

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 www.mncppc.org/pgco/planning/plan.htm.

Zoning Map Amendment Petition No.

A-9981

Application	General Data
Project Name: Addison Row at Cheverly Metro Location: Northeast quadrant of Addison Road and Minnesota Avenue, known as 4800 and 4700 Addison Road. Applicant/Address: Jemal's Fairfield Farms, LLC 702 H Street, NW Washington, D.C. 20001	Date Accepted: 4/28/06
	Planning Board Action Limit: N/A
	Plan Acreage: 34.4
	Zone: I-1, I-2, C-O
	Dwelling Units: N/A
	Square Footage: N/A
	Planning Area: 72
	Tier: Developed
	Council District: 05
	Municipality: N/A
	200-Scale Base Map: 203NE05

Purpose of Application	Notice Dates
Rezoning from I-1, I-2, and C-O to M-X-T	Adjoining Property Owners Previous Parties of Record Registered Associations: 1/31/06 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: N/A

Staff Recommendation		Staff Reviewer: Kendra Wright	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

September 6, 2006

TECHNICAL STAFF REPORT:

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

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Kendra C. Wright, Senior Planner

SUBJECT: **Zoning Application No. A-9981**

REQUEST: Rezone from I-1 (Light Industrial), I-2 (Heavy Industrial), and C-O (Commercial Office) to the M-X-T (Mixed-Use Transportation-Oriented) Zone

RECOMMENDATION: **Disapproval**

NOTE:

This application is on the agenda for the Planning Board to decide whether or not to schedule a public hearing. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

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:

- A. Location and Field Inspection: The subject property, measuring approximately 34.38 acres, is located in the northeastern quadrant of Addison Road and Minnesota Avenue. More specifically, it is on the north side of Addison Road, approximately 100 feet west of North Englewood Drive, known separately as 4800 and 4700 Addison Road, Capitol Heights, Maryland. The subject property is within the Beaver Heights subdivision and is adjacent to Beaver Dam Creek. For clarification, contrary to the case title, the site is not located at the Cheverly Metro Station, but rather within a one-mile radius. It is also within one mile of the Deanwood Metro Station. Accordingly, the site is near both stations. The site is developed with an old warehouse building and parking lot.
- B. History and Background: The site has operated as a crushed stone equipment yard. It previously functioned as a food distribution facility. There are no previous applications on the property. The 1993 SMA for Landover and vicinity retains the property in the I-1, I-2 and C-O Zones.
- C. Plan Recommendations: The subject property is located in Planning Area 72. The site is located in the Developed Tier according to the approved 2002 *Prince George's County General Plan*. It is also within the 1993 Landover and Vicinity Approved Master Plan and 1993 Sectional Map Amendment. The site is near, but not within, the 2005 Tuxedo Road/Arbor Street Sector Plan.

Landover and Vicinity Approved Master Plan and Sectional Map Amendment (1993): The master plan retained this property as a part of the Beaver Heights industrial area, where small manufacturing and distribution operations, large junkyard facilities, and residential development exist side by side. The property is immediately adjacent to residential property to the east and south. The Beaver Heights industrial area is one of the five existing major employment areas retained by the master plan. The master plan emphasized the importance of the preservation, enhancement, and protection of established residential areas from encroachment by incompatible uses. It recommended an upgrading of those living, commercial and employment areas, which had begun to decline. Transportation objectives were established to reduce vehicle miles, fuel consumption, traffic overload, excessive noise, air pollution, and other environmental deficiencies resulting from an inefficient circulation and transportation system and to develop and recommend nonmotorized vehicular facilities, including pedestrian/hiker trails, bicycle ways and equestrian paths which may link residential areas to each other and to commercial retail facilities, employment centers, recreational areas, and other transportation facilities.

Throughout the master plan the goals of creating more job opportunities and enhancing the economic base of the planning area and the county are repeated. A balance in job opportunities has been a constant need. An important issue regarding both employment areas and better living areas is the detrimental effect of trucking-related industrial firms in the area and the negative physical image of the employment areas themselves. Because the property is located in one of the five major employment areas, Beaver Heights, some of the pertinent master plan objectives for employment areas are listed below:

- To increase employment opportunities for local and County residents by encouraging new and high quality retail, office, and industrial development
- To maintain and expand existing employment areas where appropriate, while preventing their intrusion into areas not appropriate for employment uses

- To enhance industrial assets and minimize industrial liabilities
- To encourage and achieve special potential for promoting industrial park development, and office uses related to the Planning Area's excellent location, Metro transit, and the regional commercial center...
- To develop employment areas...with emphasis on the industrial park approach at suitable locations
- To provide development guidelines that will establish a physical separation between employment uses and residential areas

