

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Special Permit Application No. 010003 requesting Artist Residential Studios and Commercial in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 19, 2003, regarding Special Permit SP-010003 for Mount Rainier Artists Lofts, the Planning Board finds:

1. The site plan is for new Artists' Residential Studios, commercial retail and a restaurant in the downtown area of Mount Rainier. The site is located at the corner of Rhode Island Avenue and 34th Street. The project is the first of four new anchor projects proposed in the lower US 1 Corridor, initiated by a partnership of Gateway Community Development, Inc, the Prince George's County Redevelopment Authority, and Artspace, Inc., a Minneapolis-based nonprofit developer that specializes in artist live/work space.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	M-U-TC	M-U-TC
Use(s)	Commercial Uses	Multifamily Housing, Commercial Retail, Restaurant
Acreage	0.92	0.92
Lots	Lots 17, Block I	Lots 17, Block I
Parcels	N/A	N/A
Square Footage/GFA	5,000 ± SF	7,000 SF
Dwelling Units:	0	44
Attached	0	0
Detached	0	0
Multifamily	0	44

Other Development Data:

Parking:	<u>Zoning Ordinance</u>
Restaurant: 60 seats – 1 per 3 seats	20 spaces
Commercial: 1 per 150 SF – 1 st 3,000 SF	20 spaces
1 per 200 SF – over 3,000 SF	<u>12 spaces</u>
Subtotal	52 spaces
Living Units: 6 Efficiency – 1 per unit	6 spaces
7 – 2 bedroom – 1.5 per unit	11 spaces
<u>31</u> – 1 bedroom – 1 per unit	<u>31 spaces</u>
44 units Subtotal	48 spaces
Total spaces required by the Zoning Ordinance	100 spaces*
Total spaces provided	31 spaces
Loading spaces provided:	1 space

*The site is not subject to parking and loading requirements of Part 11 of the Zoning Ordinance. See Finding 3 for parking justification.

2. **Definition of Artists' Residential Studios, Section 27-107.01**

"A mixed-use community for artists, one or more adjoining structures with working and living space restricted to artists, and housing eight or more artist units. The community may have artists units on any floor and certain nonresidential uses on the first floor, but the nonresidential uses may not occupy more than 25% of the total gross floor area of the structures. All structures and common area must be owned or controlled by a nonprofit corporation or association which restricts artist unit use and occupancy to artists and their families and which is responsible for maintenance of the structures and their continued use as artists' residential studios."

The proposed development consists of 44 artists' residential studios and 7,000 square feet of commercial uses on the first floor of a proposed four-story building. The total building square footage is 73,000 square feet; therefore, the nonresidential portion of the building is approximately 10 percent of the total gross floor area of the structure. The structure and common areas will be owned by a partnership of Gateway Community Development, Inc, the Prince George's County Redevelopment Authority, and Artspace, Inc.

3. **Section 27-239.02(a)(9)(B) – Required Findings**

The Planning Board may grant a Special Permit in the M-U-TC Zone if it finds that the site plan is in conformance with the approved Town Center Development Plan and its guidelines and any

specific criteria for the particular use. In the event a Special Permit is approved by the Planning Board, the approval is conditional upon the issuance of a building or use and occupancy permit by the Department of Environmental Resources, Permits and Review Division.

The site plan will be in conformance with the Town Center Development Plan and its guidelines and other specific criteria if the conditions in the Recommendation section are adopted based on the findings below.

The *Mount Rainier Town Center Development Plan* sets forth guidelines for all development in the town center. The Town Center Design Review Committee, required to comment on the proposed development, reviewed the proposal and recommended approval with the following conditions, which have also been adopted by the Mayor and City Council of Mount Rainier (Resolution 14-2003):

- a. Remove the brick from the first-floor retail section of the building fronting Rhode Island Avenue.
- b. Use the brick that would have been used on the first-floor retail level on the mezzanine section of the building instead.
- c. Add six-inch to eight-inch coping along the roofline of the fourth floor.
- d. Add six-inch horizontal mullions on the windows in the mezzanine section of the building.

Items a. and b. above have been addressed on the architectural elevations. It also appears that items c. and d. above have been addressed, but they have not been called out on the building elevations. The building elevations should be revised to reflect this information.

