

# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 13-64

File No. SP-130002

## RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed SP-130002, Cafritz Property at Riverdale Park requesting a special permit for 126 residential townhomes, and 76 multifamily units in accordance with Part 3, Division 5, Subdivision 5 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on May 30, 2013, the Prince George's County Planning Board finds:

1. **Request:** The subject Special Permit (SP) application requests approval of 126 townhouses and a single multifamily building consisting of 76 dwelling units. These residential uses are to be located within the a mixed-use development including a total anticipated development of approximately 187,277 square feet of commercial space distributed on 37.73 acres of land known as the Cafritz Property at Riverdale Park, pursuant to the Town Center Development Plan.

The Table of Uses within the Development Plan for the Cafritz Property at Riverdale Park, as approved through Prince George's Zoning Ordinance 11-2012, adopts and incorporates the Table of Uses of the 2004 Riverdale Park Mixed Use Town Center Zone Development Plan. Within that Table of Uses, a dwelling unit without commercial uses on the first floor requires approval of a Special Permit, in accordance with Section 27-239.02 of the Prince George's County Zoning Ordinance. This Special Permit application, therefore, applies to the 126 townhomes, as well as to the 76 multifamily dwelling units located in Building 6B (Parcel F). The dwelling units requiring Special Permits are areas included within the mixed use development for the Cafritz Property as approved by Detailed Site Plan DSP-13009. The site plan accompanying this application includes the entire development as proposed, therefore, to the extent that the DSP findings are relevant, the findings are incorporated by reference. This application has been evaluated within the context of the development, and, therefore, some of the following information is presented with regard to the entire development.

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2. **Development Data Summary:** The following information relates to the overall plan encompassing the DSP application:

	<b>APPROVED</b>
Zone	M-U-TC (35.71) R-55 (2.02 ac)
Use(s)	Dwelling units (202 total) Multifamily ( 76 units) Townhouse (126 units)
Acreage	37.73
Lots	126
Outlots	0

3. **Location:** The Town of Riverdale Park Mixed-Use Town Center (M-U-TC) Zone is mostly located in the Town of Riverdale Park, Council District 3, Planning Area 68, within the Developed Tier, as defined by the 2002 *Prince George's County Approved General Plan*. More specifically, the property is located approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410), on the east side of Baltimore Avenue. This 37.73-acre site in the M-U-TC and R-55 (One-Family Detached Residential) zones is located on the east side of Baltimore Avenue (US 1), where it intersects with Van Buren Street. The majority of the subject property is located within the Town of Riverdale Park, but a small portion (2.02 acres), in the northeast, lies in the R-55 Zone within the City of College Park.

4. **Surrounding Uses:**

<b>North—</b>	Vacant property owned by the Washington Metropolitan Area Transit Authority (WMATA) in the R-55 Zone.
<b>East—</b>	CSX railroad tracks. Beyond the railroad tracks to the east is the Engineering Research Corporation (ERCO) Historic Site (68-022) located on land owned by the University of Maryland.
<b>South—</b>	A U.S. Postal Service facility in the R-55 Zone and the Riverdale Park town center in the M-U-TC Zone (of which this property is an extension).
<b>West—</b>	Baltimore Avenue (US 1), and beyond to the west are single-family detached dwellings in the R-55 Zone within the Town of University Park.

5. **Previous Approvals:** The 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park M-U-TC Zone Development Plan) and corresponding M-U-TC Zone was approved by the Prince George's County Council on January 20, 2004 by County Council Resolution CR-05-2004. The approved plan amends the May 1994 Approved Master Plan and Sectional Map Amendment for Planning Area 68.

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On February 2, 2012, the Prince George's County Planning Board recommended approval of rezoning 35.71 acres of the subject site from the R-55 Zone to the M-U-TC Zone through Primary Amendment A-10018, with 27 conditions, of the Cafritz Property at Riverdale Park Town Center Development Plan (Development Plan). On July 12, 2012, the County Council, sitting as the District Council of Prince George's County, approved the rezoning of 35.71 acres of the subject site and amended the 2004 Town of Riverdale Park M-U-TC Zone Development Plan boundary to include the site. The District Council approved Primary Amendment A-10018 (Zoning Ordinance No. 11-2012), subject to the 27 conditions, as approved by the Planning Board.

Preliminary Plan of Subdivision 4-13002 was approved by the Planning Board at a public hearing on May 16, 2013, subject to 41 conditions (PGCPB Resolution No. 13-55).

Secondary Amendment SA-130001 was approved by the Planning Board at a public hearing on May 23, 2013, subject to 11 conditions (PGCPB Resolution No. 13-57).

Detailed Site Plan DSP-13009 was approved by the Planning Board at a public hearing on May 30, 2013, subject to conditions (PGCPB Resolution No. 13-63). The DSP and the SP were reviewed together as companion cases, at the Planning Board hearing

6. **Parcel-By-Parcel Description:** The following is a parcel-by-parcel description of the development proposal. The original SP plans were submitted on March 28, 2013, and a revised set of plans, with minor changes to labeling and lot/parcel lines, was submitted on April 18, 2013. However, the following description and subsequent findings are based on the final revised set of plans submitted on various dates between May 1 and 6, 2013.

a. **PARCEL F: Building 6B**

**Request:** The DSP for PARCEL F proposes a five-story multifamily building for 76 dwelling units, which includes 76,348 square feet of GFA. The proposed building height is approximately 62 feet.

Use(s)	Residential
Area	74,990 sq. ft.
Area within 100-year floodplain	0
Gross Floor Area (GFA)	76,348 sq. ft.
Multifamily Units	76

	Spaces Provided
Parking	0
Loading	1

**PARCEL F** is located in the central western portion of the site, just north of the U.S. Postal distribution site, and has frontage on Van Buren Street and Rhode Island Avenue.

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The parcel is proposed to include the multifamily Building 6B on the eastern half of the block and a future proposed hotel with structured parking on the western half of the block. The hotel footprint is identified on the plan along with the proposed number of rooms; however, a special exception is required for this use prior to the approval of any building permits. An easement is included on the eastern portion of the site that includes the proposed hiker biker trail, also referred to as the Trolley Trails. The parking for the multifamily building is proposed within Building 5.

**Architecture:** This building reflects the same design elements as Building 5 and will complement the streetscape. The proposed building height is approximately 62 feet. The exterior finish is primarily brick with attractive façades and varying rooflines that will complement the commercial core and provide a well-designed transition into the residential neighborhood to the east.

b. **PARCEL G: Open Space**

Parcel G is an open space parcel that is square in shape and is the visual terminus of Van Buren Street. The square is bordered on all sides by roadways and is designed as a pocket park for the community. The space is proposed to be maintained by the homeowners association, but will actually be used by the community as a whole as the only real programed open space other than the trolley trail proposed to traverse the community from north to south. Within this space is a sidewalk system, benches for seating, lighting, and a few pieces of play equipment for the youngest members of the population. The outer edge of the square is approximately 150 by 170 feet in size with sidewalk in an oval form in the center. At each of the corners of the square are seating areas between the curb and the interior sidewalk. Other sitting areas are located on the east side of the square; on the west there is a playground area that includes a slide, a trellis with two swings, and a wood gazebo. The play areas are not fully developed in accordance with the *Park and Recreation Facilities Guidelines*, nor are there enough details and specifications for the equipment shown to build the equipment. Wood is generally not recommended for play equipment because it tends to degrade quickly and splinters.

c. **PARCEL K: Building 7**

This parcel is proposed as a future multifamily building, with no commercial uses. Therefore, per Section 27-547(c) of the Zoning Ordinance, the use requires a Special Permit application. A condition has been adopted by the Planning Board requiring a SP at a later date.

d. **PARCEL L: Building 8**

This parcel is proposed as a future multifamily building, with no commercial uses. Therefore, per Section 27-547(c) of the Zoning Ordinance, the use requires a Special Permit application. A condition has been adopted by the Planning Board requiring a SP at a later date.



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e. **PARCEL M: Building 9**

This parcel is proposed as a future multifamily building, with no commercial uses. Therefore, per Section 27-547(c) of the Zoning Ordinance, the use requires a Special Permit application. A condition has been adopted by the Planning Board requiring a SP at a later date.

Parcels K, L and M (Buildings 7, 8 and 9) are multifamily parcels to be developed with multi-story residential buildings with associated structured parking as part of the approved anticipated multifamily density of 855 multifamily dwelling units as approved in the preliminary plan of subdivision, subject to SP approval and the applicable trip caps.

f. **LOTS 1-126: Townhouse Development and associated lands**

The proposed townhouse lots, as purely residential, requires a Special Permit application per Section 27-547(c) of the Zoning Ordinance and was reviewed and approved by the Planning Board (PGCPB Resolution No. 13-64) in conjunction with DSP-13009.

The townhouse lots are proposed in a variety of sizes and widths. The basic concept shown is that the lots are 16, 18, and 20 feet wide, and all units are proposed as 40 feet deep. There are a few corner lots that are wider, up to 30 feet in width, so it is assumed that the unit on those lots will be one of the larger units. The depths of the lots vary, and the total sizes of the lots vary. The site plan does not provide typical details of footprints of the townhouse units or the lead walks, so the plans should be revised to provide this information. The landscape plan does not clearly provide for on-lot plantings. Parking is proposed on both sides of the majority of the streets. In some locations, the width of the pavement is shown as 49 feet. The street tree planting area is too narrow. The Planning Board finds that Woodberry Street should be revised to narrow the roadway pavement. A portion of the area now shown as pavement should be converted to street tree plantings and yards along both the north and south sides of the street.

The proposed architecture for the townhouse units is attractive and will provide an urban appearance and character. The exterior finish materials are primarily brick and composite siding or paneling. The window and door fenestration and architectural detailing are well developed; however, the roof slope on some of the units seems rather flat, which is detracts from the appearance of the community. A minimum 7/12 roof slope would be more appropriate.

7. **Recreation Facilities:** The subject SP application proposes a total of 126 townhouses and 76 multifamily units, combined with the total anticipated 855 units which will result in a projected population of approximately 2,045 new residents. The approved Preliminary Plan of Subdivision (PPS) application included a description of proposed private on-site recreational facilities within the parcels that include multifamily residential uses. The preliminary plan lists the following recreational facilities proposed for each of the multifamily parcels:

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## **OUTDOOR**

Swimming pool with barbeque and fire pit

## **INDOOR**

Fitness center

Club room

Recreation room

Fireplace

Media center

Business center

Wi-Fi lounge

The program of facilities for each of the multifamily buildings listed above should be further analyzed to determine which of the amenities qualify as a recreational benefit to the inhabitants of the building, for year-round active recreational benefit, and for facilities that provide activities for all ages.

The applicant states that the proposed 1.12 acre land dedication to M-NCPPC for the trolley trail meets the mandatory park dedication for the 126 townhomes; however, this assumption provides no other private recreational facilities for the residents of the townhomes, as presumably use of the facilities within the multifamily parcels will be limited to those residents. Townhouse occupants often include young children and they should be provided outdoor recreational facilities as part of the overall private facilities package.

The recreational facilities package should be considered as a whole for the entire property. Therefore, consistent with the PPS calculations, the value of the private on-site recreational facilities, minus a proportional value for the proposed 1.12 acre land dedication to M-NCPPC, should be a minimum of \$585,462 dollars. This should be distributed throughout the site in order to provide convenient and accessible facilities for all residents.

Despite what was described on the PPS, the submitted SP provides little information in regard to the details, sizes, specifications, floor plans, or even a list of private indoor recreational facilities for the multifamily units, other than a few outdoor facilities. Details and specifications were provided for the outdoor private recreational facilities including the gateway park area, which has some benches, walkways and lawn space, the Village Square, which includes some benches, decorative pavers, and a fountain, and the central Village Green, which includes a gazebo, walkways, a lawn space, and separate wooden slide and swing play structures. While more details were provided for the outdoor facilities than for the indoor facilities, there still was no quantifiable list provided to demonstrate the value of the proposed facilities. In addition, the proposed facilities shown are not detailed sufficiently to provide a thorough review, and those that are shown should be revised to ensure they are low-maintenance and user-friendly. The plans should also demonstrate conformance to the Parks and Recreational Facilities Guidelines. Again, this information should be revised, submitted, reviewed and approved by the Planning Board or its

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designee, prior to plan certification. Additionally, the SP should specify the construction schedule requirements.

8. **Zoning Ordinance 11-2012:** On July 12, 2012, the District Council approved an Ordinance to amend the Zoning Map for the Maryland–Washington Regional District in Prince George’s County, by approving a Primary Amendment to the 2004 Town of Riverdale Park M-U-TC Zone Development Plan, subject to 27 conditions and 5 considerations. Of the conditions and considerations attached to the rezoning, the following are applicable to the review of this DSP:
  1. **The Design Review Process set forth at pages 65-66 of the January 2004 approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan applies to the Cafritz Property with the following modifications:**
    - a. **Detailed site plan (DSP) approval, in accordance with Part 3, Division 9 of the Zoning Ordinance, shall be required prior to the approval of a special permit, final subdivision plat, the issuance of any permit, and concurrently with or after the approval of a special exception, for all new development and redevelopment on the property. Each application for a special permit, final subdivision plat, or other permit must be consistent with an approved detailed site plan for the site.**

This application for the SP is being reviewed in accordance with Part 3, Division 5, Subdivision 5 of the Zoning Ordinance. This resolution contains the SP reviewed and evaluated with the context of the development. The companion case, Detailed Site Plan DSP-13009 is contained in a separate resolution, PGCPB No. 13-63.

