

The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



Note: Staff reports can be accessed at <http://mncppc.igmp2.com/Citizens/Default.aspx>.

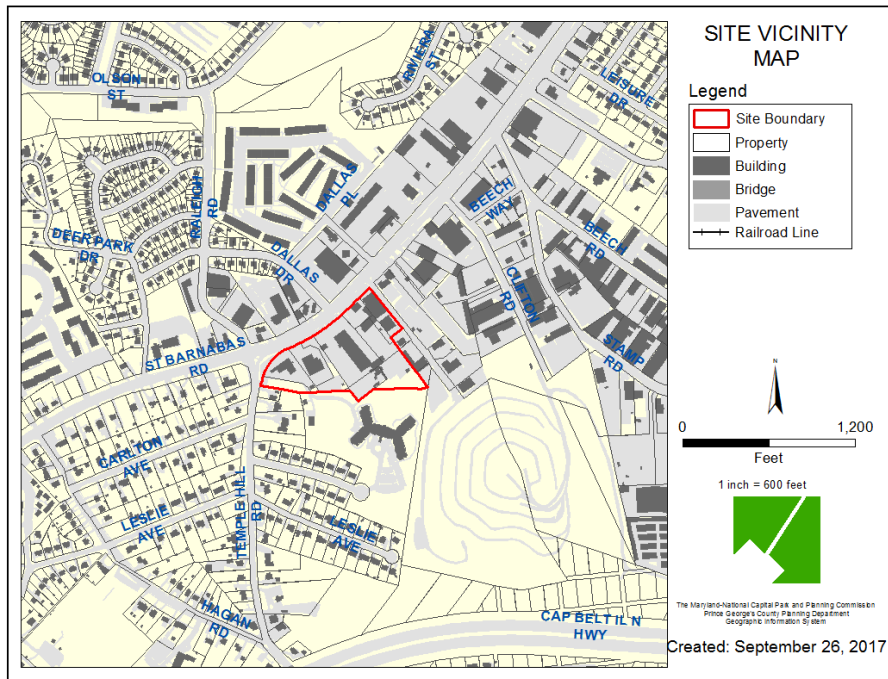
Zoning Map Amendment

A-10047

Application	General Data	
Project Name: Saint Barnabas Mixed-Use Park Location: Southeast quadrant of the intersection of MD 414 (Saint Barnabas Road) and Temple Hill Road. Applicant/Address: 1323 E Street, SE, LLC 7020 Ordway Road Centerville, VA 20121 Property Owner: Same as applicant	Planning Board Hearing Date:	06/21/18
	Staff Report Date:	06/14/18
	Date Accepted:	04/10/18
	Planning Board Action Limit:	N/A
	Plan Acreage:	11.07
	Zone:	C-S-C/I-1
	Gross Floor Area:	N/A
	Lots:	N/A
	Parcels:	10
	Planning Area:	76A
	Council District:	07
	Election District	06
	Municipality:	N/A
	200-Scale Base Map:	207SE03

Purpose of Application	Notice Dates	
Request to rezone the property from C-S-C and I-1 to M-X-T Zone for a mixed-used development.	Informational Mailing	01/15/18
	Acceptance Mailing:	04/14/18
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ivy R. Thompson Phone Number: 301-952-4326 E-mail: Ivy.Thompson@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section
Development Review Division

FROM: Ivy R. Thompson, Senior Planner, Subdivision and Zoning Section
Development Review Division

SUBJECT: **Zoning Map Amendment Application No. A-10047**
Saint Barnabas Road Mixed-Use Park

REQUEST: **Rezoning from the C-S-C Zone and I-1 Zone to the M-X-T Zone**

RECOMMENDATION: **DISAPPROVAL**

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date of Thursday, June 21, 2018. The Planning Board also encourages all interested persons to request to become a person of record for this application.

You are encouraged to become a person of record in this application. The request must be made in writing and sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

1. **Location and Field Inspection:** This 11.0669-acre site is located on Tax Map 88 in Grid B-4. The subject site identified as 4634, 4710, 4718, 4720, 4806, and 4810 Saint Barnabas Road, is an assemblage of Parcels 196, 202, 203, 350, 368, 387, 406, 452, 489, and 498 recorded in Liber 39544, folio 503. The property has street frontage along Saint Barnabas Road between Cremen Road to the east and Temple Hill Road to the west. Of the 11.0669-acre site, 8.53 acres of the properties are zoned Commercial Shopping Center (C-S-C) and 2.54 acres are zoned Light Industrial (I-1). Access to the proposed development is via three access points, two on Saint Barnabas Road and one on Cremen Road.
2. **History:** The 2008 *Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment* (Branch Avenue Corridor Sector Plan and SMA), reclassified Parcels 196, 387, 406, 489, and 498 from C-M (Commercial Miscellaneous) to C-S-C (Commercial Shopping Center) in their entirety; and reclassified portions of Parcels 202, 203, 350 and 368 from C-M to C-S-C, while retaining portions of Parcels 202, 203, 350, and 368 as I-1 (Light Industrial); and retaining Parcel 452 in its entirety as I-1. Six of the properties have approved nonconforming uses (CNU) for automotive and repair uses as follows:
 - 4710 Saint Barnabas Road (Parcel 196)—CNU-1471-09, approved administratively March 18, 2009; and CNU-2964-09 approved administratively March 24, 2009.
 - 4718 Saint Barnabas Road (Parcel 489)—CNU-3406-09, approved administratively March 25, 2009.
 - 4720 Saint Barnabas Road (Parcel 203)—CNU-2966-09, approved administratively February 17, 2009.
 - 4720B Saint Barnabas Road (Parcel 202)—CNU-468-09, approved administratively February 12, 2009.
 - 4740 Saint Barnabas Road (Parcel 368)—CNU-2828-09, approved administratively March 18, 2009; CNU-465-09, approved administratively February 18, 2009; and CNU-2967-09 approved January 11, 2010 by Prince George's County District Council.
 - 4806 Saint Barnabas Road (Parcel 387)—CNU-2967-09, approved January 11, 2010, by the District Council.
3. **Neighborhood:** Significant natural features or major roads usually define neighborhoods. The following roadways define the boundary of the neighborhood:

