance or the approval of any grading permits.
 - c. Prior to final plat, the applicant and the applicant's heirs, successors, and/or assignees should provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I, II, and III archeological investigations). The location and wording of the signage and the public outreach measures should be subject to approval by the HPC and the M-NCPPC Planning Board archeologist.
 - d. The HPC should review the preliminary plan of subdivision and any subsequent plans of development for their impact on identified archeological features, the impact of a potential vehicular access road on the ERCO Historic Site (#68-022), and the impact of proposed buildings visible from the ERCO historic site and the adjacent National Register historic districts.
21. **Environmental Planning**—The Environmental Planning Section and the Planning Board reviewed the zoning map amendment for Cafritz Property, A-10018, including a revised statement of justification, a development plan, a natural resources inventory (NRI), and a Type 1 tree conservation plan, stamped as received by the Environmental Planning Section on November 14, 2011.

The Environmental Planning Section previously reviewed Natural Resources Inventory NRI-121-06 for this property which was signed on September 28, 2006, and is no longer valid. The current application is a request for a primary amendment to an approved mixed-use town center (M-U-T-C) development to incorporate the subject 37.35-acre site, and rezoning the site from R-55 to M-U-T-C.

With regard to the environmental regulations that became effective September 1, 2010, the subject application is not grandfathered under Subtitle 25 and Subtitle 27 of the Prince George's County Code with respect to the delineation of regulated environmental features, woodland conservation, and applicable submittal requirements because the proposed project does not have any previously approved development applications.

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General Plan Conformance

The 2002 *Prince George's County Approved General Plan* contains tier-specific and countywide-specific goals, objectives, and policies with regard to the protection of natural features, noise pollution, stormwater management, light pollution, and woodland conservation. Many of these policies have been implemented through updates to the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, zoning requirements, and applicable master plans.

The applicable **tier-specific** policy is as follows:

POLICY 2: Preserve, restore and enhance environmental features and green infrastructure elements.

The site does not contain any regulated environmental features such as streams or wetlands floodplain. The site is 90 percent wooded and contains a network gap area and evaluation area within the designated network of the *Approved Countywide Green Infrastructure Plan*. The plans do not propose to preserve the on-site woodland nor any areas within the designated network. Woodland conservation is discussed further under conformance with the master plan, development plan, Green Infrastructure Plan, and also within the Environmental Review section.

The applicable **countywide-specific** policies are as follows:

POLICY 1: Preserve, protect, and enhance the designated green infrastructure elements.

See conformance with the Countywide Green Infrastructure Plan below.

POLICY 2: Preserve, protect and enhance surface and ground water features and restore lost ecological functions.

Based on the current natural resources inventory for the subject site, the site does not contain any surface water features. The preservation and protection of groundwater features will be addressed during the review of the stormwater management concept plan by the Department of Public Works and Transportation (DPW&T) in future phases of development.

POLICY 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern.

The current plan does not propose to preserve nor replant woodland. Because the site is undeveloped and primarily wooded, it is possible to preserve woodlands on portions of the property while still implementing the desired or similar development pattern. Opportunities to replant woodland will be evaluated in further detail during the final design phase.

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POLICY 5: Reduce overall sky glow, minimize the spill-over of light from one Property to the next, and reduce glare from light fixtures.

Light pollution is discussed in the Development Plan section below.

POLICY 7: Minimize impacts of noise on residential uses during the land development process.

The site is adjacent to a CSX railroad right-of-way which is generally regulated for noise and vibration impacts associated with railroad transportation. Noise impacts are discussed below in the section for development plan conformance.

Master Plan Conformance Relating to Environmental Issues

The site is within the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*, which predates the General Plan. While the environmental objectives of the master plan are superseded by current regulations for woodland conservation and stormwater management, the master plan states that the goal is to:

Maintain, restore and enhance the natural character and aesthetic qualities of the Anacostia River stream valley and preserve and expand the Planning Area's forest cover.

The goal of preserving and expanding forest cover within the planning area was reiterated in Policy 3 of the General Plan to "preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern." A review of 2009 aerial photos indicates that the subject site is one of the few remaining tracts of undeveloped land within Planning Area 68. The site is not within nor adjacent to a stream valley; however it is approximately 90 percent wooded and contains specimen trees, and on-site preservation is the preferred woodland conservation methodology. The on-site mature woodland and trees should be preserved to meet the site's woodland conservation threshold requirements and expand the community's existing urban tree cover to the fullest extent possible.

Development Plan Conformance

The 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* was amended by the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*, approved by the Prince George's County Council on January 20, 2004. The approved development plan contains environmental standards for lighting, landscaping and noise which are applicable to the amendment request as follows:

a. **Lighting**

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3. **Fixtures shall be located so that light does not spill from a parking lot of service areas onto an adjacent residential property.**
4. **All lighting shall be shielded and of an intensity that minimizes light pollution**

The site is not directly adjacent to any residential lots or residential uses; however, the residential lots located on the west side of Baltimore Avenue (US 1) and the residential lots that are proposed on the subject site may be subject to light pollution from the proposed commercial development. The proposed lighting should use full cut-off optics to ensure that off-site light intrusion into residential and woodland conservation areas is minimized, and so that sky glow does not increase as a result of this development.

The Planning Board Recommended Condition: At the time of site plan or permit review, whichever is required first, the lighting plan for the subject property shall demonstrate the use of full cut-off optics to ensure that light intrusion into residential and woodland conservation areas is minimized. Details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures are full cut-off optics and a photometric plan showing proposed light levels at an intensity that minimizes light pollution. The following note shall be placed on the plan: "All lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."

b. **Landscaping**

1. **The required tree coverage for each property shall be ten percent of the gross site area, measured by the projected ten year coverage provided by a tree. The tree coverage should be accomplished through the provision of shade rather than ornamental trees. In lieu of meeting this standard, the applicant may plant street trees in conformance with the streetscape standards (see Public Space Section) either on the property or within the abutting right-of-way.**

The required tree canopy coverage requirement of Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, is 15 percent for sites zoned R-55 and 10 percent for sites zoned M-U-TC. The gross site of Parcel 81 is 37.35 acres, resulting in a tree canopy requirement of approximately 3.75 acres. It is unclear at this level of review how the requirement is proposed to be met. However, the site is 90 percent wooded and is in the vicinity of residential areas that exhibit a mature tree canopy cover based on a review of 2009 aerial photos. In order to achieve the mature canopy consistent with the character of the surrounding communities, the requirement should be met through the preservation of mature woodlands, specimen trees, and other larger trees on the site. The requirement for tree canopy coverage will be evaluated further at the time of site plan review, when detailed grading and tree preservation techniques can be evaluated.

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The Planning Board Recommended Condition: Prior to the approval of a special permit, special exception, detailed site plan, or grading permit, whichever is first, every effort shall be made to meet the ten percent tree canopy coverage requirement through the provision of existing mature woodland, specimen trees, other large existing trees, and landscaping.

2. **Healthy trees shall be preserved. Where they cannot be preserved on site, a professional arborist may transplant them to a new location within Riverdale Park.**

The site contains several large trees, including specimen trees, which should be considered for preservation. A review of the most recent natural resources inventory (NRI) plan shows that the site contains 29 specimen trees, of which a majority are located within Forest Stand 1 (Trees 251–257) along the western portion of the site, and Forest Stand 3 (Trees 261–271) along the northeastern portion of the site. These stands have also been determined to have the highest priority for preservation on the site. The site contains other trees that do not qualify as specimen trees, but are mature and significant in size, and should be considered for on-site preservation; smaller trees located on-site are of an appropriate size to be considered for on-site or off-site transplanting, should designated receiving areas be identified.

A condition analysis of all specimen trees and other healthy trees considered for preservation outside of the proposed woodland conservation areas should be provided at the time of preliminary plan. For any specimen trees to be cleared, a variance will be required.

The Planning Board Recommended Condition: At the time of preliminary plan, a condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.

c. **Noise Mitigation**

2. **The sound from the exterior to within the interior of all residences shall not exceed 45 dBA (Ldn) and should not exceed 35dBA (Ldn). This is to be achieved through material and design changes, including, but not limited to:**
 - a. **Double-glazed windows/double-pane windows.**
 - b. **Above-normal insulation in the roof and walls.**
 - c. **Above-normal insulation in doors and other construction elements.**
 - d. **The use of high mass construction materials such as concrete, masonry, and stone.**

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The subject site is located between Baltimore Avenue (US 1) and the CSX right-of-way. Baltimore Avenue (US 1) is a major collector, which is not generally regulated for noise. The unmitigated 65 dBA Ldn noise contour is not shown on the plans. The submitted development proposes residential units (multifamily and attached single-family) adjacent to the right-of-way. Because the noise impacts of the CSX railroad tracks cannot be determined with the submitted information, a Phase 1 noise and vibration study should be submitted with the preliminary plan application for this site. If it is determined that there are potential noise impacts on residential or residential-type uses, and vibration impacts on any of the proposed structures, a Phase 2 noise study will be required, and the associated site plans must demonstrate how the noise and vibration impacts will be mitigated prior to issuance of the first grading permit.