The following guidelines are offered:

- Employment areas are to be protected from encroachment by other permanent land uses. New, expanded or redeveloped employment areas should be park-like in nature, with landscaping and well-sited structures, and served by well-designed internal circulation systems.
- Screening should be provided for outdoor storage areas on existing and future industrial properties adjacent to residential properties and for employment areas bordering roads...
- Industrial land developers should be encouraged to preserve natural amenities and to incorporate natural features into their development proposals.
- Employment activities that will generate substantial vehicular traffic should be so located and designed as to minimize disruptive effects on traffic circulation and adjacent land uses.
- Where possible, access roads to employment areas should border or pass around, not through, residential neighborhoods; and appropriate techniques should be used to separate these access roads from residential areas.

More specifically, the plan calls for the existing I-1 and I-2 zoning pattern to be retained. This includes the subject property. The master plan recognizes the employment areas as five distinct subdistricts with patterns of their own with issues and opportunities for positively improving the image of these areas.

2002 Prince George's County General Plan: The purpose of the General Plan is to provide broad strategies to guide the future growth and development of the county. It represents the culmination of an evolving definition of growth policies for the county. To a great extent, it represents a departure from earlier county plans. Its implementation strategies are guided by countywide goals, guiding principles, and priorities, as a whole.

The property is located in the General Plan's Developed Tier. The Developed Tier is an 86-square mile area containing significant amounts of households and employment in various communities. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to high- density neighborhoods. The Plan emphasizes walkability for developments in the Developed Tier. The goals are to:

- Strengthen existing neighborhoods

- Encourage appropriate infill
- Encourage more intense, high quality housing and economic development in Centers and Corridors
- Preserve, restore and enhance sensitive features and provide open space
- Expand tree cover through the increased planting of trees and landscaping
- Capitalize on investments in transportation and other infrastructure
- Maintain/renovate existing public infrastructure
- Promote transit-supporting, mixed-use, pedestrian-oriented neighborhoods
- Renew/redevelop commercial strips
- Enhance industrial employment areas
- Design and site public facilities in accordance with appropriate development patterns

2005 Tuxedo Road/Arbor Street Sector Plan: The applicant, in presenting a justification for the proposed rezoning, discusses the proposal within the context of the Tuxedo Road/Arbor Street plan for Cheverly. The subject property, however, is located outside the boundaries of the sector plan. The sector plan does not include the site, because it is separated by environmental features. A portion of the property is within a half-mile radius. However, the Beaverdam Creek (the 2005 Green Infrastructure Plan regulated area) and steep slopes heavily impact that portion of the property. More specifically, it is south of Subarea D and immediately west of Subarea C. The site was not recommended for a new use as a part of the Tuxedo Road/Arbor Street Sector Plan. It is retained as an industrial area on the map shown on page 19.

2005 *Approved Countywide Green Infrastructure Plan*: The Green Infrastructure Plan is a comprehensive vision for conserving significant environmental ecosystems in Prince George's County. It includes a map of interconnected sensitive habitats of countywide significance, along with implementation recommendations to help make the vision a reality. The Green Infrastructure Plan is a critical implementation piece of the Environmental Infrastructure Chapter of the 2002 General Plan. Sensitive and important environmental features throughout the county have been identified and evaluated to provide a comprehensive interconnected system. The network is divided into three categories.

- D. Request: Zoning Map Application A9981 is a request for a change of zone for the 34.4-acre site, from the I-1 (Light Industrial), I-2 (Heavy Industrial) and C-O (Commercial Office) to the M-X-T (Mixed-Use Transportation-oriented) Zone. Should the requested Zoning Map Amendment be granted, the applicant proposes to develop the property as a mixed-use residential/commercial development in two phases. The proposed development will be known as "Addison Row at Cheverly Metro." The plan proposes a large residential component (2,500 units), recreational community space, retail space, and a possible shuttle to the Addison Road and Cheverly Metro Stations. Access to the site is proposed via four points along Addison Road.
- E. Neighborhood and Surrounding Uses: The applicant defines the neighborhood as Cabin Branch Creek to the east; Columbia Park Road to the north; Metro-CSX rail tracks to the west; and Addison Road to the south. Staff defines the neighborhood as:

North: US 50 (John Hanson Highway)
 West: Eastern Avenue
 South: Addison Road
 East: Beaverdam Creek

It is surrounded to the north and west by industrially zoned uses and to the east and south by residentially zoned uses. The site is surrounded by the following uses:

- North: Industrial uses in the I-2 Zone
- West: Railroad tracks and industrial uses in the I-2 Zone
- East: Fairmount and North Englewood subdivisions in the R-55 Zone
- South: Across Addison Road, a mix of commercial and residential uses, a church and an elementary school in the C-M, R-55, R-18 and R-T Zones.