- b. **The detailed site plan and a special exception shall be in accordance with the Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan (2004), as amended by the subject application (as amended) where applicable and the site design guidelines of Part 3, Division 9, of the Zoning Ordinance. Development depicted on each detailed site plan must be in general conformance with Map 1: Concept Plan A or Concept Plan B, dated January 7, 2012, particularly with regard to site design and circulation, with the goal of creating a mixed-use community. Flexibility should be allowed in achieving this mixed-use community goal by allowing for a redistribution of the proposed maximum gross floor area of commercial uses throughout the site in order to encourage each phase of the development to include a mix of commercial and residential uses, including consideration of residential uses west of 46th Street and limited supporting retail uses near the intersection of Van Buren Street and Rhode Island Avenue.**

The Special Permit is in general conformance with Concept Plan B, particularly in regard to the proposed circulation and the featured central recreational area located at the

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terminus of Van Buren Avenue. During the review of the Primary Amendment, it was recognized that the level of detail included on the concept plan was illustrative only and that, as the plans continued through the development review process, regulations that were not applicable at the time of the zoning would become enforceable.

Numerous conditions of the zoning approval were anticipated to have an effect on the ultimate design layout and circulation within the property. It was recognized that adequacy of public facilities and the protection of the environmental features of the site would be further analyzed at the time of the preliminary plan. Some elements of the development concepts as previously shown on Concept Plan B have slightly changed in the review of the preliminary plan due to the requirements of Subtitle 24. The plans have evolved to address the requirements of Subtitle 24 and to accommodate the several possible locations proposed for the CSX crossing. In this evolution, the plans have adhered to the concept plan as much as possible. It should be noted that the trolley trail location has moved to its historic alignment which resulted in the relocation of the townhouses and in the creation of 47th Street.

The applicant's proposed SP reflects an approach that implements Concept Plan B as specified in the revised Cafritz Property Design Standards and Guidelines (July 12, 2012). Maps 1 and 2 for Concept Plan B identify a number of residential blocks that are further detailed in Table 1 on pages 1 and 2. These blocks (7a, 7b, 7c, 8a, 8b, 8c, 9a, and 9b) are clearly identified for residential uses by the Town Center Development Plan as approved by the District Council with the approval of the Cafritz Zoning Map amendment (A-00018). Since the applicant proposes residential uses with no commercial uses on all of these blocks, they are making a good faith effort to implement the recommended land use of the development plan.

Additional information has been submitted that has influenced the location of elements in the design of the project, such as the circulation plan for the various modes of transportation through the site. Despite adjustments, the SP is found to be in conformance Concept Plan B.

With regard to the sub-clause of the required Planning Board finding that the site plans need to be in conformance with the guidelines and specific criteria for the particular (residential) use, the Planning Board finds the proposed residential component of the Cafritz Property development to be in substantial conformance with the approved Town Center Development Plan standards and guidelines.

- c. **All detailed site plans shall be referred to the Town of Riverdale Park for review by the M-U-TC Design Committee for all phases and types of development. The M-U-TC Committee is authorized to review detailed site plans as advisory to the Planning Board and the Planning Director as designee of the Planning Board for Planning Board level revisions.**

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The plans were sent to the Town of Riverdale Park for review by the M-U-TC Design Committee. The Planning Board considered the Committee's comments in their review of the plans and included some of their opinions in the final decision of the case.

- d. **In a detailed site plan or special exception application, in order to grant departures from the strict application of the Guidelines, the Planning Board shall make the following findings:**
- (1) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic condition, or other extraordinary situation or condition;**
  - (2) **The strict application of the development plan will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and**
  - (3) **The departure will not substantially impair the intent, purpose, or integrity of the General Plan, Master Plan, or the town center development plan.**

The applicant has not submitted any request for departure from the strict application of the Guidelines. However, this case was reviewed by the Planning Board in accordance with the Guidelines as amended by Secondary Amendment application SA-130001, approved on May 23, 2013 by the Planning Board (PGCPB Resolution No. 13-57) and the Planning Board has found the special permit to be in conformance.

4. **When off-site parking is necessary to meet parking requirements, the applicant shall provide satisfactory documentation such as affidavits, leases, or other agreements to show that off-site parking is available permanently.**

The submitted application does not propose any off-site parking, in regard to the overall site.

5. **The Historic Preservation Commission shall review the preliminary plan of subdivision and any subsequent plans of development for their impact on identified archeological features, the impact of a potential vehicular access road on the Engineering Research Corporation (ERCO) Historic Site (#68-022), and the impact of proposed buildings visible from the ERCO historic site and the adjacent National Register historic districts, including recommendations as to the proposed location and options with respect to the bridge over the CSX railroad.**

The submitted application was reviewed by the Historic Preservation Commission and their recommendations are discussed in Finding 13(a) below.

6. **Prior to approval of any detailed site plan, the following shall be provided:**

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- b. The plans shall indicate that crosswalks providing appropriate pedestrian safety features are provided throughout the site.**

The submitted plans include curb extensions, pedestrian refuges, and crosswalks at many locations. The SP should be revised to include ADA curb cuts and ramps at all locations where sidewalks intersect with roadways on-site. The high-visibility crosswalk and pedestrian signals at Van Buren Street and Baltimore Avenue (US 1), as well as appropriate traffic controls and design features (per SHA standards) to prohibit through traffic movement between existing Van Buren Street west of Baltimore Avenue (US 1) and proposed Van Buren Street, should be marked and labeled on the SP, and details should be provided.

- c. The type, location, and number of bicycle parking and storage spaces shall be provided consistent with the LEED-ND Bicycle Network and Storage Credit (Smart Location and Linkage Credit 4). The number of the enclosed bicycle parking spaces at the multi-family units shall be a minimum of fifteen percent of the total number of bicycle spaces provided for residents at the multi-family units. Pedestrian walkways shall be free and clear of space designated for bicycle parking.**

Prior to signature approval, the submission of a bicycle parking exhibit showing the location, number, and type of bicycle parking spaces on the subject site consistent with the LEED-ND Bicycle Network and Storage Credit is recommended in accordance with this condition. The design standards for public space in the approved Development Plan also include the following guidance regarding bicycle racks:

4. Businesses are encouraged to provide a minimum of one bicycle rack. Bicycle racks shall be located so that bikes do not extend from the landscaping/pedestrian amenity strip into the pedestrian right-of-way or into the street. Multiple bike racks may be provided for groups of businesses (Development Plan, page 18).
7. **Prior to approval of a detailed site plan, the plans shall minimize the amount and location of surface parking lots and parking structures and their impacts on the pedestrian zone and streetscape environment. The surface parking lots located between the buildings and Baltimore Avenue, shall be mitigated with a building along Van Buren Street, a monument, a clock tower and landscaping in order to create a true gateway into the community and to provide an inviting entrance to pedestrians and vehicles alike, including creation of a "pedestrian oasis" in the middle of the block to improve pedestrian safety and mobility consistent with the Riverdale Park Gateway Park concept dated January 7, 2012.**

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The SP includes Building 6B which is a multifamily building for 76 units. None of the parking for these units is located within the Parcel in which the building sits. The parking for these units is located within a structured parking compound located within Building 5. The surface parking compound referred to above is located between the buildings and Baltimore Avenue on Parcel C and is not the subject of the SP.

**10. The Environmental Planning Section recommends the following conditions:**

- a. All future applications shall include a valid approved Natural Resources Inventory under the current environmental regulations that addresses the required information as outlined in the current Environmental Technical Manual.**

The SP application contains a valid approved Natural Resources Inventory (NRI). No additional information is needed for conformance with this condition.

- d. Prior to approval of a special permit, special exception, detailed site plan, or grading permit, whichever is first, every effort shall be made to meet the ten percent tree canopy coverage requirement through the preservation of existing mature woodland, specimen trees and other large existing trees, and landscaping.**

The plans meet the ten percent tree canopy coverage requirements.

- g. At the time of site plan or permit review, whichever is required first, the lighting plan for the subject property shall demonstrate the use of full cut-off optics to ensure that light intrusion into residential and woodland conservation areas is minimized. Details of all lighting fixtures, along with details and specifications that the proposed fixtures are full cut-off optics, and a photometric plan showing proposed light levels at an intensity that minimizes light pollution shall be submitted for review.**

This condition has not been fully addressed. A photometric plan has been submitted; however the photometric measurements appear to be based on lighting without full cut-off optics according to the lighting detail, so conditions were adopted in order to demonstrate full cut-off optics.

**12. Prior to issuance of the third building permit, the Rhode Island Avenue hiker/biker trail portion of the right-of-way shall be completed and open to the public.**

This requirement will be enforced at the time of building permit; therefore, the condition has been carried forward as a condition of this approval to ensure enforcement.

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**b. Design features for sustainability that address environmental health, air and water quality, energy efficiency, and carbon neutrality.**

The applicant has submitted a LEED for Neighborhood Development Credit Scorecard, dated May 1, 2013 that provides a delineation of how this project specifically addresses the following:

- Smart Location Linkage (SLL)
- Neighborhood Pattern and Design
- Green Infrastructure and Buildings
- Innovation Design Process
- Regional Priority Credit

**c. Termination of Van Buren Street at a building or enhanced park feature.**

The plan demonstrates a park feature at the terminus of Van Buren Street which is identified on the SP as Parcel G.

**d. A soils study identifying the top soils and subsoils and their appropriateness to support the use of porous pavements.**

The applicant has submitted a soil study titled "ECS, Preliminary Report of Subsurface Exploration, Laboratory Testing, and Geotechnical Engineering Analyses" consisting of 198 pages. The Planning Board reviewed the SWM Concept Plan and found that the plan had been approved by DPW&T with areas shown as porous pavement areas, so a condition relating to the same information being required to be shown on the SP prior to signature approval was adopted.

The following considerations were included in the approval of Primary Amendment A-10018:

**Consideration 1      Extending the Rhode Island Avenue Trolley Trail across the Washington Metropolitan Area Transit Authority (WMATA) property, connecting to the terminus of the existing trail at Albion Street and south to Tuckerman Avenue.**

This has been shown on the SP, and an easement is provided for the trolley trail.

**Consideration 2      Establishing a parking district to promote shared parking within the Town of Riverdale Park town center and with the adjacent Armory with the cooperation of the United States.**

The Planning Board adopted a condition relating to this consideration, requiring that prior to the release of any building permits for Buildings 6B, the applicant should provide evidence of good faith efforts to work with the Town of Riverdale Park to establish and authorize a shared parking



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district pursuant to Article 21A of the County Code. The Planning Board recognizes that the initiation of a shared parking district is the responsibility of the City of Riverdale Park.

**Consideration 3      Provide residential uses above commercial uses in order to create a vertical mix of uses.**

The special permit does not demonstrate conformance to this condition, but DSP-13009 was approved with residential dwellings provided above retail uses in Building 5 as shown on the overall development plan.

**Consideration 4      Consistent with the spirit of the circulator bus, initiate or contribute to a Regional Economic Partnership along the Corridor with existing business groups in neighboring jurisdictions and proximate developments to the east and west to: enhance regional connections and overall economic vitality, support and help recruit small/local businesses, coordinate and co-promote programming of activities, exhibits, thematic events, etc., and help ensure mutual success.**

The Planning Board adopted a condition relating to this consideration, requiring that the applicant consider participating in a regional economic partnership along the corridor with existing business groups in neighboring jurisdictions and proximate developments to the east and west. This condition preserves the intent of a consideration as set forth in Zoning Amendment No. A-10018, which encourages participation in a regional economic partnership should one be established.

**Consideration 5      Pursue with Riverdale Park a "Quiet Zone" for the CSX line at appropriate times, so long as it can be demonstrated to be safe.**

The Planning Board considered the inclusion of a recommended condition requiring the applicant to provide evidence of good faith efforts to work with the Town of Riverdale Park to establish a "Quiet Zone" with respect to the CSX noise impacts on the town center, per Consideration 5 above. However, after hearing testimony from Town officials that this issue has to be requested of CSX by a municipality, the Board finds that no such condition should be required of the applicant.

**9.      The requirements of the Cafritz Property at Riverdale Park Town Center Zone Development Plan:**

The Cafritz Property Town Center Development Plan established development standards and land use recommendations for the site. The M-U-TC Zone permits dwelling units in a building containing commercial uses on the first floor as a by-right use, whereas all other residential uses must request that a special permit be granted. The intent is to encourage a mix of uses in town centers where a concentration of commercial and retail establishments will activate the street level and encourage pedestrian movement in the commercial corridors. The plan should be revised to identify which parcels are the subject of this Special Permit.