The Planning Board Recommended Condition: At the time of preliminary plan, a Phase 1 noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a minimum, the associated railroad noise and the whistle blower. The 65 dBA LDN noise contour shall be shown on all future plans.

Conformance with the Countywide Green Infrastructure Plan

The *Approved Countywide Green Infrastructure Plan* indicates that the property contains a network gap area and evaluation area within the designated network.

The site is significantly wooded with no existing development and contains no regulated environmental features such as streams, wetlands, or associated buffers. The site is bordered on the east by the CSX railroad tracks; to the west by US 1; to the north by Washington Metro Area Transit Authority (WMATA) tracks; and to the south by a site developed with a post office. The WMATA site to the north is partially wooded and partially developed with an existing building and WMATA metro tracks. The potential to establish a contiguous habitat corridor connection is somewhat limited due to the existing conditions of the adjacent properties; however, the site contains areas of high-priority woodland that would significantly contribute to the urban tree canopy character of the area and provide benefits that include urban wildlife habitat, water quality improvement, and the reduction of heat island effects.

The Planning Board Recommended Condition: At the time of preliminary plan, the Type 1 tree conservation plan (TCP1) shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent possible. At a minimum, preservation shall be focused on the highest woodland preservation priority areas (Forest Stands 1 and 3).

Environmental Review

- a. An approved Natural Resources Inventory, NRI/121/06, was submitted with the application; however, it has expired. An NRI is not a submission requirement with a zoning amendment application. The associated FSD submitted as part of the NRI also
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expired with the expiration of the NRI. The forest stand delineation should be updated at the time the NRI is revised, and submitted with the application for the next phase of development for this site. Because the project is not grandfathered from the submittal requirements of Subtitle 27, the NRI must be in conformance with the current environmental regulations for an NRI.

The NRI shows that Parcel 81 contains 32.73 acres of woodland divided into six stands. Stand 1 is dominated by Willow Oak and Southern Red Oak, is located along the eastern portion of the site, and is 4.91 acres. Stand 2, dominated by Black Cherry and Sweetgum, is 9.61 acres in area, and is located in the central portion of the site. Stand 3 is predominately located along the northeastern portion of the site, is 5.51 acres in area, and is dominated by White Oak, Sweetgum, and Hickory. Stand 4 is dominated by Virginia Pine, is 1.54 acres size, and is located in the central portion of the site. Stand 5 is dominated by black locust tree, is 7.77 acres in size, and is located in the southeastern portion of the site. Stand 6 is dominated by Kentucky coffee tree, is 3.39 acres in size, and is located in the eastern portion of the site. It is possible that additional woodland may have developed on the site, warranting the need for an update to the FSD.

The site contains 29 specimen trees and no regulated environmental features.

The Planning Board Recommended Condition: All future applications shall include a valid, approved NRI under the current environmental regulations that addresses the required information as outlined in the current Environmental Technical Manual.

- b. This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site is greater than 40,000 square feet and contains more than 10,000 square feet of woodlands. A Type 1 tree conservation plan was submitted with the application; however, tree conservation plans are not required for approval with a zoning map amendment.

The current R-55 zoning has a 20 percent woodland conservation threshold, and the proposed M-U-TC zoning has a 15 percent woodland conservation threshold. The submitted development plan and TCP indicates that the majority of the site is proposed to be cleared and the requirement to be met with off-site woodland conservation. As previously discussed, the site is predominately wooded and contains areas of high-quality woodland that should be preserved to the extent possible. Although the NRI will need to be updated, it appears that the woodland in Stands 1 and 3 are of the highest quality and should be given the highest consideration for preservation.

A tree conservation plan will be reviewed in more detail with future development applications. Recommended conditions regarding woodland conservation and the preservation of specimen trees, in accordance with Subtitle 25, Division 2 of the Prince George's County Code, are contained within the Recommendation section.

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- c. A Stormwater Management Concept Plan (11589-2010) was included with the subject application but is not a submission requirement with a zoning amendment application. In a letter from the Department of Public Works and Transportation (DPW&T) dated October 31, 2011, the following statement was provided:

“The proposed plan is not consistent with the approved Concept No. 11589-2010, dated May 3, 2010. A revised concept is to be submitted.”

A revised stormwater management concept plan should be submitted with the preliminary plan application. The plan should be designed to incorporate environmental site design techniques such as bioretention, green roofs, and infiltration.

The Planning Board Recommended Condition: At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the TCP1.

22. **Special Projects**—The Special Projects Section has reviewed the zoning map amendment and provides the following analysis, first relating to residential development as proposed:

- a. **Police Facilities:** The subject property is located in Police District I, Hyattsville. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The application was accepted for processing by the Planning Department on October 14, 2011.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 10/14/2011	10/2010-9/2011	7 minutes	6 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of ten minutes for emergency calls and the 25 minutes for nonemergency calls were met on November 8, 2011.

The police chief has reported that the Prince George’s County Police Department has adequate equipment to meet the standards stated in County Council Bill CB-56-2005. Pursuant to County Council Resolution CR-69-2006, the Prince George’s County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) of the Subdivision Regulations regarding sworn police personnel staffing levels.

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- b. **Fire and Rescue:** The Special Projects Section has reviewed the zoning application for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

The proposed development is within the seven-minute required response time for the first due fire station using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

First Due Fire/EMS Company #	Fire/EMS Station	Address
7	Riverdale	4714 Queensbury Road

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) of the Subdivision Regulations regarding sworn fire and rescue personnel staffing levels.

The fire/EMS chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in CB-56-2005.

- c. **Capital Improvement Program (CIP):** There are no CIP projects for public safety facilities proposed in the vicinity of the subject site. The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure."
- d. **Schools:** The Special Projects Section has reviewed this application for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and concluded the following:

**Impact on Affected Public School Clusters
 Single-family Attached Units**

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	110	110	110
Pupil Yield Factor	0.140	0.113	0.108
Subdivision Enrollment	15	12	12
Actual Enrollment	32,508	9,899	16,049
Total Enrollment	32,523	9,911	16,061
State Rated Capacity	39,039	11,571	16,314
Percent Capacity	83%	86%	98%

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Multi-family Units

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	885	885	885
Pupil Yield Factor	0.137	0.064	0.088
Subdivision Enrollment	121	57	78
Actual Enrollment	32,508	9,899	16,049
Total Enrollment	32,629	9,956	16,127
State Rated Capacity	39,039	11,571	16,314
Percent Capacity	84%	86%	99%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between the Capital Beltway (I-95/495) and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WAMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation, and the current amounts are \$8,565 and \$14,682 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The following analysis relates to the commercial development:

- a. **Police Facilities:** The proposed development is within the service area of Police District I, Hyattsville. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department, and the July 1, 2009 (U.S. Census Bureau) county population estimate is 834,560. Using 141 square feet per 1,000 residents, it calculates to 117,672 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.
- b. **Fire and Rescue Service:** The Special Projects Section has reviewed this application for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Regulations.

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Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
1	Hyattsville	Engine	6200 Belcrest Road.	1.88	3.25	Within
7	Riverdale	Ladder Truck	4712 Queensbury Road	1.08	4.25	Within
55	Bunker Hill	Ambulance	3716 Rhode Island Ave.	3.50	4.25	Within
55	Bunker Hill	Paramedic	3716 Rhode Island Ave.	3.50	7.25	Within

- c. **Water and Sewerage Findings:** Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

23. **Department of Public Works and Transportation (DPW&T)** — Department of Public Works and Transportation (DPW&T) provided the following response in regard to Zoning Map Amendment A-10018, in letter dated January 24, 2012:

- “a. The property is located approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East West Highway (MD 410), on the east side of US 1. Baltimore Avenue (US 1) is a state-maintained roadway; therefore, coordination with the Maryland State Highway Administration (SHA) is required.
- “b. The site lies within the Town of Riverdale Park; therefore, coordination with the Town of Riverdale will be required for right-of-way dedication and roadway improvements.
- “c. The applicant shall revise the existing Traffic Impact Study to address the impact on the County roads as a result of the proposed CSX Crossing and the associated roadway connection.
- “d. The CSX Crossing bridge and roadway connections shall be owned and maintained by the City of Riverdale Park.
- “e. The applicant shall obtain all the necessary environmental permits that will be impacted by this proposed CSX Crossing and associated roadway connection, but not limited to wetlands and waters of the US.

