



*Note: Staff reports can be accessed at [www.mnccppc.org/pgco/planning/plan.htm](http://www.mnccppc.org/pgco/planning/plan.htm).*

## Zoning Map Amendment Petition No.

**A-9983**

Application	General Data
<b>Project Name:</b> The Mosaic at Turtle Creek  <b>Location:</b> Approximately 145 feet north of intersection with Eversfield Drive  <b>Applicant/Address:</b> Owner Entity Fund II, LLC 8403 Colesville Road, Suite 400 Silver Spring, Maryland 20910-0603	Date Accepted: 04/26/06
	Planning Board Action Limit: N/A
	Plan Acreage: 8.71 ± A.C.
	Zone: R-55
	Dwelling Units: 300
	Square Footage: N/A
	Planning Area: 66
	Tier: Developed
	Council District: 03
	Municipality: N/A
	200-Scale Base Map: 209NE03

Purpose of Application	Notice Dates
Rezoning from R-55 to R-10	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003) <span style="float: right;">03/17/06</span>
	Sign(s) Posted on Site and Notice of Hearing Mailed: <span style="float: right;">08/14/06</span>

Staff Recommendation		Staff Reviewer: Teri Bond	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

August 14, 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: Teri Bond, Planning Coordinator

SUBJECT: **Zoning Application No. A-9983 (Mosaic at Turtle Creek)**

REQUEST: Rezoning from the R-55 to the R-10 Zone

RECOMMENDATION: **APPROVAL; with conditions**

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NOTE:

The District Council has scheduled a public hearing on this request for re-zoning for: Monday, September 18 at 1:30 P.M. in the County Council Hearing Room, first floor of the County Administration Building, Upper Marlboro, Maryland 20772

You are encouraged to become a person of record in this application. The request must be made in writing and sent to the Clerk of the Council at the address indicated above. Questions about becoming a person of record should be directed to the Clerk of the Council at 301-952-3600. All other questions should be directed to the Development Review Division at 301-952-3530.

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## FINDINGS:

- A. **Location and Field Inspection:** The property is located south of Campus Drive, approximately 300 feet west of Mowatt Lane on the western edge of the University of Maryland campus. It is part of a larger parcel; parcel 43, that is owned by the State. The subject site is wooded and undeveloped. A small tributary to the Little Paint Branch Stream bisects the southern edge of the property.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-55	R-10
Acreage	8.6 acres	8.6 acres
Use(s)	Residential– Single family detached units	Residential multifamily condominium units
Density –Max. Dwelling Units per net acre	2.27	48
Minimum Lot Area	20,000 sq. ft.	N/A.

Parcel 43 has been subdivided by deed and a preliminary subdivision for the western portion has been approved for a single-family home development, College Heights West (Preliminary Plan 4-05060). The proposed single-family development, College Heights West has included dedication on the southern edge of the site to provide frontage for the subject property on a public right-of-way. Since the southern portion of the subject property includes the tributary, this access could provide negative impacts to the environment. Consequently, access to the site is proposed through Mowatt Lane and not through the single-family neighborhood to the south.

- C. **History:** The 1989 *Approved Master Plan for Langley Park-College Park and Vicinity* retained the R-55 zone for this property.
- D. **Master Plan Recommendation:** The 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity* recommended the site for public or quasi-public uses since the site was owned by the State of Maryland for use by the University of Maryland. The plan retained the R-55 Zone for this property to reflect the zoning and character of the property that surrounds the site.

The 2002 General Plan placed this property in Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

New development or redevelopment should enhance established communities, include more mixed-use and more intense development in designated centers and corridors, and offer an attractive alternative to the suburban neighborhoods in the Developing Tier.