F. Zoning Requirements:

Sec. 27-213. Map Amendment approval amendments.

(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 of the following two 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).**
 - (B) Criterion 2. The applicable master plan recommends mixed land uses similar to those permitted in the M-X-T Zone.**
- (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.**
- (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 of construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.**
 - (B) The finding by the Council of adequate transportation facilities at this time shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

G. Applicant ' s Position: The applicant submitted the following discussion regarding the requirements for map amendment approval of the M-X-T Zone. Pursuant to Section 27-213(a)(1)(A), the applicant asserts that the subject property is eligible for a rezoning to the M-X-T Zone based on its proximity to the Cheverly Metro Station. The applicant plans to offer transportation service to the Cheverly Metro and Addison Road Metro Stations. The property is located within a mile of the Cheverly Metro Station. Should the requested Zoning Map

Amendment be granted, the applicant proposes to develop the property as a mixed-use residential/commercial development.

Pursuant to Section 27-213(a)(2), the proposed location will not substantially impair the integrity of the General Plan or the master plan and is in keeping with the purposes of the M-X-T Zone. In the discussion of the 1993 Approved Landover & Vicinity Master Plan, the applicant professes the desire to take advantage of the transportation background and existing infrastructure of the planning area. The proposed development is purported to build on goals and objectives provided within the master plan. Some of these are:

- To provide a residential structure and housing pattern, which strengthens the sense of the community identity, provides for a broad range of housing opportunities, fosters residential stability and community character, and enhances the overall quality of life in the Planning Area;
- To provide for an effective transition between residential uses and adjoining nonresidential uses through the imaginative use of urban design and the development of techniques and standards;
- The need to upgrade the quality of existing and developing neighborhoods with assets and amenities that will ensure stability and provide a sound basis for the protection of homeowners equity; and
- The continued upgrading, rehabilitation, and conservation of existing living areas through both public and private actions and by strategically utilizing public programs and capital improvements toward this end.

The applicant relies heavily on issues and opportunities facing living areas in the master plan, and even suggests that Addison Row's close proximity to public transit makes it well suited for the development envisioned in the master plan. The applicant does not discuss any of the goals or objectives for employment areas, as provided in the plan recommendation section, yet the proposed location is one of the five major employment areas in the planning area. Commercial uses are addressed by the singular citation to "insure that all residents of the Planning Area are adequately served by trips." The applicant states that the property would serve the residents of the development as well as the surrounding community.

In the discussion of the 2002 *Prince George's County General Plan*, the applicant proclaims the application to be an ideal implementation of the General Plan concepts for the county. The applicant points out the following goals:

- Encouraging quality economic development;
- Providing high quality and a wide variety of housing types;
- Revitalizing blighted and deteriorated areas by encouraging private and public investments; and
- Making efficient use of existing and proposed local, state and federal infrastructure investment.

The applicant suggests that the property is located in the Cheverly Metro Community Center. This information is incorrect. The applicant later suggests that because the site is located within one mile of the Cheverly Metro Station, it is in the core area or on the outer edge of the Community Center. The General Plan states that the distinction between the core area and the edge is most significant in the Centers with rail transit stations. In these Centers, the core, in most cases should generally include the area that is between one-quarter and one-third of a mile walking distance from a transit station or stop. The edge of a Center, in most cases, should

generally include the area that is between one-quarter to one-third mile walking distance beyond the primary core. The property would be located within these confines if the environmentally sensitive areas of the property, like the Beaverdam Creek, did not impose a separation. Center boundaries should be adjusted to follow physical features or barriers, and parcel boundaries, wherever possible. Boundaries also should generally reflect distances based on the shortest walking routes but may be adjusted to account for local transit shuttles or people-mover facilities. At more land-extensive Centers, the edges may extend farther and may require implementation of local transit shuttles or people movers to link the area together. Because the applicant plans to offer a shuttle to the transit stations, the proposed location may be considered a part of the edge area. The uses with lesser intensities should be located at the edges. The applicant states that the proposed development is in keeping with the recommended range for land use mixes in Centers and within the development intensity targets in Centers. The applicant proposes to revitalize a vacant industrial use with a vibrant mixed-use community, featuring easy public transit. They suggest that the requested rezoning will not impair the General Plan, but rather will serve to implement its goals.

The property is not located within the boundaries of the 2005 Tuxedo Road/Arbor Street Sector Plan. The Cheverly Plan amends portions of the master plan and SMA for Landover and vicinity and promotes transit-oriented development in the vicinity of the Cheverly Metro Station. The applicant feels that the plan is also mistaken in suggesting the property remain in the light-industrial land uses.