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The plans were reviewed by the M-U-TC Design Committee and they have provided an analysis of the conformance of the plans to the Development Plan. In their analysis, they identified certain plan elements for which conformance can only be ensured by additional design detailing on the plans. The Planning Board found that these design details should be provided prior to signature approval of the plans, or prior to the issuance of the applicable building permit as appropriate, to be determined by the Urban Design Section at the time of certification of the plans.

10. **Zoning Ordinance:** The SP application has been reviewed for compliance with the requirements of the M-U-TC Zone, the R-55 Zone and Airport Compatibility, Part 10B, of the Zoning Ordinance:
- a. Regulations and allowed uses in the M-U-TC Zone come from the approved Town Center Development Plan. The uses as proposed in the DSP are permitted uses; whereas, the uses proposed in this application are only permitted under Special Permit review and approval.
  - b. The portion of the subject property that is zoned R-55, approximately 2.02 acres, is only proposed to contain a stormwater management pond and part of the proposed trolley trail, neither of which present any issues regarding conformance to the regulations and allowed uses of the R-55 Zone.
  - c. A portion of the subject property, in the northeast corner, is located within Aviation Policy Area (APA) 6 under the traffic pattern for the small general aviation College Park Airport. The applicable regulations regarding APA-6 are discussed as follows:

**Section 27-548.42. Height requirements**

- (a) **Except as necessary and incidental to airport operations, no building, structure, or natural feature shall be constructed, altered, maintained, or allowed to grow so as to project or otherwise penetrate the airspace surfaces defined by Federal Aviation Regulation Part 77 or the Code of Maryland, COMAR 11.03.05, Obstruction of Air Navigation.**
- (b) **In APA-4 and APA-6, no building permit may be approved for a structure higher than fifty (50) feet unless the applicant demonstrates compliance with FAR Part 77.**

Townhouses, with a maximum height of approximately 43 feet, fall within the APA-6 area on-site. The SP was referred to the Maryland Aviation Administration and in a memorandum dated April 11, 2013, that agency stated that, in accordance with COMAR 11.03.05, the proposal is not considered an obstruction or hazard to air navigation at the College Park Airport.

11. **Preliminary Plan of Subdivision 4-13002:** Preliminary Plan of Subdivision 4-13002 was approved by the Planning Board at the public hearing dated May 16, 2013. The plans were

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reviewed for conformance to the preliminary plan and various conditions were removed from, added to or revised in the approval of the subject DSP to accomplish full compliance with that plan. Additionally, Condition 1(a)(1) requires that the SP be revised to conform to the approved PPS 4-13002 prior to certification.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—At their April 16, 2013 meeting, the Historic Preservation Commission (HPC) reviewed the subject application in regard to its relationship to Archeological Site 18PR259 located on the property; adjacent ERCO Historic Site (68-022); Riverdale Park (68-004), University Park (66-029), and Calvert Hills (66-037) National Register historic districts. After a detailed presentation of the application and discussion with the applicant, the HPC determined that elements of the SP may require revisions that might not be available in time for review by the Planning Board. As a result, their recommended condition language below provides for additional review of these revisions before the certification of the special permit if these revisions are not available at the time of the Planning Board hearing. The HPC voted 6-0-1 (the Chairman voted “present”) to forward the following findings, conclusions, and recommendations to the Planning Board for its review of the Special Permit.

The HPC provided a summary of the background of the subject property and the affected historic sites and districts.

#### **HPC Findings**

- (1) The subject DSP and SP applications provide for the development of residential, commercial, hotel, and office uses within the M-U-TC (Mixed-Use Town Center) Zone and based on a set of site-specific design guidelines. The proposed plans include up to 1,542,000 square feet of residential space (981 multi- and single-family dwelling units); up to 26,400 square feet of office space; up to 201,840 square feet of retail/flex space; and up to 145,080 square feet of hotel space within a network of streets that are extensions of the nearby grid established to the west in University Park and to the south in Riverdale Park.
- (2) The subject DSP and SP applications, and the associated preliminary plan of subdivision, provide for the retention-in-place of the nineteenth century ice house, the property’s most significant remaining historic and archeological feature. The subject application includes the ice house within a landscaped portion of the parking area associated with the proposed grocery store near the southwestern portion of the property. The application provides some conceptual details for the final form of the feature, but does not specifically address the design, materials and construction techniques to be used, or the number and content of interpretive

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measures to be installed. The applicant's Phase III mitigation plan should include these details and address preservation of the ice house in place, data recovery for the carriage barn site and the required interpretive measures.

- (3) The illustrative plans for the proposed development indicate a number of the large, multi-story buildings on the property that may have a visual impact on the adjacent National Register Historic Districts.
- (4) At the historic preservation commission meeting dated April 16, 2013, the HPC voiced concern about future access to the ice house for archeological investigation and the preservation of the materials inside the structure. The plans do not provide any details of how the structure will be ventilated. The HPC requested that the Planning Board work with the applicant to finalize some of the details of the ice house feature before the review of the SP by the Planning Board, if possible. These details include the establishment of a limit of disturbance (LOD) to safeguard the ice house during grading and construction, the establishment of an archeology easement, more detailed specifications for the design and construction of the ice house enclosure, and more precise character and location of interpretive signage.

#### **HPC Conclusions**

- (1) A detailed site plan for interpretive signage and other public outreach measures focused on the history and significance of the MacAlpine property, the Calvert Homes development, the ERCO factory, and the historic trolley right-of-way, should be developed as part of the SP process affecting the subject property. Because of the short time frame associated with the submittal of the subject application, the applicant has been unable to provide many of the details associated with the retention and interpretation of the ice house before review of the subject application by the Historic Preservation Commission (HPC). Therefore, the applicant should be required to submit specific details for the design elements to the Historic Preservation Commission for review before certification of the detailed site plan, so that these details and specifications can be included on the certified plans.
- (2) The ERCO Historic Site (68-022) and its 13.71-acre environmental setting will be impacted by the bridge that will cross from the subject property over the CSX tracks and onto the University of Maryland property to the east. However, because the historic site is the subject of a Memorandum of Agreement between the University of Maryland and the Maryland Historical Trust providing ultimately for demolition, the impact of the railroad crossing should be considered de minimis. Archeological site 18PR258 will be impacted by the bridge that will cross from the subject property over the CSX tracks and onto the University of Maryland property to the east.

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- (3) The applicant proposes the use of traditional and historicist design elements, materials, and details throughout much of the development. As such, to the extent that the taller buildings within the developing property may be visible from the adjacent National Register Historic Districts which are low-rise and residential in nature, the new development should have no negative visual impact on the historic districts.

The interpretive/commemorative features of the Trolley Trail are required to be developed in the design plans and installed prior to the issuance of the third building permit per Condition No. 2.

At their May 22, 2013 meeting, the Historic Preservation Commission (HPC) reviewed the subject application in regards to the revised alignment for the CSX railroad crossing (alignment "J"). Through a discussion, the HPC reaffirmed its conclusion that the ERCO Historic Site (#68-022) will be demolished through an agreement between the University of Maryland and the Maryland Historical Trust, regardless of the revised alignment of the railroad crossing. As a result, the HPC voted (7-0-1, the Chair voted "present") to reaffirm, without revision, its findings, conclusions, and recommendations on the subject application.

- b. **Community Planning**—The subject overall applications are consistent with the development pattern policies of the 2002 *Prince George's County Approved General Plan* for corridors in the Developed Tier. The proposed mix of uses will fulfill several goals for the Developed Tier by encouraging more intense, high-quality housing and economic development in corridors, maintaining or renovating existing public infrastructure, and promoting transit-supporting, mixed-use, pedestrian-oriented neighborhoods. The application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier. The vision for the Developed Tier is a network of sustainable transit supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The 2002 General Plan designated the Riverdale MARC station in the southern portion of the M-U-TC zone development plan area as a possible future community center. The vision for centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

The subject overall property is also located along the Baltimore Avenue Corridor as designated by the 2002 General Plan. The vision for Corridors is "mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development." (See policy 1, 2002 General Plan, p. 50). This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor.

The subject applications conform to the Approved Cafritz Property at Riverdale Park Town Center Development Plan, dated July 12, 2012, as amended by Secondary

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Amendment SA-130001 and the purposes of the M-U-TC (Mixed-Use Town Center) Zone.

The following comments are based on a selective analysis of the submitted SP to determine conformance with the approved the Cafritz Property at Riverdale Park Town Center Development Plan. If a particular standard or guideline of the Amendment Development Plan is not discussed below, it should be assumed that the submitted application conforms to that standard or guideline in full. All page references are taken from the certified copy of the revised Cafritz Property Design Standards and Guidelines (July 12, 2012).

## **SITE DESIGN**

### **Access and Circulation (Page 7)**

The application meets the standards and guidelines for access and circulation.

### **Services, Utilities, and Stormwater Management (Pages 7 and 8)**

The submitted site plans meet the standards and guidelines. Rain gardens and green roofs, bioretention, pervious pavement, and community stormwater ponds are all used throughout the overall site to improve the stormwater conditions, and micromanagement techniques are scattered throughout the site per Standard 7 on page 8.

### **Parking and Loading Design (Pages 9 and 10)**

The submitted SP generally meets the design standards and guidelines specified on pages 9-10.

### **Signage (Pages 10 and 11)**

The submitted detailed site plan drawings indicate the proposed development will comply with the standards and guidelines for signage.

### **Architecture (Pages 13 and 14)**

Most proposed buildings reflect the tripartite (base, middle, top) composition required by Standard 1 on page 13.

No trademark buildings are proposed on the subject property.

### **Building Openings (Pages 15 and 16)**

The submitted detailed site plan drawings appear to comply with the standards and guidelines for building openings. However, the applicant needs to revise the architectural elevations of the proposed buildings to incorporate notations regarding the percentage of each façade and story that is occupied by transparent windows to fully demonstrate compliance with the standards and guidelines.

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## **PUBLIC SPACE**

### **Sidewalks (Page 17)**

The submitted detailed site plan drawings reflect large and inviting pedestrian zones and sidewalks throughout the subject property. However, it does not appear the submitted plans comply with Standard 3 on page 17 to continue the pattern and material of sidewalks across driveways and alleys "to signal that pedestrians and bicyclists may be present in the crosswalk and shall have priority." The applicant should ensure the materials and design of the sidewalks is continued across the driveways and alleys that provide access to the interior of the proposed blocks within the subject property.

### **Landscaping and Pedestrian Amenity Zone (Pages 17 and 18)**

While several bicycle racks are indicated throughout the property, additional racks should be located near the entrances to both the commercial establishments and the multifamily residential buildings to encourage additional bicycle use.

### **Seating (Page 20)**

There appear to be numerous opportunities for seating and gathering places within the proposed development. The Planning Board has no concerns or additional comments regarding conformance with this section of the approved development plan.

### **Other Comments**

The applicant includes information on the proposed mix of uses on the SP cover sheet in General Note 16. However, the applicant needs to provide more specific numbers (rather than a range) of the development program prior to the approval of the detailed site plan. Furthermore, the future hotel cannot be included on this detailed site plan submittal as anything other than a general indication of a future hotel on a lot or parcel since a hotel use in the M-U-TC Zone Development Plan requires the approval of a special exception before it can be approved on a detailed site plan.

- c. **Transportation Planning**—In a memorandum dated May 21, 2013, the Transportation Planning Section offered the following comments. Additional conditions are included in this report relating to transportation issues.

The Transportation Planning Section has prepared this revised memorandum to reflect the changes and modifications approved by the Prince George's County Planning Board during its public hearing on Thursday, May 16, 2013, for Preliminary Plan of Subdivision No. 4-13002. The Planning Board approval of the Preliminary Plan includes a new CSX railroad crossing identified as the University of Maryland J-Crossing (Version J.3.300). This memorandum supersedes the Transportation Planning Section memorandum dated April 17, 2013.

The overall subject property consists of approximately 37.73 acres of land, of which about 35.83 acres are in the M-U-TC (Mixed-Use Town Center) zone and the remaining 1.90

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acres are in the R-55 zone. The M-U-TC zone for the subject property was approved by the District Council through approval of the Zoning Map Amendment application ZMA A-10018 on July 12, 2012. The Preliminary Plan for the subject property was approved by the Planning Board on May 16, 2013.

The subject property is covered by the *2009 Approved Countywide Master Plan of Transportation* (MPOT), and the *Approved Cafritz Property at Riverdale Park* (Zoning Ordinance no.11-2012), which amended the *2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*.

The submitted plans for the overall mixed use development propose the site to be developed with 430 residential units (304 multifamily and 126 townhouses), 164,677 Gross Square Feet (GSF) of commercial retail space, and 22,000 GSF of office space. The remaining 551 residential units, which must include 219 senior housing units, will be part of subsequent DSP and/or SP applications. In order to meet the approved Preliminary Plan trip caps, conversion of all or any portion of the 219 senior housing units would result in a significant reduction in the remaining number of multifamily residential units that can be included in any future DSP/SP applications. The proposed trips from the future 120-room hotel were included in the approved Preliminary Plan trip caps, but the hotel use is not part of this DSP and SP application, as provision of a hotel use on this site requires the approval of a Special Exception.