- E. **Request:** The applicant is requesting to rezone the property from the R-55 Zone to the R-10 Zone. The applicant is proposing to build multifamily condominium housing for intergenerational housing with up to 300 units. The proposed project is to include buildings ranging from four to six stories in height with structured parking for 95% of the required parking.
- F. **Neighborhood and Surrounding Uses:** The applicant defines the neighborhood as consisting of the land area and surrounding existing roads and proposed highways including the rights-of-way of these roads:

- Campus Drive (C-117)/Mowatt Lane/Guilford Drive (C-66)
- U.S. Route 1 (A-9)
- East-West Highway (A-15)
- Adelphi Road (A-10)

The applicant goes on to even expand the neighborhood on p. 4 of the revised statement of justification for the application:

The neighborhood in the sense of the community of the proposed use includes the entirety of the University of Maryland College Park campus. The roughly 400 acre area described in 1–4 above (not counting the University of Maryland campus) borders The Mall at Prince George’s and includes three churches and the residential areas of College Heights Estates and northern University Park. The subject property is also within half a mile of the City of College Park boundary and one mile of the City of Hyattsville boundary, one and a half miles of the Town of Riverdale Park, and half a mile of the Town of University Park. Additionally, the subject property is located less than one mile from the Prince George’s Plaza Metro station and less than one and a half miles from the College Park Metro station. In fact, the true neighborhood for this application would include all areas influenced by the University of Maryland, College Park campus. These areas extend well beyond the university’s physical boundaries.

As pointed out by the community planner, this is quite a large neighborhood; larger than staff feels is appropriate for the proposed site. In planning, neighborhoods are considered to be units of a larger community and can be defined by streams or natural features as well as major roads. Staff would recommend that the neighborhood considered for this analysis be smaller and relate more to the subject property. Consequently staff would recommend considering a much smaller neighborhood for this analysis that would be bounded by the following:

North—Campus Dr.

East—Mowatt Lane.

South—Wells Parkway and Calverton Dr.

West—Adelphi Rd.

The property is surrounded by the following uses:

North—University Baptist Church and the University Methodist Church in the R-55 Zone.

East—Two institutional uses, Church of Jesus Christ of Latter Day Saints and the Hillel Jewish Student Center in the R-55 Zone. It should be noted that easements through these properties, which front on Mowatt Lane, are proposed to provide access for future development of the site.

South—Undeveloped property included in Preliminary Plan 4-05046, College Heights West, in the R-55 Zone.

West—St. Mark’s Catholic Church property in the R-55 Zone

The neighborhood includes a mix of institutional and residential uses and abuts the University of Maryland campus to the north and east.

G. **Zoning Requirements:**

**Sec. 27-113.04 of the Zoning Ordinance sets forth the findings required to approve the rezoning of property owned by the State for the University of Maryland and conveyed by the State to a private person:**

- (4) **The Technical Staff may recommend and the District Council may approve an amendment under this Section only on the following findings:**
- (A) **The proposed amendment is found to be in general conformance with the applicable master plan map, or the General Plan map, or with the principles and recommendations in the text of the applicable master plan or the General Plan. In making this finding, staff and council may consider the master plan adopted for the University of Maryland.**

Master Plan Map

The community planner states that the 1989 *Master Plan for Langley Park-College Park-Greenbelt and Vicinity* recommends public or quasi-public land use for the site, and retained the existing R-55 Zone to reflect the zoning and character of the property that surrounds the site (surrounded on all sides by property in the R-55 Zone).

The applicant states that the plan “recognizes the Subject Property as part of the University of Maryland land holdings and merely reflects its zoning status without making specific recommendation concerning its use and development. This is consistent with the treatment of other University owned land. Generally, the county master plans incorporate University plans for development of its property”.

Although planning policy concerning University of Maryland land holdings is not elaborated on in the master plan, it appears to be accurate that a detailed analysis of these properties was not done as part of the master planning process due to the state ownership and future inclusion in the University of Maryland.

General Plan Map

The 2002 General Plan for Prince George’s County establishes three policy Tiers, 26 centers, and 7 corridors. The subject property is located within the Developed Tier, which envisions a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This site is not located within a center or a corridor; the nearest corridor is the University Boulevard corridor, more than a quarter mile to the northwest (and not visible from the corridor) but closer to a half-mile or more from the corridor to the proposed access point. There are currently no designated corridor nodes along the University Boulevard corridor.