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- “f. The approved stormwater management concept plan is to be revised to address the additional requirements for the construction of the proposed CSX Crossings and the associated roadway connections.
 - “g. The applicant shall solely obtain all the necessary permits, including the CSX permit, to construct the proposed CSX Crossing and the associated roadway connections.
 - “h. The construction cost estimates of the proposed CSX Crossing and the associated roadway connections shall be reviewed by the DPW&T.
 - “i. The anticipated landing road grade exceeds the County standard of 10% and is determined not acceptable. The landing road is to be extended towards the US Post Office property to a T-intersection with the proposed Rhode Island Avenue extension.
 - “j. DPW&T would like to take the opportunity to review the second option of extending Van Buren Street to the CSX Crossing which may offer a better connection to Rivertech Court.
 - “k. Consideration should be given to relocating the roadway and bridge closer to the southern property line. Lafayette Avenue will provide the buffer from the neighborhood and reduce the magnitude of the need to reconstruct the parking lot and the consequences of pedestrians crossing the new roadway at the base of the bridge on the east side.
 - “l. Lafayette Avenue will be redesigned on the northern section to eliminate dual roadways (Lafayette and Rhode Island Avenue) being side by side. Driveways will be provided into the redesign Lafayette Avenue.
 - “m. Some of the standards regarding the bridge design will include the following: No inroad bike paths, 8' wide sidewalks, Bridge is to be 42' minimum width containing 24' of paving, 16 feet of sidewalk and 2-foot barriers.
 - “n. Bridge span is to be 90' minimum. 10' for abutments and 70' crossing over the CSX and existing Lafayette avenue right of way.
 - “o. The existing connection of Lafayette Avenue to Rivertech Court may need to be eliminated after the bridge construction.
 - “p. DPW&T has no objection to the Zoning Amendment No. A-10018.”
24. **Department of Environmental Resources (DER)**—The Planning Board did not been receive comments from DER.
25. **State Highway Administration (SHA)**—The SHA provided the following comments in letter dated November 22, 2011, to Tom Masog:
- “The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:
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- “a. Access to the development that includes 224 Senior Housing Units, 30 Faculty Housing Units, 641 Apartment Units, 100 Townhomes, a 120-room Hotel, 22,000 square feet of Office Space, and 168,200 square feet of Retail Space is proposed from one (1) full movement site access driveway and two (2) right-in/right-out site access driveways on US 1.
- “b. The report determined that the proposed development would negatively impact the US 1 at MD 410 intersection. Therefore, the report proposed to widen the northbound US 1 approach to provide a second exclusive left turn lane, and modify the eastbound MD 410 approach from the existing 1 left turn lane, 2 through lanes, and 1 right turn lane -to- 1 left turn lane, 2 through lanes, and 1 through/right lane.
- “c. The traffic report proposed the signalization of the US 1 at Site Access Drive/Van Buren Street intersection. However, a Traffic Signal Warrant Study was not provided with the report.
- “d. In order to enhance the opportunity for mass transit usage, the applicant has proposed the following measures:
 - (1) Provide sidewalk along the entire site frontage to connect with existing sidewalks to the north and south (including the WMATA property).
 - (2) Expand existing shuttle systems to include the Cafritz Property as a stop.
 - (3) Extend bicycle trails through the site to connect with existing trails to the north and south.
 - (4) Work with CSX to provide a pedestrian/bicycle crossing of the CSX rail line providing direct pedestrian access to the proposed Purple Line Light Rail Station.

“The current eastbound MD 410 third receiving lane east of US 1 is limited in length to receive the proposed third eastbound MD 410 through lane at US 1. The applicant should provide a feasibility analysis to extend the eastbound MD 410 receiving lane to meet AASHTO requirements for lane drops beyond traffic signals. Roadway improvement plans should be provided to SHA for our review and comment.

“As noted above, a Traffic Signal Warrant Study (TSWS) was not prepared at the US 1 at Site Access Drive/Nan Buren Street. SHA will require this analysis before commenting on the need for a traffic signal at this location. As part of the Traffic Signal Warrant Study, SHA will require a Synchro analysis including upstream and downstream signals to assess the implications of a potential new traffic signal on US 1.”

26. **Maryland Department of Planning**—The Planning Board did not receive from the Maryland Department of Planning.

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27. **The Town of Riverdale Park**—The Town of Riverdale Park submitted the following written comments regarding the rezoning and the amendment to the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*:

Letter dated January 10, 2012 from Mayor Archer to the Planning Board:

“The Riverdale Park Town Council has engaged in substantial discussions and extended negotiations over many months regarding Zoning Reclassification Application A-10018, Cafritz Property. This Application, if approved, would reclassify the Cafritz property from R-55 to M-U-TC. If the reclassification is granted, the development of this property will yield substantial economic development, job creation and tax generation benefits for the Town of Riverdale Park and Prince George’s County.

“Pursuant to a vote by the Riverdale Park Town Council at its January 10, 2012, special legislative meeting, the Town of Riverdale Park requests a change to the boundaries of the approved Town of Riverdale Park Mixed-Use Town Center Zone to amendment of the approved Town Center Development Plan in accordance with Section 27-198.05(d)(1)(A) of the Zoning Ordinance for Prince George’s County, and recommends approval of and supports the application for Zoning Reclassification, such request, recommendation of approval and support being subject to the Draft Cafritz Property Consensus Conditions dated 1/9/12 (and its Exhibits) enclosed with and incorporated into this letter. These Consensus Conditions were the result of intense negotiations between the applicant and representatives of the Towns of Riverdale Park and University Park and the City of College Park.

“The Town of Riverdale Park urges the Planning Board’s favorable consideration of Zoning Application A-10018 subject to incorporation of the enclosed Consensus Conditions as part of the Board’s recommendation of approval of the Zoning Reclassification.”

Letter dated January 30, 2012 from Mayor Archer to the Planning Board:

“The Riverdale Park Town Council has engaged in substantial discussions and extended negotiations over many months regarding Zoning Reclassification Application A-10018, Cafritz Property. This Application, if approved, would reclassify the Cafritz property from R-55 to M-U-TC. If the reclassification is granted, the development of this property will yield substantial economic development, job creation and tax generation benefits for the Town of Riverdale Park and Prince George’s County.

“Pursuant to a vote by the Riverdale Park Town Council at its January 10, 2012, special legislative meeting, the Town of Riverdale Park requests a change to the boundaries of the approved Town of Riverdale Park Mixed-Use Town Center Zone to amendment of the approved Town Center Development Plan in accordance with Section 27-198.05(d)(1)(A) of the Zoning Ordinance for Prince George’s County, and recommends approval of and supports the application for Zoning Reclassification, such request, recommendation of approval and support being subject to the Draft Cafritz Property Consensus Conditions dated 1/9/12 (and

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its Exhibits) enclosed with and incorporated into this letter. These Consensus Conditions were the result of intense negotiations between the applicant and representatives of the Towns of Riverdale Park and University Park and the City of College Park.

"The Town of Riverdale Park urges the Planning Board's favorable consideration of Zoning Application A-10018 subject to incorporation of the enclosed Consensus Conditions as part of the Board's recommendation of approval of the Zoning Reclassification."

Letter dated February 2, 2012 from Mayor Archer to the Planning Board:

"Since the commencement of the hearing on the Cafritz Zoning Reclassification Application A-10018 on January 12, 2012, the Town of Riverdale Park has engaged in extensive discussions and meetings with Park and Planning staff and representatives of the Cafritz team and the Town of University Park. The purpose of these discussions and meetings was to review and attempt to reconcile differences between the proposed conditions that were recommended by the Towns of Riverdale Park and University Park and the Applicant at the hearing on January 12, and the conditions recommended by Park and Planning staff.

"During the course of those discussions and meetings, Ms. Lareuse prepared a Supplemental Memorandum to the Planning Board dated January 25, 2012. All parties continued to engage in productive discussions and meetings after January 25 until very recently. As a result of the entire course of discussions and meetings, yesterday counsel for the Applicant submitted an "APPLICANT'S RESPONSE TO SUPPLEMENTAL MEMORANDUM DATED JANUARY 25, 2012".

"The Town of Riverdale Park has reviewed the Applicant's Response. The Town of Riverdale Park is satisfied that the Applicant's Response fairly reflects the substance and intent of the proposed conditions that the Town of Riverdale Park submitted to the Planning Board on January 12. The Town supports the Applicant's Response.

"The Town of Riverdale Park urges the Planning Board to recommend approval of the Zoning Reclassification Application subject to the conditions as reflected in the Applicant's Response".

28. **The City of College Park**—The City of College Park submitted the following written comments regarding the amendment to the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* to the Planning Board:

Letter dated January 11, 2012, Mayor Fellows to the Planning Board:

"The City of College Park has carefully reviewed Zoning Map Amendment request A-10018, to amend the Riverdale Park Mixed-Use Town Center (MUTC) zone to include the 37-acre Cafritz property (parcel 81), now zoned R-55, and we oppose this re-zoning application.