The M-UTC Parking standard No. 1 (page 8 of the Cafritz Development Plan) states: "The maximum number of off-street surface parking spaces permitted for commercial (nonresidential) land use types shall be equal to 80% of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance". The most recent submitted development and parking data provided by the applicant, dated May 21, 2013, proposed 258 off-street surface parking spaces. The applicant states that the total number of off-street surface parking for the entire proposed development shown in the submitted plans is limited to 282 spaces, which is 306 spaces less than the allowed maximum surface parking spaces (using the 80% of the minimum number of required off-street parking spaces and for the propose uses in accordance with Section 27-568(a) of the Zoning Ordinance).

The M-UTC Parking standard No.3 (Page 8 of the Cafritz Development Plan) states: "off-site shared parking can be used to the greatest extent possible to meet parking requirements." The submitted plans do not propose any off-site shared parking for the proposed development, as the 37 acres is all one uniform plan of development for the property.

The M-UTC Parking Standard No. 4 (Page 8 of the Cafritz Development Plan) states: "Where shared parking is utilized, the applicant shall provide details of the development's proposed uses and required parking....The applicant shall also provide information on the times when the uses operate so as to demonstrate the lack of potential conflict between



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multiple uses.” The submitted plans lack the necessary information for the several shared parking lots and/or structures proposed throughout the site.

#### **SP Review Comments**

**A Special Permit is required for proposed residential townhouses and multifamily residential units, pursuant to Section 27-239.02, in order to demonstrate compliance with the approved *Cafritz Property at Riverdale Park and Mixed-Use Town Center Zone Development Plan* (Cafritz Development Plan) Standards, Guidelines, and Criteria for residential uses. Therefore, this review was limited to the evaluation of the applicable transportation related standards, the guidelines of the Cafritz Development Plan, and the proposed Secondary Amendments. While most of the relevant transportation related standards, guidelines and criteria have been satisfactorily addressed, staff offers the following comments on three parking and loading standards:**

**The M-UTC Parking standard No. 1 (page 8 of the Cafritz Development Plan) states: “The maximum number of off-street surface parking spaces permitted for commercial (nonresidential) land use types shall be equal to 80% of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance”. The most recent submitted development and parking data provided by the applicant, dated May 21, 2013, proposed 258 off-street surface parking spaces. The applicant states that the total number of off-street surface parking for the entire proposed development shown in the submitted plans is limited to 282 spaces, which is 306 spaces less than the allowed maximum surface parking spaces (using the 80% of the minimum number of required off-street parking spaces and for the propose uses in accordance with Section 27-568(a) of the Zoning Ordinance).**

**The M-UTC Parking standard No.3 (Page 8 of the Cafritz Development Plan) states: “off –site shared parking can be used to the greatest extent possible to meet parking requirements.” The submitted plans do not propose any off-site shared parking for the proposed development.**

**The M-UTC Parking Standard No. 4 (Page 8 of the Cafritz Development Plan) states: “Where shared parking is utilized, the applicant shall provide details of the development’s proposed uses and required parking. ... The applicant shall also provide information on the times when the uses operate so as to demonstrate the lack of potential conflict between multiple uses.” The submitted plans lack the necessary information for the several shared parking lots and/or structures proposed throughout the site.**

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- d. **Subdivision Review**—The Planning Board reviewed the resolution of approval for the applicable Preliminary Plan of Subdivision 4-13002 (PGCPB No. 13-55) in relation to the subject SP application and incorporated or revised conditions as appropriate to find conformance with it.
- e. **Trails**—The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) includes several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Developed and Developing Tiers. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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

**POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

**POLICY 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.**

The MPOT includes the following project description for the Rhode Island Avenue Trolley Trail project:

#### **Rhode Island Avenue Trolley Trail**

**Provide a shared-use trail along this former trolley right-of-way. Several segments of this trail have been implemented by the City of College Park. Planning work is also being done in Riverdale Park and Hyattsville. Where an existing roadway is within the former trolley right-of-way, bikeway and sidewalk improvements may be appropriate. Designated bike lanes shall be provided from Greenbelt Road north to Quimby Avenue (MPOT, page 31).**

The submitted plans have relocated the trolley trail back to its historic right-of-way. Previous plans had reflected it along a proposed road approximately one block away. The Transportation Planning Section strongly supports this modification and believes that it will help to ensure that the Trolley Trail is the premiere regional facility and amenity intended in the master plan. This trail will connect to the historic Riverdale Park core, as well as Hyattsville to the south and College Park to the north.

The applicant has submitted a March 8, 2013 memorandum that adequately documents that the right-of-way for the Trolley Trail has been abandoned and acquired by the applicant.

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### **Internal Sidewalk Connections**

The internal road network includes (1) seven-foot-sidewalks on commercial roads (2) five-foot-sidewalks on residential roads (3) eight-foot-sidewalks on the Van Buren Entry configuration and (4) seven-foot-sidewalks on the Woodberry Entry configuration. This appears to be adequate to accommodate pedestrian movement through the site and to both Baltimore Avenue (US 1) and the Rhode Island Avenue Trolley Trail. Condition 3(e) of Primary Amendment A-10018 requires that an east-west trail/bicycle connection be provided through the site between Baltimore Avenue (US 1) and the trolley trail. This connection is currently shown along Woodberry Street with the provision of standard or wide sidewalks and designated bike lanes along both sides. This location was originally preferable due to the previously proposed location of the bridge over CSX. However, as the bridge has been relocated further to the south and the bikeshare station is proposed along Van Buren Street, and the majority of the commercial destinations are along Van Buren Street, the relocation of the designated bike lanes from Woodberry to Van Buren Street is recommended.

The transportation demand management plan has been amended to include a discussion of bicycle parking and a potential bikeshare station. The submitted plans have also been modified to include a location for the future station. The Planning Board supports this location, however, more detail needs to be provided regarding the location, number, and type of bicycle parking provided, particularly with regards to how it meets current LEED-ND standards. Bike rack locations should be determined at the time of the Detailed Site Plan, and should be consistent with Condition 6(c) and the approved Design Standards for Public Space in the Development Plan.

The Transportation Planning Section has reviewed the detailed site plan in light of the Planning Board's approval of PPS 4-13002 and the relocated "J" bridge crossing and provided the following comments in a memo dated May 21, 2013. The background text and analysis provided in the April 19th memorandum (from Shaffer to Lareuse) remains unchanged, but the conditions of approval have been revised below to reflect the following changes made by the Planning Board as part of the preliminary plan approval:

- The relocation of the CSX bridge crossing.
- The approval of the bike lanes along Van Buren, rather than Woodbury Street.
- The retention of the at-grade crossing of the Trolley Trail at the northernmost alley.

The relocated bridge crossing provides for a more direct bicycle and pedestrian connection from US 1 to the CSX bridge. This revised bridge location and alignment enhances bicycle and pedestrian access through the site by providing a more direct east-west connection (rather than a more circuitous route) through the site and more from US 1 to the CSX crossing over prior alignments proposed. Other than the relocated bike lanes

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required by the Preliminary Plan approval, the rest of the network for pedestrians and bicyclists remains largely unchanged.

### **Conclusion and Recommendations**

In conformance with the 2009 Approved Countywide Master Plan of Transportation, 2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan (MUTCD), approved A-10018, and approved 4-13002, the applicant and the applicant's heirs, successors and/or assigns shall provide the following prior to signature approval:

- a. Revise the plans to include a raised crosswalk where the Trolley Trail crosses Van Buren Street and Woodberry, unless modified by DPW&T or Riverdale Park.
- b. Revise the plans to include ADA curb cuts and ramps at all locations where sidewalks or trails intersect with roadways.
- c. Revise the plans to show the exact number, type, and location of the bicycle parking should be reflected on the SP, consistent with LEED-ND standards.

The issues above have been incorporated in the conditions of this approval and the preliminary plan approval and must be completed prior to signature approval of the plans.

- f. **Department of Parks and Recreation (DPR)**—In a memorandum dated April 24, 2013, DPR provided a description of the background of the case and the following summarized comments:

The applicant submitted a Preliminary Plan of Subdivision which proposes subdivision of the property in order to provide for mixed-use development that will include office, retail/flex, hotel and residential. The conditions of approval for the preliminary plan state that the applicant shall dedicate 1.12 acres of land (to M-NCPPC) along with a 30-foot-wide Public Use Easement to allow for a continuous section of the Rhode Island Avenue Trolley Trail to be constructed and implemented. The conditions also require that the applicant construct and maintain Private Recreation Facilities to satisfy the remaining portion of the requirements for Mandatory Parkland Dedication for the Preliminary Plan. The applicant has shown Private Recreation Facilities which are being reviewed by the Urban Design Section of the Planning Department.

### **DPR Recommendations**

The Park Planning and Development Division of the Department of Parks and Recreation recommends to the Planning Board that approval of this DSP application be subject to the following conditions:

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- (1) The applicants, their successors, and/or assigns, shall design and construct the Master Planned Trolley Trail within the dedicated areas and the Public Use Easement.
  - (a) Along with the submission of the first record plat, the applicant shall submit detailed construction drawings for the Master Planned Trolley Trail and review and approval by DPR.
  - (b) The approval of the Trail Construction Plans shall be obtained prior to the signature of the first record plat.
  - (c) Prior to the signature of the first record plat for the subdivision, the applicant shall submit three original, executed Public Recreational Facilities Agreements (RFA). Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland and noted for reference on the record plats.
  - (d) Prior to the start of any trail construction, the applicant shall have the location of the trail staked in the field and approved by DPR.
  - (e) Prior to the release of any building permits, the applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee for the Master Planned Trail Construction, in an amount to be agreed upon with DPR.
  - (f) As per Re-Zoning Amendment, A-10018, the ten-foot-wide master planned trail shall be completed and ready for use prior to the issuance of the Third building permit.

DPR's recommended conditions were adopted by the Planning Board's approval of the PPS (as modified Conditions 12 and 14) or they have been incorporated in this approval, as appropriate.

- g. **Permit Review**—No Permit Review Section comments were provided on the subject application.
- h. **Environmental Planning**—The site is subject to the environmental regulations in Subtitles 24 and 25 that became effective on September 1, 2010 and February 1, 2012.

#### **Site Description**

This 37.73-acre overall site is split zoned, with 35.83 acres in the M-U-TC zone and 1.90 acres in the R-55 zone. The property is located on the east side of Baltimore Avenue (US 1) where it intersects with Van Buren Street. The site is 88 percent wooded. A review of the available information indicates that streams and steep slopes 15 percent or greater

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are not found to occur within the limits of this application; however, a small isolated wetland and a small area of 100-year floodplain exist on-site. The CSX right-of-way is adjacent to the eastern boundary of the site and has been identified as a transportation-related noise generator with potential vibration impacts. The soils found to occur according to the United States Department of Agriculture (USDA) National Resource Conservation Service (NRCS) Web Soil Survey (WSS), are in the Croom, Leonardtown, Sunnyside, and Urban Land series. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads located adjacent to this property. This property is located in the Northeast Branch watershed of the Anacostia River basin. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains Evaluation Areas and Network Gaps. The property is further located in the Developed Tier as reflected in the 2002 *Prince George's County Approved General Plan*.

An approved Natural Resource Inventory, NRI/121/06-01, was submitted with the application. This plan was updated to reflect the current code requirements and was approved as the '-01' revision to the plan on March 19, 2012. Subsequent to the last approval, land was added to the overall preliminary plan application increasing the land area. The total area of land within the current application is 37.73 acres and the total amount of woodland has increased from 32.73 acres to 33.12 acres. A revised NRI is not required at this time.

A small isolated wetland and a small area of 100-year floodplain exist on-site.

From the information approved with the NRI, the forest stand delineation (FSD) indicates the presence of six forest stands totaling 32.73 acres and 35 specimen trees. Stand 1 is a late successional oak forest dominated by willow oak and Southern red oak, is located along the eastern portion of the site, is designated as high priority for retention, and totals 4.91 acres. Stand 2 is a mid-successional mixed hardwood forest dominated by Black Cherry and Sweetgum, is located centrally on the site, is designated as low priority for retention, and totals 9.61 acres. Stand 3 is a mid to late-successional mixed hardwood forest dominated by white oak, sweetgum, and hickory, is predominately located along the northeastern portion of the site, is designated as moderate priority for retention, and totals 5.51 acres. Stand 4 is a mid-successional Virginia pine forest located on the central portion of the site, is designated as low priority for retention, and totals 1.54 acres. Stand 5 is an early to mid-successional mixed hardwood forest dominated by black locust, is located on the southeastern portion of the site, is designated as low priority for retention, and totals 7.77 acres. Stand 6 is an early to mid-successional Kentucky Coffee tree dominated forest located on the eastern portion of the site, is designated as moderate priority for retention, and totals 3.39 acres.

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This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include a small isolated wetland and a small area of 100-year floodplain, which was approved as part of the Preliminary Plan of Subdivision.

Planning Board reviewed the revised Special Permit and Landscape Plan stamped as received by the Environmental Planning Section on May 3, 2013. The revised plans reflect a relocated CSX crossing from the previous plan stamped as received on April 19, 2013, for which a memorandum was provided on April 23, 2013.