Pursuant to Section 27-213(a)(3)(A), the adequacy of public facilities is provided not only through existing public facilities, but also through improvements planned to serve the property. The applicant also submitted a Traffic Impact Analysis as a part of the application materials. According to this Impact Analysis, the proposed development will have reasonable impact on the area, and adequate transportation facilities will be provided, with improvements by the applicant. By the completion of the project in 2012, several studied intersections are projected to exceed capacity. Mitigation measures have been identified, which if implemented, would provide adequate transportation facilities.

The proposed development will include large facilities designed as a community-gathering place including a community center and grocery store. The housing opportunities will be available to a mix of incomes and will consist of a mix of unit types amounting to approximately 2,500 units. The campus will no longer be designed to be pedestrian friendly and incorporate a connection to the Cheverly Metro Station. The applicant may, however, offer transportation service to the Cheverly Metro and the Addison Road Metro Stations by private trolley or shuttle or use of county public transportation.

- H. Staff's Analysis: Staff submits the following discussion regarding the requirements for map amendment approval to the M-X-T Zone: Pursuant to Section 27-213(a)(1)(A), staff finds that the subject property is not eligible for a rezoning to the M-X-T Zone based on its proximity to the Cheverly Metro Station. Community Planning Staff note that the property is not located in a major intersection, designated node, or along a designated Corridor. The site does not have direct access to the Cheverly Metro Station because it is separated by the Beaverdam Creek, an environmentally sensitive area with flood plains, wetlands and slopes. In addition, adjacent properties zoned I-1 and R-55 lie between the subject property and the Cheverly Metro Station. At present, the applicant does not have an agreement with the owner of this property to create a pedestrian walkway across the adjacent property. The transportation planning concept of the master plan seeks to minimize commercial/industrial vehicles on collector streets through residential neighborhoods. The plan further states, where possible, access roads to employment

areas should border or pass around, not through, residential neighborhoods; and appropriate techniques should be used to separate these access roads from residential areas. The applicant did not submit a transit route for the potential shuttle to the Addison Road and Cheverly Metro Stations. The shuttle shall not traverse the residential neighborhood for a quick route to the Cheverly Metro Station.

Pursuant to Section 27-213(a)(1)(B), staff finds that the applicable master plan does not recommend mixed land uses similar to those permitted in the M-X-T Zone. The Master Plan recommends uses in the I-1, I-2, and C-O zones. This is a mix of land uses similar to those permitted in the E-I-A Zone.

Pursuant to Section 27-213(a)(2), staff finds that the proposed location will not substantially impair the integrity of the General Plan and is in keeping with the purposes of the M-X-T Zone. However, the proposed location will substantially impair the integrity of the 1993 Approved Landover & Vicinity Master Plan. The master plan retained this property in the I-1, I-2, and C-O Zones. According to the plans, the proposals contained within it were intended to be considered as a whole. None of the features should be used without consideration of the others.

The subject property's proximity to residential areas does not place it within an existing living area, as defined by the plan. The applicant has used the recommendations for residential land use. The property is not, nor is it recommended to be residential. The applicant requests mixed-use development, yet discusses nonresidential uses minimally. The property is not located within but is adjacent to the Seat Pleasant-Fairmount Heights community. Further, the master plan states that the existing multifamily apartments throughout the planning area are appropriate for an urban land use, even in the event that the properties are redeveloped. New multifamily apartments are only appropriate in locations specifically identified in the plan. Through these recommendations some new apartments can be built, and older apartments can be rebuilt, without upsetting the public facility balance without further overloading the mix of single-family to multifamily units. Although the industrial property is currently unattractive, industrial and employment uses are necessary but unpleasant land uses. The visual appeal of the subject application should not deter from the need for increased job opportunities in the county. The subject property cannot be easily physically separated from the adjacent residential areas, but it can be well screened, buffered, and enhanced.