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"The City of College Park is in favor of smart growth, transit-oriented development, and the revitalization of existing town centers including the Riverdale Park town center. Our opposition to this re-zoning application should by no means be interpreted as reflecting an anti-development stance; on the contrary, we are eager to see high-quality redevelopment and revitalization occur all along the Route 1 corridor. Both Route 1 as well as Metro TDOZ areas have a significant number of blighted, vacant, and under-utilized parcels that should be a higher priority for mixed-use redevelopment than an undeveloped woodland that is zoned for single-family housing.

"We agree that there is significant unmet demand for high-quality grocers, restaurants, and other retail, but we are also concerned about the limited capacity of Route 1, to accommodate additional development. In addition, retail has become much more challenging to sustain, in part due to the current economic downturn, but also because of the growing market share enjoyed by internet retailers. While some recent redevelopment projects are showing success, others have struggled or stalled—noteworthy examples include the nearby University Town Center in Hyattsville and the Cafritz's own "Art Place @ Fort Totten" mixed-use redevelopment in D.C. We definitely see the potential for redevelopment and revitalization, but we also think there are grounds for concern that overbuilding, particularly in sub-optimal sites, will undermine the ability to redevelop and revitalize more suitable sites.

"We see many reasons to oppose the re-zoning of the Cafritz property, also known as the Calvert Tract, as proposed by this developer, including:

- "1. The property does not meet the criteria for MUTC re-zoning.
 - "2. The property is more than a half-mile away from Metro transit stations.
 - "3. The proposed density is excessive for a site that is surrounded primarily by established and historic neighborhoods of single-family housing.
 - "4. The proposed development would significantly worsen traffic on Route 1, which will see substantial increases in traffic even without the Cafritz re-zoning.
 - "5. The large amount of surface parking proposed For Phase 1 of the project is not consistent with the goals of "green development" and "transit-oriented development."
 - "6. Support for the project is largely tied to promises to bring a Whole Foods Market to the site, but there is no guarantee that this will in fact materialize and there are other sites that would be more suitable for a high-quality grocer.
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- “7. Concerns exist about potential future pressure to allow vehicular access from the proposed development into the Calvert Hills neighborhood, which would have adverse impacts on the quality of life in that neighborhood.

“These concerns are discussed further below.

- “1. **Site does not meet criteria for MUTC zoning.** This site is currently undeveloped woodland, is not in any way part of the existing Riverdale Park town center, is currently zoned R-55 for single-family housing, and is located between three neighborhoods that are predominantly single-family housing neighborhoods. The MUTC zoning designation was designed to support revitalization of existing town center areas, not to govern new development of a large tract of woodland. Indeed, it appears that the site is not actually eligible for re-zoning as MUTC, because Section 27-1.98.05(d)(1) of the Zoning Ordinance restricts MUTC amendment application filings to municipalities and property owners within an existing MUTC zoning district. The Calvert Tract is adjacent to the Riverdale Park MUTC district but none of the property is actually within the MUTC district.
- “2. **Site is not close to Metro transit stations.** The proposed high-intensity mixed-use development would be more appropriate at a location close to highly-utilized transit stations such as the College Park metro station or stations on the proposed Purple Line. In general, properties are considered viable as transit-oriented development if the walking distance to a transit station is no greater than half of a mile. The Cafritz property is, at its closest point, 0.66 of a mile from the College Park metro station and even further away from the Prince George's Plaza station; proposed Purple Line stations are also not within a half-mile of the site.
- “3. **Excessive density.** This site is not appropriate for the very dense development that has been proposed. Under the current R-55 zoning, the property could be developed with approximately 173 single-family homes. Instead the developer is proposing 995 residential units plus well over 200,000 square feet of commercial development, including 135,000 square feet of retail, 18,000 square feet of office space, and approximately 100,000 square feet of hotel space. The neighboring tracts to the north, south, and east are predominantly developed as single-family homes, and the proposed development is out of scale with that existing pattern of development. The residential component alone would add more residential units (995) than the entire town of University Park (922), a 320-acre town that has multiple roads allowing access and egress. Although many community members have been objecting to the high proposed density at numerous community meetings and forums over the past three years, the developer has not reduced their proposed density. It is true that the current proposal is somewhat less dense than an initial plan that was presented about four years ago, but it seems likely that the initial, extremely dense plan was a tactical maneuver intended to enable the developer to argue that they had reduced the proposed density.
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- “4. **Traffic impact.** College Park residents frequently express dismay with current traffic levels on Route 1, which the State Highway Administration has estimated as 25,990 average daily weekday trips at Route 1 and Amherst Road, slightly to the north of the Cafritz site. The county's Approved 2009 Master Plan of Transportation (MPOT) projects that because of other planned redevelopment projects under current zoning, average daily weekday trips will increase to 44,200 by 2040—a 70% increase, even without the proposed rezoning of the Cafritz property. Also, we understand that this 2040 estimate does not include the impact of the expected East Campus redevelopment that is being planned by the University of Maryland. In short, current zoning and redevelopment plans are likely to significantly increase traffic levels that many residents believe are already intolerable.

Possible CSX crossing. The developer has agreed to a set of requirements that a crossing over or under the CSX railroad tracks must be constructed in order to be permitted to fully build their proposed project. We agree that such a CSX crossing would help to alleviate the project's traffic impact on Route 1 and that it is a necessity should this project go forward. However, it is not clear that this crossing is in fact financially and technically feasible or that it will be possible to secure all of the necessary approvals from CSX, the University of Maryland, and other parties. The developer has argued that if the bridge does not in fact materialize, they would be prevented from full build-out of the development - however, they would still have secured the re-zoning that will substantially increase the value of the property and result in future pressure to enable mixed-use development of the site. In addition, if they meet the initial conditions yet are unable to actually construct the bridge, the 100,000 square feet of commercial space and 120 residential units that would be permitted without the CSX crossing would still generate a substantial additional increase in traffic on Route 1.

- “5. **Excessive surface parking.** The large amount of surface parking proposed at the front of the development makes the development appear very car-oriented, less pedestrian-friendly, and less consistent with transit-oriented development. In addition, Phase 1 of the development is planned to rely entirely on surface parking and the stated goal to have 80 percent structured parking would not be met until a later phase. Despite the best of intentions, later phases of development proposals do not always come to pass, and what is constructed during Phase 1 could end up being the final design of the development
- “6. **No guarantee that, desired high-quality retailers will occupy the site.** The main reason that there is some community support for the Cafritz proposal is the promise that a Whole Foods Market would locate there. Although many in our community would like to see a high-quality grocer in this area, this is not the only possible site, or the best site, for this use. In addition, there is no guarantee that the promised Whole Foods Market would in fact materialize; however, the re-zoning
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allowing high-density mixed-use development, once granted, would likely not be overturned if the promised Whole Foods does not in fact come through.

- “7. **Vehicular access to the Calvert Hills neighborhood.** We believe it is important to protect the Calvert Hills neighborhood of College Park, directly north of the Cafritz property although separated by a narrow property owned by the Washington Metropolitan Area Transit Authority (WMATA), from cut-through traffic from an intensely-developed Cafritz site. The county staff report has suggested that the Planning Board should consider connecting both the hiker-biker "trolley trail" and a vehicular roadway along Rhode Island Avenue to the same roadway at Albion Road in Calvert Hills. Specifically, the staff report stated that "Consideration should be given to requiring the combining of the trolley trail and vehicular roadway along the entire length of the subject site's portion of the former Rhode Island Avenue Trolley right-of-way and extending across the Washington Metropolitan Area Transit Authority (WMATA) property, connecting to the terminus of the existing trail at Albion Street and south to Tuckerman Avenue." We understand that developers and planners often like the idea of access roads through neighborhoods as a way to relieve congestion on arterial roads such as Route 1. However, this would also result in significant new traffic through the neighborhood, as other visitors to the new development would use Rhode Island Avenue to avoid traffic on Route 1, and we believe such cut-through traffic would be very harmful to the quality of life and sustainability of the current fabric of the Calvert Hills neighborhood.

“In short, the City of College Park is opposed to the re-zoning of this R-55 site as MUTC under the current development, and we believe the site would be more appropriately developed as single-family housing. We continue to support smart growth, transit-oriented development, and revitalization of the Route 1 corridor. We believe that high-density redevelopments such as this can be best handled at locations that are closer to transit stations or that are at the junction of two major roads and thus do not rely predominantly on Route 1 for traffic ingress and egress. We see ample opportunities for redevelopment and transit-oriented development in locations that are much closer to transit stations and that would enable more environmentally sustainable development.

“We urge the Planning Board to deny this re-zoning application.”

Letter dated January 25, 2012, Mayor Fellows to the Planning Board:

“The City of College Park voted 8-0-0 at its January 24, 2012 regular meeting to oppose Calvert Tract, LLC's January 12, 2012 request to include only the area that is within the municipal boundaries of the Town of Riverdale Park in the subject rezoning application.”