#### **CSX Crossing**

The original plans, received March 28, 2013, proposed a crossing over the CSX at the north portion of the site, through an area of existing specimen trees that would be impacted as a result of the crossing. The previous plan, received April 19, revised the location of the crossing to be at the south section of the site, through a section of townhouse lots. Staff supported the revised location because it resulted in the preservation of more specimen trees and woodland conservation along the northeast boundary of the site. The May 3, 2013 plan shows the crossing relocated through the central portion of the site. This location will have no impact on the specimen trees and woodland conservation areas previously proposed for preservation.

#### **Noise**

The previous layout in the April 19, 2013 plan showed several lots and two buildings within a location that would be impacted by noise levels 65dBA Ldn or higher. Based on that layout, a noise wall was proposed as recommended by the noise study submitted with the application. The layout has been revised and now shows fewer lots within the 65 dBA Ldn noise contour. For most of the lots within the upper and lower level, it appears outdoor and interior noise impacts will be mitigated by the three proposed buildings adjacent to the CSX. For the proposed buildings and lots 43-46, special building materials will be required to mitigate interior noise levels to below 45dBA Ldn.

#### **Stormwater Management**

The site has an approved Stormwater Management Concept letter and plan (11589-2010-01). The letter requires the following stormwater management controls: bioretention, extended detention and filtration. The plan shows a series of bioretention areas within the green buffer area along US Route 1. A pond is proposed in the northeast corner of the site. The concept is correctly reflected on the revised TCP2 and DSP.

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**Woodland Conservation**

With regard to woodland conservation, impacts to regulated environmental features, removal of specimen trees, the plan is consistent with the previously submitted plan and in general conformance with the approved preliminary plan of subdivision. There are no changes in the specimen trees to be preserved.

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review. The impacts approved are for the installation of streets and residences over an isolated wetland and wetland buffer and impacts to the floodplain for residential development and roadway circulation.

- i. **Zoning**—In regards to zoning, the subject application is generally consistent with the Amended Cafritz Development Plan (DP) for Riverdale Park.
- j. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject application.
- k. **The Department of Public Works and Transportation (DPW&T)**—In a memorandum dated May 15, 2013, DPW&T offered the following summarized comments:
  - “(1) Baltimore Avenue (US 1) is a State-maintained roadway; therefore, coordination with SHA is required. DPW&T would prefer that any proposed sidewalk along US 1 be located within the US 1 right-of-way. Sidewalk along US 1, whether on-site or within the right-of-way, will not be maintained by the County.
  - “(2) The site lies within the Town of Riverdale Park. The Town of Riverdale Park has requested DPW&T conduct the review and permitting of the internal streets. An agreement has been reached stating that DPW&T will do so. After construction, the maintenance of the streets will be determined by the Town of Riverdale Park. Streets will not be maintained by the County.
  - “(3) The internal streets carrying bus traffic are to have the adequate width and curb return radii to ensure that bus traffic can navigate the site safely. Travel lanes are to be a minimum of 11 feet in width and all curb lanes are to be a minimum of 12 feet in width.
  - “(4) The constructed CSX crossing bridge is to be structurally maintained by the County. The maintenance of the normal wear and tear of the pavement driving surface and snow and ice control are to be undertaken by the Town of Riverdale Park in conjunction with the maintenance of the associated roadway connections to the bridge. The bridge will need to be



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reviewed and approved by the Maryland Department of Transportation (MDOT) and the Maryland Transit Authority (MTA).

- “(5) The applicant shall obtain all the necessary environmental permits that will be impacted by this proposed CSX crossing and associated roadway connection, but not limited to wetlands and Waters of the US.
- “(6) The site has an approved Stormwater Management Concept Plan Number 11589-2010-01, dated May 7, 2013.
- “(7) Additional profile information is needed demonstrating that the proposed bridge approach lengths and grades will accommodate the required 30 mph design speed. The bridge approach lengths may require adjustment.
- “(8) The Rivertech Court extended approach to Lafayette Street should be shifted seventy five feet south to comply with University of Maryland requirements.
- “(9) The applicant shall solely obtain all the necessary permits, including the CSX permit, to construct the proposed CSX crossing and the associated roadway connections. The proposed roadways which will connect the CSX crossing to Rivertech Court are to be owned and maintained by the Town of Riverdale Park.
- “(10) The construction cost estimates of the proposed CSX crossing and the associated roadway connections shall be reviewed by DPW&T.
- “(11) Some of the standards regarding the bridge design will include the following: bridge is to be 36 feet road pavement and six-foot sidewalks and two-foot barriers.
- “(12) A soil investigation report, which includes subsurface exploration and geotechnical engineering evaluation for the proposed buildings, may be required.”

All of the above comments should be noted by the applicant. In regard to the comments about roadway dimensions, ownership and maintenance, these issues were determined at the time of preliminary plan of subdivision (PPS), which reviews for adequate circulation, and the SP should be revised to match.

1. **Prince George's County Police Department**—In a memorandum dated May 21, 2013, Corporal Kurt Schnitzenbaumer of the Police Department offered the following comments:

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"After visiting the site and reviewing the revised plans there are a few CPTED related concerns regarding the site plan submitted. In regards to the retaining walls and barrier walls I recommend using a pre-cast concrete that is made to look like a limestone wall or other type of stone. The main aspect of designing these is to not provide the blank canvass opportunity for graffiti. Another example would be using a textured concrete wall so as not to provide the "blank canvas."

"I am requesting the architectural plans for the ramp crossing over the railroad tracks in order to review any security concerns. Some of the points I would like to review is whether or not the area under the bridge is going to be enclosed or open. If it is going to be enclosed what type of fencing or wall is going to be used. Also, what type of lighting is going to be used under the bridge? All of these can have security risks. Such as providing a "blank canvas" for graffiti and places for persons to hide and conduct criminal activity. Understanding the access control will assist law enforcement in how we would respond to calls for service.

"I am also requesting any plans that MNCPPC might have describing the design of the trolley line to the north and south of the CAFRITZ property. It is my understanding that MNCPPC will be maintaining this land. I am curious as to what type of lighting will be used and landscaping will be done along this trail."

The Planning Board reviewed the Police Department's comments and incorporated conditions into this approval requiring the applicant to provide design plans for the trolley trail and CSX bridge crossing to the appropriate policing agency for review.

- m. **Prince George's County Health Department**—In a memorandum dated April 12, 2013, the Environmental Engineering Program of the Prince George's County Health Department provided the following comments on the subject application:

"(1) The site is adjacent to the CSX Washington Subdivision rail line, a major north-south train corridor for CSX intermodal freight and MARC Camden Line commuter passenger trains utilizing diesel locomotives. Published scientific reports have found links between diesel air pollution exposure and increased rates of asthma, stroke, heart attack and cancer. Study and modeling of the particulate air pollution from diesel locomotive sources should be completed to determine the associated potential health impacts on the susceptible residential population, and any recommended modifications, adaptations or mitigation should be implemented."

The Planning Board is not authorized to impose conditions in DSP applications that are intended to deal with exposure to air pollution.

"(2) Numerous residential units are proposed within the 65 dBA noise zone adjacent to the CSX Washington Subdivision rail line. Noise can be

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detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psycho-physiologic effects, psychiatric symptoms, and fetal development. Sleep disturbances have been associated with a variety of health problems, such as functional impairment, medical disability, and increased use of medical services even among those with no previous health problems. Accordingly, the Department supports the Environmental Planning Section's recommendations relative to noise modifications/adaptations/mitigation intended to reduce adverse health impacts on the susceptible residential population."

The Environmental Planning Section reviewed and commented on the noise impacts on the subject property as discussed in Finding 13(h) above.

- "(3) Western portions of the property are located in the recharge area for the Patuxent aquifer, a groundwater supply that serves the city of Bowie. Conversion of woodlands/green space in this recharge area to impervious surface could have long term impacts on the sustainability of this important groundwater resource."

The subject property, as part of the rezoning under A-10018, was included in the Riverdale Park Town Center and planned for the mixed-use development proposed with the subject applications. The subject DSP does show the retention of some existing trees and open green space in the western portion of the site, adjacent to Baltimore Avenue (US 1).

- "(4) There are five carry-out/convenience store food facilities, but zero markets/grocery stores within a half mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores, compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. The applicant's proposal to include a Whole Foods Market in the project will provide alternative nutritional food choices for area residents/office workers and could therefore be expected to foster positive health outcomes."

This comment has been noted.

- "(5) There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity, and promote the role of public health in improving quality of life. The applicant/developer should consider setting aside space for a community garden."

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The applicant should take note of this suggestion and is encouraged to preserve the possibility of the future homeowners developing a shared community garden.

- “(6) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

This requirement will be enforced at the time of permit; however, a note should be provided on the DSP indicating conformance with these requirements.

- “(7) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.”

This requirement will be enforced at the time of permit; however, a note should be provided on the SP indicating conformance with these requirements.

- n. **Prince George’s County Department of Environmental Resources (DER)**—In a memorandum dated April 18, 2013, DER stated that it appears that the request for a referral should be forwarded to DPW&T which is now responsible for stormwater management review and they had no further comment.
- o. **Maryland State Highway Administration (SHA)**—In a memorandum dated April 12, 2013, SHA offered comments relating to the improvements along Baltimore Avenue (US 1). This road is not bordering either of the properties that are the subject of the SP and therefore the comments are not included in this special permit review.
- p. **Washington Metropolitan Area Transit Authority (WMATA)**—WMATA did not offer comments on the subject application.
- q. **Maryland Aviation Administration (MAA)**—In a letter dated April 11, 2013, the Maryland Aviation Administration offered the following summarized comments:

The Maryland Aviation Administration has received the referral request for the Cafritz Property, near College Park Airport, a Maryland licensed public-use facility located in College Park, Maryland. Based on the information received, MAA determines the proposed permanent structures will reside beneath both the Horizontal and Conical Surfaces at College Park Airport with no penetrations of those surfaces. In accordance with COMAR 11.03.05, Obstructions to Air Navigation, the proposal is not considered an obstruction or hazard to air navigation. Not included in this determination are any

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temporary cranes that may be utilized during the construction phase of this project and will require separate analysis and determination.

In a subsequent letter, dated May 6, 2013, the MAA indicated that in review of the revised SP with the CSX bridge location known as Option J.

- r. **Washington Suburban Sanitary Commission (WSSC)**— In a memorandum received April 2, 2013, WSSC offered comments regarding needed coordination with other buried utilities, suggested modifications to the plans to better reflect WSSC facilities, including mains and outside meter vaults, needed rights-of-way, avoidance of the existing 30-inch water main that runs through the property, and procedures for the applicant to follow to establish water and sewer service.
- s. **Verizon**—Verizon did not offer comments on the subject application.
- t. **Potomac Electric Power Company (PEPCO)**— In an e-mail dated April 15, 2013, from Tiffani Langdon, PEPCO offered the following comments:

PEPCO prefers for the public utility easements (PUEs) to be ten feet wide in order to accommodate all utilities and provide the appropriate separation between each. PEPCO did not find that the PUEs are adequate to facilitate feeder extension throughout the entire property. Additional PEPCO easements will have to be granted to allow for our feeder extension. PUEs established under sidewalks or paved surfaces do not allow PEPCO to direct bury its facilities. The financial responsibility of the cost difference to modify our design and installation specifications (material and labor) will be borne by the customer/owner/developer.

These comments were addressed by the applicant through the Preliminary Plan of Subdivision, when PUEs are established, or at the time of permitting when the details of utility locations are finalized.
- u. **University of Maryland**—Based upon an e-mail dated April 26, 2013, from Ed Maginnis, University Counsel, the University supports the Option J.3.300 alignment for the crossing of the CSX railroad tracks and subsequently the preliminary plan noted that in letter dated May 7, 2013, from the University of Maryland, and they agreed with the proposed location for the bridge landing.
- v. **City of Hyattsville**—The City of Hyattsville did not offer comments on the subject application.
- w. **City of College Park**—The City of College Park provided the following comments in letter dated May 22, 2013 from Terry Schum, AICP, Director of Planning, Community and Economic Development to Chairman Hewlett, regarding the companion DSP plan but did not provide comments specific to the Special permit.

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- x. **Town of Edmonston**—The Town of Edmonston did not offer comments on the subject application.
- y. **Town of Riverdale Park**— On May 19, 2013, the Riverdale Park Town Council voted to recommend approval with conditions of Detailed Site Plan DSP -13009 for the Cafritz Property subject to acceptance by the Planning Board of the requests for conditions and changes to conditions set forth below:

**“Town requests to STRIKE staff recommendation 1.a.(1), which as written reads:**

“1.a.(1) The section of Woodberry Street from the Baltimore Avenue (US 1) right-of-way to the parking compound entrance on the north side of the street, shall be narrowed from 32 feet of paving for drive lanes to 16 feet in width to accommodate one-way traffic. The intersection of Woodberry Street with Baltimore Avenue (US 1) shall be reconfigured to reduce the length of the pedestrian crossing and expand the greenway entrance feature.