The proposed development would substantially decrease the major employment area within the planning area. It is not in line with the overall plan concept that seeks to serve the expanding commercial and industrial sector of the county's economic base that is located within the planning area. According to the master plan, employment areas are to be protected from encroachment by other permanent land uses. New, expanded or redeveloped employment areas should be park-like in nature, with landscaping and well-sited structures, and served by well-designed internal circulation systems. (A redevelopment of the property would not impair the plan). The master plan also recognizes the need for additional parkland and additional recreational facilities to satisfy projected population. The Plan designates the project area as industrial, therefore it does not account for an increase in population of 7,500 new residents to the area. The General Plan establishes objectives related to the provision of public parkland. It indicates that a minimum of 15 acres of M-NCPPC local parkland should be provided per 1,000 in population and 20 acres of regional, countywide and special M-NCPPC parkland per 1,000 residents. By applying these standards, Park and Planning Division staff determined that 112 acres of local and 150 acres of regional public parkland suitable for active recreation may be needed to serve the proposed community. Currently, needs for parkland and recreational facilities are not being met within the existing community. The addition of 7,500 new residents

to the community will substantially increase the community's recreational needs. The applicant has failed to show any parkland dedication or the provision of any recreational facilities on the subject property. The master plan calls for the existing I-1 and I-2 zoning pattern to be retained.

The property is located in the General Plan's Developed Tier. Community Planning staff note that although the General Plan supports intensive, mixed-use development at local centers and at other appropriate nodes within one-quarter mile of major intersections of transit stops along a designated corridor, the property is not located in a major intersection, designated node, or along a designated Corridor. The closest Community Center is Cheverly. The site does not have direct access to the Cheverly Metro Station because it is separated by the Beaverdam Creek, an environmentally sensitive area with flood plains, wetlands and slopes. The proposed mixed-use development for the subject property will not meet the transportation-oriented emphasis of the General Plan because, as Community Planning staff notes, pedestrian connections are especially important to the proposed mixed-use area—transit route, focal points and other public places. The plan emphasizes walkability for developments in the Developed Tier. The applicant suggests that the property is located in the Cheverly Metro Community Center. This information is incorrect. The applicant later suggests that because the site is located within one mile of the Cheverly Metro Station, it is in the core area or on the outer edge of the Community Center. The property would be located within these confines if the environmentally sensitive areas of the property, like the Beaverdam Creek, did not impose a separation. Because the applicant plans to offer a shuttle to the transit stations, the proposed location may be considered a part of the edge area.

The property is not located within the boundaries of the 2005 Tuxedo Road/Arbor Street Sector Plan. The Cheverly Plan amends portions of the master plan and SMA for Landover and vicinity and promotes transit-oriented development in the vicinity of the Cheverly Metro Station. The Plan suggests the property remain in the light-industrial land uses. The 2005 Approved Countywide Green Infrastructure Plan is a critical implementation piece of the Environmental Infrastructure chapter of the 2002 General Plan. A portion of the subject property is located in the regulated areas of the Beaverdam Creek in the Anacostia River Basin. An environmental planning staff review of available information indicates that streams, wetland and 100-year floodplains, and associated areas of steep slopes with highly erodible soils and areas of severe slopes are found to occur on the extreme north portion of the property. There are nearby noise sources associated with the subject property including the Philadelphia Baltimore and Washington Railroad. There are also network gaps on the property. The existing conditions plan submitted shows a delineation of a Patuxent River Primary Management Area. An expanded buffer is the appropriate delineation for the regulated areas. The site is also subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site.

The recommendations from both of the applicable 2005 plans are more recent than both the 1993 master plan and the 2002 General Plan, yet they are consistent. This suggests that the master plan's recommendations for this property are not stale, as the applicant suggests. Staff notes the property can be enhanced through innovative redevelopment. Any development on this property should provide a smooth transition from industrial to residential, preserve and observe the environmental sensitivity of the Beaverdam Creek, and contribute to employment in the county. Although the 1993 SMA for the subject property is older than the General Plan, the recommendations of the General Plan do not equate to the specificity provided in the SMA for this and other properties. This zoning map amendment application allows an opportunity to review the recommendations of both plans in regard to the ever-evolving conditions of the site and surrounding properties.

Moreover, the applicant's claim that the Tuxedo sector plan is mistaken is refuted by the statements on page eight of the sector plan, which read: "The 1993 Landover and vicinity master plan includes the portion of the sector plan area south of US 50. The plan identifies this portion of the sector plan area as part of the Beaver Heights Industrial Area. Although the plan proposes the retention of all existing employment areas, which the portion of the sector plan area is part of, the environmental chapter of the plan designates approximately 80 percent of the area as either Natural Reserve or Conditional Reserve areas where development is prohibited or restricted. The remaining areas are designated for public use, including the Cheverly Metro Station site. This Sector Plan recommends environmental restoration of both Natural and Conditional Reserve areas and the development of the Cheverly Metro Station site as a mixed-use development consistent with the goals of the General Plan as a Community Center." The sector plan is not mistaken in its omission of the subject property, as the applicant claims. The plan acknowledges that it took the entire area into consideration and briefly discusses its resolve.