4. **Section 27-548.01.03. Additional Requirements for Artists' residential studios**

The following requirements warrant discussion:

(a)(2) *Each artist unit shall have at least 700 square feet of space.*

The smallest artist unit is over 800 square feet.

(c) *The Planning Board shall review all proposed signs when reviewing a Special Permit application for proposed artists' residential studios or performance arts centers. The signage schedule shall follow the requirements in Part 12 for similar uses, unless the owner shows that its proposed schedule meets the purposes of the sign regulations.*

A signage plan has been provided that meets the guidelines of the Town Center Development Plan and is consistent with the requirements of Part 12 of the Zoning Ordinance. Condition 3 in the Recommendation section is provided to ensure that the future signs conform to the Town Center Development Plan Guidelines.

- (d) *Off-Street parking requirements in Part 11 do not apply to artists' residential studios or performance arts studios.*
 - (1) *The Planning Board shall review and approve an off-street parking schedule when reviewing a Special Permit application for the proposed use.*
 - (2) *The Planning Board shall consider the following when reviewing an off-street parking schedule:*
 - (A) *The likelihood that different uses in artists' residential studios or performance arts centers will share parking spaces because of variations in times of peak demand;*
 - (B) *The availability of on-street parking or other parking on nearby properties*
 - (C) *The availability of public transit for residents, patrons, or visitors; and*
 - (D) *Parking requirements in Part 11 that would apply to similar uses.*

By letter dated February 21, 2003 (Byrd to Wagner), Artspace Projects, Inc. provided the following details on off-street and on-street parking.

“It has been our experience at our other housing developments that our tenant population has a significantly lighter load on parking systems than is typical. This is due to the variety of transportation modes our tenants utilize as well as the nature of our tenant population – typically urban couples and singles with not more than one vehicle. In addition, 90% of our tenants earn their living outside of creating art, so residential tenant vehicles are gone during the day when commercial parking spots are in higher demand.

“There is a public surface parking lot less than one block away on Rhode Island Avenue and the remainder of the neighborhood is comprised largely of single-family homes with ample street space available for automobiles.

“Public Transportation to the site is very good. A new bus station has recently been constructed about 200 feet from the proposed project in front of the Mount Rainier City Hall. In addition, the project is located on Route 1, a major bus route. West Hyattsville Metro Station (Green Line) is 1.8 miles away. All of these will significantly reduce the parking load on the building.”

In general, the above justification is adequate. The applicant has provided additional information on the site plan that shows parking requirements in Part 11 that are applicable to similar uses. The Permit Review Section indicates that Part 11 requires parking for commercial uses be calculated on a unit-by-unit, user-by-user basis. Parking for the commercial component has been calculated as if there will be one retail store area of 7,000 square feet. However, the applicant does not have users for the individual units at this time. The architectural elevations show multiple storefronts along Rhode Island Avenue. The number of units will be based on the individual tenant requirements when they lease space. It can be assumed, however, that the parking calculations based on Part 11 would be slightly higher based on actual tenant requirements. The Permit Review Section also notes that the outdoor seating area for the restaurant should be included in the parking calculations. The Permit Review Section also notes that dimensions of the parking spaces for the physically handicapped must be provided in the parking schedule and that one van-accessible parking space dimensioned at 16 feet in width must be provided.

In a memorandum dated May 28, 2003, the Community Planning Division offered the following comments with regard to parking:

The total parking required by Part 11 of the Zoning Ordinance does not apply in the Mount Rainier M-U-TC. The Town Center Development Plan for the M-U-TC in the City of Mount Rainier recognizes that conforming to current parking standards would place an unreasonable burden on most applicants. It further recognizes that it is common for parking departures to be granted in older commercial cores and sets forth review guidelines to assure the surrounding community is protected and that economic development goals can be achieved. Parking requirements are guided by the local development plan, which does not require that all parking be located on site, and allows that parking needs can be met off-site. The subject development proposes a minimum amount of parking on site since existing surface parking lots in proximity to the subject site and meter parking along US 1 provide enough off-site parking to accommodate the proposed residential and commercial uses. Much of the commercial square footage will be supported by foot traffic from the new and existing residential users.

Based on the above justification, the Planning Board approve the applicant's proposed off-street parking schedule.