**“Town requests to REPLACE 1.a.(1) with the following language:**

“The Woodberry Street entrance from Baltimore Avenue (US 1) shall remain as proposed by the applicant with a Right turn in from, and a Right turn out onto, Baltimore Avenue.”

The Planning Board considered and properly addressed this issue in the review and approval of Secondary Amendment Application No. SA-130001, Secondary Amendments D.4 and D.5., and Condition No. 12. Condition 1.a.(1) as adopted by the Planning Board requires the Detailed Site Plan to be revised to comply with the approved Secondary Amendment Application No. SA-130001.

**“Town requests to STRIKE staff recommendations 1.a.(2), 1.a.(3), and 1.a.(5), which as written reads:**

“1.a.(2) The section of Woodberry Street from the first parking compound entrance on the north side of Woodberry to the intersection with 46th Street shall be narrowed from 32 feet of paving for drive lanes to 26 feet in width to accommodate two-way traffic including truck traffic.

“1.a.(3) The section of Woodberry Street from the east side of 46th Street to the terminus of Woodberry shall be narrowed from 32 feet of paving for drive lanes to 22 feet in width for drive lanes.

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“1.a.(5) Space resulting from the narrowing of Woodberry Street in accordance with the above Conditions (1), (2) and (3), shall be green area added to the front yards of the townhouse units and added space for street tree plantings located approximately 30 feet on center within a continuous planting bed. Expansion of building footprints into these areas is not permitted.

**“Town requests to REPLACE 1.a.(2), 1.a.(3), and 1.a.(5) with the following language:**

“The width of Woodberry Street shall be reduced to 11-foot lanes or a 22-foot travel way, with 7-foot parking on each side, from Baltimore Avenue to the terminus, and the space resulting from the narrowing of Woodberry Street shall be distributed between front yards, tree-planting strips, and other streetscape elements in a way to be determined by the applicant.”

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Secondary Amendments D4 and D5, and Condition 12. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendations 1.a.(6) and 1.a.(9), which as written reads:**

“1.a.(6) The parallel parking spaces shown on the plans along the east side of 47th Street shall be eliminated in front of multifamily Buildings 7, 8, and 8A, and a seven-foot-wide continuous planting bed shall be provided with street trees planted approximately 30 feet on center.

“1.a.(9) Eliminate the parallel parking spaces shown on the plans along the east side of 47th Street in front of multifamily Buildings 7, 8, and 8A, and provide a seven-foot-wide continuous planting bed with street trees planted approximately 30 feet on center.

**“Town requests to REPLACE 1.a.(6) and 1.a.(9) with the following language:**

“The parallel parking spaces shown on the plans along the west side of 47th Street shall be eliminated in front of the townhouses. This additional 7 feet of land shall be incorporated into street tree planting strip(s), front yards, or other streetscaping, as to be determined by the applicant. Parallel

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parking spaces shown on the plans along the east side of 47th Street shall remain.”

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 3. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(7), which as written reads:**

**“1.a.(7) Provide two five-foot-wide bike lanes along Van Buren Street.**

**“Town requests to REPLACE staff recommendation 1.a.(7) with the following language:**

**“Provide two four-foot-wide bike lanes along Van Buren Street as agreed to in the PPS. These dedicated bike lanes would be taken out of the applicant’s proposed 15’-0” wide travel lanes on each side of the street so that no additional width will be added to the street. At the entry to Van Buren from Baltimore Avenue, flexibility is to be given to the applicant regarding the exact location of the two bike lanes.”**

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 1. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(8), which as written reads:**

**“1.a.(8) Provide additional landscaping along the streetscape on the east side of Building 2A in the form of either foundation plantings or street trees in a continuous planting bed.**

**“Town requests to REPLACE staff recommendation 1.a.(8) with the following language:**

**“Provide street trees and landscaping substantially similar to those shown on Drawing L1-01 of the Landscape Drawings, dated 3-26-13, as submitted with the applicant’s original submission accepted on 4-1-13.”**

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 2.



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Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1a.(10), which as written reads:**

“1a.(10) Increase the height of Building 1 to a minimum of 20 feet. The west elevation shall be enhanced with windows, door(s), and the standing seam metal roof on the south elevation shall wrap the west elevation. The roof of the towering element on the south elevation shall be upgraded to a slate or a standing seam roof.

**“Town requests to REPLACE staff recommendation 1.a.(10) with the following language:**

“Increase the height of Building 1 to a minimum of 20 feet, and enhance the western elevation with more fenestration, openings, a trellis, and/or architectural elements so that it has a more aesthetically pleasing visual presence when viewed from Baltimore Avenue.”

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 4. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(11), which as written reads:**

“1.a.(11) Provide a three- to four-foot-high wall along the parking lot edge along the Baltimore Avenue (US 1) frontage on Lots 1, 2, and 3 where the parking lot is adjacent to the greenway entrance feature. Location, details and specifications shall be provided for review and approval by the Urban Design Section.

**“Town requests to REPLACE staff recommendation 1.a.(11) with the following language:**

“Provide a three- to four-foot-high hedge along the parking lot edge along the Baltimore Avenue (US 1) frontage on Lots 1, 2, and 3 where the parking lot is adjacent to the greenway entrance feature. Location, details and specifications shall be provided for review and approval by the Urban Design Section.”

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The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 5. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(12), which as written reads:**

“1.a.(12) Delete or relocate Lots 1-7 along Woodberry Street and create a common play area within this space with appropriate buffering and screening from Lot 1.”

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, as reflected in Secondary Amendment I. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(13), which as written reads:**

“1.a.(13) Add 12–14 shade trees within the confines of the surface parking lot located on Lot 3 or provide the maximum number of trees for which there is space, without loss of parking spaces and without conflict with light poles or bio-retention areas.

**“Town requests to REPLACE staff recommendation 1.a.(13) with the following language:**

“Landscaping shall be implemented for Lot 3 as shown on the Revised Landscape Plan.”

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 7. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(15), which as written reads:**

“1.a.(15) Delete the green screen along the 46th Street parking garage and upgrade the structure to address the exterior finish of the building in such a way that it is in keeping with the design principles for exterior finish compatible with the overall development.

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**“Town requests to REPLACE staff recommendation 1.a.(15) with the following language:**

“The 46th Street parking garage shall be developed and constructed as shown on the Revised Architectural Plan dated April 30, 2013.”

The Planning Board considered and properly addressed the issues above in the review and approval of Secondary Amendment SA-130001, Condition 10. Condition 1.a.(1) as adopted by the Planning Board requires the detailed site plan to be revised to comply with approved SA-130001.

**“Town requests to STRIKE staff recommendation 1.a.(28), which as written reads:**

“1.a.(28) Provide a raised crosswalk where the Trolley Trail crosses Van Buren Street, unless modified by the Department of Public Works and Transportation (DPW&T).

**“Town requests to REPLACE staff recommendation 1.a.(28) with the following language:**

“Provide a raised crosswalk where the Trolley Trail crosses Van Buren Street, Woodberry Street, and the alley behind Woodberry Street, unless modified by the Department of Public Works and Transportation (DPW&T).”

The applicant agreed to the Town’s proposed additional location for a raised crosswalk, and also to one more location; the driveway south of Building 6b. The Planning Board agreed with the negotiated condition and adopted Condition 1.a.(28).

**“Town requests to STRIKE staff recommendation 1.b.(4), which as written reads:**

“1.b.(4) The 16-foot-wide townhouse model shall be deleted and a 22-foot-wide townhouse model shall be included in the architectural package. Lots shall be adjusted in size accordingly.

**“Town requests to STRIKE staff recommendation 1.b.(5), which as written reads:**

“1.b.(5) Two-car garages shall be provided as a standard feature for all models of townhouses.”

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The Town and the applicant both support a wide variety of housing types to allow for a diversity of users and price points, as well as fewer garage spaces to encourage public transportation. Staff also reconsidered their original position on the conditions above and agreed with the town and the applicant. The Planning Board agreed that the proposed conditions should not be adopted.

**“Town requests to STRIKE staff recommendation 1.b.(6), which as written reads:**

**“1.b.(6) Composite exterior finish material for the townhouses shall be predominately in the form of clapboard siding.**

**“Town requests to REPLACE staff recommendation 1.b.(6) with the following language:**

**“Any composite exterior finish material for the townhouses shall be predominately in the form of clapboard siding.”**

The Planning Board, Town and the Applicant agreed that the alternative wording of this condition as suggested by the Town more accurately reflects the intent of this condition.

**“Town requests to STRIKE staff recommendation 4, which as written reads:**

**“4. Prior to the issuance of building permits for Parcels K, I and M, a Detailed Site Plan and Special Permit application shall be reviewed and approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance.**

**“Town requests to REPLACE staff recommendation 4 with the following language:**

**“Prior to the issuance of building permits for Parcels K, L and M, a Detailed Site Plan and Special Permit application for those parcels, limited to height and other bulk issues, architectural features and other site elements, shall be reviewed and approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance.”**

The Planning Board did not agree with the wording proposed by the Town and finds that staff's Condition 4 is correctly worded and allows for the detailed site plan requirement for these parcels to be limited to each of these parcels only (rather than the overall site) and the Planning Board adopted the staff-recommended condition.

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"As part of the Town Council's recommendation, the Town Council urges the Planning Board to include the following conditions as part of the Planning Board's approval of the DSP:

- "1. Where the attached Matrix (Revised May 5, 2013) identifies a Riverdale Park M-U-TC Design Guideline with respect to a particular building or parcel with the notation "Applicant to Conform, Review at Permit" (Matrix item ## 22, 23, 35, 37-40, 59, 67, 71-73, 75-79, 81-86, 88-95, 98-99, 101, 121-122, 126-128, 135-136, 139-143, 150-155, 159-161, 171-172, 174 and 176), the plans shall be revised to conform to the Guideline before the issuance of a building permit for that building or parcel."

The Planning Board adopted a similar condition that combined both the staff and the Town's recommendation on the same issue, and adopted an amended Condition 7.

- "2. Amend Findings 6.f., 6.h., and 6.i. on pages 10-11 of the staff report to insert the following sentence in each finding: Street entrances for ground-floor residential units in multifamily buildings promote more pedestrian activity along the streets."

The Planning Board agrees with the applicant and staff that additional street entrances for ground-floor residential units for the multifamily buildings approved through these current applications is not appropriate at this time as the architecture is not designed either exteriorly or interiorly to accommodate direct unit entrances to the street. However, the applicant proffered two additional entrances for Building 5, at least one of which will be located on Woodberry Street, and the Planning Board adopted Condition 13(f).

- "3. Prior to certification of the DSP, revise the detailed site plan and special permit plans to show an additional exterior entry to Building 5."
- "4. Prior to certification of the DSP, revise the detailed site plan and special permit plans to show an additional exterior entry to building 6b."

Consistent with the comment above related to additional street entrances, the Planning Board agrees with the applicant that an additional street entrance for Buildings 5 or 6b is not appropriate at this time, as the architecture is not designed on either the exterior façade or the interior to accommodate direct unit entrances to the street.

- "5. Prior to certification of the DSP, revise the detailed site plan and special permit plans to identify and show shrubbery and trees to screen the CSX railroad tracks and the Post Office site."

The Planning Board agreed that the CSX railroad tracks need to be buffered and/or screened from ground-level view, and the Planning Board adopted Condition 13h.

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- “6. Prior to certification of the DSP, revise the detailed site plan and special permit plans to show street planting strips at 6 feet or larger instead of 5 feet.”

The Planning Board agreed with this proposed condition and adopted Condition 13i.

- “7. Prior to first occupancy permit, public art shall be incorporated into the greenway entrance feature along Baltimore Avenue (US 1), as proposed in the rezoning process.”

The Planning Board reviewed the timing of the proposed condition and agreed with the applicant that public art should be incorporated into the greenway entrance feature along Baltimore Avenue (US 1), but it should more properly occur prior to issuance of the third building permit, and adopted Condition 11.

- “8. Prior to certification of the DSP, revise the detailed site plan and special permit plans to include a general note indicating that signage shall follow the MUTC signage guidelines, except as otherwise approved as part of a Secondary Amendment, where signs with internally-lit channel letters may be used.

- “9. The MUTC development plan guidelines on synthetic modern sidings shall be followed.”

The Planning Board recognized that the Town’s proposed Conditions 8 and 9 do no more than reflect the pre-existing legal requirements of the Riverdale Park M-U-TC Development Plan and, therefore, are not necessary to be imposed as separate conditions.

- z. **Town of University Park**—The Town of University Park provided the following comments in letter dated May 22, 2013 from Mayor Tabori to Chairman Hewlett:

“The University Park Mayor and Town Council (hereinafter the Council) have spent many hours reviewing the plans and specifications submitted by the Applicant as part of DSP-13309, Special Permit SP-13002 and the Secondary Amendment. We note again that the Council’s review of these plans has been hampered by late filings, which have then resulted in submission of referral responses from Maryland National-Capital Park and Planning Commission (“M-NCPPC”) staff and others well after the issuance of the technical staff report, including several received on May 22, 2013. We have appreciated the cooperation of M-NCPPC staff in keeping us informed of the status of the project, however, it is not possible to be fully informed of important aspects of this case for the reasons previously stated in our letter with respect to the Preliminary Plan.