North—	MD 5 (Branch Avenue).
East—	MD 414 (Saint Barnabas Road)
South—	I-95/495 (Capital Beltway)
West—	Temple Hill Road

Surrounding Uses: The following uses surround the subject site:

North—	MD 414 (Saint Barnabas Road) and a bowling alley, two gas stations and retail uses beyond in the C-S-C Zone.
East—	Cremen Road and a used car sales business beyond in the C-S-C Zone.
South—	Multifamily Senior Housing (Pyles Property, 4-94065) and single-family detached development zoned One-Family Detached Residential (R-80).
West—	Temple Hill Road and single-family detached homes beyond in the Rural Residential (R-R) Zone.

4. **Request:** The applicant seeks a rezoning of the site, 11.0669 acres, from the C-S-C and I-1 Zones to the Mixed-Use-Transportation (M-X-T) Zone. The applicant proposes the development of a mix of multifamily residential units, townhouse and commercial retail development.

5. **General and Master Plan Recommendations:**

General Plan

The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) designated the site within the Established Communities area as “existing residential neighborhoods and commercial areas served by public water and sewer *outside of the Regional Transit Districts and Local Centers*” in which development growth is to be focused. Plan 2035’s vision for the Established Communities is “context-sensitive infill and low- to medium-density development” (page 20).

Plan 2035 established the following policies that are relevant to this application:

Policy 1—Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals (page 110).

The Site is *not* within a Regional Transit District, the nearest of which is located a two-mile drive away, near the Branch Avenue Metro Station.

Policy 7—Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers (page 114).

The Site is *not* within a Regional Transit District or a Local Center, the nearest of which is located a three-mile drive away, near the Southern Avenue Metro Station.

Housing and Neighborhoods

Policy 1—Concentrate medium- to high-density housing development in Regional Transit Districts and Local Centers with convenient access to jobs, schools, childcare, shopping, recreation, and other services to meet projected demand and changing consumer preferences (page 187).

The Site is *not* within a Regional Transit District or Local Center, and is *not* designated for medium- to high-density housing development.

Urban Design

Policy 9—Use urban design to guide development, promote community health, protect our natural, historic, and cultural resources and quality of life, and enhance mobility, specifically:

HD 9.9 (Community Heritage, Culture and Design): Implement urban design solutions to ensure appropriate transitions between higher intensity and density development and surrounding lower-density residential neighborhoods. Urban techniques include decreasing (stepping down) building heights, reducing development densities, and otherwise modifying architectural massing and form (page 215).

Master Plan

The 2013 *Central Branch Avenue Corridor Revitalization Sector Plan* (2013 Sector Plan) recommends retaining the exclusively commercial land use for Parcels 196, 387, 406, 489, and 498 and for portions of Parcels 202, 203, 350 and 368, and the exclusively industrial land use for Parcel 452 and for portions of Parcels 202, 203, 350 and 368 (page 65). Industrial land use is described as "...manufacturing operations, industrial parks, warehouses, distribution operations, junkyards, auto storage, and salvage, but can also include other employment uses such as office and service uses" (page 64).

The 2013 Sector Plan defines "commercial land use" as an "...array of commercial uses including retail, services, repair, and office uses. It includes large shopping centers and small strip centers, and miscellaneous establishments such as auto services and sales," with four subcategories: Commercial-Neighborhood; Commercial-Office; Commercial-Production, Distribution, and Repair; and Commercial-Shopping Center. (page 64). This is consistent with the purposes of the current C-S-C zoning, defined by Section 27-254(a)(1) as providing "locations for predominantly retail commercial shopping facilities ... [and] compatible institutional, recreational, and service uses," although the 2013 sector plan recommended a clarification of the C-S-C Zone to encourage "the transition [of the St. Barnabas Road commercial corridor] into a commercial center focused on neighborhood oriented services supporting surrounding neighborhoods" (page 65). This clarification could be accomplished by *either* "[e]stablish[ing] and applying a new *commercial zoning* category or revis[ing] an existing *commercial zoning* district to facilitate [a] neighborhood commercial zone that regulates appropriate scale of development and types of uses at appropriate locations along St. Barnabas Road" (page 65). This recommended clarification of the commercial uses of the current C-S-C zone echoed the recommendation of the 2008 Branch Avenue Corridor Sector Plan and SMA, to clarify the commercial nature of the St. Barnabas commercial corridor by rezoning the then-existing Commercial Miscellaneous (C-M) Zone to the C-S-C Zone (accomplished by the 2008 Branch Avenue Corridor Sector Plan and SMA).

