



Note: This staff report can be accessed at www.pgplanning.org/Mount-Rainier.htm

**Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone
 Development Plan** **CSP-10003**

Application	General Data	
Project Name: Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan Location: All M-U-TC-zoned properties on Rhode Island Avenue (US 1) from Eastern Avenue to 35th Street and 34th Street between Rhode Island Avenue and Bunker Hill Road. Applicant/Address: City of Mount Rainier, 1 Municipal Place Mount Rainier, MD 20712	Planning Board Hearing Date:	09/16/10
	Staff Report Date:	09/09/10
	Date Accepted:	08/16/10
	Planning Board Action Limit:	10/25/10
	Plan Acreage:	11.5
	Zone:	M-U-TC
	Planning Area:	68
	Tier:	Developed
	Council District:	02
	Election District	17
	Municipality:	Mount Rainier

Purpose of Application	Notice Dates	
To amend the 1994 <i>Approved Mount Rainier Town Center Development Plan</i> .	Informational Mailing:	07/16/10
	Second Notice Mailing:	08/23/10
	Sign Posting Deadline:	08/15/10

Staff Recommendation		Staff Reviewer: Mount Rainier Project Team	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE’S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan*

The Community Planning North Division staff, in conjunction with officials from Mount Rainier, residents, business stakeholders and a consultant team headed by Cunningham|Quill Architects, has prepared the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan*. The following staff report presents the plan introduction, the summary of development plan components, and the evaluation and findings supporting a recommendation for Planning Board APPROVAL WITH CONDITIONS as described in the Recommendation section of this report.

INTRODUCTION

1. **Location:** The Mount Rainier Mixed-Use Town Center (M-U-TC) Zone is located within the City of Mount Rainier, Council District 2, Planning Area 68, and the Developed Tier, as defined by the Prince George’s County 2002 *Approved General Plan*. More specifically, it includes all M-U-TC-zoned properties along Rhode Island Avenue (US 1) from Eastern Avenue to the west side of 35th Street and along 34th Street from the north side of Bunker Hill Road to the south side of Perry Street.
2. **Mount Rainier M-U-TC Zone Boundary Data Summary**

	EXISTING	PROPOSED
Zone	M-U-TC	M-U-TC
Use(s)	Commercial, Institutional, Residential, Mixed-Use	Commercial, Institutional, Residential, Mixed-Use
Acreage	11.5	11.5

3. **Background:** The 1994 *Approved Mount Rainier Town Center Development Plan* was the first development plan and corresponding Mixed-Use Town Center (M-U-TC) Zone approved for use within Prince George's County. The intent of the 1994 document was twofold: to provide property owners and tenants with design standards and guidelines to improve their properties in an effort to revitalize the City of Mount Rainier's commercial core; and to establish a regulatory framework to support the Planning Board, city and county officials, and staff in their review of proposed infill development and redevelopment.

Since 1994, the city has experienced positive changes within the M-U-TC Zone. During this period, there have been major new development and redevelopment projects, and transportation and streetscape improvements. Examples include: the ArtSpace mixed-use residential/commercial artist lofts, the HIP artist lofts, Joe's Movement Emporium cultural arts center, the renovated police station, a new traffic circle, and public art pieces.

However, the city's commercial core still faces challenges. These challenges include multiple vacancies within retail spaces along both Rhode Island Avenue and 34th Street, high traffic volumes and high traffic speeds that present conflicts with pedestrians and impede safe pedestrian travel, and finally, the lack of well-designed and place-making public gathering spaces within the M-U-TC zone. Although the commercial core faces economic, transportation and land use challenges, the city can continue to build upon its many assets, such as the area's proximity to Washington, D.C., locally and regionally popular retail establishments, the cultural arts center, the arts community, its status as an historic district, and its recent acquisition of multiple properties within the M-U-TC zone as opportunities to further revitalize the town center.

In a letter dated March 24, 2008, the City of Mount Rainier made a formal request to the Prince George's County Planning Board to amend the 1994 *Approved Mount Rainier Town Center Development Plan*. City officials requested that the Planning Board dedicate staff resources to complete a thorough review and revision of the existing development plan with the goal of helping to further facilitate the redevelopment of the town center. The Planning Board supported the City of Mount Rainier's request, and the Prince George's County Council initiated the secondary amendment development plan process through CR-38-2009 on June 16, 2009.

As a result of the County Council's action, the Planning Department's Community Planning North Division initiated a planning process in collaboration with officials from the City of Mount Rainier, residents, business stakeholders, and a consultant team headed by Cunningham|Quill Architects. Planning Department staff and the consultant team organized and facilitated multiple workshops and meetings with Mount Rainier community members and individual stakeholder groups in an effort to solicit their opinions about the future vision of the M-U-TC Zone. The product of this collaboration is the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan*, which was released to the public on July 16, 2010.