29. **The Town of University Park**—The Town of University Park submitted the following written comments regarding the amendment to the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* to the Planning Board:

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Letter dated February 2, 2012, Mayor Tabori to the Planning Board:

“The Town of University Park respectfully submits this supplemental letter to the Planning Board presenting its position on the proposed Planning Board conditions to be applied to the Cafritz Property's application for a Primary Amendment to the Town of Riverdale Park Mixed-Use Town Center Zone Development Plan and rezoning from the R-55 to the M-U-TC Zone. In our previous letter of January 12, 2012, submitted as part of the record, the Town noted that if any proposed approval of the application does not contain the stated conditions as put forth by the Town in its attached Consensus document, the Town's approval would be automatically withdrawn and the Town's position would revert to disapproval.

“After intense discussions involving Planning Board staff, representatives for the Cafritz property owners, Riverdale Park, and the Town, a set of conditions were developed which the Town believes matches the required conditions as voted on and accepted by a 4-3 margin on January 9 and presented January 12, 2012. It is our judgment that as presented, the recommended conditions meet the concerns expressed in our initial Position Paper first submitted to Council and the Public on October 19, 2011, and finalized and approved by Council vote on December 7, 2011. In a number of cases, the Town believes that the final language of the conditions as submitted today strengthens the original submittal, thereby increasing the likelihood of the project's success, while minimizing future risks to the encompassing and surrounding communities. In particular, the Town notes that many of the conditions are better constructed so as to ensure they can be more easily enforced.

“The complexities associated with the application for this property, including its location on Route 1, the neighboring municipalities of College Park, Hyattsville, Riverdale Park and University Park; the type of zoning sought; and the character of the proposed development; produced a unique and more expansive approach to the proposed conditions than is normally seen at the zoning stage. The 27 proposed conditions and 3 considerations cover six broad areas of concern:

- “• The design, financing and construction of a crossing over the CSX tracks to the east of the property (Condition 25, 26);
 - “• The right of review accorded to municipalities and citizens outside the M-U-TC zone (Condition 1);
 - “• Storm water management, and the correlated issues of trees, environment and green roofs (Conditions 10, 14a, 14b);
 - “• Traffic management and mitigation, including pedestrian and hiker-biker trails (Conditions 6, 12, 14c, 17, 18, 19, 20, 22, 27);
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- “• Design issues and standards, including parking (Condition 2, 4, 7, 11, 13, 16, 21, 23);
- “• Miscellaneous issues related to property boundaries, ownership, historical preservation, on-site roads, and connectivity (3, 5, 8, 9, 15, 24).

“The final design of the CSX crossing condition is a delicate balance between assuring a verifiable commitment to financing the project and ensuring the timely construction of the crossing in accordance with the needs of the surrounding communities. University Park believes that the condition meets this charge, protecting the interests of the community and developer in such a way as to protect the property from disturbance if the bridge cannot be constructed for technical or financial reasons.

“The condition extending right of review to surrounding municipalities and their citizens was particularly important to all parties involved. The M-U-TC zone is unique in that it confines community participation in the detailed site plan and permit process to individuals who live or own property in the zone. For large projects of the nature contemplated in this application, this poses a problem for neighboring communities that share boundaries with the property and have a significant stake in its development. In order to overcome this issue a condition was fashioned that guarantees the participation of the surrounding jurisdictions that are impacted by the development through the detailed site plan (DSP) level and allows for continuing monitoring through the permit process. The latter is particularly important as a number of critical triggers are tied to the issuance of permits.

“University Park is particularly sensitive to and strongly supportive of the traffic management conditions, which were designed to protect our citizens from the impact of so-called "cut-through" traffic and effectively mitigate the impacts of expected increases in traffic from the Cafritz site along Baltimore Avenue. These conditions call for the placement of a signalized intersection at Van Buren with a "pork chop" barrier to prevent straight-through East-West traffic, the development of a circulator bus system to carry shoppers and residents from the surrounding communities back and forth from the site and to connecting METRO Stations; as well as the design and implementation of a Transportation Demand Management District (TDMD) encompassing the Cafritz property, parts of College Park, Hyattsville and Riverdale Park, and the whole of University Park. University Park has committed funds to the design of the circulator bus system and has pledged to work closely with the applicant and the surrounding communities to effectuate a TDMD. If successful, this will represent the first TDMD in Prince George's County. The Town believes that it is crucial that the most advanced traffic mitigation strategies and approaches be brought to bear along the Baltimore Avenue and East-West corridors. The Town is strongly supportive of these conditions, and will carefully monitor their implementation. Taken together, the CSX crossing and traffic conditions are vital to the Town and if they were weakened, the Town would by necessity have to withdraw its support for rezoning.

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“University Park also has worked closely with the applicant and Riverdale Park to assure that a carefully designed buffer exists between the Town and the site along Baltimore Avenue. The purpose of this buffer and the condition guaranteeing it is to ensure that there is a natural succession to the applicant's Town Center from the more treed, suburban area of University Park which borders Baltimore Avenue to the west.

We respectfully request the Planning Board's favorable consideration of this application subject to incorporation of the Consensus Conditions that are before the Planning Board today. While we have only emphasized some of the crucial conditions in this letter, please do not interpret that as willingness on the Town's part to compromise on the other conditions. If the Planning Board cannot support the Consensus Conditions in their totality, the Town of University Park will automatically withdraw its approval of the rezoning request. We believe that all the conditions form an interlacing set which make this project a better project while simultaneously protecting the interests of the surrounding communities as articulated in the Consensus Document.”

30. **The Town of Edmonston**—The Town of Edmonston did not submit written comments regarding the amendment to the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* to the Planning Board.

31. **The City of Hyattsville**—The City of Hyattsville submitted written comments in a letter dated January 10, 2012 to Chairman Hewlett from Marc Tartaro Mayor, stating the following:

“On Monday, January 9, 2012, the City of Hyattsville’s Mayor and Council voted to support the conditions for approval, adopted by both the Town of Riverdale Park and Town of University Park, which were outlined in the draft document circulated on January 9, 2012.

“It is our understanding that these conditions will be formalized in an Agreement to Support Zoning Reclassification and Declaration of Covenants, Conditions and Restrictions between the Town of Riverdale Park and the applicant, and includes the following:

- The applicant has agreed to contribute up to \$5 million to fund a CSX vehicular overpass and the Town and County will assist with the balance of the cost through a public financing mechanism, possibly through Tax Increment Financing (TIF)
 - The applicant will pursue an appropriate category of LEED design and construction
 - The applicant will update the Traffic Impact Study to include intersections and roadways
 - The applicant will fund a Transportation Demand Management Program and private shuttle service to both the Prince George’s Plaza and College Park Metro Stations
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“While our community remains concerned about the square footage dedicated to restaurant use, we are hopeful that we can continue to work together to ensure the project does not compromise the success of many of the recently opened restaurants and retail along the Route One Corridor.

“We applaud our neighboring municipalities and the applicant for collaboratively and successfully resolving many of the concerns expressed by the surround communities. We thank you for your consideration and look forward to your decision.”

32. **The University of Maryland**—In a letter dated November 3, 2011 from Robert M. Specter, Vice President for Administrative Affairs and Chief Financial Officer, University of Maryland, to Chairman Elizabeth Hewlett in response to Zoning Map Amendment A-10018, Cafritz Property:

“As an adjacent property owner, the University of Maryland has had the opportunity to review the proposed Zoning Map Amendment (ZMA) for the Cafritz Property and finds no reason to oppose a rezoning.

“Located near multiple transit stations, the project as proposed within the ZMA application, creates the kind of walkable, mixed-use neighborhood important to the revitalization of the Route 1 corridor – a development that would also enhance the economy and provide the retail, housing and other uses the community desires.

“I would like to be clear that our review of the subject application found the request to be related only to the property in its existing condition, with no underlying requirement that might contemplate taking University property to expand the subject parcel. To the degree that the ZMA is dependent on an access road over the rail lines through/to University land to the east, as shown in supplement materials accompanying the ZMA application, we would necessarily take exception as no such agreement or understanding is in place. We understand the benefits such connectivity might bring – providing a second means of ingress/egress to the Cafritz parcel, allowing significantly increased densities to traffic that area and creating access between the two communities. Nonetheless, the University has not yet had the opportunity to participate in discussions for alternatives, advantages/disadvantages of a bridged access or other threshold questions.”