The 2013 Sector Plan did *not* recommend *any* residential uses in the current C-S-C zone. The 2013 Sector Plan also did *not* recommend the rezoning of the C-S-C zone to a Mixed-Use zone. The 2013 Sector Plan instead applied the Commercial-Neighborhood land use classification to the St. Barnabas commercial corridor to foster neighborhood retail uses, in contrast to the Commercial-Office land use classification that it recommended for other parcels, further removed from the Saint Barnabas Road commercial corridor. Although the 2013 sector plan noted as a far distant possibility that the Saint Barnabas Road corridor *might* obtain transit that *might* lead to changed land use classifications, the 2013 Sector Plan was explicit that any such arrival "is not anticipated for several decades," so no changes in the land use classification should be made until the transit actually arrives. If and when that occurs "a *new plan* should be completed to determine the appropriate land use classification for transit-oriented development," (page 65) with that new plan's new recommended land use classifications subsequently implemented by a new sectional

map amendment.

The 2013 Branch Avenue Corridor Revitalization Sector Plan defines “industrial land use” as “...manufacturing operations, industrial parks, warehouses, distribution operations, junkyards, auto storage, and salvage ... [but] can also include other employment uses such as office and service uses” (page 64). The 2013 s Branch Avenue Corridor Revitalization Sector Plan specifically called for “the Beech Road industrial area [(in which the industrially-zoned portion of the Site is located) to] be retained in the [existing industrial land use classification] as a center for employment focusing on small professional and commercial services, such as production, storage, and repair businesses (page 65)”. This recommendation is consistent with the purposes of the current I-1 zoning, defined by Section 27-469(a)(1) as providing locations “to attract a variety of labor-intensive industrial uses ... distinct from the more intense Industrial Zones and the high-traffic generating Commercial Zones.”

The 2013 Branch Avenue Corridor Revitalization Sector Plan only recommended Mixed-Use land use, which would include the proposed rezoning, to a limited location on the other end of the Saint Barnabas Road Focus Area from the site (page 66).

6. **Zoning Requirements:**

Section 27-213(a) Criteria for approval of the M-X-T Zone.

(1) **The District Council shall only place land in the M-X-T Zone if at least one (1) of the following two (2) criteria is met:**

(A) **Criterion 1. The entire tract is located within the vicinity of either:**

- (i) **A major intersection or major interchange (being an intersection or interchange in which at least two (2) of the streets forming the intersection or interchange are classified in the Master Plan as an arterial or higher classified street reasonably expected to be in place within the foreseeable future); or**
- (ii) **A major transit stop or station (reasonably expected to be in place within the foreseeable future).**

The subject site is located at the southeast quadrant of Saint Barnabas Road, where it intersects with Temple Hill Road, approximately three-quarters of a mile south of the intersection of Saint Barnabas Road with MD 5 and two miles from the Branch Avenue Metro Station. There is public bus transportation via (WMATA) Washington Metropolitan Area Transit Authority and Prince George’s County’s TheBus to the area that provides connection to the Branch Avenue Metro Station. MD 414 (Saint Barnabas Road) is a master plan arterial facility with a proposed right-of-way-width of 120 feet. Temple Hill Road at this intersection is identified as a neighborhood road.

The site is not within the vicinity of a major intersection or interchange (that being the intersection or interchange of two roadways of arterial or higher classification), nor is it within the vicinity of a major transit stop or station. Therefore, the location does not meet the criteria in Section 27-213(a)(1)(A) of

the Zoning Ordinance. The applicant is not contending that this criterion is met and has filed this application with justification for Criterion 2 below.

(B) Criterion 2. The applicable Master Plan recommends mixed land uses similar to those permitted in the M-X-T Zone.

This application does not meet the requirements of Section 27-213(a)(1)(B) because the 2013 Branch Avenue Corridor Revitalization Sector Plan does not recommend mixed land uses similar to those recommended in the M-X-T Zone. Section 27-542(a)(2) of the Zoning Ordinance describes mixed land use as “a mix of residential, commercial, recreational, open space, employment, and institutional uses.” Based on this description and the combination and types of uses included, the sector plan does *not* recommend mixed land uses similar to those recommended in M-X-T and is explicit in the land uses that are recommended. This is evident in the Sector Plan’s Corridor-wide Future Land Use Map (page 112), which illustrates the recommended land use for the subject properties as either industrial or commercial-neighborhood land use depending on the parcel or portion of the parcel.