SUMMARY OF DEVELOPMENT PLAN COMPONENTS

1. **Development Plan Components** - As a result of the development and urban design assessments conducted by the project team, the draft development plan is organized in the following manner. The plan consists of five chapters and an appendix.
 - a. An Introduction chapter that defines the M-U-TC Zone area boundary and describes the public participation process.
 - b. An Existing Conditions Analysis chapter that contains an historic overview and an analysis of current economic/market conditions.
 - c. A Plan Vision chapter that describes the various elements of a revitalized town center.
 - d. A Design Standards and Guidelines chapter that details the specific requirements and recommendations related to the M-U-TC Zone's urban and architectural design elements.
 - e. A Plan Implementation chapter that establishes an implementation philosophy; prioritizes future development goals and activities; provides implementation charts and action timelines for regulatory, transportation, land use and building strategies (including specific actions, responsible parties, implementation tools, and phasing); proposes related community and economic development programs that the community might use to assist with realization; and creates property and building cluster profiles (highlighting potential development scenarios for specific sites).
 - f. The Appendix section includes federal guidelines for preservation, restoration and rehabilitation of historic properties, historic preservation definitions; and an extensive building inventory (a detailed summary of site/structure details, current land use, and specific repair/rehabilitation and development recommendations for each property within the M-U-TC Zone).
2. **Plan Vision** - Similar to the 1994 development plan, the intent of the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* is to establish a future vision for the City's commercial core as well as to provide a regulatory tool to implement that vision. The draft development plan establishes three unique development districts: 34th Street, Rhode Island Avenue, and the Civic Core. Future land use, transportation and design recommendations proposed in the plan are based on existing characteristics of each distinct area and are summarized below:

34th Street

Given the intimate, narrow width of the roadway, the prominence of one- to three-story buildings oriented towards the street, and the local activity of neighborhood retail and cultural establishments such as Island Style, Joe's Movement Emporium, Glut Food Co-op, and Nisey's Boutique, the vision for 34th Street is to create a "Main Street" area that would function as a cultural/neighborhood center. Proposed recommendations to implement the development plan's vision include: renovate existing establishments to create new retail storefronts; encourage a mix of retail types; add shared bicycle routes

and on-street parking facilities; and promote the historic character of existing buildings.

Rhode Island Avenue

Rhode Island Avenue is a four-lane corridor that carries high volumes of traffic to and from Washington, D.C. each day. Currently, the corridor features new mixed-use development such as the ArtSpace artist lofts, retail businesses such as a Salvadoran bakery, a custom framing shop, one- to four-story buildings, vacant buildings and lots along the corridor's north side, wide sidewalks, on-street parking spaces, and a center median. The vision for Rhode Island Avenue is to create a tree-lined "Boulevard" anchored by a prominent mixed-use retail/residential development at the northwest corner of the corridor and Eastern Avenue. This will be a gateway that not only welcomes visitors passing through downtown Mount Rainier, but also invites them to stop and patronize new, regionally-focused retail businesses, restaurants with outdoor cafes or an art gallery/cultural arts center. Proposed recommendations to implement the vision for Rhode Island Avenue include: the construction of large, mixed-use buildings; the creation of a wide, multilane arterial boulevard; pedestrian-oriented sidewalks; and the addition of urban furniture, street trees, and dedicated bicycle paths. The District of Columbia Department of Transportation (DDOT) has long term plans to develop a streetcar system along Rhode Island Avenue to the Maryland border at Eastern Avenue. The draft development plan envisions the extension of that streetcar system into Mount Rainier along Rhode Island Avenue. Should the streetcar system be implemented, it has the potential to stimulate future development opportunities for the M-U-TC Zone.

Civic Core

The third district is the Civic Core. This area encompasses City Hall, the public library, the traffic circle, the WMATA bus turn around area and a parcel of land that includes the vacant Singer Building. Envisioned for this new area is a renovated and expanded municipal complex; a renovated Singer Building with retail businesses that utilize its wide setback; and a civic green that provides an open, community gathering space. The draft development plan includes the following recommendations to implement this vision: renovate and expand City Hall; create a civic green at the bus turn around location by re-routing two bus lines; and renovate the Eastern Star Building, adjacent to City Hall, for potential use as art exhibit space.

3. **Design Standards and Guidelines** - The draft development plan vision articulates how community stakeholders envision the form future development might take in terms of future uses, transportation conditions, architectural character, and other community assets. The development plan's design standards and guidelines define specific requirements and suggestions for new construction and renovations to existing buildings to support that vision. The purpose of the design standards and guidelines is to promote high-quality urban and architectural design within the M-U-TC Zone and to encourage a cohesive and attractive environment. The chapter also defines the M-U-TC Review Committee process and composition, explains the design review process, and details the design review application requirements.

This chapter of the development plan prescribes standards and guidelines in the following areas: Public Space (street and right-of-way configuration, pedestrian crosswalks and zones, surface parking lots, bicycle facilities, sidewalks, street trees, lighting); Site Design (land uses and retail focus, orientation, build-to line, frontage, height, setbacks, massing, walls, fences and screening, outdoor seating, lighting); Architectural Elements (facades, fenestration, storefronts, utilities/mechanical equipment, security, color, lighting, material, porches, front yards, additions, subtractions, residential/non-residential use, signage, awnings); and Other Guidelines (public art, sustainability, parking strategy, historic buildings). This chapter also utilizes a variety of illustrations and photographs to provide examples of the plan recommendations.