Also noting that this site is in the Developed Tier but not in a designated center, the applicant contends that the University of Maryland has all of the attributes of a center and “as such the more intense, high-quality housing at this location is an appropriate land use. It maximizes the proximity of transit, Metro and all public infrastructure in the vicinity of College Park. The proximity will promote transit usage as well as pedestrian access to the University campus”. In effect, the applicant is suggesting that the University of Maryland should be considered a center.

Since the General Plan Map does not specifically address the type of development that should be built on particular sites, it is difficult to find general conformance for the proposed rezoning. If the property were in a designated center, as the community planner has stated, staff would be able to more easily find conformance with the General Plan Map. This is particularly true given the allowable density of the R-10 zone, which allows for a maximum density of 48 units per acre. The high density was cited to be of concern by staff reviewers from both the Urban Design Section and the Community Planning Division as being out of character with the neighborhood.

It should be noted, in response to this concern, the applicant has proffered to limit development of the site to no more than 300 units. This would result in a significantly lower density of 32 dwelling units per acre.

#### Master Plan Principles and Recommendations

The 1989 master plan recommends infill development with “residential densities compatible with existing densities to preserve acceptable levels of public facility service, primarily an adequate transportation system (p. 65).” Furthermore, it recommends that all vacant, multifamily-zoned land be rezoned except at three locations (p. 66), none of which are in proximity to the proposed site. Guideline 6 on page 72 states: “High-density housing should be located only in such a manner as to relate to, and maximize convenience to, public and private service facilities for the greatest number of people in the area, and only where designated in the Plan.” Guideline 8 on the same page states: “Multifamily development should have direct access to arterial or collector roads and should not have primary access through single-family residential streets.” The community planner found that the proposed application does not meet any of these recommendations.

After reviewing the community planner’s memo, the applicant submitted additional Land Use and Zoning Analysis to present additional recommendations from the master plan that they believed supported the type of development being proposed in this application:

“Although that plan is some 17 years old, it was designed to define ‘long-range land use and development policies... for the area.’ Many of these long-range policies are still applicable today. The Community Structure map (Map 5) identified the subject property as being within the College Park-University Park living area. The goals and objectives for living areas remain valid and applicable today. A few of the most pertinent are listed below (from page 61 of the plan):

**Goal:**

To protect and improve the quality of all living areas.

**Objectives:**

To eliminate incompatible uses that intrude into and disrupt living areas.

To encourage residential area designs which preserve as much of the original land form and tree cover as possible.

To encourage the design of housing and living areas that creates safe spaces, which will in turn minimize vulnerability to crime and facilitate unobstructed access for emergency vehicles.

To provide for a compact and contiguous residential development pattern that will minimize the costly scattering of public services, facilities, and utilities.

To recommend public facilities and services that are responsive to the specific needs generated by the residents of each living area.

“The proposed intergenerational housing at this location will effectively implement many of these same goals and objectives. It is a compatible use (residential) located just outside of the College Heights Estates subdivision, and the proposed intergenerational housing will effectively act as a transitional use between that single family neighborhood and the institutional uses abutting the subject property and the campus of the university.

“The site design and the proposed buildings will work with the grades and natural attributes of the site to the maximum extent possible. This will help to preserve the stream that runs through the southern edge of the property... All public facilities are readily accessible so no new utility extensions will be required. The extensive University of Maryland bus system will be extended into the site to provide efficient public transit and thereby minimize traffic congestion and parking requirements on campus.

“Additionally, pedestrian connections from the subject property to the university pedestrian network will be provided as part of the site plan review.

“The 1989 master plan also contains some subcommunity recommendations from page onwards. In the discussion of College Park-University Park on page 71, the plan states:

The neighborhood of University Park includes a municipality and an adjoining subdivision called College Heights Estates. A few vacant parcels south of Campus Drive and east of Adelphi Road are recommended for single family residential (R-55 zone) to complement the existing development.

