



TOWN OF UNIVERSITY PARK

April 26, 2010

Honorable Thomas E. Dernoga
Chairman
County Council for Prince George's County
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

John Rogard Tabori
MAYOR

COMMON COUNCIL
Jacqueline O. Bradley Chacón
Len Carey
Francis M. Lucas
Margaret S. Mallino
Susan E. McPherson
Anne V. O'Connor
Tracey J. Toscano

Re: DSP-99048/01 Landy Property

Dear Chairman Dernoga:

This letter is submitted as part of the testimony of the Town of University Park with respect to the District Council's review of the above-referenced detailed site plan for the Landy Property. When this matter was before the Planning Board in 2007, I testified on behalf of the Town, and presented Council Resolution R-07-02 for inclusion in the record. A copy of that Resolution is attached. On April 19, 2010, the Council authorized me to appear before you and to again put forward the concerns raised in the Resolution. Further, due to the current proposals for development contiguous to the Landy property, including DSP-90069 Belcrest Plaza, these concerns have escalated and I am authorized by the Council to address them today.

As stated recently with respect to the Belcrest Plaza proposed DSP, the Town supports responsible development in this area, including at the Landy property site, consistent with the Transit District Development Plan ("TDDP"). We feel that the current DSP proposal falls short of the TDDP, quality development and best practices for the reasons set out in the Town's Resolution in 2007. In view of the proposed adjacent Belcrest development, some aspects of the previously cited areas of concern have changed.

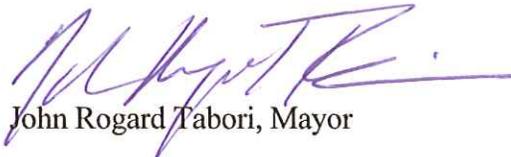
The Town is downstream of the Landy property, which currently has limited, if any, stormwater management. Stormwater from this site will flow into the Town creek, which has been the subject of hundreds of thousands of dollars of reclamation work. The pressure on the Town stream will be increased greatly by the Landy and Belcrest Plaza developments. The Town is hopeful that the County Council will take this opportunity to enable a more global resolution of the issues of stormwater management control instead of addressing the problem site by site. As noted in its original Resolution, the Town petitions the Council to be part of any stormwater planning process.

In the 2007 resolution, the Town supported the amendment to TDDP Mandatory Development Requirement P1, eliminating the requirement for a 20 foot wide pedestrian zone along Toledo Terrace and allowing the existing sidewalk and mature trees to remain, which amendment was also supported by condition number 7 of the Planning Board. Based on the current plans with respect to Toledo Terrace as proposed by the Belcrest Plaza development, there will no longer be any bike lanes and or standard required pedestrian zone on the south side of Toledo Terrace. We can no longer agree that eliminating P1 for the Landy project is appropriate. If this occurs, the last existing requirement for a TDDP pedestrian zone will have been removed, and dense development on both sides of Toledo Terrace will proceed without TDDP pedestrian protections.

Another issue that has taken on more immediacy is the efficacy of the TDDP purpose of ensuring a balanced transportation and transit facilities network. The Landy development when combined with the proposed plans for Belcrest Plaza has made a Transportation Demand Management District ("TDMD") even more critical. Because there is no TDMD for this area, this developer is not required to ensure optimum utilization of trip reduction measures. The Planning Board refused to include a condition requiring shuttle service to the metro station, and supported allowing 2 cars per unit, which is in excess of the 1.66 requirement. These decisions are not in keeping with the TDDP and will significantly contribute to traffic congestion.

The Town supports a remand of this DSP for further review. The Town requests that the issues contained in its Resolution R-07-02, and those discussed today, be made a part of any such remand. Thank you for your consideration of the Town's concerns.

Very truly yours,

A handwritten signature in blue ink, appearing to read "John Rogard Tabori", is written over the typed name below.

John Rogard Tabori, Mayor

Enc.

RESOLUTION
OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF UNIVERSITY
PARK, MARYLAND, AUTHORIZING THE MAYOR TO SEND
CORRESPONDENCE TO M-NCPPC CONVEYING THE TOWN'S POSITION ON
THE LANDY PROPERTY DEVELOPMENT (DSP-99048/01) AND THE STAFF
TECHNICAL RECOMMENDATIONS.

WHEREAS, the Mayor and Council have the power under Article 23A, Paragraph 2(a) to protect the health, comfort and convenience of the residents of the Town; and

WHEREAS, the development of the Landy Property fronting Belcrest Road on the North side between Toledo Terrace and Adelphi may impact the quality of life, traffic density, school crowding, and the view shed of significant proportions of the Town's residents; and

WHEREAS, the plans for the development have been referred to University Park for comment, the Mayor and Council have met with the Landy Property development owner and design team, public comment has been received by the Town, and Mayor and Council have determined that it is in the best interest of the community for us to make our views known; and

WHEREAS, the Town of University Park, Maryland is in basic accord with the conditions and recommendations of the M-CNNPC technical staff and the City of Hyattsville in the matter of the Landy Property, DSP-99048/01,

NOW, THEREFORE, BE IT RESOLVED by Mayor and Common Council of the Town of University Park, Maryland to authorize the Mayor to send correspondence to M-NCPPC, the County School Board, and the County Council conveying the Town's position on the Landy Property Development (DSP-99048/01) and the staff technical recommendations.

Within the limits of the law, the Mayor and Council of University Park propose that the following general conditions shall be met by the developer prior to the granting of the final DSP certificate:

1. The massing and height of the buildings shall be reduced to decrease their impact on the view shed of University Park residents, and other surrounding communities.
2. The total number of units when finished shall be no greater than 1,000.
3. The number of parking spaces shall be reduced such that the average number of parking spaces per unit is no greater than 1.66.
4. Thirty percent of the total apartments and condos should be age-restricted to provide housing options for seniors (55+) living in the area.
5. The buildings should achieve a LEED's standard, or its equivalent.

Within the limits of the law, the Mayor and Council of University Park propose that the following specific conditions should be met by the developer:

1. The conditions in the M-NCPPC staff technical report are to be met in full with the exception of the amendment releasing the developer from the requirements of P39 to make all three and four bedroom units condos. This requirement should remain in place.
2. The storm water retention ponds shall be designed for water year-round and with the necessary equipment to ensure a high level of water quality and flora so the ponds are amenities.
3. The developer shall provide a shuttle service to and from the metro station.
4. Since the Stormwater Management Concept Plan must be revised "that the proposed plan be referred to the Town of University Park for review and comment;"
5. All storm water inlets shall be grated in order to reduce, if not exclude, the introduction of solid waste materials into the storm water system.
6. Only the buildings and garage entrances should be gated.
7. Since the Staff is recommending a waiver to TDOZ Standard P1, that the applicant be required to replace any of the mature oak trees along Toledo Terrace that die with 3 1/2-4 inch caliper oak trees.
8. Regarding TDOZ Standard P2, that language should be inserted that no signage be erected on any of the buildings higher than the fourth floors.
9. That the applicant stencil all storm drain inlets noting Not to Dump - Chesapeake Bay Drainage in accordance with TDOZ Standard S32 and all inlets be constructed with grates to prevent litter from entering the storm drain systems.

ADOPTED by the Mayor and Council of the Town of University Park, Maryland on July 16, 2007

EFFECTIVE on July 16, 2007

WITNESS:

THE TOWN OF UNIVERSITY PARK, MARYLAND

Daniel R. Baden
Treasurer

John Rogard Tabori
Mayor

APPROVED AS TO FORM AND SUFFICIENCY

Suellen M. Ferguson, Town Attorney