5. **Mount Rainier Town Center Development Plan and Design Guidelines**

If the following guidelines are addressed, the plan will be in conformance to the Town Center Development Plan.

Buffering and Screening:

- A sight-tight, board-on-board fence should be provided between the property and the adjacent single-family detached lot along the southern property line to screen the parking lot from the residential lot.
- An evergreen hedge should be provided in the green space adjacent to the parking lot to screen parked cars from 34th Street.

Public Areas – Sidewalks:

- “Sidewalk areas should provide for interesting streetscapes by allowing unity without uniformity. Landscaping and special paving (e.g., brick, pressed pavers) should be provided between the sidewalk and building front.” The plans should be revised to provide brick or pressed pavers in the sidewalk along the entire street frontage of Rhode Island Avenue and 34th Street.

Building Design:

- The proposed building is a four-story structure with three levels of artists’ lofts above one level of commercial. This type of construction is typical in downtown Mount Rainier. The building is slightly higher than typical buildings at 50 feet high. The ground level storefront has been designed to emulate older commercial patterns with large storefront windows along the frontage on Rhode Island Avenue, wrapping around the corner of 34th Street. 34th Street angles away from Rhode Island Avenue sharply, creating a dramatic building shape at the corner. A restaurant will be located in the commercial space at the corner, which is recessed, providing an outdoor seating area. Canopies have been provided above each commercial storefront with sign panels located above the canopies. The separate main entrance to the artists’ lofts is located on Rhode Island Avenue between the restaurant and the stores.
- The three-story artists’ lofts above the commercial level have window patterns that are more residential in character, yet are larger in scale to accommodate the need for well-lit studio space. The building is contemporary in style with building materials consisting of a variety of brick, block and corrugated metal. The building has a flat roof. Mechanical equipment is screened with matching materials.

Lighting:

- A coordinated lighting plan should be provided for review. The plan provided some lighting on the front elevation of the building, but none in the back of the building where the parking lot is located. Lighting should be in conformance with the Town Center Development Plan.

Referrals

6. In a memorandum dated June 2, 2003, the Transportation Planning Section offered the following comments: The subject property is located at the southwest corner of 34th Street and Rhode Island Avenue (US 1) in Mount Rainier. The applicant proposes to construct a building consisting of 44 apartment units and 7,000 square feet of retail space. The subject property is 39,919 square feet and is zoned M-U-TC. The site is currently improved with a few buildings offering various retail services.

In terms of trip generation, because there was a previous retail land usage on the subject property, the proposed retail component will not bring about a significant increase in traffic. The housing component, however, is expected to generate 31 trips during the AM peak hour and 35 trips during the PM peak hour.

The site plan shows a single access point for the proposed development. For passenger cars, no circulation issues are envisioned; however, for larger delivery trucks such as tractor-trailers, maneuverability could be challenging. The subject property fronts Rhode Island (US 1), which is a master-planned arterial road. No portion of the site plan is affected by the future right-of-way requirement for US 1.

In conclusion, the transportation staff finds the subject application to be acceptable.

7. In a memorandum date April 30, 2003, the Historic Preservation & Public Facilities Planning Section offered the following comments:

Background

The subject application is located within the Mount Rainier National Register Historic District. The historic district, listed in the National Register in 1990, includes almost 1,200 buildings and encompasses most of the City of Mount Rainier's commercial and residential buildings. The historic district is comprised of a diverse range of buildings that reflect prevailing suburban building practices and architectural styles from 1900 to 1940 and represents the most significant period of development for one of Prince George's County's earliest suburbs.

Findings

The subject application is located at the southwest corner of the intersection of 34th Street, Rhode Island Avenue and Perry Street at the center of the Mount Rainier commercial area. Currently, the subject property includes five early twentieth-century structures (from east to west): (1) 3335 Rhode Island Avenue, a large two-story frame commercial building at the corner of the property; (2) 3331-3333 Rhode Island Avenue, a small two-story frame building (with a one-story storefront) to the west; (3) 3317-3317B Rhode Island Avenue, a one-story, two-storefront masonry commercial building; (4) 3311-3313-3315 Rhode Island Avenue, a one-story, three-storefront masonry commercial building; and (5) 3718 34th Street, a small two-story frame dwelling, to the south.