“Further, with the Detailed Site Plan hearing following the Preliminary Plan hearing by one week, we have not had the benefit of seeing the Board’s Resolution with respect to the Preliminary Plan. The Board’s vote was taken after

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a hearing that took many hours and involved numerous changes to proposed conditions and submission of documents. This has further complicated our review of the applications in this case, especially in view of the fact that the Town was not represented by counsel at that hearing due to a conflict. The Town Council has met on three separate occasions in the last week to discuss these development issues, in addition to attending an M-NCPPC staff meeting and the May 16 Planning Board hearing.

“As the Board knows, the Town supported the rezoning application for this property, which resulted in Zoning Ordinance No. 11-2012, Case No. A-10018 (“A-10018”). This support was specifically based on the conditions that were adopted as a part of that Ordinance. Based on the failure of the Preliminary Plan of Subdivision to comply with those conditions, the Council voted last week to recommend disapproval. For the same reasons, as much as we would like to be able to support this project on May 22, 2013 the Town Council voted 6-0 to recommend denial of Detailed Site Plan DSP-13309, Special Permit SP-130002 and Secondary Amendment SA-130001, based on the fact that the Plans fail to satisfy the requirements of Condition 25 of Zoning Ordinance No. 11-2012, Case No. A-10018. Further, it appears that the wording adopted by the Board in the Preliminary Plan, and proposed for adoption as part of the DSP, would redefine the requirement in Condition 25 of A-0018 that if the manner of public finding required for the CSX crossing requires approval of the County Council or other government body or entity, “the approval of the County Council and all other government bodies or entities must be obtained prior to the approval of any detailed site plan for the subject property”.

“The Town’s concerns with the Applicant’s development have been presented to the Board throughout this process. As noted, these concerns were addressed in A-10018 through certain conditions. These concerns, in sum, are:

- “1. **Traffic management through the provision of a shuttle, circulator bus, effective traffic management plan (“TMP”) and a TDMD.** The Town worked with the Applicant, and the Towns of College Park and Riverdale Park to come to agreement on the wording for the TMP, which included shuttle bus, circulator bus and bikeshare provisions. This TMP was presented to the Planning Board at the Preliminary Plan hearing, with a request that it be substituted in its entirety for the TMP provided by the Applicant in response to Condition 17 of A-10018. We understand that the TMP submitted by the Town has been substituted for the TMP originally submitted by the Applicant to comply with Conditions 17 and 18 of A-10018. However, the Town’s request that it be involved in the process for final approval of the plans was not granted by the Board.

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- “2. **A required “buffer” or gateway entrance feature along the Route 1 frontage facing University Park.** The required buffer, ranging in width from 90’ to 110’ and shown on the Preliminary Plan approved by the Board, is now represented in the proposed DSP as a 90’ wide buffer, which is not consistent with the adopted Preliminary Plan. The width of the buffer on the Preliminary Plan is consistent with the dimensions shown to the Town by the Applicant on plans dated 3/13/2013. For whatever reason, it is now inconsistent with the Board decision, which we believe adopted the staff recommendation as follows:

**“The PPS reflects the buffer along Baltimore Avenue (US 1) extending east from the right-of-way. The PPS proposes two streets (Woodberry and Van Buren) extending east into the site from US 1. The buffer is shown as a part of development Parcels A, B, and C. As recommended as requested by the Maryland State Highway Administration (SHA) and the master plan. In conformance with this condition, and as recommended by staff, the buffer should be shifted in its entirety to the east consistent to the amount of right-of-way dedication with no reduction in its size and configuration (size and width), prior to signature approval of the PPS.”**

- “3. **Construction of the CSX Crossing.**

“As noted in the Town’ letter concerning the Preliminary Plan, Condition 25b of A-10018 has not been met. The funding mechanism for the bridge has not been established as of the time of the Town’s review and was not established at the time of the writing of the Planning Staff report. While the applicant received County Council approval for a special taxing district on May 14, 2013, this does not establish a funding mechanism sufficient to cover the costs associated with the bridge. If that funding mechanism is used, we have no basis to ascertain or verify that the funding stream is sufficient to cover all associated costs, including acquisition of land, costs of capital, design, engineering, and construction. As noted in the May 21, 2013 report from the Transportation Planning Section:

“The submitted plan includes the approved University of Maryland J-Crossing (Version J.3.300) for this proposed CSX crossing, as recommended by the Planning Board on May 16, 2013. However, as of this writing, the applicant has not provided staff with the required governmental approvals for every component of the proffered funding mechanism to the Planning Board in the approved Preliminary Plan... (at p. 4).”



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"The Transportation Planning Section recommends a condition that requires submission of the required government approvals prior to signature approval of the DSP. However, Condition 25 of A-10018 requires this to be provided prior to approval of the DSP.

In its deliberations on the Applicant's Preliminary Plan of Subdivision on May 16, 2013, the Planning Board adopted a revised Condition 37 proposed by Staff in their Report of May 9, 2013. This condition appears to expand the infrastructure improvements eligible for funding, particularly those that are on Baltimore Avenue. In addition, it requires that the condition be met by the time of the "approval of a building permit". The Town would note that when the A-10018 Conditions were developed, none of the parties involved contemplated any form of public infrastructure funding or subsidy beyond the CSX crossing. More importantly, the negotiating parties established a series of triggers that are embodied in Conditions 25 and 26, to ensure that the CSX crossing would actually be constructed. This was done in order to ensure that the ground was not graded if the CSX Crossing could not be achieved. If the land were to be graded and the CSX Crossing could not be permitted by the time of the approval of "a building permit," then that would leave both the surrounding communities and the Applicant in a difficult position.

"In addition, the Town notes that Condition 25 contains a sub condition that is relevant at the DSP stage, i.e., the second part of Condition 25d requires that "if the manner of public funding is tax increment financing, or any other funding mechanism that requires the approval of the County Council or other government body or entity, the approval of the County Council and all other government bodies or entities *must be obtained prior to the approval of any detailed site plan for the subject property.*" (emphasis added.) While the staff argues that this condition has been met, the Town would note that the Special Taxing District authorizing process contains two steps, the first of which is to authorize a Special Taxing District and define its boundaries, the second of which is to implement the taxing district by establishing the cost of the project and the ad valorem tax to be assessed. The first step of this process was met by vote of the County Council on May 14 to establish a Special Taxing District covering substantial portions of the Applicant's property. The second part of the process has not yet been initiated.

"After review of the M-NCPPC staff reports with respect to the Detailed Site Plan, Special Permit and Secondary Amendment, the Town Council voted as follows. We apologize for using what may be "old" paragraph numbers and other references from the staff report, which we understand may be amended.

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#### **DETAILED SITE PLAN**

- “1. The Town supports City of College Park conditions 1(b), 3 and 5.”

See Planning Board comments above in response to the recommendations relating to the City of College Park.

- “2. The Town requests the following condition:

“Applicant shall be required to phase the grading of the property, to the fullest extent practicable, to maintain as much of the mature tree canopy and other screening in the greenway entrance feature, Parcels A, B and C in place until grading is required by construction activity on adjacent parcels.”

This Planning Board adopted Condition No. 13(l) to address this issue.

- “3. The Town requests the following condition:

“Prior to the issuance of the first grading permit, the Applicant, its heirs, successors and assigns shall demonstrate that the extension of the approved J-Crossing (Version J.3.300) over the CSX tracks to Rivertech Court with at least 36 feet of road pavement, five foot sidewalks and on-road bike lanes, plus a two foot barrier (a) have been constructed, (b) fully bonded and permitted for construction with an agreed-upon time table for construction by the Applicant and/or the applicant's heirs, successors, or assigns, (c) otherwise incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) of the Zoning Ordinance or (d) there is incorporated within the adopted County Capital Improvements Program (CIP) or the current State Consolidated Transportation Program (CTP) with one hundred percent (100%) construction funding allocated during the six years. In addition, the Applicant must submit for review and comment the completed, revised funding plan for the CSX Crossing (Bridge) to the Office of the Executive, Prince George's County; the Office of the Mayor, Town of Riverdale Park; and the Office of the Mayor, Town of University Park, which shall be allowed 10 days to review and comment prior to the issuance of a grading permit. If no comment is received, the permit may be issued.”

This proposed condition involves the adequacy of public facilities, which was the subject of Preliminary Plan of Subdivision No. 4-13002, and was addressed in Condition No. 37(e) of that approved application. The Planning Board found that

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imposition of this proposed condition is improper for a Detailed Site Plan application within the statutory scheme of the County Code.

“4. Delete Condition (C)(34) and substitute the following:

“Demonstrate the full 90 to 110’ depth requirement of the gateway entrance feature on Parcels A, B, and C, consistent with the approved Preliminary Plan of Subdivision.”

Condition No. 13 of Zoning Amendment No. A-10018, as approved through Zoning Ordinance No. 11-2012, requires that “a 90-120-foot-wide buffer shall be provided along the entire length of the property frontage on Baltimore Avenue that incorporates retention of existing trees to the maximum extent practicable....” The Planning Board believes that the zoning condition requires only a minimum buffer width of 90-feet and adopted the condition of staff as originally proposed.

#### **ADDITIONAL CONDITIONS**

“The Town Council adopted a number of conditions in January, 2013 when it first reviewed the Preliminary Plan, which it wished to see adopted by the Planning Board. It reviewed and approved these conditions again on May 13, 2013. These conditions are as follows:

“1. Prior to approval of the Detailed Site Plan, the applicant shall submit a draft easement for the protection and maintenance of the 90 to 120 foot wide buffer required by Condition 13 of Zoning Ordinance No. 11-2012 for Zoning Map Amendment A-10018 to the benefit of the Town of University Park and the Town of Riverdale Park. The easement for the protection and maintenance, which is subject to approval by the Town of University Park and Town of Riverdale Park, shall include language that sets forth the rights, responsibilities, and liabilities of the applicant and the applicant’s heirs, successors, and/or assignees with respect to maintenance of the buffer, consistent with the requirements of the detailed site plan.

“The easement shall be reviewed and approved by the Planning Board or its designee.

“2. Prior to approval of the final plat, the applicant, and the applicant’s heirs, successors, and/or assignees, shall submit a fully executed easement for the protection and maintenance to the benefit of the Town of University Park and the Town of Riverdale Park for the entire buffer delineated on the approved detailed site plan. The liber/folio of the easement shall be reflected on the final plat prior to recordation.”

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The applicant testified in opposition to this recommended condition in that they stated that the Town of Riverdale Park would be the enforcing agent if the frontage of the project were not maintained in the manner approved in the DSP. The Planning Board did not adopt the proposed condition.

In addition to the issues raised above, the Town of University Park also submitted a Summary of Remarks to the Planning Board on May 30, 2013 which is provided below and includes additional recommended conditions:

“These comments are intended to expand upon the Town’s letter dated May 22, 2013, which was accepted as part of the Secondary Amendment hearing as University Park Exhibit 1 and is requested to be included in this record also.

“The Town of University Park (“Town”) has participated in the development process for the Cafritz Property at Riverdale Park from the beginning. The Town previously supported the rezoning application for this property, which resulted in Zoning Ordinance No. 11-2012, Case No. A-10018 (“A-10018”). This support was specifically based on the conditions that were adopted as a part of that Ordinance which the Town felt adequately addressed its concerns at that stage. The Town’s major concerns have been and continue to be the following:

- “1. **Traffic management through the provision of a shuttle, circulator bus, effective traffic management plan (“TMP”) and a TDMD.**
- “2. **A required “buffer” or gateway entrance feature along the Route 1 frontage facing University Park with a width of between 90 and 120 feet.**
- “3. **Timely construction of the CSX Crossing.**

“**Traffic Management**—The Town states its disappointment with respect to the status of the traffic management concern. A traffic management plan (“TMP”) was proposed by the Applicant as part of its traffic study. The TMP was found by M-NCPPC staff and the surrounding jurisdictions to be deficient in satisfying Conditions 17, 18 and 19 of A-10018, which were to have been complied with by Preliminary Plan. The Town, College Park and Riverdale Park, together with the Applicant, worked on a revised TMP that also included provisions concerning the shuttle bus and circulator bus, which was included in the record at the hearing before the Board with respect to the Preliminary Plan. The Board has adopted

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conditions with respect to Conditions 17, 18 and 19, that extend the deadline from Preliminary Plan to prior to approval of final plat. The conditions do not include the TMP presented and do not include it as a building block for inclusion in the future covenant or transportation management agreement, nor do they include participation by the Town.

**“Required buffer or gateway entrance.**—M-NCPPC staff correctly references that the plans reviewed at Preliminary Plan included a 90 to 110 foot buffer, now referenced as the gateway entrance or feature. This is consistent with the representations made by the Applicant at numerous Town meetings. It is now suggested by M-NCPPC staff that the DSP plans be revised to show a 90 foot depth requirement for the gateway entrance feature on Parcels A,B and C. We understand the Applicant supports this condition.