EVALUATION OF ZONING ORDINANCE COMPLIANCE, FINDINGS AND SUMMARY OF PLAN REVIEW AND REFERRAL COMMENTS

Based upon the review and analysis of the subject application, the Community Planning North Division staff presents the following evaluation and findings pertaining to the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* for consideration by the Planning Board. The evaluation is presented in two parts:

- a. Findings of conformance with the requirements and criteria of the Zoning Ordinance, specifically the requirements of Section 27-546.14 regarding development plan amendments.
- b. Consideration of referral comments from county and state agencies and municipalities located within one mile of the Mount Rainier Mixed-Use Town Center (M-U-TC) Zone.

Zoning Ordinance Compliance and Findings:

1. **Requirements of the Zoning Ordinance:** This application has been reviewed for conformance to the requirements for Amendments to Development Plans per Section 27-546.14, which states the following:

Section 27-546.14 Amendments to Development Plan

(a) Primary amendments.

- (1) **All primary amendments of approved Development Plans shall be made in accordance with the provisions for initial approval of the Plan.**
- (2) **Primary amendments are any changes to the boundary of the approved Development Plan.**

(b) Secondary amendments.

- (1) Secondary amendments are any amendments other than an amendment made pursuant to Section 27-546.14(a).**

Finding: The *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* amends the 1994 *Approved Mount Rainier Town Center Development Plan*, therefore, this is not a request for an initial plan approval. The draft development plan proposes comprehensive revisions to the design standards and guidelines for the M-U-TC zone. The development plan does not propose changes to the M-U-TC Zone boundary. Therefore, the plan meets the definition of a secondary amendment per Section 27-546.14(b)(1).

- (2) An application for an amendment of an approved Development Plan, other than an amendment pursuant to Subsection (a), may be submitted to the Planning Board by any owner (or authorized representative) of property within the M-U-TC Zone, a municipality within which the zone is located, the Planning Board, or the District Council and shall be processed in accordance with the following regulations.**

Finding: The applicant, the City of Mount Rainier, submitted a letter to the Planning Board, dated March 24, 2008, requesting a review and revision of the 1994 *Approved Mount Rainier Town Center Development Plan*. On July 20, 2010, the City of Mount Rainier submitted a secondary amendment application to the Planning Board to initiate the approval process for the draft development plan.

- (3) All applications shall be typed, except for signatures, submitted in triplicate, and shall include the following information (see attached application):**

- (A) The name, address, and telephone number of the applicant, and an indication of the applicant's status as contract purchaser, agent, or owner;**

Finding: The application contains the applicant's name (The City of Mount Rainier), address (1 Municipal Place, Mount Rainier, MD 20712) and telephone number (301-985-6585).

- (B) The street address of the property owned within the Development Plan; name of any municipality the property is in; name and number of the Election District the property is in;**

Finding: The application contains a description of the M-U-TC Zone boundary (All M-U-TC-zoned properties along Rhode Island Avenue (US 1) from Eastern Avenue to the west side of 35th Street and along 34th Street, from the north side of Bunker Hill Road to the south side of Perry Street) to which the development plan will apply; all affected properties are located in Election District 17.

- (C) A statement enumerating each requested change and its effect upon the remainder of development in the approved Development Plan;**

Finding: The City of Mount Rainier requested that the Planning Board allocate staff time and resources to an extensive review and revision of the 1994 *Approved Mount Rainier Town Center Development Plan*. The city did not request changes to specific sections of the 1994 document but rather a comprehensive amendment to the design standards and guidelines with the goal of capitalizing on redevelopment opportunities within the M-U-TC Zone. The purpose of the draft development plan is consistent with the intent of the 1994 document, which is to create a regulatory framework to be used by the community to revitalize the city's commercial core. The draft development plan will affect future development within the M-U-TC Zone as it presents a detailed vision for future development; provides more specific and prescriptive design standards and guidelines with respect to the application of contextually appropriate urban and architectural design elements; establishes implementation goals and offers implementation strategies; and finally makes recommendations as to potential renovations and redevelopment within the community.

- (D) The name, address, and signature of each owner of record of the property. Applications for property owned by a corporation shall be signed by an officer empowered to act for the corporation;**

Finding: The secondary amendment application was submitted by the City of Mount Rainier to amend the design standards and guidelines that will guide the future development of structures and sites within in the M-U-TC boundary and does not apply to a specific property within the M-U-TC zone. Therefore, Section 27-546.14(b)(3)(D) is not applicable to this application.

- (E) The name, address, and telephone number of the correspondent;**

Finding: The application contains the applicant's name (The City of Mount Rainier), address (1 Municipal Place, Mount Rainier, MD 20712) and telephone number (301-985-6585).