At the time of the designation of the Mount Rainier Historic District, all five buildings within the subject property were evaluated for the level of contribution each made to the historical and architectural significance of the historic district. In 1990, 3335 Rhode Island Avenue and 3331-3333 Rhode Island Avenue, originally constructed 1900-1910, were identified as “contributing resources with a low level of integrity whose contribution could be enhanced by sympathetic rehabilitation or restoration or by research documenting historic significance unknown at the time of nomination.” The building at 3317-3317B Rhode Island Avenue, constructed 1921-1930, was identified as “a resource that does not contribute to the significance of the nomination and is not eligible for listing in the National Register, due recent construction or irretrievable loss of integrity.” Both 3311-3313-3315 Rhode Island Avenue and 3718 34th Street, constructed from 1931-1939 and 1921-1930 respectively, were identified as “contributing resources with a high level of integrity and historic and/or architectural significance to the nomination.”

These evaluations of the buildings on the subject property (in 1990) were based on a “graded” system no longer used to evaluate resources within a National Register context. The current National Register evaluation system involves only the identification of a “contributing resource” or a “non-contributing resource.” With the passage of time since the designation of the Mount Rainier National Register Historic District, the condition and character of the buildings within the subject property have changed. These changes would impact any current evaluation of these buildings. If they were to be evaluated today, four of the five buildings would be identified as non-contributing resources. The sole contributing resource within the subject property would likely be 3311-3313-3315 Rhode Island Avenue.

Because the proposed project will utilize state funds, the proposed demolition of buildings within a National Register Historic District and the design of the replacement building(s) must be evaluated for impacts on the National Register-listed resource through a state-mandated Section 106 review process. This process has been completed and a Memorandum of Agreement (MOA) between the Maryland Historical Trust and the applicant (et al) has been ratified. The MOA

requires documentation of all of the buildings of the subject property prior to demolition, input in the design development process for the replacement building, and the development of a brochure on the history of the Mount Rainier commercial area.

Two properties in the vicinity of this application are within the National Register Historic District and are also regulated by the *Historic Sites and Districts Plan*. Historic Site 68-13-02, the Prince George's Bank Building, is located north of the subject property at the northwest corner of the intersection of Rhode Island Avenue and 34th Street. Historic Resource 68-13-10, Sanitary Grocery Company, is located across 34th Street east of the subject property.

Conclusions

- a. The subject application is based on the demolition of all five properties within the subject property. Only one of the existing buildings would be considered to contribute to the historic and architectural character of the Mount Rainier National Register Historic District if an evaluation were made at this time. The demolition of this sole contributing building within the subject property, a good example of an early twentieth-century storefront block, is unfortunate. This demolition is also unavoidable given the scope of the proposed project. Staff finds that the demolition of all of the site's existing buildings will be effectively mitigated through the Memorandum of Agreement between the applicant (et al) and the Maryland Historical Trust.
- b. The introduction of a large building of contemporary design within the Rhode Island Avenue streetscape will directly impact the character of the Mount Rainier commercial area. Because of its location, scale and architectural character, the proposed building will become a highly visible component of the Rhode Island Avenue streetscape and will most likely become a signature building for the community. The mixed-use character of the proposed building is consistent with the tradition of mixed-use buildings along the US 1 commercial corridor. Although the scale of the building is somewhat larger than is typical in the vicinity, the design of the building, which includes storefronts at the sidewalk and other uses above, is compatible with the character of the commercial area. The proposed building will employ versions of traditional building materials such as brick, corrugated sheet metal, plate glass, canvas awning and expressed structural elements in a contemporary manner.
- c. The subject application will have no impact on the nearby historic resources regulated by the *1992 Historic Sites and Districts Plan*.

Recommendations

Historic Preservation staff recommends the approval of SP-010003 as an enhancement to redevelopment efforts within the City of Mount Rainier and as a notable example of contemporary infill construction within the Mount Rainier National Register Historic District.

8. In a memorandum dated May 20, 2003, the Environmental Planning Section offered the following comments:

Background

This subject property has not been previously reviewed by the Environmental Planning Section in conjunction with any other application.