“This recommendation has been implemented with the approval of the subdivision known as College Heights West to the south of the contiguous stream on the south edge of the subject property. That development has been approved for approximately 23 single-family detached housing units. That development will complement the existing development to the south in College Heights Estates. The area north of the stream, however, i.e., the subject property, is separated from the single-family residential neighborhood by a significant physical barrier. The stream acts as a natural area transition separating the single-family area from the more institutional, higher-intensity area to the north. The environmental impacts of crossing the stream and the relationship of the properties to the north being more institutional in nature dictate that a different land use be situated on the subject site than was anticipated in 1989. However, the residential nature of the proposal for the subject property is consistent with the goals of the 1989 master plan and together with the adjacent College Heights West subdivision a continuous and orderly transition of uses and intensity is achieved.

“The guidelines for the living areas defined in the master plan are contained on pages 72-74 of the plan. The proposed development will serve to meet many of those guidelines, as follows:

- A broad range of housing types and designs should be provided to meet the needs of different household ages, sizes, and income levels.
- High density housing should be located only in such a manner as to relate to, and maximize convenience to, public and private service facilities for the greatest number of people in the area, and only where designated in the plan. Sufficient space should be available for the provision of new or expanded supporting facilities in proportion to the expected population increase.
- The site planning of apartment projects should provide adequate open space at the perimeter to serve as a buffer between the project and adjacent lower density residential development.
- Multifamily development should have direct access to arterial or collector roads and should not have primary access through single-family residential streets.
- Living areas should be designed and located in order to minimize vehicular through traffic.
- Wherever possible, living areas should 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 and conservation network.
- Recreation areas, school facilities, and activity centers should be designed to serve as focal points in residential areas.



- Developers should be encouraged to preserve natural amenities (streams, floodplains, wooded areas) and to incorporate these natural features into the environmental pattern of residential areas to serve as open space and to define and/or link together the living areas.
- Visual attractiveness and recreational amenities for residential areas should be increased through the provision of open space, public and private maintenance programs, and other private actions to ensure an interesting, varied, and harmonious appearance.

“The proposed Mosaic at Turtle Creek intergenerational housing will implement these guidelines and will create an innovative living environment that is ecologically and environmentally sensitive while serving a heretofore-unmet need which will epitomize the social and design guidelines proposed by master plan.

“In addition, the master plan sets out goals and objectives for the provision of housing in the Planning Area. The stated goal for housing at page 75 of the plan reads: ‘To provide decent, safe, and sanitary housing for all county residents by providing a broad range of housing opportunities and neighborhood choices which can meet the needs of different age groups, family sizes, lifestyles, and income capabilities.’

“By proposing intergenerational housing for Prince George’s County and the university, the requested rezoning will introduce a new type of housing to the county which will broaden the range of housing opportunities available. Such affinity housing will further strengthen the range of opportunities and will strengthen the university community as well. The proposal is recognition of the maturation of the university as a major cultural and academic hub for the region.”

Since this application is for rezoning and not a specific development, staff must review the submitted analysis to determine the general conformance with the master plan for multifamily development at this location. In general it appears that the applicant contends that given the proximity of the site and the relationship of the site to the University of Maryland; the need to preserve and protect the environmental features of the site; and the potential of providing a unique housing type, the requested R-10 zone is in general conformance with the master plan recommendations. Staff would agree that this site provides a transition between the single-family development to the south and the churches and campus development north and east of the site. Compliance with the master plan’s site and architectural design objectives and guidelines must be addressed at the time of Detailed Site Plan.

In addition to the 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity*, the applicant also includes a discussion of the College Park U.S. 1 Corridor Sector Plan. The applicant contends that the proposed rezoning and new development will help implement the recommendations in this master plan:

“US 1 and the corridor lie just to the east of the subject property. The corridor sector plan extends both east and west of US 1 in many locations. In the vicinity of the subject property, the sector plan incorporates the residential area on the south side of the campus in the vicinity of Knox Road and Guilford Drive. The western

extension of the sector plan in this vicinity is within approximately 1,500 feet of the subject property.

“The University of Maryland campus was a significant component in the development of the Sector Plan. One of the plan highlights, as contained on page 1 of the plan, states that this plan “encourages multifamily housing near the campus as a means of reducing commuter traffic and spurring retail and office development.”

“The ‘Area Profile’ for the area, at page 18 of the plan, states:

There are approximately 450 multifamily apartments, with approximately 350 located west of downtown College Park in the vicinity of Knox Road and Guilford Drive, which also includes the ‘Knox Boxes’ apartment area.