Pursuant to Section 27-213(a)(3)(A), Transportation Planning staff (in a memorandum dated August 28, 2006) find that existing transportation facilities and those to be provided by the applicant will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The site would conditionally be able to meet the required finding. Staff also finds that the site does not meet the location requirement in Section 27-213(a)(1). The site is not within the vicinity of a major intersection or interchange. Although the site may be within one mile of the Cheverly Metro Station, transportation staff finds that much of the site is outside a more appropriate one-half mile straightline distance. It is noted that the site is also within one mile of the Deanwood Metro Station in Washington DC. All of the site is outside a one-half mile straightline distance from the Deanwood station. Transportation staff does not believe that one mile is an appropriate criterion for judging that a site is "within the vicinity" of a transit station. The *Strategic Framework for Transit-Oriented Development in Prince George's County* (Prince George's County Planning Department, May 2003) publication defines the "prime opportunity area" for transit-oriented development to go up to one-half mile from a transit station. Staff also finds that an existing street network exists between the site and the Deanwood station, however, the facilities needed to bring the Cheverly station nearer to possible residents of this site do not exist. The pedestrian facilities would need to cross lands not controlled by the applicant and would need to provide a safe and pleasing experience at all times. In terms of defining these facilities, the application is deficient.

In regard to the Traffic Impact Analysis submitted by the applicant, transportation staff note that a large portion of the retail is within a mixed-use building, making the staging plan in the traffic study somewhat suspect. For that reason, total traffic was analyzed by staff as un-staged. If necessary, staging can be considered at the time of preliminary plan of subdivision. Also, the uses are different now versus at the time of the preparation of the traffic study. The number of residences has been increased, and the retail and community center components have been slightly decreased. It is also noted that the traffic study analyzed all apartments as townhouses—the Guidelines do specify apartment rates that may be more appropriate for the housing proposed, and these rates should be employed when/if the study is revised at the time of preliminary plan of subdivision. According to Transportation staff, two signalized intersection within the study area will operate unacceptably, yet physical improvements at each location can be made to alleviate the inadequacies. Also, each unsignalized intersection at a site entrance will operate unacceptably with the development of a site. However the Board may recommend further review and it will be the applicant's responsibility to address this. If it is determined that the necessary requirements for approval of the zone do exist, a list of conditions is provided at the conclusion of the report.

Finally, the Department of Public Works and Transportation reviewed the traffic study and offered several comments. Signal warrant analyses should be conducted at each site access point. Two southbound lanes should be maintained along southbound Addison Road along the frontage of the site. This can be accommodated. At time of conceptual site plan, consideration should be given to aligning one of the access points opposite Elkwood Lane and to two other access points being combined. A queuing analysis should be included when the traffic study is revised. Right-of-way constraints exist at the intersection of Addison Road and Sheriff Road. Any revised traffic study should consider traffic calming strategies along Doewood Lane, Elkwood Lane, and Nash Street.

This project will contain approximately 2,500 units. Using current occupancy estimates, staff of the Department of Parks and Recreation concluded that the residential component of this development will bring approximately 7,500 new residents to the area. In regard to public facilities, staff finds that the staging of development will not be an unreasonable burden on most of the available public facilities. Based on the density analysis in the illustrative plan submitted, the student yield will exceed the current State-Rated Capacity. This issue is affected by County Council bill CB-31-2003 that establishes a school facilities surcharge based on the location of the subject dwelling and time of issuance of the building permit. While the school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic charges, the current CIP does not contain measures to include an additional school in this area.

I. Conformance with the Purposes of the Zone Requested:

Subdivision 1. M-X-T Zone (Mixed Use - Transportation Oriented).

Sec. 27-542. Purposes.

(a) The purposes of the M-X-T Zone are:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, 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;**
- (2) 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;**
- (3) To promote the effective and optimum use of transit and other major transportation systems;**
- (4) To facilitate and encourage a twenty-four 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;**
- (5) To encourage diverse land uses which blend together harmoniously;**

- (6) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**
- (7) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**
- (8) To permit a flexible response to the market; and**
- (9) 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.**

(CB-84-1990; CB-47-1996)

J. Applicant's Position:

The applicant submits the following discussion regarding the location of the site and its conformance with the purposes of the M-X-T Zone.