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and recommends APPROVAL to the District Council for Prince George’s County, Maryland of Primary Amendment No. A-10018 to rezone the Cafritz Property from the R-55 zone to the M-U-TC zone by changing the boundary of the 2004 Town of Riverdale Park Mixed-Use Town Center Zone to include the Cafritz Property and APPROVAL of the proposed amendment to the 2004 Town of Riverdale Park Mixed-Use Town Center Zone Development Plan for the Cafritz Property (Sheets 1-7 hereinafter being referred to as the “Plan Sheets”, the Cafritz Property Design Standard Guidelines hereinafter being referred to as the “Guidelines”, and the Plan Sheets and the Guidelines hereinafter collectively being referred to as the “Development Plan”) subject to the following conditions:

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1. The Design Review Process set forth at pages 65-66 of the January 2004 approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan applies to the Cafritz Property with the following modifications:
 - a. Detailed site plan (DSP) approval, in accordance with Part 3, Division 9 of the Zoning Ordinance, shall be required prior to the approval of a special permit, final subdivision plat, the issuance of any permit, and concurrently with or after the approval of a special exception, for all new development and redevelopment on the property. Each application for a special permit, final subdivision plat, or other permit must be consistent with an approved detailed site plan for the site.
 - b. The detailed site plan and a special exception shall be in accordance with the Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan (2004), as amended by the subject application (as amended) where applicable and the site design guidelines of Part 3, Division 9, of the Zoning Ordinance. Development depicted on each detailed site plan must be in general conformance with Map 1: Concept Plan A or Concept Plan B, dated January 7, 2012, particularly with regard to site design and circulation, with the goal of creating a mixed-use community. Flexibility should be allowed in achieving this mixed-use community goal by allowing for a redistribution of the proposed maximum gross floor area of commercial uses throughout the site in order to encourage each phase of the development to include a mix of commercial and residential uses, including consideration of residential uses west of 46th Street and limited supporting retail uses near the intersection of Van Buren Street and Rhode Island Avenue.
 - c. All detailed site plans shall be referred to the Town of Riverdale Park for review by the M-U-TC Design Committee for all phases and types of development. The M-U-TC Committee is authorized to review detailed site plans as advisory to the Planning Board and the Planning Director as designee of the Planning Board for staff level revisions.
 - d. In a detailed site plan or special exception application, in order to grant departures from the strict application of the Guidelines, the Planning Board shall make the following findings:
 - (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic condition, or other extraordinary situation or condition;
 - (2) The strict application of the development plan will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and
 - (3) The departure will not substantially impair the intent, purpose, or integrity of the General Plan, Master Plan, or the town center development plan.

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2. Prior to signature approval of the Development Plan the following revisions shall be made:
 - a. Revise the general notes on Sheet 1 of 7 of the Plan Sheets to include the adjacent historic site and historic districts, provide the tax map, grid, and parcel number, and clearly indicate if the abandoned right-of-way is a part of the gross tract area.
 - b. Revise Sheet 3 of 7 of the Plan Sheets to label the right-of-way for ingress/egress for the post office from Baltimore Avenue (US 1), and that it was conveyed to the United States of America by quitclaim deed recorded in the Prince George's County Land Records in Liber 3624, Folio 948.
 - c. Revise the Plan Sheets to delineate the boundary of Aviation Policy Analysis Zone 6 and the municipal boundaries of the City of College Park and the Town of Riverdale Park.
 - d. Revise the Development Plan to include streetscape details as indicated on Gateway Park and Street Sections for Baltimore Avenue (US 1) that provide for a safe and attractive pedestrian zone.
 - e. Provide information and verify that the right-of-way extending north and south through Parcel 81 and the Washington Metropolitan Area Transit Authority (WMATA) property has, in fact, been abandoned and that the issue is settled and/or provide information of the disposition of that area of land, as appropriate.
 - f. Revise the Development Plan to conform to the amended boundary as reflected in the applicant's January 12, 2012 request.
 - g. Revise Map 1: Concept Plan A and Concept Plan B and Maps 2 and 3 so that the townhouses front on streets, have ample front yards for tree plantings, and that the units are oriented so that the alleys are parallel to the roadways serving the fronts of the units.
 - h. Revise the sign standards to reflect the level of detail provided in the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* and consolidated into one area of the Guidelines.
 - i. Revise the Guidelines to add the following:
 - (1) Development that increases existing gross floor area (GFA) by 5 percent or 2,500 square feet, whichever is smaller, shall subject the site to full review for compliance with the design standards. Lesser changes to the site, and additions to single-family residential dwellings, shall not subject the entire site to review for compliance, only the portion impacted by the improvement.

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- (2) Gas stations may add a maximum of 30 feet to the build-to line in order to place a pump between the station and the sidewalk. The additional setback may not be used for customer parking, loading, or outdoor storage.
 - (3) All new gas stations shall have a maximum of two 18-foot-wide driveways.
 - (4) Gas stations should minimize the area of impermeable surface.
 - (5) Car repair businesses may have a maximum of two curb cuts that are a maximum width of ten feet each.
 - (6) Buildings shall occupy a minimum of 50 percent of the net lot area for each lot.
 - (7) The building façade shall occupy a minimum of 66 percent of the build-to-line for each lot.
 - (8) Drive-through windows are inconsistent with the pedestrian orientation of the town center and are strongly discouraged. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property.
 - (9) Pedestrian-accessed ATMs may be located on the front or side of the building along a street line. Vehicular oriented ATMs shall not be visible from Woodberry Street, 45th Street north of Van Buren, or Van Buren Street.
 - (10) The maximum number of off-street parking spaces permitted for commercial (nonresidential) land-use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. If structured parking is provided, this maximum number may be increased.
 - (11) Car repair businesses may not store vehicles in front of or alongside the building, but may store cars inside or in the rear, with appropriate screening if adjacent to a residential use.
 - (12) Healthy trees shall be preserved within proposed green areas, landscape strips, streetscapes, and parking lots, where feasible. Where they cannot be preserved on-site, a professional arborist may transplant them to a new location on-site or within the Town of Riverdale Park, where feasible.
 - j. Revise the Development Plan to combine blocks 6d and 6e into one block 6d.
3. Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:
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- a. The Preliminary Plan shall reflect the unmitigated 65 dBA Ldn from noise generators.
 - b. The plan shall delineate the 300-foot lot depth from the right-of-way (CSX railroad tracks) for residential development in accordance with Section 24-121(a)(4) of the Subdivision Regulations. The preliminary plan may establish additional restrictions on the layout if it is determined that noise and vibration issues are associated with the railroad tracks.
 - c. The applicant shall provide information and verify that the right-of-way extending north and south through parcel 81 has, in fact, been abandoned and/or provide information of the disposition of that area of land, as appropriate.
 - d. Documents shall be provided so that the trail will be dedicated to public use within a maintenance easement or other suitable agreement.
 - e. Provide one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.
 - f. The applicant shall provide a draft report detailing the Phase II archeology investigations.
 - g. The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.
4. When off-site parking is necessary to meet parking requirements, the applicant shall provide satisfactory documentation such as affidavits, leases, or other agreements to show that off-site parking is available permanently.
 5. The Historic Preservation Commission shall review the preliminary plan of subdivision and any subsequent plans of development for their impact on identified archeological features, the impact of a potential vehicular access road on the Engineering Research Corporation (ERCO) Historic Site (#68-022), and the impact of proposed buildings visible from the ERCO historic site and the adjacent National Register historic districts, including recommendations as to the proposed location and options with respect to the bridge over the CSX railroad.
 6. Prior to approval of any detailed site plan, the following shall be provided:
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- a. Plans indicating that the signalized intersection at Van Buren Street and Baltimore Avenue (US 1) shall include highly-visible and attractive pedestrian crosswalks, pedestrian signals, and other pedestrian or warning signage as appropriate, subject to State Highway Administration (SHA) approval.
 - b. The plans shall indicate that crosswalks providing appropriate pedestrian safety features are provided throughout the site.
 - c. The type, location, and number of bicycle parking and storage spaces shall be provided consistent with the LEED-ND Bicycle Network and Storage Credit (Smart Location and Linkage Credit 4). The number of the enclosed bicycle parking spaces at the multi-family units shall be a minimum of fifteen percent of the total number of bicycle spaces provided for residents at the multi-family units. Pedestrian walkways shall be free and clear of space designated for bicycle parking.
 7. Prior to approval of a detailed site plan, the plans shall minimize the amount and location of surface parking lots and parking structures and their impacts on the pedestrian zone and streetscape environment. The surface parking lots located between the buildings and Baltimore Avenue, shall be mitigated with a building along Van Buren Street, a monument, a clock tower and landscaping in order to create a true gateway into the community and to provide an inviting entrance to pedestrians and vehicles alike, including creation of a "pedestrian oasis" in the middle of the block to improve pedestrian safety and mobility consistent with the Riverdale Park Gateway Park concept dated January 7, 2012.
 8. Prior to any ground disturbance or the approval of any grading permits, if Phase III archeological mitigation is proposed, the applicant shall provide a final report detailing the Phase II and Phase III investigations and ensure that all artifacts are curated in a proper manner.
 9. Prior to final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I, Phase II, and Phase III archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Commission and the Maryland-National Capital Park and Planning Commission staff archeologist.
 10. The Environmental Planning Section recommends the following conditions:
 - a. All future applications shall include a valid approved Natural Resources Inventory under the current environmental regulations that addresses the required information as outlined in the current Environmental Technical Manual.
 - b. At the time of Preliminary Plan, the Type 1 tree conservation plan shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable.
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At a minimum, preservation shall be focused on the highest priority areas (Forest Stands 1 and 3).