“The plan recommends the redevelopment of the Knox Boxes area. One of the subarea recommendations contained at page 37 of the sector plan addresses this area as follows:

“West of downtown—This area west of downtown and south of the University of Maryland campus is currently developed with a mix of student housing, including the high-rise College Park Towers, the Graduate Garden apartments and the four-plex units known as the Knox Boxes, among other uses. Recommendations for this area include:

Land assembly and comprehensive development of the Knox Boxes area with a variety of attached, and multifamily housing suitable for faculty, graduate and undergraduate students.

Possible reorientation of internal roadways and enhanced pedestrian connections and open space.

Use of structured and/or shared parking.

Rezoning as necessary.

“This discussion from the sector plan is germane because of the proximity to the subject property. Not only does the proposed rezoning and development of the subject property comport with the recommendations for land uses in the vicinity, but the development of this property, within 1,500 feet of the Knox Box area, could serve as a catalyst for the redevelopment of that area as well.

“While the campus itself has been undergoing a renaissance, the areas surrounding the campus have not experienced the same substantive growth and development. Since the subject property is situated along the south end of the campus, proximate to the Knox Box area, the significant development proposed for the property will have a significant impact on the surrounding area. Adding intergenerational housing, in a 4- to 6-story design element, to the neighborhood will create a positive economic energy that could significantly impact the metamorphosis of other nearby properties in similar physical relationships to the campus.”

This applicant concludes from this analysis that this rezoning and the resulting intergenerational housing “will inevitably push forward the agenda of the sector plan in support of the upgrading of the Knox Box area.” Staff do not believe that the proposed project, by itself, will impact future redevelopment of the Knox Box area. This site is too far away, and somewhat isolated from that area.

#### General Plan Principles and Recommendations

The 2002 General Plan outlines a number of goals for the Developed Tier, three of which are of particular relevance to this application: strengthen existing neighborhoods, encourage appropriate infill, and encourage more intense, high-quality housing and economic development in centers and corridors. Since this proposal is not located in a center or corridor and seeks a zone that allows a density more than seven times greater than that allowed by the surrounding neighborhood and adjacent properties, the community planner concluded that the development raises concerns with regard to compatibility.

After reviewing the community planner’s referral, the applicant again presented additional analysis focused on the application’s general conformance with General Plan Principles and Recommendations. Included below are pertinent sections of the analysis addressing the major goals and guiding principles that the proposal supported:

“The proposed development is in compliance with the *Prince George’s County Approved General Plan* as well. It meets the goals of the county as follows:

1. Encouraging high quality economic development. The proposed use for 300 upscale intergenerational condominium units will provide an attractive quality of life for residents and appropriate tax base for the county;
2. The location of the property; abutting the university campus, state and local highways, and two metro stations, takes maximum efficient advantage of proximity to local, state, and federal infrastructure;
3. It enhances the quality and character of communities and neighborhoods by providing quality housing contiguous to the campus. The architecture will be reflective of the major campus architecture, furthering the affinity of the housing with the campus; and
4. It will protect environmentally sensitive lands by preserving the stream valley that flows through the southern portion of the site. Development will protect that natural amenity and the access to the site will be provided without crossing that stream, which would not be the case if the property were to be developed under existing zoning.

“The proposal also enhances the guiding principles established by the General Plan... The upscale housing design will provide a safe and sound living environment. Likewise, the development will be sustainable because it will create an environment that is healthful and livable, provide a site that will be economically,

environmentally, and socially responsible, and will provide for efficiency of use for both energy and resources, with little waste.

“The proposed intergenerational housing also meets the county priorities by satisfying the goals and objectives for development in Prince George’s County. It will provide high quality economic development; it will protect the existing neighborhood integrity by relating to the campus in its access, urban design, architecture, connectivity, and affinity. In addition, all public facilities are adequate and conveniently located to serve the proposed construction. By agreement with the university, the campus bus line will serve the site and residents. The design of the site will protect the stream valley and the environment, and will meet all county construction requirements to protect the environment during and after construction. To be successful, the development must have a strong alumni bond and support to effectively cater to affinity housing devotees. The housing must also be of high quality to be attractive to a college educated clientele.