“The buffer is required by Condition 13 of A-10018. This condition requires “a 90-120 –foot-wide buffer” along the entire length of the property frontage on Baltimore Avenue. If the District Council intended to require only a minimum of 90 feet, as is now contemplated in the DSP, it would have done so. Instead, it provided a required range to complement the overall plan for this area as a transition place. Limiting the buffer to 90 feet is not consistent with Condition 13.

“Further, there is no actual delineation of the buffer, which should be available at DSP. We understand that this can be variable depending upon required SHA right of way.

**“Timely construction of CSX crossing.**—Condition 25 of A-10018 was carefully crafted to insure that a viable financing structure would be provided before any permit was issued, to avoid grading of the site until this was more than a possibility. The Board has accepted the County Council adoption of a special taxing district as sufficient evidence of establishing a funding mechanism. At DSP, the Applicant must demonstrate that any required governmental approval must be obtained prior to approval of any detailed site plan. It is clear that this has not occurred. While a special taxing district has been enabled, the legislation required to make any financing a reality, as opposed to a concept, does not exist.

“Further, the construction of the bridge is now required to demonstrate adequate public facilities. At this point, the Applicant does not control the land needed to comply with these requirements. The cost for the acquisition will affect the financing, which again points to the current inability to obtain required governmental approval.

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"Although the information has been requested, the Applicant has not provided a cross section, profile, architectural renderings or elevations of the bridge.

"In addition, to further the objectives of the Town's position, the Planning Board should consider adopting the following conditions:

- "1. Prior to certification of plans, provide a profile, cross sections, architectural renderings and of the bridge crossing for review by Urban Design and the Town of University Park."

The Planning Board did not agree that the bridge review should be conducted by the Town, as the bridge design and structural aspects of it fall under the jurisdiction of the Department of Public Works and Transportation. However, the Planning Board did adopt another condition that is similar to the above and may address some of the concerns of the Town.

- "2. Prior to certification of plans, Applicant shall show on the plans the final disposition of the improvements required by SHA and the extent of the gateway feature. If a sidewalk is included in SHA improvements, there should be a showing that it meets ADA requirements."

The Planning Board recognized that the timing of the final determinations of the requirements of the SHA and their approval usually occurs at the time of the building permit when the applicant will be required to file for an access permit. To hold the certification of the plans until such time would not allow the grading of the property in a timely manner and would be inconsistent with previous approvals. However, the Planning Board did adopt another condition that is similar to the above and may address some of the concerns of the Town.

- "3. Prior to first building permit, require that the Applicant demonstrate final approval of an agreement with the University of Maryland (including approval by the Board of Public Works) with respect to the transfer of the property required to land the bridge to the Applicant."

The Planning Board did not adopt the proposed condition above.

- "4. Prior to issuance of a grading permit, require proof of payment of \$50,000 to the University of Maryland by the Applicant."

The Planning Board did not adopt the proposed condition above.

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- “5. Prior to certification of plans, include a sheet that references all applicable conditions, including A-10018, the Preliminary Plan and the Detailed Site Plan.”

The Planning Board did not adopt the proposed condition above.

- “6. Prior to issuance of a grading permit, the Applicant must file and obtain approval for any required detailed site plan or mandatory referral for the property where the bridge will land.”

The Planning Board did not adopt the proposed condition above.

The Planning Board made the following additional findings during the public hearing:

13. Based upon the changed configuration of the multifamily site and other site design details a noise wall may not be required. The applicant should provide evidence of whether a noise wall is required to the satisfaction of the Urban Design Section.
14. In order to assess the impact of any proposed free standing walls and retaining walls, the actual details and specifications should be provided to the Urban Design Section.
15. It is noted that at the time of signature approval the range of building square footage should be replaced with an exact square footage calculation for each building.
16. Interim grading and landscaping should be added to the plan for Parcels K, L, M, where the multifamily buildings are proposed, and the portion of Parcel F, where the future hotel is proposed.
17. The Planning Board determined that given the proximity of the play area proposed in the northeast corner of the Village Green to the CSX crossing, relocation of that play area to the northwest corner of the Village Green would be a more appropriate location.
18. In addition to raised crosswalks already proposed on the plan, it was recommended that additional raised crosswalks be added near the CXS crossing to connect pedestrians from the multifamily buildings to the Village Green for safety purposes, subject to the review and approval of DPWT.
19. The Board noted the Applicant's approved stormwater management concept plan includes reference to green roof technologies on Buildings 4 and 6A and that the plans did not provide for details and specifications of the green roofs.
20. The Planning Board finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application, subject to the following conditions:

1. Prior to certification of the SP, the applicant shall revise the plans as follows or provide the specified documentation:
  - a. Revise the special permit plan as follows:
    - (1) Revise the plan to be in conformance with Preliminary Plan of Subdivision No. 4-13002, as approved, and with secondary amendments approved through Secondary Amendment Application No. SA-130001.
    - (2) Provide details and specifications, subject to review and approval by the Historic Preservation Commission and The Maryland-National Capital Park and Planning Commission (M-NCPPC) staff archeologist for:
      - (a) The design, number, and location of interpretive signs to be erected and public outreach measures to be based on the findings of the archeological investigations; the interpretive measures shall also address the significance of the nearby ERCO factory, the Calvert Homes development, and the trolley right-of-way through the subject property.
    - (3) A revised photometric plan showing a detail of full cut-off optics shall be submitted. The lighting intensity shall be revised as necessary to be consistent with the use of full cut-off optics.
    - (4) Submit evidence of conditional approval of the plan under leadership in energy and environment design (LEED-ND) 2009 Stage 1 (pre-entitlement) approval.
    - (5) Provide a cross section of the proposed Trolley Trail for approval by The M-NCPPC Department of Parks and Recreation (DPR) and place on the plans.
    - (6) Revise the locations of the stop bar along Van Buren Street at Rhode Island Avenue west of the Trolley Trail crossing, unless modified by the Department of Public Works and Transportation (DPW&T).
    - (7) The Trolley Trail shall be raised where it crosses the following: Van Buren Street; Woodberry Street; the alley north of Woodberry Street; and the driveway south of Building 6B; unless modified by the Department of Public Works and Transportation (DPW&T).



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- (8) Provide for bicycle parking showing the location, number, and type of bicycle parking spaces consistent with the LEED-ND Bicycle Network and Storage Credit to be approved by the Transportation Planning Section.
- (9) Revise the plan to include Americans with Disabilities Act (ADA) curb cuts, ramps and special paving for crosswalks at all locations where sidewalks or trails intersect with on-site roadways. Details and specifications shall be added to the plans, unless modified by DPW&T.
- (10) Revise the landscape plan to identify all specimen trees to be preserved in accordance with the specimen tree variance request as approved with the PPS. Identify each specimen tree to be preserved by number.
- (11) Revise the site and landscape plans to provide accurate detailing of the footprints of the townhouses, lead walks, and on-lot plantings, fencing, etc., as appropriate.
- (12) Provide the location of the noise wall, with ten-foot clearance on all sides, and details and specifications, if the noise wall is required.
- (13) Provide details and specifications for all free-standing walls and retaining walls for review and approval by the Urban Design Section.
- (14) The general notes shall be revised to indicate the exact square footage of uses for each building, rather than a range of square footages. Remove any notation relating to a hotel use on the plans and/or general notes.
- (15) Detailed design plans of the Trolley Trail including landscaping, screening and signage elements, shall be reviewed and approved by the Urban Design Section and the Department of Parks and Recreation (DPR), with referral to the appropriate public safety agency for its comments, and a copy provided to the City of College Park.
- (16) The stormwater management concept plan and special permit plan shall be consistent in detail and design.
- (17) Prior to certification of the plans, the applicant shall submit the following information regarding private recreational facilities:
  - (a) Provide complete details, sizes, specifications, floorplans, and/or lists of all private indoor and outdoor recreational facilities on-site. These facilities shall be distributed among the residential areas on-site in order to provide convenient and safe recreational opportunities to all residents. They shall include a comprehensive approach to the design of the facilities considering recreational benefit to the targeted residents, year-

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round active recreational benefit, activities for all age groups, and shall include a minimum of two additional outdoor multi-age playground facilities. All of these facilities shall be of a high-quality design with the use of high-quality, low-maintenance materials, not including wood.

- (b) Provide a schedule for the timing of the construction of all facilities. The outdoor facilities shall be completed, at a minimum, in phase with the surrounding development, whether it be roads or buildings, and the indoor facilities shall be completed no later than prior to the issuance of a use and occupancy permit for the related building.
- (c) Provide information regarding all private on-site recreational facilities to be reviewed and approved by the Planning Board or its designee, and reflected on the final plan set.
- (d) The plans shall be revised to conform to the Parks and Recreation Facilities Guidelines.

b. Revise the architecture as follows:

- (1) Any composite exterior finish material for the townhouses shall be predominantly in the form of clapboard siding.
  - (2) The main gable roof pitches for townhouses shall be no more than 7/12.
- 2. Prior to issuance of the third building permit, the Rhode Island Avenue hiker/biker trail, and associated interpretive/commemorative features, shall be completed per the approved design plans and open to the public.
  - 3. Prior to the issuance of the first grading permit, evidence shall be submitted that all pretreatment and protective devices for specimen trees 255, 281, 262 and 265 have been implemented.
  - 4. Prior to the issuance of use and occupancy building permits for residential units protected from noise by the proposed noise wall, the wall shall be fully constructed on-site, if such a noise wall is required.
  - 5. The plans shall be revised to conform to the Cafritz Property at Riverdale Park Town Center Development Plan, as modified by any approved secondary amendments. The M-U-TC Guidelines Compliance Matrix ("Matrix"), dated May 5, 2013, shall serve as the instrument to guide the revisions to the plans at either time of certification or prior to building permit, as determined by the Urban Design Section. The Matrix shall be revised upon review to identify which outstanding guidelines and standards should be addressed at the time of certification of the SP, and which should be reviewed before the issuance of a building permit for a specific building or parcel.

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6. Prior to issuance of the third building permit for the overall site, public art shall be incorporated into the greenway entrance feature along Baltimore Avenue (US 1).
7. Prior to approval of permits for construction of the bridge, the applicant shall submit the following to the Urban Design Section (M-NCPPC) for review of aesthetic and functional impacts, and to the Prince George's County Police Department for review of crime prevention through environmental design (CPTED) measures as follows:
  - a. The elevations, profiles and cross sections of the bridge design with sufficient detailing to address the materials and design of retaining/abutment walls and or posts. All surfaces should be designed to limit graffiti.
  - b. The plans shall be reviewed and comments provided in regard to proposed enclosures of space under the bridge, such as fencing or walls, lighting, and access control.
8. Prior to certification of the detailed site plan, the applicant shall revise the plans as follows or provide the specified documentation:
  - a. Revise the plan to provide at least 59 feet of right-of-way dedication from the existing center line along the property's frontage with Baltimore Avenue (US 1) for the provision of standard travel lanes, standard center turn lanes, on-road bike lanes, and continuous sidewalk along US 1 within the proposed dedicated right-of-way for US 1, or provide evidence of approval of a reduction to not less than 52 feet from the existing centerline from the State Highway Administration (SHA).
  - b. Revise the plans to provide for porous pavement in the surface parking compound areas to the extent that subsurface conditions are suitable in regards to percolation and structural support, as stated in the soils report.
  - c. Indicate on the plans the lots and parcels that are the subject of Special Permit SP-130002.
  - d. Revise the plans to show the interim grading and landscaping proposed for Parcels K, L, M, and the portion of Parcel F where the future hotel is proposed.
  - e. Revise the M-U-TC Guidelines Compliance Matrix to correspond to the lots, parcels, and building designations as shown on the approved detailed site plan.
  - f. Revise the plans to show and identify shrubs and trees to buffer and/or screen the CSX railroad tracks to the extent feasible in the space available.
  - g. Revise the plans to show street planting strips a minimum of six feet wide.
  - h. Provide a timetable with estimated dates for grading of the site and construction of buildings.

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- i. Revise the site plan to show the building height in feet for all buildings.
  - j. Revise the location of the play area shown in the northeast corner of the Village Green to the northwest corner.
  - k. Provide raised crosswalks at 47th Street at the Van Buren intersection to the Village Green to the adjacent multifamily parcels, subject to DPW&T approval.
9. Prior to the release of any building permits for Buildings 6B, 7, 8, or 9, the applicant shall provide evidence of good faith efforts to work with the Town of Riverdale Park to establish and authorize a shared parking district pursuant to Article 21A of the County Code.
10. The applicant should consider participating in a regional economic partnership along the corridor with existing business groups in neighboring jurisdictions and proximate developments to the east and west to: enhance regional connections and overall economic vitality, support and help recruit small/local businesses, coordinate and co-promote programming of activities, exhibits, thematic events, etc., and help ensure mutual success.

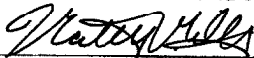
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, May 30, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20<sup>th</sup> day of June 2013.

APPROVED AS TO LEGAL SUFFICIENCY.

  
M-NCPPC Legal Department  
Date 6/13/13

Patricia Colihan Barney  
Executive Director

By   
Jessica Jones  
Planning Board Administrator

PCB:JJ:SL:arj