- c. At the time of preliminary plan, condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.
- d. Prior to approval of a special permit, special exception, detailed site plan, or grading permit, whichever is first, every effort shall be made to meet the ten percent tree canopy coverage requirement through the preservation of existing mature woodland, specimen trees and other large existing trees, and landscaping.
- e. At the time of preliminary plan, a Phase I noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a minimum, the associated railroad noise and the whistle blower. The 65 dBA Ldn noise contour shall be shown on all future plans.
- f. At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the Type 1 tree conservation plan.
- g. At the time of site plan or permit review, whichever is required first, the lighting plan for the subject property shall demonstrate the use of full cut-off optics to ensure that light intrusion into residential and woodland conservation areas is minimized. Details of all lighting fixtures, along with details and specifications that the proposed fixtures are full cut-off optics, and a photometric plan showing proposed light levels at an intensity that minimizes light pollution shall be submitted for review.

PROFFERED CONDITIONS

The applicant proffered the following conditions, which the Planning Board has reviewed and modified for purposes of clarification and enforcement purposes:

- 11. Revise the Guidelines as follows:
 - a. To page iii under Overall Design Principles, add the following bullet points to the list of bullet points:
 - (1) Low impact design principles shall be incorporated into the overall community design.

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- (2) Create a community that respects and supports equally all modes of transportation. The development will encourage pedestrian, bicycle, and public transit modes of transportation.
 - (3) Demonstrate design features for sustainability that address environmental health, air and water quality, energy efficiency, and carbon neutrality.
 - b. On page ii, insert at the end of the section Public Spaces the following language:

“Public spaces such as parks, plazas, and squares should promote activity, in front of buildings or public right-of-ways, and be focal points within the community.”
 - c. Page ii, in the first sentence of the second paragraph under Public Spaces, add “appropriate” between “all” and “intersecting”.
 - d. All standards from the 2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan relating to gas stations and auto-repair should be reinserted into the standards.
 - e. On Page 5, remove Intent under building Placement and streetscape, and add the following language:

Enhance the Town Center’s sense of place by developing a coherent identity through buildings that relate to the street and open spaces. Create buildings that frame the street and open spaces, and encourage close proximity of retail, offices, residential units, and services.
 - f. On Page 7, under Services, Utilities, and Stormwater, replace #1 Standard to read as follows:

All utility lines added during development shall be underground. All utility meters and access points shall be on the rear of the property. Utilities shall include, but are not limited to, electric, natural gas, fiber optic, cable television, telephone, water and sewer service.
 - g. On Page 7, under Services, Utilities, and Stormwater, add the following to the last sentence of Intent: “sidewalks, open spaces, and MARC train.”
 - h. Page 7, under Services, Utilities, and Stormwater, add to the beginning of #6 under Standards: “All lot-level development shall”.
 - i. Strike standard #11 from page 10, under Parking and Loading Design.
 - j. On Page 11, under Lighting, change Standard #5 to add “and design” after “intensity.”
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- k. Page 11, under Landscaping, add "2004 Approved" before "Town" in the first sentence.
 - l. Page 11, under Landscaping, to standard #6 "Appendix B" add "of the 2004 Approved Town of Riverdale Park Mixed-Use Town Center Development Plan."
 - m. Page 11, under landscaping, Standard #2, after "green areas" add "and where possible in parking areas."
 - n. Page 12, Building Height, add a new Standard #4, to read as follows:

Single-story buildings shall match or exceed the height of the adjacent buildings bases, and shall be not less than 20 feet in height. However, single-story buildings are discouraged.
 - o. Page 14, Architecture, remove Standard #13.
 - p. Page 13, Architecture, amend Standard #9 to remove "Townhomes" and replace with "Residences."
 - q. Page 13, Architecture, Standard #5 add to the end of the first sentence the following language: "with exception of cementitious siding."
 - r. Page 13, Architecture, Standard #5, after the new amendment above, strike the remaining language in the standard and replace it with the following language:

"Materials other than masonry, brick, wood, and clear glass may be approved if material samples are provided and examples of existing buildings that use such materials in the proposed way are submitted, and the M-U-TC Design Review Committee (in the review of the SP process) and the Planning Board (in the review of the DSP process) finds that it meets the Intent of this section."
 - s. Page 13 Architecture, Standard #6, remove "all" in first sentence, strike "surrounding" in first paragraph, strike C and strike E.
 - t. Page 15, Building Openings, strike Standard #5 and replace with:

"Tinted and colored windows may not be used unless the M-U-TC Design Review Committee (in the review of the SP process) and the Planning Board (in the review of the DSP) finds that the windows meet the intent of this section."
 - u. Page 16, Signage, strike Standard #8.
 - v. Page 16, Signage, move all standards (except 8) to page 10.
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- w. Page 16, Signage, strike the Intent section.
- x. Page 16, Signage, include all old standards #8 and #10-19 not specific to historical core.
- y. Page 18, Landscaping and Pedestrian Amenity Zone, Standard #5, strike “as irrigation” and replace with “or absorption.”
- z. Page 20, Parks and Plazas, strike Standard 12 and replace with:

“Where possible, add continuous lines of habitat through the use and linkages of street trees, landscaping, parks, and yards.”
- aa. Page 7, Access and Circulation Standard #4, substitute with the following:

“The number of vehicle-oriented ATMs shall be less than the number of pedestrian-oriented ATMs on a building-by-building basis, and vehicle-oriented ATMs shall not be visible from primary streets.
- bb. Page 7, Access and Circulation, Standard #2, change “windows” to “services”. Limit number of service lanes to two. Drive-through lanes for restaurants are prohibited.
- cc. Include provisions for loading dock requirements such that they are screened from the street and any adjacent residential development.
- dd. Page 7, Services, Utilities, and Stormwater Management, Standard #5 strike “should” in the first sentence and substitute the word “shall”.
- ee. Pages 7 and 8, Services, Utilities, and Stormwater Management, Standard #6(1) substitute with the following:

“Lot-level Best Management Practices (BMP’s) that include green roofs, dispersion trenches, rain gardens, cisterns, rain barrels, pervious pavements, and/or other BMPs;”
- ff. Page 10, Parking and Loading Design, add a new Standard #18 stating the following:

Parking pads on surface lots shall include permeable paving subject to a soil study identifying the top soils and subsoils and their appropriateness to support the use of porous pavement.
- gg. Page 12, Building Height, substitute entirety of Standard #2 with the following:

“An additional two stories may be considered, not to exceed six stories.”

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12. Prior to issuance of the third building permit, the Rhode Island Avenue hiker/biker trail portion of the right-of-way shall be completed and open to the public.
 13. Prior to approval of a detailed site plan, a 90-to-120-foot-wide buffer shall be provided along the entire length of the property frontage on Baltimore Avenue that incorporates retention of existing trees to the maximum extent practicable. This depth of buffer may be reduced north of Van Buren Street with approval by the Planning Board, provided the applicant submits evidence demonstrating that it submitted plans to the Town of University Park prior to the acceptance of the detailed site plan and the Town was afforded sufficient time to comment, and if it is determined to be a superior design solution, by providing berms, retaining walls, landscaping, or other screening of the parking lot from the residences to the west consistent with Parking Sections Exhibit dated January 7, 2012. In no event shall the buffer be less than 60 feet in width.
 14. Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:
 - a. A revised Stormwater Management Concept Plan that designates the property as a new site and complies with the stormwater management provisions contained in CB-15-2011 (Subtitle 32) to provide more environmental site design to the maximum extent practicable, with the goal of no new impact on the tributary drainage into the northeast Branch of the Anacostia River. The proposed plan shall show the use of environmental site design technologies such as bio-retention, infiltration, and especially green roofs to the maximum extent practicable.
 - b. The applicant shall provide evidence that copies of all stormwater submittals were provided to the Town of Riverdale Park, the Town of University Park, the City of Hyattsville and the City of College Park, 30 days prior to filing with DPW&T and notification of an invitation to all meetings between the applicant and DPW&T.
 - c. A Revised Traffic scoping agreement and Impact Study that:
 - (1) Accurately reflects the development proposal and anticipated phasing;
 - (2) Eliminates corridor averaging for all intersections included in the Study;
 - (3) Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;
 - (4) Analyzes all proposed connections, including the proposed CSX Crossing and Maryland Avenue;
 - (5) Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of
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Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate:

- (6) Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bikeshare, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing.
 - (7) Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved detailed site plan or preliminary plan of subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and
 - (8) Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.
 15. After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.
 16. The applicant shall submit evidence of an application submittal to the U.S. Green Building Council (USGBC) under Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) for a Smart Location and Linkage (SLL) prerequisite review at the time of Preliminary Plan submission and provide the results for review prior to approval of the Preliminary Plan. Upon GBCI/USGBC approval of SLL prerequisites, the applicant shall pursue and employ commercially reasonable efforts to obtain conditional approval of the plan under LEED-ND 2009 Stage 1 (pre-entitlement) approval. If based on pre-entitlement review, full certification through LEED-ND is not practicable, then the applicant shall at detailed site plan provide a LEED score card that demonstrates a minimum of silver certification for all new construction and that will be enforced through DSP review. If the LEED score card requirements cannot be enforced through the DSP review or other third-party certification acceptable to both the applicant and the Town of Riverdale Park and the Town of University Park (and pursued by the applicant at its expense), at minimum the applicant shall pursue silver certification under LEED-NC and LEED Homes, or if available, equivalent standards as determined at time of DSP by the Planning Board.
 17. At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to
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the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.