Commented [WY1]:

The industrial land use recommendation is also evident in the text where the plan specifically recommends, “...to retain the existing industrial land use classification for the Beech Road industrial area” (page 65). The plan supports this notion with further recommendations that could only apply if the industrial land use is to be retained. For example, it also states, “...that the Beech Road industrial area be retained as a center for employment focusing on small professional and commercial services, such as production, storage, and repair businesses,” and that the “Beech Road industrial areas...[be] revitalized through upgraded public infrastructure, streetscape improvements, aggressive code enforcement, and better property maintenance...” (page 65). The plan defines industrial land use “as manufacturing operations, industrial parks, warehouses, distribution operations, junkyards, auto storage, and salvage, but...also include[s] other employment uses such as office and service uses” (page 64). Note that the recommended industrial land use, as described and defined by the plan, does not include residential land use of any kind; nor does the Zoning Ordinance’s description of mixed land use include industrial land use, which is evident in the M-X-T use tables as they fail to permit most industrial land uses except for light manufacturing in the M-X-T Zone (see Section 27-547(b) of the Zoning Ordinance).

Furthermore, the commercial-neighborhood land use recommendation is also supported by the text; the plan specifically recommends designating the “...commercially zoned properties on St. Barnabas Road north of Temple Hill Road as Commercial Neighborhood” (page 65). The plan supports this notion with further recommendations that assume commercial-neighborhood land use will be reserved for the area. For example, it recommends, “...that the St. Barnabas Road commercial corridor transition into a commercial center focused on neighborhood-oriented services supporting surrounding neighborhoods” and that the St. Barnabas Road commercial corridor “...[be] revitalized through upgraded public infrastructure, streetscape improvements, aggressive code enforcement, and better property maintenance...” (page 65). The plan defines commercial-neighborhood land use “as an array of commercial uses including retail, services, repair, and office uses,” and can include “...large shopping centers and small strip centers, and miscellaneous establishments such as auto services and sales” (page 64). The applicant states, without any evidence from the text, that commercial-

neighborhood land use, as defined in the plan, “contemplates a mix of commercial and residential uses.” However, this is inaccurate based on the plan’s description and definition of commercial-neighborhood land use, which does not include residential land use of any kind. It must also be noted that the “auto services and sales” uses, as well as strip style developments and other auto-centric uses are generally not permitted in the M-X-T Zone (see Section 27-547(b) of the Zoning Ordinance).

Overall, the sector plan does not recommend a mix of uses that includes residential for any of the subject parcels, but only a range of neighborhood-serving commercial uses and industrial uses. This is supported by the existing C-S-C and I-1 Zoning categories, which do not allow for mixed use, and that the sector plan does not recommend changing. The sector plan does recommend, as mentioned by the applicant, that a new or revised commercial zone be applied to the commercial area to facilitate “...an appropriate scale of development and types of uses at appropriate locations along St. Barnabas Road” (page 65). However, this does not imply that this new zone should include residential use or allow for mixed use, which is evident by the specific land use recommendations and descriptions provided. Therefore, rezoning to the M-X-T Zone would hinder implementation of the sector plan’s vision to retain industrial, transition to commercial, and exclude residential land uses from the area with the intent of focusing them at key nodes within the sector plan.

Furthermore, the applicant asserts that the proposed residential land use along Saint Barnabas Road is supported by the 2013 Branch Avenue Corridor Revitalization Sector Plan because the plan recommends residential-high land use along major corridors. However, upon further evaluation of the text, staff has concluded that this recommendation does not apply to the subject properties. The full statement, on page 111, is a summary of the future land use policies already discussed by focus area, and once reviewed in whole, does not contradict other recommendations, but reaffirms them, including the retention of the industrial park south of Saint Barnabas Road, and the transition to commercial-neighborhood land use along Saint Barnabas Road. A more complete quote with all the pertinent information is provided below:

“Overall, the land use policy for the corridor retains...Residential High comprising high rise apartments along major corridors, mainly Branch Avenue. Elsewhere along the corridor, industrial land use classifications are concentrated...south of St. Barnabas Road...A commercial land use classification is retained along existing commercial corridors—St. Barnabas Road...although in most cases it has been redefined as commercial-neighborhood and greatly scaled back and concentrated in fewer locations along these corridors” (page 111).

Note that the key word regarding Residential-High land use is “retention” and you cannot retain a land use or land use recommendation, if it does not currently exist. The statement does not apply to the subject properties, which currently do not have residential land use, nor were they previously recommended for residential land use in the previous sector plan (the 2008 Branch Avenue Corridor Sector Plan and SMA).

The applicant states that this rezoning is necessary, because “...the Sector Plan did not include a Sectional Map Amendment (SMA)” and that “despite funding for an SMA...one has never been initiated.” An SMA has not been initiated for the Central Branch Avenue Revitalization Sector because the current Zoning Ordinance does not

contain zones appropriate for the context-sensitive 21st century development envisioned by the Sector Plan and the General Plan. An update to this sector plan and a concurrent SMA are scheduled to be initiated following adoption of County Council Bills CB-13-2018 and CB-14-2018. Based on the recommendations of the sector plan, the site would not be rezoned, because the existing zoning of C-S-C and I-1 are the best suited zones available to implement the plan's visions and land use recommendations for industrial and commercial-neighborhood land uses.

