



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-06050 RECONSIDERATION

| Application | General Data |
|--|--|
| Project Name: EYA/ARTS DISTRICT HYATTSVILLE EAST VILLAGE Location: Located between Baltimore Avenue and the Baltimore and Ohio Railroad, north of Hamilton Street and south of Madison Street. Applicant/Address: LH East Associates, Limited Partnership c/o EYA, Inc. A Maryland Corporation General Partner 4800 Hampden Lane, Suite #300 Bethesda, Maryland 20814 | Date Accepted: 03/12/07 |
| | Planning Board Action Limit: N/A |
| | Plan Acreage: 16.52 |
| | Zone: M-U-I & M-U-T-C |
| | Lots: 222 |
| | Parcels: 10 |
| | Planning Area: 68 |
| | Tier: Developed |
| | Council District: 02 & 03 |
| | Municipality: Hyattsville & Riverdale Park |
| | 200-Scale Base Map: 206/7NE04 |

| Purpose of Application | Notice Dates |
|--|---|
| RECONSIDERATION HEARING: By letter dated March 12, 2007, the applicant requested a Reconsideration to adjust the total number of residential units, adjust the number of condominium units and adjust the amount of retail/commercial space. On April 5, 2007, the Planning Board granted this request. | Adjoining Property Owners Previous Parties of Record Registered Associations: N/A (CB-58-2003) |
| | Notice of Hearing Mailed to Parties of Record 06/12/07 |

| Staff Recommendation | | Staff Reviewer: Ivy R. Thompson | |
|----------------------|--------------------------|---------------------------------|------------|
| APPROVAL | APPROVAL WITH CONDITIONS | DISAPPROVAL | DISCUSSION |
| | X | | |

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT Preliminary Plan of Subdivision 4-06050
EYA/Arts District Hyattsville, East Village
Lots 1-225 and Parcels A through J

OVERVIEW

In a letter dated March 12, 2007, the applicant requested a reconsideration of the subject preliminary plan to amend the total number of residential units and the amount of retail/commercial space. On April 5, 2007, the Planning Board granted this request. Because the reconsideration only requested additional condominium units and additional retail square footage, the analysis contained in this report focuses mainly on reviews conducted by the Community Planning Division and the Transportation Section of the Countywide Planning Division.

The original approved plan combined 44 properties and resubdivided them into a mixed-use development for a total of 384 residential units that consists of 222 townhouses that include four live/work townhouse units, 162 condominiums, 34,536 square feet of retail/commercial, and 47, 571 square feet of open space for outdoor recreation and an indoor swimming pool facility. Staff would note that the preliminary plan of subdivision does not establish the permitted use on a property, nor approve the improvements on the property. The written approval is embodied in resolution PGCPB No. 07-01 and is subject to 29 conditions. None of these conditions require deletion because of this reconsideration. However, one new condition (#30) was generated due to the reconsideration. The applicant's attorney may proffer additional conditions.

The majority of this site, 15.31 acres, is located within the City of Hyattsville, Maryland, and the remainder, 1.21 acres, is located in Riverdale Park. This application is also within limits of the Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District, approved September 9, 2004. The property is zoned Mixed-Use-Infill (M-U-I). The SMA also placed the property in the Gateway Arts District Development District Overlay Zone.

Prior to the January 4, 2007, hearing the staff of the Department of Parks and Recreation conducted discussions with the applicant regarding the master plan trail connection along the Rhode Island Avenue trolley right-of-way and the provision of private recreation open space. The discussion at the previous hearing centered around concerns expressed by the Mayor of the City of Hyattsville regarding the density of the development, the size of the townhouse units, the mix of residential and retail development and the design of the street grid, specifically the connectivity of this development to the adjacent property to the south.

As a result of ongoing negotiations between the applicant, the City of Hyattsville, and the Department of Parks and Recreation staff up to the morning of the hearing, the preliminary plan was altered to reflect the changes requested, specifically, the creation of a "T" intersection that would provide access to the development both north and south of Jefferson Street. Due to this change, the subject of additional development was never critically examined by the applicant and discussed with staff.

After the Planning Board hearing, the applicant's engineer reconfigured the preliminary plan to include the newly created "T" intersection, which is located further east of the terminus of the original configuration and the applicant determined that the reconfigured areas could accommodate 14 additional residential dwelling units and an additional 3,469 square feet of retail / commercial space along Jefferson Street. The applicant also determined that the new layout provided the ability to add 70 more residential condominiums. All of these changes to the amount of development that could be permitted required the applicant to request a reconsideration of the original preliminary plan to amend the total number of residential units and the amount of retail/commercial space for the development.