- (F) **A statement of justification in support of the request. The statement shall set forth the legal basis by which the requested amendment can be approved and a description of the existing components of the Development Plan and proposed changes thereto. This statement may be accompanied by three (3) copies of any material which (in the applicant's opinion) is necessary to clarify the typewritten statement. This additional material, if not foldable, shall be not larger than eighteen (18) by twenty-four (24) inches;**

Finding: Though the City of Mount Rainier's commercial core has experienced some economic development and cultural successes, the city sought aid from the Planning Board in the development of a tool that reflects current conditions in order to create a more vibrant, attractive, pedestrian-friendly and economically viable town center. The 1994 document did not account for new mixed-used development at the traffic circle; the current economic/market trends for the commercial core; the city's recent property acquisitions; or the potential for a future streetcar line that will terminate at the border between the District of Columbia and Mount Rainier. Consequently, the 1994 development plan is outdated and does not provide adequate guidance as to how the city can reach its goals. The draft development plan however, provides this guidance through its plan vision, detailed urban and architectural design standards and guidelines, and finally, the implementation priorities, tools, and strategies.

- (G) **The proposed amendment to be appended to or incorporated into the Development Plan;**

Finding: The proposed *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* is attached to this staff report as Exhibit 1.

- (H) **A signed certificate stating that the applicant, on or before the date of filing such application, sent by certified mail a copy of the application for an amendment and all accompanying documents to each municipality in which any portion of the property which is the subject of the application is located, and each municipality located within one (1) mile of the property which is the subject of the application. The certificate shall specifically identify each municipality to which the application was mailed and the date it was mailed.**

Finding: Included in the secondary amendment application is a signed affidavit stating that letters were mailed to property owners and municipalities within a mile of the M-U-TC Zone on July 16, 2010 to notify the addressees of the application submission. Second notices, reflecting the revised hearing date, were mailed to property owners and municipalities within a mile of the M-U-TC Zone, respectively on August 23, 2010 and August 24, 2010.

- (4) Upon completing an application, the applicant shall pay to the Planning Board a fee to help defray the costs related to processing the application. A reduction in the fee may be permitted by the Planning Board if it finds that payment of the full amount will cause an undue hardship upon the applicant.**

Finding: An application filing fee was not assessed for this application submission as fees for secondary amendments are not specified within Section 27-125.02 for Fee Regulations of the Zoning Ordinance.

- (5) In addition to the filing fee, a fee of Thirty Dollars (\$30.00) shall be paid for the posting of each public notice sign to be posted by the Planning Board. No part of a fee shall be refunded or waived, unless the Planning Board determines that one of the following applies:**

Finding: A fee of \$30 was paid for each public notice posted to advertise the public hearing.

- (A) The fee was paid by mistake, and the applicant has requested (in writing) a refund.**

Finding: The posting fee was not paid in error, and therefore, a fee waiver for the posting fee is not applicable to this application submission.

- (B) The application is withdrawn prior to posting the sign. In this case the entire sign posting fee shall be refunded.**

Finding: The application has not been withdrawn, and therefore, a fee waiver of the posting fee is not applicable to this application submission.

- (6) The Planning Board shall review the requested secondary amendment for compliance with this Section and shall follow the same procedure required for the Conceptual Site Plan approval as found in Sections 27-276(a)(1), (3), (4), (5), (6); 27-276(c)(1), (2); and 27-276(d). Review by the District Council shall follow the procedures in Section 27-280.**

Finding: The Planning Board will review the application for the proposed secondary amendment and the draft development plan on September 16, 2010, at a regularly scheduled meeting.

In reviewing this section of the Zoning Ordinance, the Code references Planning Board procedures, Sections 27-276(a)(1), (3), (4), (5), (6); Sections 27-276(c)(1), (2) and Sections 27-276(d).

Section 27-276 Planning Board Procedures

(a) General

- (1) Prior to approval of any preliminary plan of subdivision or Detailed Site Plan, or the issuance of any grading, building, or use and occupancy permit, for the development or use of any land for which a Conceptual Site Plan is required, the applicant shall obtain approval of a Conceptual Site Plan from the Planning Board.**

Finding: The applicant is seeking approval of the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* by the Planning Board. Should any new development proposals be presented prior to the approval of this new development plan, they must adhere to the standards and guidelines contained within the existing 1994 *Approved Mount Rainier Town Center Development Plan*.

- (3) The Planning Board shall give due consideration to all comments received from other agencies.**

Finding: Notification letters and copies of the preliminary development plan were transmitted to several Prince George's County and State of Maryland agencies for review and comment prior to the public hearing. A list of agencies, to which the application and draft development plan were referred, and a summary of referral comments, are located in Part 2 of the Evaluation section of this report.

- (4) The Planning Board shall only consider the Plan at a regularly scheduled meeting after a duly advertised public hearing.**

Finding: Informational mailings were sent to property owners and municipalities within a mile of the M-U-TC Zone on July 16, 2010, August 23, 2010, and August 24, 2010. Public hearing notices were posted within the M-U-TC Zone boundary.

- (5) The Planning Board shall approve, approve with modification, or disapprove the Conceptual Site Plan, and shall state its reasons for the action.**

Finding: The application for the secondary amendment will be presented to the Planning Board for a decision of approval, approval with modification or disapproval, on September 16, 2010. Community Planning North Division staff is recommending that the Planning Board approve the application for the secondary amendment with modifications. These modifications are revisions to the draft development plan, recommended to the plan, as outlined at the end of this staff report.

- (6) The Planning Board's decision shall be embodied in a resolution adopted at a regularly scheduled public meeting, a copy of which shall be sent to all persons of record (in the Conceptual Site Plan approval process) and the District Council.**

Finding: The Planning Board's decision on the application will be embodied in a resolution that will be adopted at a regularly scheduled public meeting. A copy of the resolution will be available to the municipalities, property owners, and persons of record associated with the application.

(c) Time limits for action

- (1) The Planning Board shall take action on the Conceptual Site Plan within seventy (70) days of its submittal. The month of August and the period between and inclusive of December 20 and January 3 shall not be included in calculating this seventy (70) day period.**

Finding: The Planning Board's review of this secondary amendment application will occur on September 16, 2010, during its regularly scheduled meeting.

- (2) If no action is taken within seventy (70) days, the Conceptual Site Plan shall be deemed to have been approved. The applicant may (in writing) waive the seventy (70) day requirement to provide for some longer specified review period.**

Finding: The Planning Board's seventy (70) day limit to take action on this secondary amendment application is October 25, 2010.

(d) Notification of applicant

- (1) If a Conceptual Site Plan is not approved, the Planning Board shall notify the applicant (in writing), stating what changes are required for approval.**

Finding: Should the Planning Board decide not to approve this secondary amendment application after the public hearing review, staff will notify the applicant of the Planning Board's decision.

In reviewing this section of the Zoning Ordinance, the Code references Planning Board procedures, Sections 27-280.

Section 27-280 Appeal of the Planning Board's Decision

- (a) The Planning Board's decision on a Conceptual Site Plan or amendment of the Development District Standards for an approved Development District Overlay Zone may be appealed to the District Council upon petition by any person of record. The petition shall specify the error which is claimed to have been committed by the Planning Board and shall also specify those portions of the record relied upon to support the error alleged. The petition shall be filed with the Clerk of the Council within thirty (30) days after the date of the notice of the Planning Board's decision. The District Council may vote to review the Planning Board's decision on its own motion within thirty (30) days after the date of the notice.**
- (b) The Clerk of the Council shall notify the Planning Board of any appeal or review decision. Within seven (7) calendar days after receiving this notice, the Planning Board shall transmit to the District Council a copy of the Conceptual Site Plan, all written evidence and materials submitted for consideration by the Planning Board, a transcript of the public hearing on the Plan, and any additional information or explanatory material deemed appropriate.**
- (c) The District Council shall schedule a public hearing on the appeal or review.**
- (d) Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or return the Conceptual Site Plan to the Planning Board to take further testimony or reconsider its decision. Where the Council approves a Conceptual Site Plan, it shall make the same findings which are required to be made by the Planning Board. If the Council**

fails to act within the specified time, the Planning Board's decision is automatically affirmed.

- (e) The Council shall give its decision in writing, stating the reasons for its action. Copies of the decision shall be sent to the all persons of record, and the Planning Board.**

Finding: This section of the Zoning Ordinance outlines the procedure for the application's review by the District Council should a person of record wish to appeal the Planning Board's decision on the application or if the District Council votes to review the decision within thirty (30) days after the Planning Board's decision. Should there be a review of the application by the District Council, staff will transmit the secondary amendment application as well as any related documents to the District Council. If there is no appeal or if the District Council decides not to review the application the Planning Board's decision on the draft development plan will stand.

- (7) The Planning Board may only approve a requested secondary amendment of a Development Plan if it makes the following findings:**

- (A) The requested secondary amendment is in compliance with the requirements for the approval of a Development Plan;**

Finding: Staff is requesting that the Planning Board approve with conditions, the secondary amendment application because the draft development plan's goals and framework meet the criteria established in Section 27-546.13 for a Development Plan, which follow.

Section 27-546.13 Development Plan

- (a) General**

- (1) The Development Plan will create a flexible framework for reviewing and approving future development in the M-U-TC Zone. The regulations and graphic representations embodied in the Plan should protect existing community characteristics that are critical to the conservation of the Town Center's character. The Development Standards and Guidelines adopted in the Plan are intended to be flexibly applied and broadly interpreted to promote local revitalization efforts.**

Finding: The draft development plan prescribes design standards and guidelines for new construction, redevelopment and the renovation of existing structures within the M-U-TC Zone. The draft development plan also provides property

owners, community stakeholders, city and county officials and staff with a guide for reviewing development proposals within the M-U-TC Zone.

- (2) The Development Plan shall consider the evolution of development regulations and the existing development character and create more appropriate standards and development guidelines that will encourage investment that supports the purposes of the zone.**

Finding: This draft development plan amends the 1994 *Approved Mount Rainier Town Center Development Plan*. Plan recommendations and the new design standards and guidelines are based upon current conditions within the M-U-TC Zone including the new mixed-use development, its art and cultural assets, the current retail market, and the conditions of existing structures. The goal of the draft development plan is to provide a tool that the City of Mount Rainier and community stakeholders can use to spur economic development within the town center.

- (3) Buildings legally existing at the time a rezoning to the M-U-TC Zone is approved are considered to be legally existing, and shall not be considered to be nonconforming. Any expansion or exterior alteration is subject to the Town Center Development Plan.**

Finding: The secondary amendment application does not recommend the rezoning of any property to the M-U-TC Zone within the plan boundary. Therefore, Section 27-546.13(a)(3) does not apply.