- (2) **Prior to approval, the Council shall find that the proposed location will not substantially impair the integrity of an approved General Plan, Area Master Plan, or Functional Master Plan and is in keeping with the purposes of the M-X-T Zone. In approving the M-X-T Zone, the District Council may include guidelines to the Planning Board for its review of the Conceptual Site Plan.**

Proposed Rezoning Substantially Impairs the Integrity of the Master Plan

Pursuant to Section 27-213(a)(2), this application would substantially impair the integrity of the (2013 Central Branch Corridor Revitalization Avenue Sector Plan) by:

1. Undermining the 2008 Central Branch Corridor Avenue Sector Plan's vision for mixed-use development at and near Metro stations and recommendation to avoid rezoning properties within the M-X-T-zoned areas without the necessary transportation infrastructure. The sector plan has planned for several areas within the sector plan boundaries ideal for mixed use based on stakeholder input, market conditions, and market opportunities (page 62). For example, Residential Mixed Use and Commercial Mixed Use have been assigned to areas "along transit lines at station stops" and Institutional Mixed Use has been designated at "medical facilities where expansion is desired or planned and essential to future development" (page 112). The subject properties are not located at a proposed station stop or near an existing medical facility, indicating that the subject properties were purposefully excluded from mixed-use designation.
2. Contradicting the sector plan's recommendation to discourage rezoning properties to currently available mixed-use zones, such as M-X-T. The plan states that "...there are currently several mixed-use zoning districts; however, none of them are likely to facilitate the type of mixed-use areas recommended in this plan..." Rather, the plan suggests creating a new set of mixed-use zones that would be better equipped to execute the sector plan's vision (page 138). If the sector plan supported mixed-use development at this location it would have recommended the area for a future rezoning in the implementation plan, which it does not.
3. Creating a neighborhood compatibility issue by allowing for a potential increase in development density over what is presently possible in the C-S-C and I-1 Zones. Given the lower density of surrounding residential uses (single-family detached dwellings on half-acre lots), and the high density possible in the M-X-T Zone (8.0 FAR), the requested rezoning could potentially be an abrupt transition in density and use and would not be an effective transition between the existing single-family detached dwellings and nonresidential uses.
4. Preventing the development of the envisioned commercial-neighborhood area as well as the industrial park by creating a predominantly residential neighborhood,

where residential use is not recommended, and would be ill-placed given the existing industrial areas that would remain adjacent.

Proposed Rezoning Substantially Impairs the Integrity General Plan

Pursuant to Section 27-213(a)(2), this application would **substantially impair** the integrity of the General Plan by:

1. Directly contradicting the vision for the Established Communities policy area for “context-sensitive infill and low- to medium-density development” (page 20) by creating a high-density residential development that stands in sharp contrast with the surrounding neighborhood. The applicant contends that such a development will “strengthen the sense of community” and “enhance overall quality of life.” However, the proposal contradicts the vision for the area provided in the Sector Plan and given the surrounding low density would present a neighborhood compatibility issue.
2. Creating an abrupt transition between a lower-density residential neighborhood and higher-density development. The General Plan recommends avoiding or mitigating abrupt transitions in density by decreasing (stepping down) building heights or reducing development densities gradually over space. However, an isolated M-X-T development does not provide for step-down densities to achieve a transition to lower densities.
3. Locating higher-density residential development outside of a Regional Transit District and Local Centers where access to jobs, schools, transportation, etc., are more limited. The plan states, under Housing and Neighborhood (HN) Policy 1, to concentrate medium- to high-density housing development in Regional Transit Districts and Local Centers (page 187), and under Land Use (LU) Policy 1, to direct a majority of projected new residential and employment growth to the Regional Transit Districts (page 110). The proposed residential development outside of the recommended areas is a direct contradiction to the General Plan policies.
4. Placing mixed-use development outside the Regional Transit Districts and Local Centers. LU Policy 7, states that the County should “limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers” (page 114). The General Plan did not designate the area of the subject properties a Regional Transit District or Local Center, because it lacks access to transit and would be out of context with the surrounding densities. Approval of the proposed rezoning would also pull mixed-use growth away from designated areas, where it is more desirable.

Furthermore, the applicant states that the rezoning meets the goals of the General Plan by encouraging “...quality economic development...high-quality housing...and...efficient use of existing and proposed ...infrastructure investments.” However, these are broadly stated goals found in the General Plan that require careful and meticulous refinement through the sector plan. The Central Branch Avenue Corridor Sector Plan has adequately addressed economic development, housing and infrastructure, and has made land use and zoning recommendations that further these goals without compromising community character, and quality of life for existing residents.

(3) Adequate transportation facilities.

- (A) Prior to approval, the Council shall find that transportation facilities that are existing, are under construction, or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, will be funded by a specific public facilities financing and implementation program established for the area, or provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.

The Transportation Planning Section has completed a full evaluation of the transportation facilities serving the proposed and adjacent development. The application is supported by a traffic study dated January 2018, provided by the applicant and referred to the Maryland State Highway Administration (SHA) and the County Department of Public Works and Transportation (DPW&T) and the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

The study identified intersections where the proposed development would have the most impact. The applicant provided staff with a January 2018 traffic impact analysis (TIA) as part of the application documentation. The purpose of the TIA was to identify and evaluate the critical intersections to determine the impact of the proposed zone changes on the performance of these intersections.