There was also discussion during the hearing regarding the two private residential properties located south of the subject site. The applicant has been in negotiation with the Browns and the Roblas to acquire the two properties. If it is possible to acquire both properties, then the applicant will have the ability to redistribute 70 residential condominium units onto these two properties (35 units on each of the two properties). However, if the applicant is only able to obtain one of the properties, then only 35 units will be added. If neither of the residential properties is purchased, then the applicant will only add 14 of the 84 units.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

| Zone | EXISTING M-U-I/ M-U-TC | PROPOSED M-U-I/M-U-TC |
|----------------|--|--|
| Use(s) | Auto Sales/Service Commercial/Residential (Vacant) | Mixed/Use 220 residential town homes 4 live/work town homes 246 condominium units 38,005 sf of Retail/Commercial 47, 571 sf of open space |
| Acreage | 16.52 | 16.52 |
| Lots | 40 | 222 |
| Parcels | 4 | 10 |
| Public Safety | | No |
| Mitigation Fee | | |

2. **Community Planning**—At issue is whether the additional commercial/ retail and residential development adheres to the vision and regulations set forth in the approved sector plan and sectional map amendment for this area and whether adequate transportation facilities exist. The Approved 2004 *Gateway Arts District Sector Plan and Sectional Map Amendment* sets goals, objectives, and concepts based on the identification of seven character areas: (1) town center, (2) arts production and entertainment, (3) neighborhood arts and production, (4) multifamily residential community, (5) traditional residential neighborhoods, (6) neighborhood commercial, and (7) stream valley park. Each character area has its own set of development district standards with the exception of the stream valley park character area.

This property is in the town center character area which places an emphasis on the creation of pedestrian-oriented streetscapes, the establishment of a build-to line that creates a sense of enclosure and the encouragement of shared parking. The goal for town center character areas is to enhance the walkability of the town center by creating a framework for high quality, mixed-use, pedestrian-oriented development incorporating human-scale buildings, an attractive streetscape, landscaping and small pocket parks.

The addition of 84 residential units and 3,500 square feet of retail space is based in part on the existing land area within the subject application, but primarily on the assembly of two additional lots to Phase II of the Hyattsville Village East development in the Hyattsville Town Center character area. The addition of these lots would enhance the overall Phase II development and furthers the implementation of the town center character area along Baltimore Avenue as envisioned in the Approved 2004 *Gateway Arts District Sector Plan and Sectional Map Amendment*.

3. **Transportation**—The subject site fronts the east side of Baltimore Avenue (US 1), which is a designated four lane major collector road between Hamilton and Madison Streets. This development impacts six signalized intersections, but only one, US 1/ MD 410, is negatively impacted. As part of the original Preliminary Plan of Subdivision for the EYA-East, staff reviewed a traffic study dated November 22, 2006, which was prepared in support of the EYA-East development.

This traffic study assumed a total development of 433 dwelling units (189 condominiums) and 22,648 gross square feet of commercial retail for the EYA-East. Upon review, staff concurred with traffic study findings that upon build-out of the proposed EYA-East development, all of the studied intersections would continue to operate at adequate levels of service, except for the intersection of MD 410 and US 1 which would be operating at a Level-of-Service F condition with Critical Lane Volume (CLV) of 1,948, and 1,825, during the AM and PM peak hour, respectively.

As a result and per the comments provided by the City of Hyattsville, DPW&T and SHA, staff concurred with the applicant's proffered mitigation measures that would result in the provision of three thru traffic lanes along the MD 410 eastbound and westbound approaches. The Guidelines require mitigation measures that would eliminate at least 100 percent of the development-generated critical lane volumes and reduce the resulting intersection's CLV to below the value of 1,812. The study showed the proffered and approved improvements would reduce the resulting CLV volumes by 137, and 120, or nearly five times the projected impact 22, and 32, thereby resulting in the projected CLV volumes of 1,789 and 1,673 during the AM and PM peak hour, respectively.

In addition to the generous mitigation of projected traffic impact for the intersection of MD 410 with US 1, reported above, the 2006 traffic study used the recommended townhouse trip generation rates for all 433 proposed units, even though 189 units were assumed to be constructed as multifamily condominiums. On May 14, 2007, the applicant submitted for review an acceptable trip generation study that demonstrated condominium units would generate less vehicle trips during the AM and PM peak hours than townhouse units. Staff concurred with the study's conclusion that the use of recommended apartments (garden and mid-rise) trip generation rates is more appropriate than the townhouse rates for the proposed condominium units.

On June 4, 2007, and in support of the reconsideration request, a revised traffic impact study was submitted for staff review. This study assumed 470 units (246 condominiums) and 38,005 gross square feet of commercial retail to be constructed within the site known as EYA-East. The study used the recommended apartments trip generation rates for the proposed 246 condominium units, and estimated that the proposed development will generate 413 vehicle trips (95 inbound, and 318 outbound), and 615 vehicle trips (372 inbound, and 243 outbound) during the AM and PM peak hour, respectively. The traffic study also included the mitigation measures proffered and approved by the Planning Board as part of the approval of the original 4-06050-EYA-East Preliminary Plan. Finally, the study concluded and staff concurs that the approved mitigation measures required as part of Preliminary Plan 4-06050 approval would also satisfy the adequacy requirements of the proposed increases to the approved development levels for the EYA-East development.

With regard to existing transportation Condition 24, the last bullet begins with the language “Modify of existing traffic signal...” The word “modify” should be changed to “modification.”

Transportation staff has determined that the transportation facilities coupled with the mitigation proffered as outlined in the original resolution are adequate with the additional commercial/retail and residential development.

RECOMMENDATION

Based on the foregoing evaluation and analysis, staff recommend that the Planning Board adopt all of the findings and conditions contained in the original action (PGCPB No. 07-01) as now modified or supplemented by the findings of this report and APPROVE 4-07099, subject to the following additional condition:

30. Total development within the subject property shall be limited to no more than 470 residential units, of which 246 units will be constructed as multifamily condominium units and 38,005 square feet of commercial retail.