- (4) Any existing use which has a valid permit issued prior to the approval of a rezoning to the M-U-TC Zone shall be considered a permitted use, and shall not be considered nonconforming, provided the use has not changed to a different use since issuance of the permit. This provision shall apply only to the property which was the subject of the original permit.**

Finding: The secondary amendment application does not recommend the rezoning of any property to the M-U-TC Zone within the plan boundary. Therefore, Section 27-546.13(a)(4) does not apply.

- (b) The Town Center Development Plan shall include, at a minimum, the following:**

- (1) A description of the area within the Town Center, including a**

location map showing the boundaries of the Zone (with north arrow and scale) and a description of the existing improvements within those boundaries;

Finding: The draft development plan contains a description of the location and a map showing the boundaries of the M-U-TC Zone in the Existing Conditions Analysis Chapter on page B.6. An analysis and discussion of the existing conditions, including existing improvements, within the boundaries of the M-U-TC Zone is located in the Existing Conditions Analysis Chapter also on page B.6.

(2) Existing zoning and use of properties within and adjacent to the M-U-TC Zone;

Finding: The draft development plan contains a description of uses in the Market Analysis: Existing Land Uses section in the Existing Conditions Analysis Chapter on page B.11. There is also an Existing Property Survey map that shows the location of existing land uses on page B.6. All properties and sites within the draft development plan boundary are zoned M-U-TC. Properties, adjacent to the M-U-TC Zone, are zoned R-55 for residential development. Properties adjacent to the M-U-TC Zone include residential and institutional land uses.

(3) Existing and proposed right-of-way widths of internal and adjoining streets;

Finding: All maps within the draft development plan show the existing roadway network within the M-U-TC Zone boundary. Staff recommends that all illustrations street sections showing existing and proposed street configurations be revised to indicate the right-of-way.

(4) An inventory of existing development characteristics, which may include the following:

- (A) Building:**
 - (i) Height;**
 - (ii) Width;**
 - (iii) Setbacks;**
 - (iv) Roof shape;**
 - (v) Construction materials;**
 - (vi) Color;**
 - (vii) Distribution of windows/door openings;**
 - (viii) Architectural style, details, and ornamentations**

- (B) **Signs:**
 - (i) **Number;**
 - (ii) **Lighting;**
 - (iii) **Location (building, roof, freestanding);**
- (C) **Awnings and canopies:**
 - (i) **Location;**
 - (ii) **Width;**
 - (iii) **Materials;**
- (D) **Mechanical Equipment:**
 - (i) **Visibility from roads and adjacent properties;**
- (E) **Parking/circulation:**
 - (i) **View from the road;**
 - (ii) **Paving materials and striping;**
 - (iii) **Landscaping;**
 - (iv) **Crosswalks;**
 - (v) **Sidewalks;**
 - (vi) **Pedestrian alleys;**
- (F) **Streetscape:**
 - (i) **Furniture;**
 - (ii) **Landscaping;**
 - (iii) **Signs;**
 - (iv) **Monuments and art.**

Finding: The draft development plan contains a “Complete M-U-TC Building Inventory” in the Appendix beginning on page App-9. The inventory lists the building and site characteristics of all properties located within the M-U-TC Zone. The list includes the property address, a photograph of the property, the number of stories, the built square footage, lot square footage, current use, year built, level of historic preservation (if applicable) and repair/rehabilitation and development recommendations.

- (5) **Development Standards and Guidelines shall be established to manage the physical development and use of land in the M-U-TC Zone. These Development Standards and Guidelines may include the following and any other elements deemed necessary:**
 - (A) **Setbacks;**
 - (B) **Proportion;**
 - (C) **Height;**

- (D) **Roofs;**
- (E) **Rear entrance;**
- (F) **Awnings and canopies;**
- (G) **Utility areas and mechanical equipment;**
- (H) **Architectural detailing;**
- (I) **Fenestration:**
 - (i) **Façade openings;**
 - (ii) **Windows;**
 - (iii) **Blank walls;**
- (J) **Materials;**
- (K) **Color;**
- (L) **Lighting;**
- (M) **Sidewalks and pedestrian places.**

- (c) **The Development Plan shall include minimum and maximum Development Standards and Guidelines, as necessary, to regulate parking and loading schedules and design standards, sign design standards, and landscaping and screening standards.**
- (d) **The Development Plan should contain both a written explanation and graphic representations of Development Standards and Guidelines, as necessary.**

Finding: In the Design Standards and Guidelines Chapter beginning on page D.1, the draft development plan prescribes standards and guidelines in the following areas: Public Space (street and right-of-way configuration, pedestrian crosswalks and zones, surface parking lots, bicycle facilities, sidewalks, street trees, lighting), Site Design (land uses and retail focus, orientation, build-to line, frontage, height, setbacks, massing, walls, fences and screening, outdoor seating, lighting); Architectural Elements (facades, fenestration, storefronts, utilities/mechanical equipment, security, color, lighting, material, porches, front yards, additions, subtractions, residential/non-residential use, signage, awnings) and Other Guidelines (public art, sustainability, parking strategy, historic buildings). This chapter also utilizes a variety of illustrations and photographs to provide examples of the plan recommendations.