- 1. The variety and quality in housing combined with the proposed commercial uses will generate increased tax revenues for the County while promoting the use of the Metro.
- 2. The General Plan designation of the Cheverly Metro Community Center directs this property to be developed in the manner herein described. Focusing such a mixed-use community near the Metro, inside the Beltway maximizes the development potential of the property.
- 3. The proposed community will promote optimum use of transit by providing retail, office and residential uses in close proximity to an existing Metro station. The proposed light vehicular bus, tram or trolley system will help to alleviate the use of vehicles from Addison Row to the Addison Road and Cheverly Metro Stations.
- 4. The mixed-use nature of the proposed development will encourage a 24-hour environment with the combination of the community center, grocery, retail and mix of residential uses as well as the easy Metro access to D.C. and the surrounding metropolitan area. The combination of uses will ensure both daytime and evening activity, because they are all located in the same community. Residential development will be intensified to promote transit ridership and further generate a 24-hour environment.
- 5. The concentration of development and mix of uses will reduce sprawl. Trails and walkways will be designed to facilitate access around and through the property. Linkages to other sites are contemplated.
- 6. The visual character and identity of the project will be an element of the architecture of the buildings, entrance features and landscape plantings. The orientation of the buildings and relationship with the open spaces and pedestrian system will be important aspects of the final design. Building will be designed with high quality detailing and design variation, and will be appropriate in scale with their location. Buildings will be

articulated with plazas and open spaces. The architecture, street furniture, landscape treatment, signage, and other elements will be coordinated to give the development a distinctive visual character.

7. A number of factors help to make this design a multipurpose energy-efficient plan. The number of proposed residential units and their concentration in multifamily complexes allow for economies of scale in the construction process and for the municipal services required to serve the residents. The mixtures of uses proposed will provide employment opportunities and help reduce travel to work. This goal will also be accomplished through the use and location of multi-level parking structures.
8. The project is responsive to the existing market and needs of county residents and to the goals of the county.
9. The development is intended to be compatible with and an integral part of existing neighborhoods. Transportation services will be improved and integrated to increase the use of transit, minimize dependence on the automobile, and increase pedestrian and bicycle mobility. Linkages to adjacent neighborhoods and activity centers will be provided so that pedestrians have safe and efficient access into and out of the site. High-quality architecture and resource- and energy-efficient building design, materials and practices will be employed. This development will seek to achieve excellence in planning and design so that the health, safety and welfare of workers and residents in the region are improved.

K. Staff's Analysis: Staff disagrees with the applicant's position and offers the following comments:

1. The subject property is a well-suited location for orderly redevelopment due to the lack of a buffer between the industrial and residential zones. However it is not in the vicinity of major interchanges, major intersections, and major transit stops. This is an important criterion for approval that we believe this application does not satisfy.
2. If approved, the proposed application will eliminate one of the major employment areas within the SMA, employment to locate in other locations throughout and possibly outside the county, to its detriment.
3. Due to the lack of physical and direct access to the Cheverly Metro Station, the site is unable to promote the effective and optimum use of transit and other major transportation systems as proposed.
4. The proposed rezoning would facilitate and encourage a 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. However, it is questionable whether the development will in fact meet its full potential at this site.
5. The application proposes nearly 2,500 residences (mostly multifamily), 110,041 square feet of retail space, and a community center of 26,045 square feet. This encourages diverse land uses, which blend together harmoniously. However, the ratio of residential to nonresidential uses is significantly unbalanced and contributes to the reduction of employment opportunity within the SMA.

6. The application is subject to conceptual and detailed site plan review, as a formal conceptual site plan was not submitted with this application. An illustrative plan was submitted as a density reference only. The statement of justification, however, states that visual character and identity of the project will be an element of the architecture of the buildings, entrance features and landscape plantings. Urban Design staff find that the rezoning would be subject to the *Landscape Manual* Sections 4.2 Commercial and Industrial Landscaped Strip Requirements, 4.3 Parking Lot Requirements, and 4.7 Buffering Incompatible Uses (on the periphery, where it is directly adjacent to incompatible land uses).
7. The land planning associated with the illustrative density plan submitted does not appear to adequately address the environmentally sensitive features of the site. Based on the county watershed map the entire planning area lies within three distinct watershed areas. More specifically, the northern portion of the subject property is located within the Beaverdam Creek (the 2005 Green Infrastructure Plan regulated area) and steep slopes, and the site is directly south of the Philadelphia Baltimore and Washington Railroad, a major noise generator. The overall noise assessment of the planning area can be characterized as a relatively moderate density suburban area with an average noise level generally within acceptable levels, except for residential structures that are located within close proximity to major noise generators. The closeness of structures to a noise source can be addressed if adequate sound mitigation measures are taken. The proposed zoning change does not result in more impacts to environmental features than the current zoning. The proposed development could require noise and vibration mitigation measures if residential uses are approved and located in proximity to the railroad. Subdivision staff find that if this application is approved, the applicant must file for preliminary plan.
8. The statement of justification does not submit any market study findings to address the economic needs of the market. This is not a requirement of the map amendment approval. The economic development and increased job opportunity goals of the plans governing this property are not well served by the addition of a significant amount of residential property. These goals are better served under industrial and commercial zoning.
9. If approved, with the recommended conditions the applicant will be allowed freedom of architectural design that is in conformance with the plans and code of the county.