18. Prior to approval of a Preliminary Plan of Subdivision, the applicant shall provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.
 19. Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.
 20. Prior to approval of any DSP for the project, the applicant shall submit a traffic signal warrant study following the accepted methodology of DPW&T or the Maryland State Highway Administration (SHA) for the intersection of Baltimore Avenue and Van Buren Street with channelization as shown on Sheet 4 of the Development Plan. This analysis will examine both existing and total projected traffic volumes. If signals are deemed warranted by the appropriate agency, the applicant shall initiate a bond to secure the entire cost prior to the release of any building permits within the subject property and shall agree to install the signals as directed by DPW&T or the State Highway Administration. Further, subject to SHA approval, applicant shall install the traffic control devices as noted on the Development Plan (Pork Chop Islands) or as modified by SHA to direct traffic so that no traffic may directly access or egress the property across Baltimore Avenue along Van Buren Street. Both entrances and exits at Woodberry and Wells Parkway, respectively north and south of the Van Buren "gateway," must be right turn only in and out. Prior to the issuance of a grading permit, the applicant shall demonstrate that the State Highway Administration has preliminarily approved the installation of the traffic signal and other traffic control devices at Van Buren Street and Baltimore Avenue, subject to approval of the final construction plan and permit by SHA. If for any reason, including lack of warrants or SHA or other required governmental approval, the traffic signal and other traffic control devices described in this paragraph are not installed or cannot be installed at Van Buren and Baltimore Avenue, no permits may be issued.
 21. Prior to approval of a detailed site plan the plans shall provide or demonstrate:
 - a. After completion of construction of the first multi-family building in the project:
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- (1) At least 80 percent of the parking for the overall development ultimately will be in structured parking; and
 - (2) The maximum number of off-street surface parking spaces permitted for each nonresidential land use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance.
 - b. Design features for sustainability that address environmental health, air and water quality, energy efficiency, and carbon neutrality.
 - c. Termination of Van Buren Street at a building or enhanced park feature.
 - d. A soils study identifying the top soils and subsoils and their appropriateness to support the use of porous pavements.
22. Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.
23. Prohibit clear-cutting or re-grading any portion of the development until a detailed site plan for that portion of the site has been approved.
24. Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, subject to the opportunity for review and comment by the Town of Riverdale Park and the Town of University Park:
- a. The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").
 - b. Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety vehicles.
 - c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 100 residential dwelling units, the
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construction of the Van Buren Extension shall be complete as verified by the Town of Riverdale Park.

25. Prior to the approval of a Preliminary Plan of Subdivision (the "Preliminary Plan"), the applicant shall do the following, subject to the opportunity for review and comment by Prince George's County, the Town of Riverdale Park, and the Town of University Park:
- a. The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the "CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.
 - b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.
 - c. Provide letters from the CSX and University of Maryland (or the affected land owner), that recommend approval of the CSX Crossing as shown on the Preliminary Plan and identify the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University (or the affected land owner).
 - d. Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.

Further, the applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars (\$5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local laws. If the manner of public funding is tax increment financing, or any other funding mechanism that requires the approval of the County Council or other government body or entity, the approval of the County Council and all other government bodies or entities must be obtained prior to the approval of any detailed site plan for the subject property.

26. The implementation of the CSX Crossing shall be in accordance with the following:
- a. Prior to the issuance of any permits for development on the property, the applicant (1) shall submit a roadway plan for the location and design of the CSX Crossing to CSX, or to AECOM or other agent designated by CSX, and to the University of Maryland (or the affected land owner), and (2) shall submit letters received from both of them that approve
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the construction of the CSX Crossing in accordance with the roadway plan, subject to approval and authorization of the final construction plan, and verification by the Department of Public Works and Transportation that the roadway plan meets the American Association of State Highway and Transportation Officials' (AASHTO) standards and is appropriate for construction of the CSX Crossing, and has been approved by CSX and the University of Maryland (or the affected land owner).

- b. Prior to the issuance of building permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the applicant (1) shall have received all necessary permits and approvals for construction of the CSX Crossing, (2) shall have provided the Prince George's County Department of Public Works and Transportation with all approved financial assurances and performance security to ensure completion of construction of the CSX Crossing, and (3) shall have commenced construction of the CSX Crossing as verified by the Prince George's County Department of Public Works and Transportation.
 - c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the construction of the CSX Crossing shall be at least fifty percent complete as verified by the Prince George's County Department of Public Works and Transportation, and the Department of Department of Public Works and Transportation shall have verified that all approved financial assurances and performance security to ensure completion of construction of the crossing remain in full force and effect.
 - d. Prior to the issuance of building permits for more than 382 residential dwelling units, the CSX Crossing shall be open for use by public vehicular traffic as verified by the Prince George's County Department of Public Works and Transportation.
 - e. Applicant shall timely provide the Towns of Riverdale Park and University Park, the City of College Park, and the Prince George's County Department of Public Works and Transportation with copies of all submittals, notices, approvals and determinations made pursuant to this condition.
27. The applicant, the Town of Riverdale Park, and the Town of University Park will work together to petition the District Council to initiate and establish a Transportation Demand Management District ("TDMD") program under the Prince George's County Transportation Demand Management District Ordinance Subtitle 20A. Consideration should be given to establishing the boundaries of the TDMD to extend from Paint Branch Parkway to Queensbury Road. Once a TDMD is established, the applicant will provide financial support and the TMP will become part of the District and will be monitored by the Transportation Management Authority ("TMA"). The TDMD should provide for traffic reduction goals and periodic independent verification of monitoring whether the goals have been met, including restricting the maximum allowable density to a level that will generate average net additional daily vehicle trips on Baltimore Avenue that are not more than 20% above current levels, and net additional peak hour trips that are no more than
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20% above current peak-hour vehicle trips at AM (06:00-09:00), mid-day (11:00-14:00), PM (16:00-19:00), and Saturday (10:00-18:00). These counts will be performed at a fixed location specified in the TDMD between East-West Highway and the southern entrance, and between Queens Chapel Road and the northern entrance, to the project and will be based upon traffic estimates that have been reviewed and determined to be reasonably accurate by the Transportation Planning Section of M-NCPPC. If the goals of the TDMD are not met, additional vehicle trip reduction measures to resolve the problem will be required pursuant to the requirements of Subtitle 20A.

CONSIDERATIONS:

1. Extending the Rhode Island Avenue Trolley Trail across the Washington Metropolitan Area Transit Authority (WMATA) property, connecting to the terminus of the existing trail at Albion Street and south to Tuckerman Avenue.
 2. Establishing a parking district to promote shared parking within the Town of Riverdale Park town center and with the adjacent Armory with the cooperation of the United States.
 3. Provide residential uses above commercial uses in order to create a vertical mix of uses.
 4. Consistent with the spirit of the circulator bus, initiate or contribute to a Regional Economic Partnership along the Corridor with existing business groups in neighboring jurisdictions and proximate developments to the east and west to: enhance regional connections and overall economic vitality, support and help recruit small/local businesses, coordinate and co-promote programming of activities, exhibits, thematic events, etc., and help ensure mutual success.
 5. Pursue with Riverdale Park a "Quiet Zone" for the CSX line at appropriate times, so long as it can be demonstrated to be safe.
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Squire, with Commissioners Washington, Squire, Shoaff and Bailey voting in favor of the motion, and with Commissioner Hewlett recused at its regular meeting held on Thursday, February 2, 2012, in Upper Marlboro, Maryland.

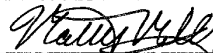
Adopted by the Prince George's County Planning Board this 16th day of February 2012.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:SL:arj

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department

Date 2/16/12