- (e) **The Development Plan may include specific findings and criteria for uses permitted as a Special Permit in the Use Table. Such findings shall generally be limited to site planning issues not otherwise found in the Development Plan.**

Finding: The draft development plan outlines the design review process in the Application Process section of the Design Standards and Guidelines Chapter on pages D.6 and D.7. Applicants will meet with M-NCPPC staff prior to submitting

a development proposal to determine whether a special permit would be required for development. Uses within the M-U-TC Zone are governed by the Use Table located in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* which determines whether a proposed use is permitted within the town center.

- (f) **The Development Plan may create a local design review committee to advise the Planning Board and District Council during review of Special Permits, Special Exceptions, site plans, and other proposals.**
- (g) **If a local design review committee is created, the Development Plan shall, at a minimum, define the committee membership, minimum and maximum review time frames, and the extent of the Committee's review responsibilities.**

Finding: An M-U-TC Review Committee for the review of development proposals within the M-U-TC Zone was established with the approval of the 1994 development plan and is currently active. The draft development plan defines the Committee's membership, and their review timeframes and responsibilities in the Development Review Process section of the Design Standards and Guidelines Chapter on pages D.6 and D.7.

- (B) **The requested secondary amendment is in conformance with the purposes of the M-U-TC Zone;**

Finding: Staff is requesting that the Planning Board approve with conditions, the secondary amendment because the draft development plan's goals are to promote redevelopment and reinvestment within the City of Mount Rainier's commercial core and also to provide a regulatory framework to guide future development, which meet the criteria established in Section 27-546.09 for Purposes of an M-U-TC Zone, which are detailed below:

Section 27-546.09 Purposes

- (a) **The specific purposes of the M-U-TC Zone are:**
 - (1) **To create with the community a development framework that can capitalize on the existing fabric of the County's older commercial/mixed-use centers and corridors.**

Finding: M-NCPPC staff in collaboration with the consultant team conducted multiple meetings, over the period of a year, with property owners, residents, business owners, artists, and city officials, to solicit their input in the creation of this draft development plan. Stakeholder feedback was vital to identifying

community issues, concerns and assets and subsequently, proposing the recommendations and design standards and guidelines proposed in the draft development plan.

- (2) To promote reinvestment in, and the appropriate redevelopment of, older commercial areas, to create attractive and distinctive community centers for shopping, socializing, entertaining, living, and to promote economic vitality.**
- (3) To promote the preservation and adaptive reuse of selected buildings in older commercial areas.**
- (4) To ensure a mix of compatible uses which complements concentrations of retail and service uses, including institutional uses, encourages pedestrian activity, and promotes shared parking.**
- (5) To provide a mix of commercial and residential uses which establish a safe and vibrant twenty-four hour environment.**
- (6) To establish a flexible regulatory framework, based upon community input, to encourage compatible development and redevelopment, including shared parking facilities, that will enhance the Town Center.**
- (7) To preserve and promote those distinctive physical characteristics that are identified by the community as essential to the community's identity, including building character, special landmarks, small parks and other gathering places, and wide sidewalks.**

Finding: The draft development plan's vision is of a lively, pedestrian-friendly town center that promotes Mount Rainier's existing cultural, commercial and institutional activities as well as providing an ideal location for potential developers. The plan describes three districts (Main Street, the Boulevard and the Civic Core) for locating appropriate uses, design elements, transportation and streetscape improvements, and for preserving and renovating historic properties that are specific to the development in these areas. The plan also contains design standards and guidelines that will help to reinforce and protect the existing character of the town center as well as help the area's transition to a more vibrant and economically viable downtown. Finally, the plan outlines various implementation strategies that will help Mount Rainier's stakeholders prioritize their development goals and will provide guidance as they utilize these tools in order to realize the plan vision.

- (C) **The original intent of the Development Plan element or mandatory requirement being amended is still fulfilled with the approval of the requested secondary amendment.**

Finding: The purpose of the draft development plan is consistent with the intent of the 1994 document, which is to create a regulatory framework to be used by the community to revitalize the city's commercial core.

2. **Summary of Plan Review and Referral Comments:** The draft development plan was referred via mail to the following municipalities, within one mile of the M-U-TC Zone, on July 16, 2010. Additionally, the draft development plan was referred via mail to the following concerned county and state agencies on July 20, 2010, with a request to submit their comments by August 26, 2010. The referral comments are summarized below:

Municipalities of Mount Rainier, Riverdale Park, Bladensburg, Brentwood, Colmar Manor, Cottage City, Edmonston, Hyattsville, North Brentwood— At the time of the writing of this technical staff report, comments have not been received from these municipalities.

Department of Public Works and Transportation (DPW&T)— At the time of the writing of this technical staff report, comments have not been received from DPW&T.

Department of Housing and Community Development (DHCD)— At the time of the writing of this technical staff report, comments have not been received from DHCD.

Economic Development Corporation (EDC)— At the time of the writing of this technical staff report, comments have not been received from EDC.