The traffic study did not identify any background developments that would affect the study intersections. However, it did apply a growth rate of 1 percent to the existing traffic counts at the subject intersections for a six-year time frame. That analysis revealed the following results:

Background Traffic, A-10047, 11.0669 acres		
Intersection	AM LOS/Delay	PM LOS/Delay
MD 414 and Hagan Road	A/932	C/1248
MD 414 and Temple Hill Road	B/1066	E/1520
MD 414 and Stamp Road	A/943	B/1035
MD 414 and Leisure Drive	A/575	A/935
MD 414 and MD 5 SB Ramps	A/910	C/1287
A. Temple Hill Road and Site Access*	0.0	0.0
B. MD 414 and Site Access*	18.3	21.2
C. MD 414 and Site Access*	23.5	39.4

D. MD 414 and Site Access*	17.5	21.7
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

Analysis of Traffic Impacts: The table below compares trip generation in each peak hour and daily trips between approved use for the site and the proposed use. The trip generation is estimated using trip rates and requirements in the “Transportation Review Guidelines, Part 1, 2012” and *Trip Generation, 9th Edition* (Institute of Transportation Engineers). The comparison of estimated site trip generation for the existing and current zoning indicates that the proposed rezoning could have an impact on the critical intersections as there are an additional 165 AM and 188 PM trips. This causes an average daily increase of about 36 percent or 2,012 daily trips.

It needs to be noted that the M-X-T Zone approval is not based upon a conceptual plan. The only development yield is shown in the traffic impact study, and the traffic-related findings can be amended at the time of Preliminary Plan of Subdivision (PPS) in accordance with Section 27-213(a)(3)(B) of the Zoning Ordinance. While the Transportation Planning Section has always interpreted this part of the law to allow the scope of transportation improvements to be amended as future traffic patterns change, it appears to also allow more intensive uses to be proposed at later review stages. The M-X-T Zone allows a range of uses and density up to 8.0 FAR. It is strongly advised the plans are reviewed to ensure that the zone is appropriate from a land use perspective at this location.

Comparison of Estimated Trip Generation, A-10047, 11.0669 acres								
		AM Peak-Hour Trips			PM Peak-Hour Trips			Daily
		In	Out	Total	In	Out	Total	
Existing Zoning (and maximum density)								
C-S-C (0.4 floor to area ratio)	76,497 sq. ft	82	50	132	240	261	501	5,706
	40 percent pass-by	-33	-20	-53	-96	-105	-201	2283
SUBTOTAL (C-S-C)		49	30	79	144	156	300	3,423
I-1 (0.4 floor to area ratio)	9,360 sq. ft.	6	2	8	2	6	8	45
SUBTOTAL (I-1)		6	2	8	2	6	8	45
GRAND TOTAL EXISTING TRIPS		55	32	87	146	162	308	3,468
Proposed Zoning (and proposed density)								
M-X-T (retail)	75,000 sq. ft. shopping center	81	50	131	237	257	494	5,633
	40 percent pass-by	-33	-20	-53	-95	-103	-198	-2,253
SUBTOTAL (M-X-T Retail)		48	30	78	142	154	296	3,380
M-X-T (residential)	100 townhouses	14	56	70	52	28	80	800
	200 apartments	20	84	104	78	42	120	1,300
Subtotal (M-X-T Residential)		34	140	174	130	70	200	2,100
GRAND TOTAL NEW TRIPS		82	170	252	272	224	496	5,480
Difference (between Existing & New Trips)		+27	+138	+165	+126	+62	+188	+2,012

Using these projected site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:

Total Traffic, A-10047, 11.0669 acres		
Intersection	AM LOS/Delay	PM LOS/Delay
MD 414 and Hagan Road	A/949	C/1265
MD 414 and Temple Hill Road	B/1072	E/1531
MD 414 and Stamp Road	A/964	B/1060
MD 414 and Leisure Drive	A/596	A/960
MD 414 and MD 5 SB Ramps	A/924	D/1340
A. Temple Hill Road and Site Access*	26.3	29.1

B. MD 414 and Site Access*	37.8	91.3 <100 vehicles
C. MD 414 and Site Access*	19.0	37.8
D. MD 414 and Site Access*	20.4	45.0
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

In addition to the Transportation Planning Section review, the traffic study was reviewed by the Maryland State Highway Administration (SHA) and the Prince George's County Department of Public Works and Transportation (DPW&T). All agencies concurred with its findings.

Given the proposed uses and the associated traffic projection outlined in the traffic study, it is determined that the proposed rezoning and the proposed uses would not bring about a substantial impact on the existing transportation facilities in the area of the subject site in the near term. While the new proposed development will result in an increase in activity in the area, the transportation facilities would be adequate to carry anticipated traffic for the proposed development as required by Section 27-213(a)(3). However, if the requested rezoning were approved, the property owner is entitled to propose the maximum density permitted by the zoning ordinance in the M-X-T Zone with the review of subsequent applications.

7. **Conformance with the Purposes of the Zone:**

Pursuant to Section 27-213(a)(2), the proposed location does **not** keep with the purposes of the M-X-T Zone. The complete list of purposes is reprinted below, followed by staff comment:

Section 27-542(a) Purposes of the M-X-T Zone

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The site is not in the vicinity of a major interchange or intersection, transit stop or station, or a designated Regional District or Local Center where more intense, mixed-use development is justified. Mixed-use development at the proposed location may provide employment and living opportunities for County residents but the location does not follow the recommended land use pattern identified by the sector plan on the Future Land Use Map (page 112).

- (2) **To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The proposed zoning reclassification does not implement recommendations of either the General Plan or the Sector Plan, which do not recommend creating a compact, mixed-use development at this location.

- (3) **To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

Allowing mixed-use development at this location, outside of the Regional Transit Districts and Local Centers, would be contrary to the goals of the sector plan, the General Plan and the purposes of the M-X-T Zone.

- (4) **To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The proposed rezoning of the site to M-X-T would not promote effective and optimum transit use or reduce automobile use as the subject properties are not near a transit station and are surrounded by low-density development. Although the application refers to a potential Purple Line light rail transit corridor along Saint Barnabas Road, the Maryland Department of Transportation Consolidated Transportation Program FY 2015–2020 does not plan in the foreseeable future to conduct an evaluation of a Purple Line extension or station near the site, let alone actually design and construct any such extension.

- (5) **To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The General Plan’s vision for the Established Communities policy area is “context-sensitive infill and low- to medium-density development” (page 20). Given the adjacent industrial land uses, low-density residential neighborhoods, and distance to public transportation, the proposed rezoning applications does not support a 24-hour environment.

- (6) **To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;**

At this location, mixed-use development would be isolated from the nearest Local Center and Regional Transit District where mixed-use developments are desired, this includes the Oxon Hill Neighborhood Center and the Branch Avenue Metro Regional Transit District. The General Plan describes the Neighborhood Centers as “primarily residential areas that are often lower in density...[with] fewer transit options and offer neighborhood-serving retail and office uses” (page 108, Table 16). Regional Transit Districts are described as “moderate- to high-density and intensity regional-serving centers...that contain a mix of office, retail, entertainment, public and quasi-public, flex, and medical use” and as “walkable, bikeable, and well-connected to a regional transportation network via a range of transit options” (Page 108, Table 16). Purpose number six for M-X-T Zone presumes an urban area where development would become part of the urban fabric. The site is in a low-density residential/commercial/industrial area, and contiguous to the south and west to low-density residential zones (R-R and

R-80), which could be dwarfed and overwhelmed by the potential development of the site allowed under the M-X-T Zone.

(7) **To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

This purpose of the M-X-T Zone addresses urban design features of development. At this rezoning stage, it is premature to evaluate the urban design features, which have not been provided.

(8) **To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**

The applicant suggests that economies of scale are satisfied by building a certain number of units at once on the same property. Economies of scale should be directed to locations identified by Plan 2035 and the Sector Plan, to assure high-density residential development to support transportation infrastructure. The desire to realize economies of scales alone does not justify M-X-T zoning at the proposed location.

(9) **To permit a flexible response to the market and promote economic vitality and investment; and**

The applicant has not provided any indication that there is a market for the type of uses permitted by the M-X-T Zone. There is also undeveloped, and underdeveloped land surrounding the nearest Local Center and Regional Transit District.

(10) **To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

There are no architectural or urban design features to evaluate.

8. **Referrals:** The following comments were received by referral for the rezoning application.

- a. **Transportation Planning:** The traffic-related requirements associated with a zoning map amendment include, “supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, or for which 100 percent of construction funds are allocated within the adopted County Capital Improvement Program and/or within the current State Consolidated Transportation Program,” which has been evaluated with the zoning requirements (Finding 6) above.

Right-of-Way

MD 414 (Saint Barnabas Road) is a master plan arterial facility with a proposed right-of-way width of 120 feet. It appears that sufficient right-of-way consistent with master plan recommendations already exists along the frontage of this property. Nevertheless, during future reviews this right-of-way will be confirmed, and minor right-of-way dedication may be required at the time of PPS.

Trails

There are two master plan trail issues identified in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and area master plan that impact the subject site. Bike lanes and continuous sidewalks are proposed along both Saint Barnabas Road and Temple Hill Road. At the time of PPS, the right-of-way dedication should accommodate the facilities proposed in the master plan.

The Complete Streets element of the MPOT reiterates the need for continuous sidewalks along internal roads and all road frontages for new development. With the following policies:

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

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.

Consistent with these policies, sidewalks will be required along all road frontages and along both sides of all internal roads at the time of PPS and/or site plan.

- b. **Community Planning:** Located in Planning Area 76A/The Heights, this application is not within an Aviation Policy Area or the Military Installation Overlay Zone. The 2008 Branch Avenue Corridor Sector Plan and SMA reclassified Parcels 196, 387, 406, 489, and 498 from C-M (Commercial Miscellaneous) to C-S-C (Commercial Shopping Center) in their entirety; and reclassified portions of Parcels 202, 203, 350 and 368 from C-M to C-S-C, while retaining portions of Parcels 202, 203, 350, and 368 as I-1 (Light Industrial); and retaining Parcel 452 in its entirety as I-1 (see Attachment B). Although the applicant assures that if the requested M-X-T rezoning is granted that the completed project will comply with the submitted development plan to construct 50–100 residential townhouse units, 100–200 multifamily units, and 50,000–75,000 square feet of retail and will be appropriate in scale with the location, such assurances are not binding unless the Prince George’s County District Council adopts conditions to shape and limit the permitted development as a conditional approval of the requested M-X-T zoning as authorized and limited by Section 27-213(c) of the Zoning Ordinance. Otherwise, an unconditioned approval of the requested M-X-T rezoning will entitle the property owner to propose development that differs substantially from the development plan submitted with this request for M-X-T zoning, including potentially a maximum 8.0 FAR density as permitted by Section 27-545 of the Zoning Ordinance.
- c. **Environmental Planning:** The rezoning application meets all applicable environmental requirements. A 1.35-acre portion of this site, known as Parcel 350, was included in a Type 1 Tree Conservation Plan (TCPI-019-94), and a Type 2 Tree Conservation Plan, (TCPPII-093-98), with the property to the south and known as Parcel B. The Type 2 tree conservation plan has been revised to remove Parcel 350 from the plan, and shows 0.39 acre of off-site impacts, now located on the subject site. The site is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George’s County Code that came into effect on September 1, 2010 and February 1, 2012.

According to PGAtlas.com the site does not contain any streams, wetlands, steep slopes, or associated buffers. The predominant soils found to occur, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include Urban land-Beltsville complex (0 to 5 percent slopes) and Sassafras-Urban land complex (5–15 percent slopes). According to available mapping information, Marlboro Clay or Christiana complexes do not occur on or in the vicinity of this property. A review of available mapping information indicates the subject area is not within a Sensitive Species Project Review Area and does not contain potential forest interior dwelling species (FIDS) habitat. The site is located within the Henson Creek watershed of the Potomac River basin.

Plan Prince George's 2035 Approved General Plan (2014)

The site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035).

Conformance with the Green Infrastructure Plan

The 2017 Countywide Green Infrastructure Plan was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017, a small area of the site is within the evaluation area, associated with drainage areas to the south of the property.

Existing Conditions/Natural Resource Inventory

A natural resource inventory (NRI) is not required as part of a zoning amendment application. All future applications will require an approved NRI covering the entire land area included in the application, approved under the current regulations.

Woodland Conservation

The project is subject to the environmental regulations contained in Subtitles 24, 25 of the and 27 of the County Code that came into effect on September 1, 2010, and February 1, 2012. This site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and future development of the site must be in conformance with an approved Tree Conservation Plan. The site is currently zoned C-S-C and I-1 and has a required woodland conservation threshold of 15 percent of the net tract area. If approved, the proposed change to M-X-T will retain the 15 percent threshold. According to aerial imagery, the site is currently fully developed and does not have any significant areas of woodland. Future land development applications will require conformance with the with WCO.

- d. **Special Projects:** The request to rezone from C-S-C and I-1 to M-X-T will have no impact on public facilities.
- e. **Historic Preservation:** According to tax records, the buildings located on the subject site were constructed between 1940 and 1967. All of the buildings that will be proposed to be demolished should be photo documented by Historic Preservation Section staff with permission of the applicant prior to demolition or any grading. The documentation should include representative floor plans and interior and exterior photographs, if possible.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject site is low. The subject site does not contain and is not adjacent to

any Prince George's County Historic Sites or Resources. This proposal will not impact any historic sites, historic resources or known archeological sites. Phase I archeology survey is not recommended.

- f. **Parks and Recreation:** Since the proposed development includes residential development, Mandatory Dedication of Parkland will be required as per the requirements of the Prince George's County Subdivision Regulations.

CONCLUSION

This application does not meet the requirements of Section 27-213(a)(1)(A) of the Zoning Ordinance because the site is not within the vicinity of either a major intersection or interchange, or a major transit stop or station. This application does not meet the requirements of Section 27-213(a)(1)(B) of the Zoning Ordinance because the 2013 Central Branch Avenue Corridor Revitalization Sector Plan does not recommend mixed-land uses similar to those recommended in the M-X-T Zone.

Pursuant to Section 27-213(a)(2) of the Zoning Ordinance, this application will substantially impair the integrity of the (2014) *Plan Prince George's 2035 Approved General Plan* and 2013 Sector Plan. As previously stated, the intent of the Master Plan and the General Plan is to direct mixed-use, high-intensity developments, such as that permitted by and encouraged in the M-X-T Zone, into designated regional transit districts and local centers, rather than scattered throughout the County. Since the subject properties are not located within any designated regional transit district or local center, the master plan envisioned this area for low-to -medium -density commercial neighborhood development, rather than high-density mixed-used development. Pursuant to Section 27-213(a)(2) of the Zoning Ordinance, this application does not keep with the purposes of the M-X-T Zone.

The intense character of M-X-T Zone development would be vastly different, inappropriate, and an abrupt transition in density and uses. Therefore, staff finds that reclassifying the subject properties to the M-X-T Zone will substantially impair the goals, policies, and purposes of the General Plan and the master plan. Consequently, staff recommends DISAPPROVAL of Zoning Map Amendment Application No. A-10047, Saint Barnabas Road Mixed-Use Park, for rezoning from the C-S-C and I-1 Zones to the M-X-T Zone.