CONCLUSION:

The application for a rezoning to the MXT Zone does not meet the requirements of Section 27-213(a)(1) and Section 27-213(a)(2). The subject property is not within the vicinity of a major intersection or major interchange or a major transit stop or station. Staff also finds the facilities needed to bring the transit station nearer to possible residents of this site do not exist. The pedestrian facilities would need to cross lands not controlled by the applicant, and would need to provide a safe and pleasing experience at all times. In terms of defining these facilities, the application is deficient. The proposed location will substantially impair the integrity of the recommendations in the Landover master plan.

From a zoning perspective, the proposal should not be granted, although, the development may meet other standards of the applicable plans and the Zoning Ordinance. The rezoning as proposed does not meet the guidelines of the ordinance. In consideration of all the merits of the application and the comments received, staff recommends DISAPPROVAL. However, if it is determined that the necessary requirements for approval of the zone, in part or in its entirety, do exist, we would recommend the following revisions and conditions:

1. Because of extensive environmental constraints, the final location of dwelling types should be decided at the time of conceptual site plan (CSP) review.
2. If residential development is approved as a part of this application the following recommendations should be observed:
 - a. The site planning of apartment projects shall provide adequate open space at the perimeter to serve as a buffer between the project and adjacent lower density residential development;
 - b. Multifamily development shall have direct access to arterial or collector roads and shall not have primary access through single-family residential streets;
 - c. Wherever possible, living areas shall be linked to community facilities, transportation facilities, employment areas, and other living areas by a continuous system of pedestrian walkways and bike trails utilizing the open space network;
 - d. Buffering in the form of landscaping, open space, berming, attractive fencing, and/or other creative site planning techniques should be utilized to protect residential areas from commercial, industrial and other incompatible uses.
3. The CSP shall show right-of-way along Addison Road consistent with master plan recommendations. This right-of-way, as may be revised during CSP, shall be shown for dedication at the time of preliminary plan of subdivision.
4. Addison Road at Eastern Avenue: Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Restriping the eastbound Eastern Avenue approach to provide an exclusive left-turn lane and a shared through/right-turn lane.
 - b. Provision of a dual right-turn lane along the southbound Addison Road approach.

These improvements shall be reviewed within a revised traffic study to be done at the time of preliminary plan of subdivision and revised if deemed appropriate. The review shall include an analysis of queuing within the left-turn lane proposed along eastbound Eastern Avenue, along with the constructability of recommended improvements.

5. Walker Mill Road at Addison Road: Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Provision of two through and exclusive right-turn and left-turn lanes along the westbound Sheriff Road approach.
 - b. Provision of an exclusive left-turn lane along the eastbound Sheriff Road approach.

These improvements shall be reviewed within a revised traffic study to be done at the time of preliminary plan of subdivision and revised if deemed appropriate. The review shall include an analysis of queuing within the left-turn lane along eastbound Eastern Avenue, along with the constructability of recommended improvements

6. At the time of preliminary plan of subdivision a revised traffic study shall be submitted. This study shall review each proposed access point along Addison Road in accordance with the conceptual site plan to determine the appropriate land configuration at each location and to determine if signalization merits further study. Such further study of traffic signal warrants shall be conducted at the time of detailed site plan. This revised study shall also consider traffic calming measures along Doewood Lane, if an access point is aligned opposite to it, and Elkwood/Nast Street, if an access point is aligned opposite to Elkwood Lane.
7. At the time of CSP, the applicant shall review access to Addison Road for this site in detail. Consideration shall be given to consolidation of access points to the extent feasible as well as the alignment of access point opposite existing streets.
8. The applicant shall submit a noise study and shall use the appropriate noise and vibration mitigation measures in developing the property
9. A Type I tree conservation plan will be required with the conceptual site plan. The TCP1 should propose the preservation of as much of the existing vegetation as possible and should provide some areas of afforestation adjacent to the expanded buffer.
10. At time of CSP, a geotechnical report shall be submitted that evaluates the existing soil conditions on the site and their suitability for the redevelopment proposed.
11. At the time of conceptual site plan review, the applicant should demonstrate that the recreational needs of new residents will be met by the provision of parkland dedication, private and public recreational facilities and/or fees.
12. At time of conceptual site plan review, the applicant and staff of the Department of Parks and Recreation shall develop a mutually acceptable package of parkland, outdoor recreational facilities, fees or donations to meet the future needs of the residents of the planned community.