Department of Environmental Resources (DER)— At the time of the writing of this technical staff report, comments have not been received from DER.

Redevelopment Authority (RA)— DHCD referred the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* to the RA. RA indicated that the Prince George's County Economic Revitalization Program listed on page E.31 of the *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan* under the Prince George's County Redevelopment Authority is not one of their programs. The comment has been addressed by removing the program from the economic revitalization program list.

State Highway Administration (SHA)— For SHA comments, see Maryland Department of Transportation below.

Maryland Department of Transportation (MDOT)— MDOT indicated that they are interested in the innovative solution of raised cycle tracks along Rhode Island Avenue (US 1).

However, at this time, they prefer to retain on-road bicycle accommodations along US 1 due, in part, to safety and operational concerns and the fact that at this time AASHTO guidelines do not have recommended specifications for cycle tracks. SHA requests that the county coordinate all design efforts related to the proposed cycle tracks with the SHA Bicycle Pedestrian Coordinator, Mr. Dustin Kuzan. The cycle track along Rhode Island Avenue is envisioned as another mode of transportation that will service the community. In the short term, it is possible to include the bike lanes within the existing street section by narrowing and restriping the existing wide parking lane. The Community Planning North Division staff will work with SHA to coordinate the design of bicycle lanes along Rhode Island Avenue.

Department of Planning— At the time of the writing of this technical staff report, comments have not been received from the Maryland Department of Planning.

Department of Housing and Community Development— At the time of the writing of this technical staff report, comments have not been received from the Maryland Department of Housing and Community Development.

Department of the Environment— At the time of the writing of this technical staff report, comments have not been received from the Maryland Department of the Environment.

Department of Business and Economic Development— At the time of the writing of this technical staff report, comments have not been received from the Maryland Department of Business and Economic Development.

Maryland Transit Administration— At the time of the writing of this technical staff report, comments have not been received from the Maryland Transit Administration.

National Capital Planning Commission— At the time of the writing of this technical staff report, comments have not been received from the National Capital Planning Commission.

RECOMMENDATION

Based on the foregoing evaluation and analysis, the Community Planning North Division staff recommends that the Planning Board adopt the findings of this report and **APPROVE WITH CONDITIONS** the secondary amendment application and corresponding *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan*:

1. The draft development plan shall be revised in accordance with the following conditions listed on the following page:

Draft Plan Section	Revision	Page Number
Whole document	Change the plan and map(s) to incorporate mapping, typographical, grammatical, and rewording corrections, as necessary.	Draft Plan
	Change the plan and map(s) where appropriate to correspond to the aforementioned revisions, extensions, deletions, and additions.	Draft Plan
	Check to make sure that MTA is referred to as Maryland Transit Administration in all instances	Draft Plan
Chapter B	Add more information about the definition of the Primary Trade Area (PTA) boundary	B.9
	Clarify Table 2 sources	B.10
Chapter C	Flip pages C.8, C.9, C.14 and C.15	C.8, C.9, C.14, C.15
	Add Right-of-Way (ROW) notation to the street section images and make sure that the text on page C.15 is in agreement with the diagram	C.9, C.15, C.19, c.20
	Add language to the District of Columbia Streetcar System section to state that further discussions between MDOT, SHA, Prince George's County and the District of Columbia are warranted to extend street car	C.37
Chapter D	Clarify the distinction between standards and guidelines throughout the chapter	Whole chapter
	Ensure that all standards and guidelines use the specific language stated in the Applicability section	Whole chapter
	Add language to the Applicability section to clarify the intent of the section; use "structures" instead of "buildings"	D.5
	Reference the Zoning Ordinance Sec. 27-108.01(a)(19) for interpretations of language used for standards and guidelines	D.5
	Revise the fourth bullet in the second paragraph to state: "One design professional (architect, landscape architect, urban designer, planner, graphic designer) with expertise in urban development and historic preservation/adaptive reuse	D.6
	Revise Application Process section text to match the revised flowchart on page D.9	D.6, D.7
	Revise Design Review Process/Non Historic Properties and Design Review Process/ Historic Properties flowcharts	D.9, D.10
	Revise first paragraph to read: "The M-U-TC study area is entirely contained within the U.S. National Park Service National Register of Historic Places Mount Rainier Historic District."	D.11
	Add language to clarify that the Levels of Protection Designation rating system is specific to the Mount Rainier M-U-TC Development Plan and not based on federal regulation	D.13
	Remove "Guidelines" as sub-heading	D.19-D.24

Draft Plan Section	Revision	Page Number
	Add “Vision” to section title	D.19- D.24
	Add Right-of-Way (ROW) notation to the street section images	D.19- D.34
	Add “Standards” to section title	D.55- D61
Chapter E	Remove the Prince George’s County Redevelopment Authority programs from the list per Redevelopment Authority request	E.31

EXHIBITS

The following documents are being submitted as addendums to the secondary amendment application.

1. *Draft Secondary Amendment to the City of Mount Rainier Mixed-Use Town Center Zone Development Plan.*
2. Written comments, from the general public, received by the Community Planning North Division staff, as of September 9, 2010.