“At page 8 of the General Plan, the plan specifically encourages high-end valued housing and a balance of housing choices throughout the county. High-value housing contributes to the county’s tax base by generating more tax revenues than is demanded in county services and also provides “move-up” opportunities for county residents. In addition to families and individuals wishing to live in single-family homes on suburban lots, *those desiring easy access to transit should be able to find housing close to the county’s metro stations* (emphasis added). The implementation of the Mosaic at Turtle Creek will help to implement this recommendation of the General Plan on several levels. Not only does it propose high-value housing opportunities and thereby produce more tax revenues, it locates such housing in an area close to the university campus setting and two metro stations. It will also expand the housing opportunities available to Prince George’s County residents by adding a condominium product to the options available.

“A more detailed discussion of the Developed Tier is contained at page 31 and onwards of the General Plan. The goals in the Developed Tier are listed there as:

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

“The proposed Mosaic at Turtle Creek will implement these goals. Adding residential development in this area will strengthen the existing neighborhood by providing a housing product to transition to the College Heights Estates single-family subdivision to the south. The subject property is surrounded by institutional residential development. The development will be an appropriate infill that will reflect the best of all the surrounding land uses. Although not listed as a center in the general Plan, the University of Maryland campus does have all the attributes of a center and as such the more intense, high-quality housing at this location is an appropriate land use. It maximizes the proximity of transit, metro, and all public infrastructure in the vicinity of College Park. The proximity will promote transit usage as well as pedestrian access to the university campus.

“Another policy for the developed tier is the discouragement of single person automobile usage and the encouragement of non-automotive mobility options for new development. The use of sidewalks, bikeways, bus transit and metro are to be encouraged and new development would both provide and encourage use of these facilities. The proposed Mosaic at Turtle Creek will do all of these things. The university bus service will stop at the complex. Sidewalks and trails will connect the proposed housing to the campus. Two metro stations are located within walking distance of the subject site. It is anticipated that because of the nature of affinity housing, there will be a strong attraction for residents to walk/bike/bus to the campus because it will be so close and convenient to do so. This propensity will keep cars off of neighborhood streets and out of the parking lots.

“This will reinforce the Transportation Systems objective listed in the General Plan at page 64. Those objectives include the reduction of private automobile dependency, particularly for single-occupant vehicles as well as siting and planning new development that will generate transit ridership which helps to achieve cost recovery targets. The proposed Mosaic at Turtle Creek accomplishes both of these objectives as described above.

“The subject property is an attractive, wooded site that is transversed by a small stream. It is located in an ideal location for intergenerational housing, proximate to the campus, but also for environmental and ecological characteristics. As such it offers the opportunity to serve the campus and affinity groups while preserving and enhancing the natural environment of the site. In the discussion of environmental infrastructure at Page 57 of the General Plan, it challenges the development community to provide high-quality development in appropriate locations while at the same time preserving, enhancing and, if necessary, restoring environmentally sensitive features. The Mosaic at Turtle Creek rises to the challenge. The proposed development will create a much-needed innovative housing opportunity in close proximity to the campus of the university and will do so while respecting the environment and protecting the stream that runs along the south side of the site in a manner that will create an attractive amenity for the residents of both the proposed condominiums and the residential neighborhood to the south.

“The implementation of the General Plan, beginning at page 89 of the plan, states that ‘Plan implementation will involve making choices concerning future development patterns, while taking into consideration the cost of providing needed infrastructure and protecting the environment... In some parts of the county, where

the available land is limited or where more intensive development is desired, new options and innovations are needed to protect and restore the environment...This General Plan which applies smart growth principles countywide, offers a range of policy choices for controlling sprawl and ensuring cost-effective use of public resources to maintain a high and sustainable quality of life.”

The applicant concludes, “The proposed Mosaic at Turtle Creek answers the call for the types of uses desired at the locations desired while preserving the environment as desired. Implementing the proposed rezoning and proposed development at this location will result in a type and density of development desired, as expressed in the principles and recommendations of the general Plan.”

Much of the applicant’s analysis focuses on the importance of designing a development that provides a unique housing type, of high quality design, that preserves significant environmental features and is transit oriented. The increased density requested does not by itself ensure that the development will conform to the many General Plan Principles and Recommendation cited. Staff agrees that this site could be viewed as a transitional site whose development should relate to the University of Maryland and if developed at its current R-55 zoning would not accomplish this objective. Conformance with the General Plan principles would need to be addressed at the time of Detailed Site Plan approval.

#### University of Maryland Facilities Master Plan

The University of Maryland master plan was approved in 2002 and forecasted the needs of the University to the year 2020. The applicant provided the following information about the master plan and its recommendations for the site:

“The plan divides the campus into eight districts on the main campus, plus outlying university-owned properties. The plans for each district have been designed to embrace the most positive characteristics of the campus and to extend them forward into the future. The subject property is situated within the southwest district. That district is bounded by the historic core to the north, Mowatt Lane to the west, and privately owned properties to the west and south. This district shares the boundaries with the US 1 sector plan and includes the subject property.

“The subject property is identified as Parcel N94 in the southwest district of the campus and was included in the third and last phase of development in the 20-year Facilities Master Plan, for year 2011 and beyond. Appendix B of the plan identified N 94 as a “Special” functional use and suggested potential construction as a 2-story, 50,000-square-foot building. The illustration of the southwest district indicated a multi-wing structure

“The Board of Regents subsequently amended the facilities master plan, as indicated in the letter of June 29, 2006, to Chairman Samuel J. Parker from John Porcari, Vice President for Administrative Affairs. That letter explains that the 20-year plan was designed to be flexible and general, in order to provide for the orderly development of the campus. It further clarifies that the site was listed as an Undesignated Building Site with the functional use defined as “Special.” The Special Use designation allows for future planning, for both residential and non-

residential uses, as specific opportunities and needs arise during the life of the plan. Subsequently, the Board of Regents recognized The Mosaic at Turtle Creek as a unique project that is supportive of the facilities master plan. The Board of Regents approval of this project has the effect of updating the facilities master plan in accordance with the proposal. The Board of Regents finds the proposed rezoning and use of the site to be 'clearly compatible with the planned special use designation of the university's master plan.'"

The above correspondence to Chairman Parker, John Porcari, Vice President for Administrative Affairs of the University of Maryland, was received by staff and indeed confirmed that the Board of Regents had approved the proposed development concept which had the effect of updating the master plan in accordance with the proposal.

- (B) Development proposed by the applicant or permitted in the proposed zoning classification is found not incompatible, as to land uses, visual or noise or environmental effects, or traffic to be generated, with adjoining properties or others in the neighborhood, as they are currently (at application time) zoned or used.**

#### Land Uses

Discussion as to compatibility of the proposed rezoning for this property centers on its relationship with surrounding land uses. The master plan primarily focused on the single-family development to the south. Since this site will be developed with access to Mowatt Lane and not through the single-family development, it will be somewhat separated from the lower density development to the south. In addition, the development proposed includes a stream preservation area along the southern boundary of the property which will provide a buffer between the two uses.

It should be noted, that the proposed development will be most compatible with the land uses to the north and the east. The intergenerational housing proposed would provide a unique housing type that would offer both housing and programs that would complement and enhance the university environment.

#### Visual, Noise or Environmental Effects

The environmental planner noted that "the development review process ensures the highest level of preservation and restoration possible, with limited impacts for essential development elements. Currently no impacts to regulated areas are proposed." He recommended that the development be conditioned to ensure that there are no impacts on regulated features.

The Environmental Planning staff found no visual or noise issues with the proposed development. In addition, the applicant also states that "by providing structured parking, outdoor surface parking lots are eliminated thereby reducing outside noise and lighting impacts from the proposed use".

### Traffic to be Generated

Transportation staff estimated trip generation rates for possible uses within the R-55 and R-10 zoning categories found in Figure 4 of *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, the table below was developed. Because a use for the property is not specified as a part of a Euclidean zoning application, both the R-55 and R-10 categories are evaluated for residential uses. It would be very speculative on the part of staff to suggest a likelihood of any other use.

<b>Comparison of Estimated Trip Generation, A-9983, 8.6 acres</b>					
Zoning or Use	Units or Square Feet	AM Pk. Hr. Trips		PM Pk. Hr. Trips	
		In	Out	In	Out
<b>Existing Zoning</b>					
R-55 (residential)	39 (single family) residences	6	23	23	12
<b>Proposed Zoning</b>	300 (high-rise) residences	18	72	78	42
R-10 (residential)	Based on the zoning application				
	410 (high-rise) residences	25	98	107	58
	Maximum yield based on R-10				
<b>Difference (As proposed)</b>		<b>+12</b>	<b>+49</b>	<b>+55</b>	<b>+30</b>
<b>(Maximum yield)</b>		<b>+19</b>	<b>+75</b>	<b>+84</b>	<b>+46</b>

The comparison of estimated site trip generation indicates the increase in anticipated peak hour volumes (85 trips in the PM peak hour and a lesser amount in the AM peak hour), associated with the proposed rezoning and development of no more than 300 units would impact area roadways traffic operation, and not the classification of these roadways. While this trip difference appears to be large, the actual difference could be much smaller due to the site's close proximity to the University of Maryland and the proposed cooperation between the applicant and the University, as stated in the submitted statement of justification. Nonetheless, there will be an increase in potential travel due to the rezoning, which may require off-site improvements. Therefore, and based on this comparison, if the subject property is to be developed as proposed, the applicant would be required to submit a traffic study as part of the Preliminary Plan review.

Transportation staff concluded based on the potential trip generation, the proposed rezoning would appear to have a significant and adverse impact on the existing transportation facilities in the area of the subject property, which can be addressed at the time of preliminary plan.

### **CONCLUSION:**

Staff believes that the applicant has met the findings required for rezoning this property to R-10. The proposed amendment is in general conformance with the principles and recommendations in the text of the



applicable master plan and the General Plan and is in conformance with the updated Facilities master plan for the University of Maryland. Staff also finds that development proposed by the applicant is found not incompatible, as to land uses, visual or noise or environmental effects, or traffic to be generated, with adjoining properties or others in the neighborhood, as they are currently (at application time) zoned. Therefore, staff recommend that this application be APPROVED, with the following conditions:

1. The exact number of dwelling units for the subject property shall be determined at the time of Detailed Site Plan approval and shall include up to but not in excess of 300 dwelling units.
2. Detailed Site Plan shall address, but not be limited, to the following:
  - a. Ensure that the wooded stream valley buffer will act as a visual screen and provide an attractive nature walk area for neighborhood residents, including the single family homes to the south.
  - b. Maximize the stream buffer to preserve the stream valley to the greatest extent possible.
  - c. Ensure that an implementation strategy is created that guarantees the promotion and availability of transit opportunities and usage for all residents and visitors to facilitate easy access to the University of Maryland campus and activities, while minimizing vehicle trips and parking demands.
  - d. The building design is attractive, complimentary to the buildings on the University of Maryland, and will create a high-quality and innovative housing complex.
  - e. The housing complex is clearly identified though its design and pedestrian linkages to be part of the University of Maryland campus and that it is tied visually and physically to the main campus.
  - f. The building and site design meet the goals of the University of Maryland facilities plan:
    - Plan the built and natural environment in a way that preserves the beauty of the campus and protects the environment.
    - Reduce the number of automobiles on campus and eliminate vehicular congestion to the extent possible
    - Reinforce the campus's role as a good neighbor in the larger community by the careful development of sites on the campus periphery or in outlying areas that link us to the community; and
    - Preserve the architectural heritage of the campus and enhance it through open spaces, gathering places, vistas of green lawn and trees, and groupings of buildings that promote a sense of community.
  - g. Ninety-five percent of the necessary parking will be structured.
3. At the time of preliminary plan of subdivision the applicant would need to submit plans to be approved by the Department of Public Works and Transportation to ensure that Mowatt Lane could be upgraded to

provide adequate access to the site.