Site Description

The 0.9164-acre site is located at the northwest quadrant of 34th Street and Rhode Island Avenue. This site is partially developed and contains some treed areas. A review of the information available indicates that Marlboro clay, steep and severe slopes, 100-year floodplain, wetlands, or streams are not found to occur on this property. The site is located in the upper Anacostia watershed, which is a tributary to the Anacostia River Basin. The soils found to occur on this property according to the Prince George's County Soil Survey is Sandy and Clayey. This soil series generally exhibits slight limitations to development due to high shrink-swell potential and slow permeability. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. No historic or scenic roads are affected by this proposal. Neither 34th Street nor Rhode Island Avenue is a noise generator, and the proposed use is not anticipated to be a noise generator. This property is in the Developed Tier as delineated in the approved General Plan.

Environmental Review

- a. This site is exempt from the requirements of the Woodland Conservation Ordinance because it less than 40,000 square feet in size and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan will not be required. A Letter of Exemption from the Ordinance was issued by the Environmental Planning Section dated May 20, 2002.

Comment: No further action is needed at this time. This Letter of Exemption should accompany all future applications for plans and permits.

- b. A Stormwater Management Concept Approval Letter and proposed concept plan have not been submitted with this application, nor was there any evidence of compliance. A copy of the Stormwater Management Concept Approval Letter should be required prior to the certification of the DSP.
9. In a memorandum dated May 23, 2003, the Growth Policy and Public Facilities Planning Section offered the following comments. (Note: These comments are for information only—there are no requirements regarding adequate public facilities for approval of a special permit.)

Fire Service

The existing fire engine service at Mount Rainier Station, Company 3, located at 4051 34th Street, has a service response time of 0.57 minutes, which is within the 3.25-minute response time guideline.

The existing ambulance service at Mount Rainier Fire Station, Company 3, located at 4051 34th Street, has a service response time of 0.57 minutes, which is within the 4.25-minute response time guideline.

The existing paramedic service at Brentwood Fire Station, Company 4, located at 3712 Utah Street, has a service response time of 1.19 minutes, which is within the 7.25-minute response time guideline.

The existing ladder truck service at Cottage City Fire Station, Company 2, located at 3840 Bladensburg Road, has a service response time of 1.52 minutes, which is within the 4.25-minute response time guideline.

These findings are in conformance with the adopted and approved *Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

Police Services

The proposed development is within the service area for Police District 1-Hyattsville. The staff of the Historic Preservation and Public Facilities Planning Section conclude that the existing police facilities will be adequate to serve the proposed artist loft. The current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff (patrol officers) and a total of 101,303 square feet of station space. Based upon available space, there is capacity for an additional 69 sworn personnel.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Special Permit SP-010003, subject to the following conditions:

1. Prior to certification, the site plan shall be revised or information provided as follows:
 - a. Dimensions of the parking spaces for the physically handicapped shall be provided in the parking schedule.
 - b. One van accessible parking space dimensioned at 16 feet in width shall be provided.

- c. The outdoor seating area for the restaurant shall be included in the parking calculations.
 - d. Provide a copy of the Stormwater Management Concept Approval Letter.
 - e. A site-tight, board-on-board fence shall be provided between the property and the adjacent single-family detached lot along the southern property line.
 - f. An evergreen hedge shall be provided in the green space adjacent to the parking lot to screen parked cars from 34th Street.
 - g. The plans shall be revised to provide brick or pressed pavers in the sidewalk along the street frontage.
 - h. A coordinated lighting plan shall be provided for review. Lighting shall be in conformance with the Town Center Development Plan.
 - i. Wheel stops shall be provided for all parking spaces.
2. Prior to certification, the architectural elevations shall be revised to provide the following information:
- a. Add 6-inch to 8-inch coping along the roofline of the fourth floor.
 - b. Add 6-inch horizontal mullions on the windows in the mezzanine section of the building.
3. The following signage guidelines shall be adhered to when applying for sign permits:
- a. Storefront signage shall be limited to the sign panels provided above the awnings.
 - b. Additional window signage shall be limited to 30 percent of the window space.
 - c. Blade signs shall be at least 10 feet above the sidewalk and shall not project more than 42 inches.
 - d. All signage shall be limited to that shown on the approved architectural elevations and the Partial Rhode Island Avenue Elevation.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Scott, with Commissioners Eley, Scott, Vaughns, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 19, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of July 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk