AGENDA ITEMS: 7
AGENDA DATE: 1/17/13

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

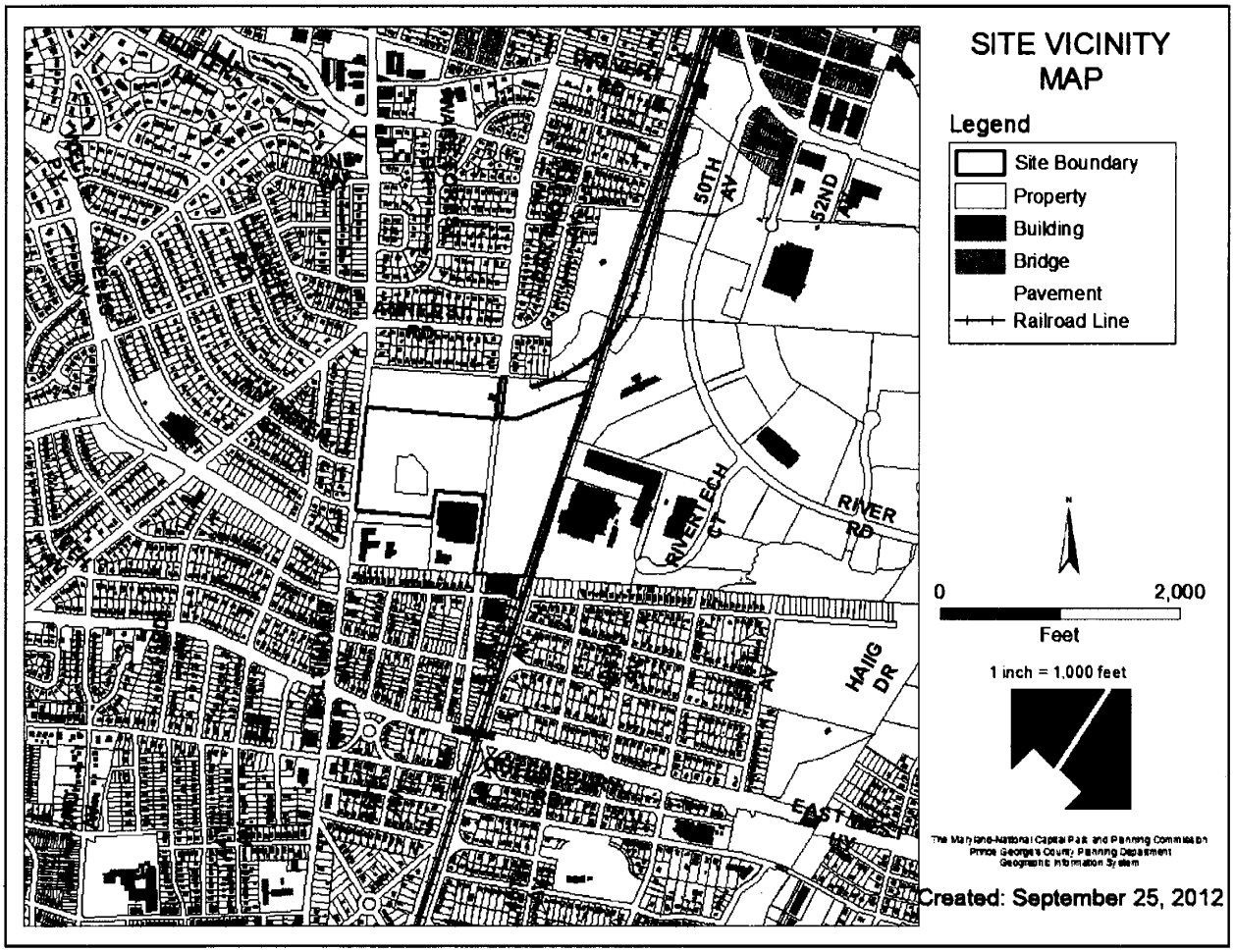
Note: *Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.*

Preliminary Plan 4-12004

Application	General Data	
Project Name: Cafritz Property	Planning Board Hearing Date:	01/17/13
	Staff Report Date:	01/10/13
Location: Approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410).	Date Accepted:	07/27/12
	Planning Board Action Limit:	01/28/13
	Mandatory Action Timeframe:	140 days
	Plan Acreage:	37.34
Applicant/Address: Calvert Tract, LLC 1666 Connecticut Avenue NW, Suite 250 Washington, DC 20009	Zone:	M-U-TC/R-55
	Gross Floor Area:	168,000 sq. ft.
	Lots:	139
Property Owner: Calvert Tract, LLC 1666 Connecticut Avenue NW, Suite 250 Washington, DC 20009	Parcels:	11
	Planning Area:	68
	Tier:	Developed
	Council District:	03
	Election District	19
	Municipality:	Riverdale Park/ College Park
	200-Scale Base Map:	208NE04

Purpose of Application	Notice Dates	
To subdivide into 139 lots and 11 parcels for mixed-use development of residential, commercial, hotel, and office	Informational Mailing	01/20/12
	Acceptance Mailing:	07/25/12
	Sign Posting Deadline:	12/18/12

Staff Recommendation			Staff Reviewer: Quynn Nguyen Phone Number: 301-780-2465 E-mail: Quynn.Nguyen@ppd.mncppc.org
APPROVAL	**APPROVAL WITH CONDITIONS**	**DISAPPROVAL**	**DISCUSSION**
		X	


SITE VICINITY MAP
Legend
Site Boundary
Property
Building
Bridge
Pavement
Railroad Line
0
2,000
Feet
1 inch = 1,000 feet
Created: September 25, 2012
50TH AV
52ND AV
RIVER RD
RIVERTECH CT
HAIG DR
EAST

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-12004
Cafritz Property
Lots 1–139, Parcels A,C, E, F,G, H, J, K, M, N, and O

OVERVIEW

The subject site is located on Tax Map 42 in Grid D-1, and is known as Parcel 81. The majority of the site, 35.71 acres, is in the Mixed Use Town Center (M-U-TC) Zone and within the Town of Riverdale Park. A small portion of the site, 1.63 acres, is in the One-Family Detached Residential (R-55) Zone and within the City of College Park. The current configuration of Parcel 81 is the result of the creation of Parcel 32 to the north and Parcel A to the west. In 1988, pursuant to a deed recorded in Prince George's County Land Records in Liber 7227 Folio 243, Parcel 32 to the north was subdivided from Parcel 81 by a Declaration of Taking by the Washington Metropolitan Area Transit Authority (WMATA), a state agency, for a "public use for construction, maintenance and operation of a rapid transit system and related facilities necessary." Parcel A was recorded in Plat Book WWW 69-62 on September 4, 1968 and conveyed to the United States Postal Service (USPS), and a 15-foot-wide strip of right-of-way was dedicated to public use at that time abutting the west side of the 50-foot-wide trolley trail easement. Parcel 81 is a legal acreage parcel never having been the subject of a preliminary plan of subdivision. Pursuant to Section 24-107(c) of the Subdivision Regulations, a preliminary plan of subdivision is required for the construction of more than 5,000 square feet of gross floor area on Parcel 81.

A major portion of the site, 35.71 acres, was rezoned from the R-55 Zone to the M-U-TC Zone by Zoning Map Amendment A-10018, which was approved by the District Council on July 12, 2012 (Zoning Ordinance No. 11-2012). The approved zoning map amendment also amended the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park MUTCD Plan) boundary to include the subject site. Zoning Ordinance No. 11-2012 contains 27 conditions and conformance to these conditions is discussed further in the Previous Approval section of this report. **At the writing of this staff report, this preliminary plan application does not conform to Conditions 10(b), 18, 19, and 25(b), 25(c), and 25(d) of Zoning Ordinance No. 11-2012** because the applicant has not submitted any documentation that demonstrates that the woodland conservation threshold has been met on-site to the fullest extent practicable per Condition 10(b); has not submitted any documentation that demonstrates a commitment to organize and achieve a private shuttle vehicle per Condition 18 and participate in a circulator bus program per Condition 19; has not submitted any documentation that demonstrates a funding mechanism for the construction of the CSX crossing per Condition 25(b); has not submitted an approval for the location of the CSX crossing from the affected land owner per Condition 25(c); and has not submitted cost estimates for design, permitting, and construction of the CSX crossing per Condition 25(d).

Without the required documentation to fulfill the conditions of Zoning Ordinance No. 11-2012, staff is compelled to recommend disapproval of this Preliminary Plan of Subdivision, 4-12004.

The applicant has indicated to staff that they will submit the required documentation for conformance to the conditions of Zoning Ordinance No. 11-2012 prior to approval of the preliminary plan. At the time of the writing of this report, staff has not received the information. In anticipation, staff has reviewed the preliminary plan and provided appropriate analysis and findings for the proposed development in this report based on the information available. A list of possible future conditions was generated, although the conditions indicated may not be a complete list of conditions, and do not address all of the information required for approval of this application.

The applicant proposed to subdivide Parcel 81 into 139 lots and 11 parcels for mixed-use development of residential, commercial, hotel, and office. The proposed development consists of approximately 981 residential units (606 multi-story, non-aged multifamily units; 219 attached senior housing units; 30 faculty housing units; and 126 attached townhouse units); 22,000 gross square feet of office space; a 120-room hotel; and no more than 168,000 gross square feet of commercial retail.

The current layout of the lots and parcels as proposed by this preliminary plan raised a number of concerns. The preliminary plan shows the location of townhouse lots within the noise corridor of the CSX railroad tracks and all streets and alleys as private rights-of-way. The preliminary plan proposes the master plan trolley hiker/biker trail to be relocated from its historic alignment to in front of townhouse lots (Lots 55–94) as a ten-foot-wide sidepath along a private street, Parcel K. The proposed alignment also has the trail intersecting the round-about at Van Buren in two locations. The layout issues were discussed with the applicant at the Subdivision and Development Review Committee (SDRC) meeting on August 17, 2012 and in detail on October 2, 2012. On November 29, 2012, the applicant submitted a revised preliminary plan which did not address the issues raised by staff as discussed herein. On December 3, 2012, staff presented Staff Exhibit A to the applicant and the municipalities.

Staff Exhibit A was designed to address the concerns of the Transportation Planning Section, including the issues of vehicular traffic circulation, pedestrian and hiker/biker circulation; the concerns of the Environmental Planning Section in regard to the variation request relating to noise impacts; the concerns of the Department of Parks and Recreation (DPR) in regard to mandatory land dedication as well as their concerns about the preservation of the trail within the abandoned Rhode Island Avenue easement and safety issues; and the Urban Design Section's concerns about layout and safety. Staff Exhibit A shows all of the townhouses outside the noise corridor of the CSX track, and the alignment of the hiker/biker trail within the historic Rhode Island Avenue Trolley right-of-way (an abandoned easement). The exhibit also reduced and shifted east the Van Buren round-about to ensure that the trail would intersect Van Buren at only one location. The proposed trail and street alignment on Staff Exhibit A reduces the number of crossings and potential conflict points within the development between trail users and vehicular traffic and, thus, creates a safer environment. Staff is recommending that the preliminary plan be revised prior to signature approval to conform to Staff Exhibit A.

Section 24-121(a)(4) of the Subdivision Regulations requires that residential lots adjacent to an existing or planned transit right-of-way shall be platted with a depth of 300 feet with adequate protection from traffic nuisances. This requires an applicant to develop residential lots outside the 300-foot lot depth. The preliminary plan shows the 300-foot lot depth delineation from the CSX track and 40 townhouse lots (Lots 96–135) within the required 300-foot lot depth. The applicant has submitted a variation from Section 24-121(a)(4) as discussed further in the Variation section of this staff report. Staff supports the variation to reduce the 300-foot lot depth to the ground-level unmitigated 65 dBA Ldn and a redesign of

the plan to remove the proposed townhouse lots from within the noise corridor, in accordance with Staff Exhibit A.

The preliminary plan shows all streets and alleys as being private. Staff of the Town of Riverdale Park has stated that the Town requests that all of the streets be dedicated for public use. All internal roadways provide access to various proposed uses, as well as being used to reach Baltimore Avenue (US 1) and the CSX crossing, which would provide convenient access to the College Park Metro, the Riverdale Park Marc Station, and Kenilworth Avenue (MD 201). The proposed CSX bridge crossing will be dedicated for public use and off-site traffic will utilize the bridge crossing as well. Therefore, dedication to public use is far superior then all private internal streets; a dedicated street network ensures public access could not be interrupted. Moreover, pursuant to Section 24-128(b)(7)(A) townhouse lots may utilize alleys provided that the lot has frontage on a public right-of-way. The preliminary plan should be revised to reflect streets to be dedicated to public use under the authority of the Town of Riverdale Park, and is recommended herein.

The site has frontage on US 1, a master-planned major collector facility roadway, which is considered a noise generator. The master plan recommends US 1 as a four-lane divided major collector facility roadway with a 90 to 110-foot right-of-way along the subject property. In addition, the State Highway Administration (SHA) has stated that an 11-foot-wide right-turn lane will be required. Therefore, this preliminary plan is recommending right-of-way dedication of 45 feet from the existing centerline of US 1 along the property's frontage with an additional 11 feet of dedication, unless at the time of detailed site plan SHA determines that only 45 feet is necessary.

There are 35 specimen trees on-site as shown on the tree conservation plan. A variance application to Section 25-122(b)(1)(G) of the Woodland and Wildlife Habitat Conservation Ordinance for the removal of 30 of the 35 specimen trees has been submitted. A statement of justification of a variance application was received and is supported as discussed further in the Variance section of this report. Therefore, five specimen trees are proposed to be retained on-site.

Throughout the preliminary plan process, there have been extensive meetings and coordination between the applicant, planning staff, and the municipalities (the site is within the boundary of the Town of Riverdale Park and the City of College Park) to discuss all of the required conditions, regulations, issues, and concerns regarding the proposed development as they relate to the preliminary plan of subdivision. It was the intent of staff to incorporate the recommendations and conditions of the municipalities, as appropriate, into this technical staff report. However, at the time of the writing of this staff report, final memorandums from the Town of Riverdale Park, the City of College Park, and the Town of University Park have not been received. The municipalities have indicated difficulty in meeting the technical staff report deadline due to the timing of the submittal of some of the information provided by the applicant.

It is important to note that, while the Town Council of Riverdale Park has not yet taken a formal position on this application (at the writing of this report), Town staff has indicated concern with the layout proposed in Staff Exhibit A.

SETTING

The subject property is located on the east side of Baltimore Avenue (US 1), approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410). The site is bordered on the east by an existing CSX right-of-way and tracks. To the north the site adjoins vacant land owned by WMATA. There are exposed tracks in the eastern portion of this right-of-way. In

the western portion of the WMATA property, the tracks are underground. To the west is the US 1 right-of-way and to the south and west the site adjoins the existing post office facility and existing commercial uses along Maryland Avenue.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	M-U-TC (35.71 ac) R-55 (1.63 ac)	M-U-TC (35.71 ac) R-55 (1.63 ac)
Use(s)	Undeveloped	Commercial/Retail (168,200 sq. ft.) Office (22,000 sq. ft.) Hotel (120 rooms) Multifamily (855 units) Townhouse (126 units)
Acreage	37.34	37.34
Lots	0	139
Outlots	0	0
Parcels	1	11
Dwelling Units	0	981
Public Safety Mitigation Fee	No	No
Variance	No	Yes Section 25-122(b)(1)(G)
Variation	No	Yes Section 24-121(a)(4)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on August 17, 2012. The requested variation to Section 24-121(a)(4) of the Subdivision Regulations for the required lot depth was accepted on July 27, 2012, as discussed further in the Variation section of this report, and was heard on August 17, 2012 at SDRC as required by Section 24-113(b) of the Subdivision Regulations.

2. **Previous Approvals**—On February 2, 2012, the Prince George's County Planning Board approved the rezoning of 35.71 acres of the subject site from the One-Family Detached Residential (R-55) Zone to the M-U-TC Zone through Zoning Map Amendment A-10018 with 27 conditions. 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 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park MUTCD Plan) boundary to include the site. The District Council approved Zoning Map Amendment A-10018 (Zoning Ordinance No. 11-2012) and carried forward the 27 conditions approved by the Planning Board. At the Planning Board hearing, the applicant proffered Conditions 11 through 27, and the District Council Order does not contain any findings of fact for these conditions. The following conditions in **bold** are applicable to this preliminary plan of subdivision:

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.**

   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.**

   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 staff level revisions.**

   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 District Council approval of A-10018 on July 12, 2012 rezoned the majority of the site (35.71 acres) to the M-U-TC (Mixed Use Town Center) Zone and approved the amended Town of Riverdale Park MUTCD Plan. The District Council retained 1.63 acres of the site, which is located within the City of College Park, in the R-55 Zone. The R-55-zoned portion of the site is included in this preliminary plan and part of Parcel 81, and should be subject to the condition of approval of a detailed site plan (DSP). A DSP is required for a property in its entirety. The application proposes stormwater management and landscaping on the R-55-zoned portion of the property and is a part of the overall site.

2. **Prior to signature approval of the Development Plan the following revisions shall be made:**

   a. **Revise the general notes on Sheet 1 of 7 of the Plan Sheets to include the adjacent historic site and historic districts, provide the tax map, grid, and parcel number, and clearly indicate if the abandoned right-of-way is a part of the gross tract area.**

   b. **Revise Sheet 3 of 7 of the Plan Sheets to label the right-of-way for ingress/egress for the post office from Baltimore Avenue (US 1), and that it was conveyed to the United States of America by quitclaim deed recorded in the Prince George's County Land Records in Liber 3624, Folio 948.**

   c. **Revise the Plan Sheets to delineate the boundary of Aviation Policy Analysis Zone 6 and the municipal boundaries of the City of College Park and the Town of Riverdale Park.**

   d. **Revise the Development Plan to include streetscape details as indicated on Gateway Park and Street Sections for Baltimore Avenue (US 1) that provide for a safe and attractive pedestrian zone.**

   e. **Provide information and verify that the right-of-way extending north and south through Parcel 81 and the Washington Metropolitan Area Transit Authority (WMATA) property has, in fact, been abandoned and that the issue is settled and/or provide information of the disposition of that area of land, as appropriate.**

   f. **Revise the Development Plan to conform to the amended boundary as reflected in the applicant's January 12, 2012 request.**

   g. **Revise Map 1: Concept Plan A and Concept Plan B and Maps 2 and 3 so that the townhouses front on streets, have ample front yards for tree plantings, and that the units are oriented so that the alleys are parallel to the roadways serving the fronts of the units.**

   h. **Revise the sign standards to reflect the level of detail provided in the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* and consolidated into one area of the Guidelines.**

i. **Revise the Guidelines to add the following:**

(1) **Development that increases existing gross floor area (GFA) by 5 percent or 2,500 square feet, whichever is smaller, shall subject the site to full review for compliance with the design standards. Lesser changes to the site, and additions to single-family residential dwellings, shall not subject the entire site to review for compliance, only the portion impacted by the improvement.**

(2) **Gas stations may add a maximum of 30 feet to the build-to line in order to place a pump between the station and the sidewalk. The additional setback may not be used for customer parking, loading, or outdoor storage.**

(3) **All new gas stations shall have a maximum of two 18-foot-wide driveways.**

(4) **Gas stations should minimize the area of impermeable surface.**

(5) **Car repair businesses may have a maximum of two curb cuts that are a maximum width of ten feet each.**

(6) **Buildings shall occupy a minimum of 50 percent of the net lot area for each lot.**

(7) **The building façade shall occupy a minimum of 66 percent of the build-to-line for each lot.**

(8) **Drive-through windows are inconsistent with the pedestrian orientation of the town center and are strongly discouraged. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property.**

(9) **Pedestrian-accessed ATMs may be located on the front or side of the building along a street line. Vehicular oriented ATMs shall not be visible from Woodberry Street, 45th Street north of Van Buren, or Van Buren Street.**

(10) **The maximum number of off-street parking spaces permitted for commercial (nonresidential) land-use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. If structured parking is provided, this maximum number may be increased.**

(11) **Car repair businesses may not store vehicles in front of or alongside the building, but may store cars inside or in the rear, with appropriate screening if adjacent to a residential use.**

(12) **Healthy trees shall be preserved within proposed green areas, landscape strips, streetscapes, and parking lots, where feasible.**

Where they cannot be preserved on-site, a professional arborist may transplant them to a new location on-site or within the Town of Riverdale Park, where feasible.

j. Revise the Development Plan to combine blocks 6d and 6e into one block 6d.

The approved Town of Riverdale Park MUTCD Plan for the Cafritz Property (A-10018) was certified on October 2, 2012 and found to conform to this condition of approval. Conformance to Conditions 1 and 2 is discussed further in the Urban Design section of this report.

3. Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:

a. The Preliminary Plan shall reflect the unmitigated 65 dBA Ldn from noise generators.

The unmitigated 65 dBA Ldn from the CSX railroad tracks and Baltimore Ave (US 1) are shown on the preliminary plan. The applicant has submitted a noise study with this application. As part of the review of the noise impacts on this property associated with US 1 and the CSX railroad, the applicant has submitted a variation for lot depth for the townhouse units located within the 65 dBA Ldn along the CSX tracks as discussed further. It is important to note here that the variation and noise study submitted do not complement one another. The noise study indicates that there are no noise impacts and the variation to lot depth indicates that there are in fact noise impacts and that the applicant will provide mitigation as discussed further in the Environmental section of this report.

b. The plan shall delineate the 300-foot lot depth from the right-of-way (CSX railroad tracks) for residential development in accordance with Section 24-121(a)(4) of the Subdivision Regulations. The preliminary plan may establish additional restrictions on the layout if it is determined that noise and vibration issues are associated with the railroad tracks.

A 300-foot lot depth from the right-of-way (CSX railroad tracks) for residential development is required in accordance with Section 24-121(a)(4) of the Subdivision Regulations and is delineated on the preliminary plan. The applicant has submitted a variation request to Section 24-121(a)(4) for the 300-foot lot depth for all of the lots that do not meet this standard (40 lots), as discussed further in the Subdivision section of this report. Staff recommends approval of the variation, in part, for 15 lots in accordance with Staff Exhibit A, which removes all lots within the 65 dBA Ldn ground-level noise contour which do not meet the lot depth.

Staff would note that, while lot depth (Section 24-121(a)(4)) would not affect the development of condominium units, the issue here is the impact of noise on the health, welfare, and enjoyment of the residents. The purpose of the lot depth requirement is to ensure the ability to locate dwelling units away from sources of noise and vibration. Whether developed as fee-simple lots or condominium units, staff would not recommend the placement of dwelling units where the associated outdoor activity areas are within the ground-level 65 dBA Ldn.

c. **The applicant shall provide information and verify that the right-of-way extending north and south through parcel 81 has, in fact, been abandoned and/or provide information of the disposition of that area of land, as appropriate.**

The applicant has submitted a letter dated May 11, 2012 (Reed to Chellis) and included the Memorandum and Order from the United States District Court from the District of Maryland in Civil Case No. K-88-1927 (1989). The Court Order ruled that the trolley trail right-of-way extending 1,630 feet north and south through Parcel 81 was not a fee-simple conveyance, but was an easement. The 50-foot-wide easement was granted in 1895 from Parcel 81 which is the subject of this application. The Court found that the easement had been abandoned.

Subsequent to the grant of the trolley trail easement in 1895 and prior to its abandonment, the property owner subdivided Parcel A (post office facility) from Parcel 81 in 1968 and dedicated a 15-foot-wide strip of land to public use abutting 660 linear feet along the west side of the 50-foot-wide trolley trail easement. The trolley trail easement was not granted through the subdivision of Parcel A. In fact, Parcel A does not front on what was the trolley trail easement since a right-of-way was dedicated to public use on the west side of the trolley trail easement from the land area associated with Parcel A.

The trolley trail right-of-way (50 feet wide) was never a fee-simple conveyance of the land from Parcel A or Parcel 81, nor did the abandonment of the easement by Court Order result in a division of land or any other grant of property.

However, the preliminary plan of subdivision submitted by the applicant includes only a part of Parcel 81, and does not include the western half (25 feet) of the land which was encumbered by the 50-foot trolley trail where Parcel 81 abuts the right-of-way dedicated from Parcel A, to the east. The applicant has claimed that the U.S. Postal Service (USPS) erected a fence on Parcel 81 over the 15-foot-wide dedicated public right-of-way extending further east (25 feet) onto Parcel 81 on the western half of the trolley trail right-of-way. The applicant has stated that they have not included that part of Parcel 81 because USPS has a claim of adverse possession because of the erection of the fence over several decades ago. Through aerial photos, site visits, and review of the preliminary plan submitted by the applicant, staff has verified that the fence was in fact constructed over the public right-of-way, but does not extend onto Parcel 81. The fence does not extend into the middle of the 50-foot-wide trolley trail. Further, while staff would take into consideration the applicant's contention that there exists a claim of adverse possession on a property under consideration by the Planning Board, staff has no evidence that a claim would exist based on the applicant's statements and inspection. Moreover, adverse possession is a question for the courts and not the Planning Board to resolve; therefore, Parcel 81 must be included in the preliminary plan of subdivision in its entirety prior to signature approval of the preliminary plan.

d. **Documents shall be provided so that the trail will be dedicated to public use within a maintenance easement or other suitable agreement.**

The applicant submitted an easement agreement template provided by the Department of Public Works and Transportation (DPW&T). Staff is recommending that 1,190 linear feet of the trolley trail alignment be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) as part of the mandatory dedication requirement (Section 24-134 of the Subdivision Regulations) and that a portion (450 linear feet) of the historic alignment which extends through the center of the development be placed in a public use easement, as further delineated on an approved detailed site plan (DSP). Prior to final plat approval, the applicant should submit an executed public use easement for the master plan trolley trail and, prior to recordation, the liber/folio of the agreement reflected on the final plat.

e. **Provide one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.**

The preliminary plan does show an east-west bicycle route through the site along Woolbury Street. Bicycle routes and facilities within the site are discussed further in the Trails section of this report. A question throughout the review of this preliminary plan has been the disposition of the rights-of-way and whether they should be dedicated to public use (Town of Riverdale Park) or be private streets, as discussed further in this report. Section 24-128 of the Subdivision Regulations requires that townhouse lots which utilize alleys front on public streets, which necessitates some public streets within this development as discussed further.

f. **The applicant shall provide a draft report detailing the Phase II archeology investigations.**

The applicant has submitted a draft report of the Phase II archeology investigations. This preliminary plan and Phase II report have been reviewed by the Historic Preservation Commission (HPC) and is discussed further in the Historic Preservation section of this report.

g. **The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.**

The preliminary plan does include proposed cross sections with roadbeds and streetscape of the proposed streets within the development; however, no dimensions are provided on the preliminary plan of subdivision. The applicant and the Town of Riverdale Park have considered DPW&T standards for public

streets; however, in order to accommodate a denser urban environment, those standards are proposed to be modified as reflected in the zoning case and this preliminary plan. The proposed street standards and transportation facilities for the site are discussed further in the Transportation section of this report.

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.**

   This condition will be evaluated at the time of DSP when a determination of the exact number of required parking spaces will be determined.

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.**

   This preliminary plan has been reviewed by HPC and is discussed further in Historic Preservation section of this report.

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

   a. **Plans indicating that the signalized intersection at Van Buren Street and Baltimore Avenue (US 1) shall include highly-visible and attractive pedestrian crosswalks, pedestrian signals, and other pedestrian or warning signage as appropriate, subject to State Highway Administration (SHA) approval.**

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

   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.**

   This condition is applicable to the DSP.

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.

Conformance to Conditions 6 and 7 have been considered with this preliminary plan as discussed and will be further evaluated at the time of DSP.

8. **Prior to any ground disturbance or the approval of any grading permits, if Phase III archeological mitigation is proposed, the applicant shall provide a final report detailing the Phase II and Phase III investigations and ensure that all artifacts are curated in a proper manner.**

   This condition is applicable to permits, but is further discussed in the Historic Preservation section of this report.

9. **Prior to final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I, Phase II, and Phase III archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Commission and the Maryland-National Capital Park and Planning Commission staff archeologist.**

   This preliminary plan has been reviewed by HPC. At the HPC meeting, concerns were raised regarding interpretive measures and Phase III archeological mitigation, and are discussed further in the Historic Preservation section of this report.

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 applicant submitted a valid approved natural resources inventory which is discussed further in the Environmental section of this report.

    b. **At the time of Preliminary Plan, the Type 1 tree conservation plan shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable. At a minimum, preservation shall be focused on the highest priority areas (Forest Stands 1 and 3).**

       The applicant submitted a Type 1 tree conservation plan; however, the tree conservation plan does not demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable. The tree conservation plan is discussed further in Environmental section of this report.

    c. **At the time of preliminary plan, condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.**

The applicant submitted a condition analysis for all of the specimen trees within Stands 1 and 3. The condition analysis was submitted after the 35-day requirement before the Planning Board hearing. The analysis of the specimen trees is discussed further in the Environmental section of this report.

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.**

Conformance to Condition 10(d) regarding tree canopy coverage will be evaluated at the time of DSP.

e. **At the time of preliminary plan, a Phase I noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a minimum, the associated railroad noise and the whistle blower. The 65 dBA Ldn noise contour shall be shown on all future plans.**

The applicant submitted a noise study and the preliminary plan shows the unmitigated 65 dBA Ldn noise contour; however, staff would note that the analysis for the vibration and the whistle blower as requested by staff on August 17, 2012 was submitted in part as recently as January and after the 35-day Planning Board policy for submitting information prior to the Planning Board hearing. The noise study and the 65 dBA Ldn noise contour are discussed further in the Environmental and Variation sections of this report.

f. **At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the Type 1 tree conservation plan.**

The applicant submitted an approved revised stormwater management concept plan. The analysis of the stormwater management plan is discussed further in the Stormwater Management section of this report.

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 cutoff 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.**

Conformance to Condition 10(g) regarding the lighting plan will be evaluated at the time of DSP.

The applicant proffered the following conditions at the Planning Board hearing on the rezoning case (A-10018) which were retained in the District Council Order:

11. Revise the Guidelines as follows:

a. To page iii under Overall Design Principles, add the following bullet points to the list of bullet points:

(1) Low impact design principles shall be incorporated into the overall community design.

(2) Create a community that respects and supports equally all modes of transportation. The development will encourage pedestrian, bicycle, and public transit modes of transportation.

(3) Demonstrate design features for sustainability that address environmental health, air and water quality, energy efficiency, and carbon neutrality.

b. On page ii, insert at the end of the section Public Spaces the following language:

"Public spaces such as parks, plazas, and squares should promote activity, in front of buildings or public right-of-ways, and be focal points within the community."

c. Page ii, in the first sentence of the second paragraph under Public Spaces, add "appropriate" between "all" and "intersecting".

d. All standards from the 2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan relating to gas stations and auto-repair should be reinserted into the standards.

e. On Page 5, remove Intent under building placement and streetscape, and add the following language:

Enhance the Town Center's sense of place by developing a coherent identity through buildings that relate to the street and open spaces. Create buildings that frame the street and open spaces, and encourage close proximity of retail, offices, residential units, and services.

f. On Page 7, under Services, Utilities, and Stormwater, replace #1 Standard to read as follows:

All utility lines added during development shall be underground. All utility meters and access points shall be on the rear of the property. Utilities shall include, but are not limited to, electric, natural gas, fiber optic, cable television, telephone, water and sewer service.

g. **On Page 7, under Services, Utilities, and Stormwater, add the following to the last sentence of Intent: "sidewalks, open spaces, and MARC train."**

h. **Page 7, under Services, Utilities, and Stormwater, add to the beginning of #6 under Standards: "All lot-level development shall".**

i. **Strike Standard #11 from page 10, under Parking and Loading Design.**

j. **On Page 11, under Lighting, change Standard #5 to add "and design" after "intensity."**

k. **Page 11, under Landscaping, add "2004 Approved" before "Town" in the first sentence.**

l. **Page 11, under Landscaping, to Standard #6 "Appendix B" add "of the 2004 Approved Town of Riverdale Park Mixed-Use Town Center Development Plan."**

m. **Page 11, under landscaping, Standard #2, after "green areas" add "and where possible in parking areas."**

n. **Page 12, Building Height, add a new Standard #4, to read as follows:**

> **Single-story buildings shall match or exceed the height of the adjacent buildings bases, and shall be not less than 20 feet in height. However, single-story buildings are discouraged.**

o. **Page 14, Architecture, remove Standard #13.**

p. **Page 13, Architecture, amend Standard #9 to remove "Townhomes" and replace with "Residences."**

q. **Page 13, Architecture, Standard #5 add to the end of the first sentence the following language: "with exception of cementitious siding."**

r. **Page 13, Architecture, Standard #5, after the new amendment above, strike the remaining language in the standard and replace it with the following language:**

> **"Materials other than masonry, brick, wood, and clear glass may be approved if material samples are provided and examples of existing buildings that use such materials in the proposed way are submitted, and the M-U-TC Design Review Committee (in the review of the SP process) and the Planning Board (in the review of the DSP process) finds that it meets the Intent of this section."**

s. **Page 13 Architecture, Standard #6, remove "all" in first sentence, strike "surrounding" in first paragraph, strike C and strike E.**

t. **Page 15, Building Openings, strike Standard #5 and replace with:**

> **"Tinted and colored windows may not be used unless the M-U-TC Design Review Committee (in the review of the SP process) and the Planning Board (in the review of the DSP) finds that the windows meet the intent of this section."**

u. **Page 16, Signage, strike Standard #8.**

v. **Page 16, Signage, move all standards (except 8) to page 10.**

w. **Page 16, Signage, strike the Intent section.**

x. **Page 16, Signage, include all old standards #8 and #10-19 not specific to historical core.**

y. **Page 18, Landscaping and Pedestrian Amenity Zone, Standard #5, strike "as irrigation" and replace with "or absorption."**

z. **Page 20, Parks and Plazas, strike Standard 12 and replace with:**

> **"Where possible, add continuous lines of habitat through the use and linkages of street trees, landscaping, parks, and yards."**

aa. **Page 7, Access and Circulation Standard #4, substitute with the following:**

> **"The number of vehicle-oriented ATMs shall be less than the number of pedestrian-oriented ATMs on a building-by-building basis, and vehicle-oriented ATMs shall not be visible from primary streets.**

bb. **Page 7, Access and Circulation, Standard #2, change "windows" to "services". Limit number of service lanes to two. Drive-through lanes for restaurants are prohibited.**

cc. **Include provisions for loading dock requirements such that they are screened from the street and any adjacent residential development.**

dd. **Page 7, Services, Utilities, and Stormwater Management, Standard #5 strike "should" in the first sentence and substitute the word "shall".**

ee. **Pages 7 and 8, Services, Utilities, and Stormwater Management, Standard #6(1) substitute with the following:**

> **"Lot-level Best Management Practices (BMP's) that include green roofs, dispersion trenches, rain gardens, cisterns, rain barrels, pervious pavements, and/or other BMPs;"**

ff. **Page 10, Parking and Loading Design, add a new Standard #18 stating the following:**

> **Parking pads on surface lots shall include permeable paving subject to a soil study identifying the top soils and subsoils and their appropriateness to support the use of porous pavement.**

gg. **Page 12, Building Height, substitute entirety of Standard #2 with the following:**

> **"An additional two stories may be considered, not to exceed six stories."**

The approved Town of Riverdale Park MUTCD Plan for the Cafritz Property (A-10018) was certified on October 2, 2012. Condition 11 is provided in its entirety and discussed further in the Urban Design section of this report.

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.**

The preliminary plan labels the trolley trail historic alignment as "Rhode Island Avenue," although it is not a dedicated public right-of-way or easement. The preliminary plan proposes to incorporate a significant portion the Rhode Island Avenue hiker/biker trail (trolley trail) on the sidewalk along an internal street (Parcel K) and not within the historic alignment of the trolley. The preliminary plan proposes to jog the master plan trail from the historic alignment, as it extends from the south, east into the site and then north in front of townhouse dwelling units, then jog west back into the historic alignment in the northern portion of the property. It is staff's recommendation that the hiker/biker trolley trail be located within the historic trolley alignment and be dedicated (1190 linear feet) to M-NCPPC as part of mandatory dedication of parkland per Section 24-134 of Subdivision Regulations, with a portion (450 linear feet) being located within the historic alignment and placed within a public use easement. Condition 12 will be carried forward as a condition of this preliminary plan. The trolley trail is discussed further in the Trail and Park and Recreation sections of this report.

Staff would note that a portion of the alignment to be dedicated extends over an easement held by WAMATA. Coordination between M-NCPPC and WAMATA will be necessary regarding construction of the master plan trolley trail within the easement held by WAMATA.

13. **Prior to approval of a detailed site plan, a 90-to-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. This depth of buffer may be reduced north of Van Buren Street with approval by the Planning Board, provided the applicant submits evidence demonstrating that it submitted plans to the Town of University Park prior to the acceptance of the detailed site plan and the Town was afforded sufficient time to comment, and if it is determined to be a superior design solution, by providing berms, retaining walls, landscaping, or other screening of the parking lot from the residences to the west consistent with Parking Sections Exhibit dated January 7, 2012. In no event shall the buffer be less than 60 feet in width.**

The preliminary plan reflects the buffer along Baltimore Avenue (US 1) extending east from the right-of-way. The preliminary plan proposes two streets (Woodbury and Van Buren) extending east into the site from US 1. The buffer is broken into three lots (Lots 136, 137, and 138). Lot 136 is located north of Woodberry Street and the width is 70 feet. Lot 137 is located south of Woodberry Street and north of Van Buren Street and the width ranges from 105 to 135 feet. Lot 138 is located south of Van Buren Street and the width ranges from 100 to 155 feet. As discussed further in the Transportation section of this report, right-of-way dedication is requested by the Maryland State Highway Administration (SHA) and recommended by staff. The applicant has been advised that any dedication required as part of this preliminary plan of subdivision should not reduce the buffer, that the buffer should be shifted to the west in its entirety with no reduction and, in its current configuration (size and width), to the west outside of the dedication to abut the east side of the right-of-way prior to signature approval.

Any modification to the width of the buffer, as it has been proposed by the applicant with this preliminary plan, could be reviewed with the DSP when a more detailed analysis could occur. Staff does not believe that any reduction of the buffer should be reviewed without the benefit of detailed landscaping and technical grading and layout plans of the linear park (buffer), which will be available with the DSP review process.

Prior to signature approval, the "lot" designation should be revised to "parcels," with no development potential. The purpose of the parcel designation is to distinguish them from developable lots.

In order to ensure maintenance of the park-like setting and the health of the vegetation in the bioretention areas, it may benefit the community that this area be maintained in conjunction with the Town of Riverdale Park and perhaps the Town of University Park, along with the business community occupying space located within the overall site. The front of the property along US 1 was of major concern in the review of the primary amendment. This area was shown as one of the green spaces and was basically proposed as part of the justification for mitigation of setting the buildings back from the right-of-way (see Applicant's Exhibit 1, Cafritz Property at Riverdale Park, Green Spaces, pages 10–12). This green space is contained within proposed Lots 1, 2, and 3. Within this area, the applicant developed a set of plans and perspectives to depict the future design as a gateway. The park-like area exhibits included seating areas, trails, exercise stations, sculptures, historic interpretation, children's play areas, bus shelters, Wi-Fi access, bike stations, transportation kiosks, a pedestrian bridge, specimen tree preservation, and bio-retention areas. It seems that this area will require a considerable amount of attention to maintain the facilities to be provided. Therefore, it seems appropriate that, since this land area is largely to the benefit of the neighborhood, the affected municipalities should be included in the decision making and perhaps the maintenance of the gateway feature. In this case, Riverdale Park and University Park should consider involvement in order to protect the features and facilities to be implemented in the parcels, and perhaps an easement should be created in order to maintain the land area in cooperation with the land owner, so an easement to the benefit of the Towns is appropriate. However, the final decision for this suggestion lies with the municipalities and can be determined at the time of DSP.

As indicated, SHA may require additional dedication along the frontage of the property in order to provide a right-turn lane into the property. If this is the case, the final plat should dedicate the full required depth of dedication along the front of the property. The decision for the minimum width required for dedication should be determined prior to acceptance of the DSP for review, as this issue will substantially impact the frontage of the property and the design of the gateway entrance for the development. Furthermore, if widening the roadway is required by SHA, the existing overhead utilities should be placed underground along the frontage of the property. Widening the roadway may require the removal of existing specimen trees along the frontage of the property.

14. Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:

a. A revised Stormwater Management Concept Plan that designates the property as a new site and complies with the stormwater management provisions contained in CB-15-2011 (Subtitle 32) to provide more environmental site design to the maximum extent practicable, with the goal of no new impact on the tributary drainage into the northeast Branch of the Anacostia River. The proposed plan shall show the use of environmental site design technologies such as bio-retention, infiltration, and especially green roofs to the maximum extent practicable.

The applicant submitted an approved revised stormwater management concept plan. The analysis of approved stormwater management plan is discussed further in the Environmental and Stormwater Management sections of this report.

b. The applicant shall provide evidence that copies of all stormwater submittals were provided to the Town of Riverdale Park, the Town of University Park, the City of Hyattsville and the City of College Park, 30 days prior to filing with DPW&T and notification of an invitation to all meetings between the applicant and DPW&T.

The applicant submitted two sets of transmittal sheets of all the stormwater management plan submittals to the Town of Riverdale Park, the Town of University Park, the City of Hyattsville, and the City of College Park. One set of transmittal sheets was dated March 7, 2012 and a second set was dated July 10, 2012. On September 20, 2012, a meeting was conducted at DPW&T to discuss the stormwater management plan for the Cafritz development. The meeting was attended by the applicant, DPW&T, M-NCPPC, the Town of Riverdale Park, the Town of University Park, and the City of College Park. Based on the September 20, 2012 meeting, the applicant submitted a second revised stormwater management concept plan, which has not yet been approved by DPW&T. The second revised stormwater management concept plan and stormwater management concept plan computations were also submitted to all of the municipalities on December 12, 2012 based on evidence presented by the applicant.

The analysis of the approved stormwater management plan is discussed further in the Environmental and Stormwater Management sections of this report.

c. **A Revised Traffic scoping agreement and Impact Study that:**

(1) **Accurately reflects the development proposal and anticipated phasing;**

(2) **Eliminates corridor averaging for all intersections included in the Study;**

(3) **Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;**

(4) **Analyzes all proposed connections, including the proposed CSX Crossing and Maryland Avenue;**

(5) **Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate;**

(6) **Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bikeshare, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing;**

(7) **Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved detailed site plan or preliminary plan of subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and**

(8) **Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.**

The applicant submitted a revised traffic study based on the scoping agreement and was deemed acceptable by the Transportation Planning Section. The analysis of the traffic study and the above condition it its entirety is discussed further in the Transportation section of this report.

15. **After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.**

The most recent submittal of the preliminary plan now proposes to have all private streets and alleys for the development. Staff of the Town of Riverdale Park has stated that the Town wants all of the streets to be dedicated for public use. Pursuant to Section 24-128(b)(7)(A) of the Subdivision Regulations, townhouse lots may utilize alleys provided that the lots have frontage on a public right-of-way. The preliminary plan should be revised to reflect streets to be dedicated to public use under the authority of the Town of Riverdale Park. The analysis of the streets and circulation is discussed further in the Transportation section of this report.

16. **The applicant shall submit evidence of an application submittal to the U.S. Green Building Council (USGBC) under Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) for a Smart Location and Linkage (SLL) prerequisite review at the time of Preliminary Plan submission and provide the results for review prior to approval of the Preliminary Plan. Upon GBCI/USGBC approval of SLL prerequisites, the applicant shall pursue and employ commercially reasonable efforts to obtain conditional approval of the plan under LEED-ND 2009 Stage 1 (pre-entitlement) approval. If based on pre-entitlement review, full certification through LEED-ND is not practicable, then the applicant shall at detailed site plan provide a LEED score card that demonstrates a minimum of silver certification for all new construction and that will be enforced through DSP review. If the LEED score card requirements cannot be enforced through the DSP review or other third-party certification acceptable to both the applicant and the Town of Riverdale Park and the Town of University Park (and pursued by the applicant at its expense), at minimum the applicant shall pursue silver certification under LEED-NC and LEED Homes, or if available, equivalent standards as determined at time of DSP by the Planning Board.**

The applicant has submitted evidence of the initial application to the U.S. Green Building Council (USGBC) for a Smart Location and Linkage prerequisite review under the provisions and requirements of the LEED-ND (Leadership in Energy and Environmental Design (LEED)® for Neighborhood Development) rating system. Staff expects to see additional efforts toward certification under the silver or higher level under the LEED-NC (New Construction) and LEED Homes building rating systems at the time of DSP submittal.

17. **At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.**

The applicant has submitted a transportation management plan (TMP) for the entire development. The analysis of the TMP is discussed further in the Transportation section of this report.

18. **Prior to approval of a Preliminary Plan of Subdivision, the applicant shall provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.**

The applicant has not provided any evidence of a commitment to organize and achieve a private shuttle vehicle to and from the metro station. The analysis of Condition 18 is discussed further in the Transportation section of this report.

19. **Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.**

The applicant has not provided any evidence of a commitment to participate in a circulator bus program. The analysis of Condition 19 is discussed further in the Transportation section of this report.

20. **Prior to approval of any DSP for the project, the applicant shall submit a traffic signal warrant study following the accepted methodology of DPW&T or the Maryland State Highway Administration (SHA) for the intersection of Baltimore Avenue and Van Buren Street with channelization as shown on Sheet 4 of the Development Plan. This analysis will examine both existing and total projected traffic volumes. If signals are deemed warranted by the appropriate agency, the applicant shall initiate a bond to secure the entire cost prior to the release of any building permits within the subject property and shall agree to install the signals as directed by DPW&T or the State Highway Administration. Further, subject to SHA approval, applicant shall install the traffic control devices as noted on the Development Plan (Pork Chop Islands) or as modified by SHA to direct traffic so that no traffic may directly access or egress the property across Baltimore Avenue along Van Buren Street. Both entrances and exits at Woodberry and Wells Parkway, respectively north and south of the Van Buren "gateway," must be right turn only in and out. Prior to the issuance of a grading permit, the applicant shall demonstrate that the State Highway Administration has preliminarily approved the installation of the traffic signal and other traffic control devices at Van Buren Street and Baltimore Avenue, subject to approval of the final construction plan and permit by SHA. If for any reason, including lack of warrants or SHA or other required governmental approval, the traffic signal and other traffic control devices described in this paragraph are not installed or cannot be installed at Van Buren and Baltimore Avenue, no permits may be issued.**

Conformance to Condition 20 will be evaluated at the time of DSP.

21. Prior to approval of a detailed site plan the plans shall provide or demonstrate:

a. After completion of construction of the first multi-family building in the project:

(1) At least 80 percent of the parking for the overall development ultimately will be in structured parking; and

(2) The maximum number of off-street surface parking spaces permitted for each nonresidential land use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance.

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

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

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

Conformance to Condition 21 will be evaluated further at the time of DSP.

22. Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.

The proposed development is projected to generate 463 AM and 779 PM new weekday peak-hour vehicle trips, respectively, based on the information provided by the applicant in the required traffic study. While the generated AM and PM peak-hour vehicle trips are less than the 548 AM and 902 PM new peak-hour vehicle trip caps stated by Condition 22 of Zoning Ordinance No. 11-2012, the development is limited to the trip cap approved as a part of this preliminary plan of subdivision.

23. Prohibit clear-cutting or re-grading any portion of the development until a detailed site plan for that portion of the site has been approved.

The Type 1 tree conservation plan does show proposed grading and clearing for the site. The analysis of Condition 23 is discussed further in the Environmental section of this report. Conformance to Condition 23 will be evaluated at the time of DSP.

24. Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, subject to the opportunity for review and comment by the Town of Riverdale Park and the Town of University Park:

a. The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").

The preliminary plan shows Maryland Avenue Extension (Parcel K) connecting existing Maryland Avenue to the south to the Van Buren Extension within the site. In addition, staff recommends a modification as reflected on Staff Exhibit A which is a more direct connection to Van Buren Extension on-site where Van Buren Street terminates on the west side of the round-about.

b. **Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety vehicles.**

The preliminary plan does not show the off-site extension of Maryland Avenue to the south from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street off-site. The preliminary plan should be revised to provide a note that the off-site connection shall be made consistent with this condition.

c. **Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 100 residential dwelling units, the construction of the Van Buren Extension shall be complete as verified by the Town of Riverdale Park.**

Condition 24(c) will be carried forward with this preliminary plan.

25. **Prior to the approval of a Preliminary Plan of Subdivision (the "Preliminary Plan"), the applicant shall do the following, subject to the opportunity for review and comment by Prince George's County, the Town of Riverdale Park, and the Town of University Park:**

a. **The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the"CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.**

The preliminary plan shows a crossing over the adjacent CSX railroad tracks located along the northern portion of the site as a general extension of Woodberry Street. The applicant also submitted a conceptual cross section of the bridge across the CSX railroad tracks, a profile which will be further reviewed at the time of DSP. The analysis of the CSX crossing is discussed further in the Transportation section of this report.

b. **Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.**

The applicant has not provided evidence and the application lacks any secure funding or financial assurances that the crossing and its connection to River Road will be constructed in a timely manner. Staff believes that the intent of this condition is to require the applicant to identify a funding mechanism for the construction of the bridge, and obtain the approvals of that prior to DSP. The analysis of Condition 25(b) is discussed further in the Transportation section of this report.

c. **Provide letters from the CSX and University of Maryland (or the affected land owner), that recommend approval of the CSX Crossing as shown on the Preliminary Plan and identify the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University (or the affected land owner).**

The applicant submitted a letter dated December 18, 2012 (Biesterveld to Hewlett) from CSX (CSX Transportation, Inc. (CSXT)) in acknowledgement of the approval of the bridge crossing location as shown on the preliminary plan of subdivision on the north portion of the site along Woodberry Street. The December 18, 2012 letter dated March 30, 2012 (Savy to Hewlett) references the crossing location as shown on an Exhibit A. The applicant did not submit Exhibit A. The letters were submitted after the 35-day requirement before the Planning Board hearing. Staff contacted Mr. Biesterveld of CSX via email and Mr. Biesterveld was able to confirm the location of the CSX crossing as reflected on the preliminary plan of subdivision is acceptable.

The applicant has not provided letters from the affected landowner, the American Center for Physics for the CSX Crossing.

d. **Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.**

The applicant has not provided cost estimates for the design, permitting, and construction of the CSX crossing. The analysis of Condition 25(d) is discussed further in the Transportation section of this report.

Further, the applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars ($5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local

laws. 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.

The applicant has not provided cost estimates or a funding mechanism for the design, permitting, and construction of the CSX crossing.

26. The implementation of the CSX Crossing shall be in accordance with the following:

a. Prior to the issuance of any permits for development on the property, the applicant (1) shall submit a roadway plan for the location and design of the CSX Crossing to CSX, or to AECOM or other agent designated by CSX, and to the University of Maryland (or the affected land owner), and (2) shall submit letters received from both of them that approve the construction of the CSX Crossing in accordance with the roadway plan, subject to approval and authorization of the final construction plan, and verification by the Department of Public Works and Transportation that the roadway plan meets the American Association of State Highway and Transportation Officials' (AASHTO) standards and is appropriate for construction of the CSX Crossing, and has been approved by CSX and the University of Maryland (or the affected land owner).

b. Prior to the issuance of building permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the applicant (1) shall have received all necessary permits and approvals for construction of the CSX Crossing, (2) shall have provided the Prince George's County Department of Public Works and Transportation with all approved financial assurances and performance security to ensure completion of construction of the CSX Crossing, and (3) shall have commenced construction of the CSX Crossing as verified by the Prince George's County Department of Public Works and Transportation.

c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the construction of the CSX Crossing shall be at least fifty percent complete as verified by the Prince George's County Department of Public Works and Transportation, and the Department of Public Works and Transportation shall have verified that all approved financial assurances and performance security to ensure completion of construction of the crossing remain in full force and effect.

d. Prior to the issuance of building permits for more than 382 residential dwelling units, the CSX Crossing shall be open for use by public vehicular traffic as verified by the Prince George's County Department of Public Works and Transportation.

e. **Applicant shall timely provide the Towns of Riverdale Park and University Park, the City of College Park, and the Prince George's County Department of Public Works and Transportation with copies of all submittals, notices, approvals and determinations made pursuant to this condition.**

The submitted plan shows the required CSX crossing, the alignment, the cross section, and how it is connected from Van Buren Street to River Road via Rivertech Road. The plan also shows a revised location as the preferred location for this crossing, and the applicant has secured a general approval confirmation from CSX for the proposed location of this crossing. However, to date, the applicant has not been able to furnish staff with an approval letter from the American Center for Physics (the affected property owner) where the eastern half of the access connection must be built. The applicant has not provided staff with any of the required cost estimates and financial calculations for design, right-of-way, and the construction. The applicant has also failed to provide or demonstrate that secure funding or financial assurance are or would be available to ensure the required crossing and its connection to River Road as outlined by this condition and/or Section 24-124 of the Subdivision Regulations.

27. **The applicant, the Town of Riverdale Park, and the Town of University Park will work together to petition the District Council to initiate and establish a Transportation Demand Management District ("TDMD") program under the Prince George's County Transportation Demand Management District Ordinance Subtitle 20A. Consideration should be given to establishing the boundaries of the TDMD to extend from Paint Branch Parkway to Queensbury Road. Once a TDMD is established, the applicant will provide financial support and the TMP will become part of the District and will be monitored by the Transportation Management Authority ("TMA"). The TDMD should provide for traffic reduction goals and periodic independent verification of monitoring whether the goals have been met, including restricting the maximum allowable density to a level that will generate average net additional daily vehicle trips on Baltimore Avenue that are not more than 20% above current levels, and net additional peak hour trips that are no more than 20% above current peak-hour vehicle trips at AM (06:00-09:00), mid-day (11:00-14:00), PM (16:00-19:00), and Saturday (10:00-18:00). These counts will be performed at a fixed location specified in the TDMD between East-West Highway and the southern entrance, and between Queens Chapel Road and the northern entrance, to the project and will be based upon traffic estimates that have been reviewed and determined to be reasonably accurate by the Transportation Planning Section of M-NCPPC. If the goals of the TDMD are not met, additional vehicle trip reduction measures to resolve the problem will be required pursuant to the requirements of Subtitle 20A.**

The applicant has submitted a transportation management plan (TMP) for the entire development. The analysis of the TMP is discussed further in the Transportation section of this report. At this time, a transportation demand management district has not been established by the District Council that includes the subject property.

At the writing of this staff report, this preliminary plan application does not conform to Conditions 10(b), 18, 19, 25(b), 25(c), and 25(d) of Zoning Map Amendment A-10018.

3. **Community Planning**—The 2002 *Prince George's County Approved General Plan* (General Plan) designates the subject property within 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 General Plan designated the Riverdale MARC station in the southern portion of the M-U-TC 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 property is also located along the Baltimore Avenue Corridor as designated by the 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 preliminary plan is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier and the Baltimore Avenue Corridor by proposing a medium- to high-density, mixed-residential, and commercial development. Approval of this application does not violate the General Plan's growth goals for the year 2025, upon review of Prince George's County's current General Plan Growth Policy Update.

The 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* (Planning Area 68 Master Plan and SMA) retained the R-55 zoning, but recommended that future consideration should be given to rezoning the Cafritz property to a residential comprehensive design zone. The District Council approval of A-10018 on July 12, 2012 rezoned the majority of the site (35.71 acres) to the M-U-TC (Mixed Use Town Center) Zone and approved the amended Town of Riverdale Park MUTCD Plan. The District Council retained 1.63 acres of the site (Parcel 81) which is located within the City of College Park in the R-55 Zone. The land use proposed by this preliminary plan conforms to the amended Town of Riverdale Park MUTCD Plan recommendation for a mix of uses (commercial/office, hotel, and residential) on the subject property. The mix of uses proposed by this preliminary plan is permitted by the zone.

The northeastern portion of this application is located under the traffic pattern for a small general aviation airport (College Park Airport). This area, APA-6 (Aviation Policy Area) is subject to regulations adopted by County Council Bill CB-51-2002 (DR-2) as Sections 27-548.32 through 27-548.48 of the Zoning Ordinance. These regulations contain additional height requirements in Section 27-548.42 and purchaser affidavits. No building permit may be approved for a structure higher than 50 feet in APA-6 unless the applicant demonstrates compliance with Federal Aviation Regulations (FAR) Part 77. The DSP, where architecture and height will be reviewed, should be referred to the Maryland Aviation Administration for evaluation and comments. The final plat should provide reference that this site is within the APA and subject to airport noise.

Community Planning Review

The 2012 Cafritz Property Design Standards and Guidelines amend the approved 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan.* It should be noted that the certified Cafritz Property Design Standards and Guidelines only apply to the 37-acre Cafritz development and not to the remainder of the Town of Riverdale Park M-U-TC Zone properties. Staff notes many of the specific standards and guidelines of the amended development plan will be reviewed at the time of DSP. The certified site plans and streetscape sections approved with A-10018 and Concept Plan B (Map 1) and appropriate (at the subdivision level of review) site standards identified in the Cafritz Property Design Standards and Guidelines document form the basis of review for the following comments.

Rhode Island Avenue Master Plan Trolley Trail
The most significant lot pattern issue pertains to the Rhode Island Avenue Trolley Trail. The amended development plan, specifically the site plan concept drawings certified as part of A-10018, reflects the intent and desire of the county and the applicant to use the historic alignment of Rhode Island Avenue for the location of the trolley trail through the subject property. The submitted preliminary plan of subdivision shifts the trail alignment to the east, placing it on the west side of 48th Street in front of a number (40) of townhome lots. This design solution is not appropriate to or respective of the historic context of the site and the former trolley line alignment, and does not conform to the certified site plan concepts without revisions.

Staff notes that the relocated trail is generally consistent with Map 1: Concept Plan B in the Cafritz Property Standards and Guidelines document. However, users of the trolley trail will be very likely to bypass this unnecessary diversion of the trail in favor of the straight-line approach, which as designed would be along the rear alley of the townhome lots fronting 48th Street (based on the applicant's proposal).

The applicant should be strongly encouraged to relocate the trolley trail along the historic alignment of Rhode Island Avenue and shift the townhome lots along 48th Street further east to accommodate the trail, in accordance with Staff Exhibit A and the conceptual cross section. Consideration should also be given to incorporation of amenities and natural features to foster a small linear park along the historic trolley alignment.

The applicant should construct this crucial trail connection and dedicate this portion of the trail to M-NCPPC as a part of the requirements for mandatory dedication (Section 24-134 of the Subdivision Regulations).

Proposed Street and Lot Layout
The proposed subdivision would establish a large right-of-way for the extension of Van Buren Street (intended to be the primary street within the site). The amended development plan identifies two plazas or open space features in the western half of the site within the center of Van Buren Street. These plazas are proposed to be dedicated to the Town of Riverdale Park as a part of the right-of-way dedication to public use.

The applicant must clarify the proposed transit circulation pattern within the proposed development and provide appropriate assurances that curb radii, lane widths, and other features along the transit route(s) are adequate for modern WMATA and county buses, as discussed further in the Transportation section of the report, and as previously discussed with the applicant.

The applicant should realign and reconfigure the southeastern portion of the subject site to more logically accommodate connectivity between relocated Rhode Island Avenue and Maryland Avenue. Staff notes that a number of proposed townhome lots in this portion of the subject property are within unacceptable noise contour areas and these lots should be relocated in accordance with Staff Exhibit A.

The applicant should clearly identify and provide for future connectivity to the USPS site and the National Guard Armory in case either or both of these sites redevelop in the future. It appears that Parcel K in the southeastern portion of the subject site is intended to facilitate this connection in the future, but multiple connections should be considered, including the possibility for a connection through proposed Lot 3, this can be reviewed further at the time of DSP.

Streetscape Design
Staff notes that most of the proposed streetscape designs tend to reduce the amount of roadway driving lane paving in favor of slightly wider parallel parking, landscape/tree planting, and sidewalk areas. These proposed changes generally correspond to the concepts and requirements of the amended development plan, which call for "a pedestrian-oriented town center with an infrastructure of wide, continuous sidewalks, alley shortcuts, safe street crossings, and rear access parking. A landscaping/pedestrian amenity strip would buffer pedestrians on the sidewalk from traffic." (See page ii of the Cafritz Property Design Standards Guidelines document). Staff would note that Staff Exhibit A is consistent with these recommendations.

At present, all proposed streets are identified as private roads. The Town of Riverdale Park indicated their support that the streets be dedicated to public use (Town of Riverdale Park). The ownership and maintenance of the proposed streets is an issue critical to the future success of the development and, by ensuring public ownership of key streets and open spaces in accordance with the desires of the Town of Riverdale Park, numerous potential issues pertaining to ongoing maintenance and public access will be resolved.

The applicant should provide additional details on the design and location of the proposed CSX bridge crossing, not only to conform to conditions of approval of the zoning case, but at the time of DSP. At present, the location where the slope of the bridge (necessary to achieve the required height to clear the tracks) and the retaining walls begin on the Cafritz property remains a question, impacting potential access to several townhouse lots in the northeastern corner of the site.

Open Space
The applicant should clearly identify the proposed public plazas, squares, civic greens, and open spaces within the subject property along with all public open space and recreational amenities that are proposed to meet the needs of future residents, shoppers, and visitors.

Additional detail should be provided regarding the sidewalk and trail network within and flanking the linear park proposed along Baltimore Avenue (US 1). This information is necessary to determine any public use easements or dedications that may be appropriate to ensure public access along this major county roadway.

LEED Certification
The applicant has provided evidence of an application submitted to the U.S. Green Building Council (USGBC) for a Smart Location and Linkage prerequisite review under the provisions and requirements of the LEED-ND (LEED® for Neighborhood Development) rating system. Staff recommends that the applicant provide additional specificity toward certification under the silver or higher level under the LEED-NC (New Construction) and LEED Homes building rating systems at the time of DSP submittal.

4. **Variation to Section 24-121(a)(4)**—The subject property is adjacent to CSX railroad tracks to the east and metro rail to the north. The preliminary plan shows the 300-foot required lot depth demarcation from the CSX rail track and from the metro (WMATA) noise generator. In this case, approximately 40 townhouse lots and two multifamily lots are being proposed within the 300-foot lot depth. The applicant is requesting a variation in total, and in the request for the variation recognizes that adverse noise impacts the lots within the 300-foot lot depth.

Pursuant to Section 24-121(a)(4) of the Subdivision Regulations, residential lots adjacent to an existing or planned transit right-of-way shall be platted with a depth of 300 feet with adequate protection from traffic nuisances. This requires an applicant to develop residential lots which meet the 300-foot lot depth. Staff would note that the lot depth requirement is intended to provide an opportunity to locate dwelling units away from noise and vibration sources. Section 24-121(a)(4) states:

(a) The Planning Board shall require that proposed subdivisions conform to the following:

(4) Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.

The applicant is asking for relief from this requirement to allow 40 townhouse lots and two multifamily lots to be located within the 300-foot lot depth. Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation requests. The applicant has filed a variation from the residential lot depth requirement of 300 feet which staff supports for 15 dwelling units in accordance with Staff Exhibit A.

Section 24-113(a) sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

(a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

Approval of the applicant's request does have the effect of nullifying the intent and purpose of the Subdivision Regulations if approved as requested. Staff does not believe that practical difficulties would result from the strict compliance with this Subtitle. Staff also believes that the purposes of this Subtitle may be served to a greater extent by an alternative proposal. Specifically, staff recommends approval of the variation for 15 lots in accordance with Staff Exhibit A, an alternative proposal that removes the dwelling units outside of the 65 dBA Ldn ground-level noise contour of the CSX railroad.

The variation request submitted by the applicant is based on a justification that indicates and acknowledges that the standard noise impact is based on a day/night average (dBA Ldn), a standard used by the Planning Board in all cases in the evaluation of noise impacts. However, the noise/vibration study submitted by the applicant states that the average day/night standard (Ldn) is not the appropriate standard and bases the conclusion

of the study on a daytime standard (Leq) and assumes there are no noise impacts. The variation does not provide any indication that the applicant does not agree with the standards used by the Planning Board (Ldn), an issue that was used in the noise study to conclude that there is no adverse noise impacting the development along the CSX railroad. The applicant was advised of this issue at the Subdivision and Development Review Committee (SDRC) meeting on August 17, 2012. Staff has evaluated the site based on the Planning Board standard of day/night average (Ldn), which is reflected on the preliminary plan of subdivision.

(1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;

Applicant Response: The granting of the variation will not be detrimental to public safety, health or welfare, or injurious to other properties. The lot depth, while less than 300 feet, will not prevent the applicant's ability to mitigate the effects from the adjacent transit right-of-way. The adjacent tracks do add to the ambient noise level on the Cafritz property. The unmitigated 65 dBA limits for ground-level and upper-level locations has been identified on the plan via a noise study. The applicant will provide the required noise mitigation per the appropriate COMAR (Code of Maryland Regulations) section for interior and external use of the property. This could include both landscape noise reduction measures such as berming, fences, or broad leaf vegetation to reduce noise impacts, as well as architectural measures including treated or thicker windows. Taken together, these measures will provide the necessary protection against nuisance noise impacts from the adjacent tracks.

Where possible, the current design focuses features, such as stormwater management or parking garages near the CSX line to help mitigate noise. The revised plan also saves additional specimen trees and additional tree save areas along the CSX right-of-way which will help mitigate sound levels in those areas.

Finally, safety is of paramount concern to the applicant. The applicant is providing as much separation as practicably available between the lots that do not have the required 300-foot lot depth and the adjacent transit right-of-way. Stormwater management is proposed between the residential area on-site and the adjacent right-of-way. This stormwater management system of ponds and landscaping will make it difficult to cross towards the tracks, discouraging residential/pedestrian conflict with the property limits. Attractive security fencing will be added to create another hindrance.

Comment: The applicant has requested a variation from a subdivision standard (Subtitle 24) and requests the creation of lots without supporting documentation that mitigation can in fact be implemented to address all 40 lots within the 300-foot lot depth to address adverse impacts from noise. The preliminary plan and noise study do not propose any specific noise reduction measures such as berming, fences, or broad leaf vegetation areas on the preliminary plan or tree conservation plan. Interior noise levels can be mitigated by architectural treatment at the time of detailed site plan (DSP).

The issues associated with a lotting pattern are those of mitigation of outdoor activity areas which relates directly to a lotting pattern and orientation and location of streets and open space elements. The use of berming and walls to mitigate noise has a direct impact on a subdivision layout and the spatial relationships between these elements, which must be planned for at the time of preliminary plan. Therefore, staff supports a reduction of the required 300-foot lot depth for the 15 lots which are located outside of the ground-level 65 dBA Ldn only, in accordance with the layout proposed in Staff Exhibit A. All townhouse lots within the ground-level unmitigated 65 dBA Ldn should be removed or relocated in accordance with Staff Exhibit A.

(2) The conditions on which the variations is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

Applicant Response: The site is located inside the Capital Beltway (I-95/495); the areas around the site have been developed in some manor throughout the years, as noted previously. The area of the site nearest the CSX line is long and narrow. Without the ability to provide lots less than the required 300-foot lot depth adjacent to the transit rights-of-way, the site layout would be hindered by poorly placed roads and off-site connectivity. It would not be possible to develop the site as described in District Council Order 11-2012. This site includes 35 acres in the Developed Tier near existing transit.

Comment: There are no conditions of the site or the surrounding area that make this request for a variation unique to the property. In fact, the properties abutting to the south which are also zoned M-U-TC are narrower than the subject site. The subject property is much wider than the surrounding properties which makes conformance to the requirement feasible. The applicant has the ability to locate dwelling units outside of the ground-level dBA Ldn as conceptually evidenced by Staff Exhibit A. The configurations of the property, as well as the mixed-use zoning, provide the applicant with opportunities to conform.

The applicant was advised of this issue when staff requested alternative layouts which would address the lot depth and noise issues. The applicant did not offer any alternative layouts to accommodate the location of dwellings outside the 65 dBA Ldn.

(3) The variation does not constitute a violation of any other applicable law, ordinance or regulation; and

Applicant Response: This variation request does not constitute a known violation to any other applicable law, ordinance, or regulation.

Comment: The applicant will have to obtain permits from other local, state, and federal agencies as required by their regulations; therefore, approval of this variation request would not constitute a violation of other applicable laws.

(4) **Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out.**

Applicant Response: Without approval of this variation, the applicant and owner would undergo hardship as opposed to mere inconvenience since the site located in the Developed Tier would be rendered undevelopable. The location of the site in the Developed Tier near existing transit, as well as the shape of the property, makes site development difficult without granting this variation. Review and public hearing support the decision to bring a mixed-use design to the site that fits with the overall character of the surrounding neighborhoods and this implies a reduction of the lot depth requirements as the vast majority of the adjacent properties include residential properties without a 300-foot lot depth.

The shape of the property dictates that much of the residential portion of the site be pushed towards the rear of the property in order to allow the commercial retail access and proximity to Baltimore Avenue (US 1) in order to succeed. Site topography requires an extensive earthwork operation to put the development on grade for construction while maintaining the existing WSSC (Washington Suburban Sanitary Commission) water line and trolley trail through the site.

Comment: The property is 37 acres in size, does not have any peculiar physical surrounding, is not irregularly shaped, nor is there topographical conditions not shared by other properties which would support this required finding. A redesign of the plan can concentrate the townhouse lots in areas of the 37-acre parcel to protect the future residents from the impacts of noise from the CSX track. Staff has provided an exhibit (Staff Exhibit A) that demonstrates all of the proposed 126 townhouse units located outside the 65dBA Ldn noise contour with only 15 units within the 300-foot lot depth requirement.

Planning in urban areas for noise reduction is extremely important because there are so many noise generators within compact, high-density areas and zones. This high-density development can be realized with density added in areas outside the noise corridor. Placing multiple stories of residential units above retail is another way to increase density within the property.

Condition 1.b. of A-10018 states in part that:

b. **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 applicant, in their variation justification, states "that much of the residential portion of the site be pushed towards the rear of the property in order to allow the commercial retail access and proximity to U.S. Route 1 in order to succeed." This statement is not generally consistent

with the vision of having a true mixed use throughout the development. Further, the applicant states that the site, if the variation were not granted by the Planning Board, "would be rendered undevelopable." Staff has demonstrated that the site would not be undevelopable if the variation was granted as recommended by staff, for 15 units in accordance with Staff Exhibit A.

Moreover, the applicant stated that not granting the variation would make "site development difficult," where the applicable test here is a standard of a particular hardship to the owner. Staff does not believe that the applicant has provided sufficient evidence of a particular hardship to the owner.

(5) In the R-30, R-30c, R-18, R-18c, R-10, R-10, and R-H zones, where multi-family dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113 (a) above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the prince George's County Code.

Applicant Response: The site is not located in any of the listed zones and therefore this condition does not apply.

Comment: Staff occurs with the applicant's response, the subject site is not located in any of the listed zones; therefore, this requirement is not applicable to the site.

In conclusion, staff supports the variation to the 300-foot lot depth for 15 lots, to the ground-level unmitigated 65 dBA Ldn in accordance with Staff Exhibit A and a redesign of the plan to remove the proposed townhouse lots from within the noise corridor. Staff supports a limited granting of the variation to the ground-level unmitigated 65 dBA Ldn because the noise study and the plans do not demonstrate any method that is feasible to protect the outdoor activity areas of the townhouse lots and the future inhabitants from the noise generated from the CSX rail track.

Placement of multifamily units within the noise corridor is not deemed an issue in this case because the interior noise level can be mitigated through the use of construction techniques and by locating courtyards (outdoor activity areas) interior to the building or on an opposite side of the building from the tracks.

Staff Exhibit A places townhouses in locations that are outside the unmitigated 65 dBA Ldn and generally conforms to the concept plans that were designed at the time of the zoning of the property. The exhibit does not reduce the number of townhouses proposed by the applicant, but it does encroach into areas previously shown as footprints for multifamily dwellings. However, if the applicant wanted to provide more multifamily units and reduce the number of townhouses, as long as the townhouses were outside the noise corridor, staff would consider that optional design at the time of DSP. The railroad is a highly used freight corridor which includes an at-grade crossing to the south of the subject property. The whistle blower is required prior to reaching the at-grade crossing for trains moving both north and south along the corridor.

Based on the preceding findings, staff recommends approval of a variation to Section 24-121(a)(4) of the Subdivision Regulations for those lots (15) located outside the ground-level 65 dBA Ldn only, in accordance with Staff Exhibit A.

5. **Urban Design**—The Zoning Ordinance contains site design guidelines and requirements that are applicable to the review of this preliminary plan.

Conformance with Zoning Ordinance No. 11-2012
On July 12, 2012, the District Council approved a primary amendment to the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park MUTCD Plan) that amended 35.71 acres of the zoning map for the Maryland-Washington Regional District in Prince George's County, Maryland, by approving a Mixed Use Town Center (M-U-TC) Zone on the subject property subject to certain conditions. The conditions of approval required the applicant to revise the Development Plan and the associated guidelines prior to certificate of approval, and the revised package was delivered to the Development Review Division (M-NCPPC) for review on August 14, 2012. A number of revisions to the plans were submitted in response to staff's comments that the plans submitted for certification must reflect the record of the A-10018 case, and any changes to the plans must reflect only the conditions of approval that adjusted either the Development Plan or the guidelines. The plans were finalized in accordance with the plans reviewed by the District Council and the certification of the plans and the text, collectively referred to as the Development Plan, was completed on October 2, 2012. It should be recognized that some discrepancies exist in the collective documents that make up the Development Plans, and that the preliminary plan will begin the process of resolving those discrepancies as it is reviewed for conformance to Subtitle 24, as the development review process proceeds.

In part, the following conditions of Zoning Ordinance 11-2012 (A-10018) apply to Preliminary Plan 4-12004:

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 condition requires that a detailed site plan (DSP) be required prior to approval of any final plat for the property. Prior to approval of any final plat, it must be found to be consistent with the DSP. A condition of approval of the preliminary plan is appropriate to emphasize the condition above. It should be noted that this condition is more restrictive than Section 27-270, Order of Approvals, of the Zoning Ordinance. Staff is also recommending that the portion of the property retained in the R-55 Zone (1.65 acres) and included in this preliminary plan be subject to the same condition requiring a DSP. A DSP is required for a property in its entirety (Parcel 81).

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 condition above is applicable to the preliminary plan in recognizing that the subsequent DSP, special permit (SP), or special exception (SE) should be in general conformance with either Concept Plan A or Concept Plan B, dated January 7, 2012, particularly in regard to the site design and circulation. During the review of the zoning map amendment, it was recognized that the level of detail included in the concept plans was illustrative only and that, as the plans continued through the development review process, laws and regulations that were not applicable at the time of the zoning will become enforceable.

Numerous conditions of the approval of the zoning were anticipated to have an effect on the ultimate design layout and circulation within the property. For example, it was recognized that through the adoption of conditions of the approval of the rezoning, the decision on the zoning case recognized that adequate public facilities, the protection of the environmental features of the site, and the street and lotting pattern would be further analyzed at the time of the preliminary plan.

Changes to the development concepts as previously approved may be necessary in order to fulfill the requirements of Subtitle 24. Approval of the layout as shown on the concept plans that do not adhere to the requirements of Subtitle 24 must be reviewed in light of the regulation of Subtitle 24. While the concept plan may advise the review of a variation from Subtitle 24 requirements, it does not mandate the granting of a variation where the application fails to meet the required findings of Section 24-113 for the approval of the variation. The regulations governing subdivision were not applied at the time of the zoning case.

3. **Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:**

a. **The Preliminary Plan shall reflect the unmitigated 65 dBA Ldn from noise generators.**

The preliminary plan indicates the unmitigated 65 dBA Ldn noise contour. The revised preliminary plan indicates both single-family attached and multifamily

units to be located within the high noise area. The multifamily units may be able to protect outdoor activity areas through the arrangement of courtyards within the confines of the buildings on the site. However, single-family attached dwellings within the 65 dBA Ldn noise contour should be relocated outside the high noise area to protect the outdoor play areas that will be impacted. The applicant has not provided sufficient information and details to support the variation request, which is based on a broad statement that mitigation is a viable solution to mitigating noise impacts, as discussed further in the Variation section of this report.

b. The plan shall delineate the 300-foot lot depth from the right-of-way (CSX railroad tracks) for residential development in accordance with Section 24-121(a)(4) of the Subdivision Regulations. The preliminary plan may establish additional restrictions on the layout if it is determined that noise and vibration issues are associated with the railroad tracks.

The preliminary plan shows the 300-foot lot depth demarcation from the CSX railroad and from the metro (WMATA) noise generator. In this case, approximately 40 townhomes are within the 300-foot lot depth. The applicant has filed a variation for the residential lot depth requirement of 300 feet, which staff supports in part as discussed in the Variation section of this report.

Section 24-121(a)(4) of the Subdivision Regulations requires that residential lots adjacent to an existing or planned transit right-of-way shall be platted with a depth of 300 feet with adequate protection from traffic nuisances being provided by earthen berms, plant materials, fencing, and/or the establishment of building restriction lines. The applicant is asking for relief from this requirement to allow 40 townhouse units to be located within the 300-foot lot depth and within so many feet of the noise corridor. Staff recommends that the variation relate directly to the evidence contained within the noise and vibration study, which is found to conflict with the justification statement for the variation.

Staff supports a limited granting of the variation to the 65 dBA Ldn noise contour because the noise study and the plans do not demonstrate any method that is feasible to protect the townhouse lots and the future inhabitants from the noise generated from the railroad. Staff recommends the variation to the ground-level 65 dBA Ldn line and a redesign of the plan to remove the proposed townhouse lots from within the noise corridor as reflected on Staff Exhibit A.

d. Documents shall be provided so that the trail will be dedicated to public use within a maintenance easement or other suitable agreement.

This condition relates to the trolley trail alignment. One area of contention of the preliminary plan is the proposed location for the north-south trail alignment. Staff supports the location of the north-south trail within the historic alignment of the trolley within Rhode Island Avenue in accordance with Staff Exhibit A. This alignment is in keeping with the surrounding neighborhood alignment and will provide the best location for commuter hikers and bikers. The plans as proposed show the trail meandering past the front of 40 townhouses. This change in the alignment is not in keeping with the entirety of the trail which has been paced within the trolley line area for up to four miles within the county. It is

also an inconvenience for commuters to move off of the trail and may even encourage people to use the rear alley for the future townhouses as an alternative path system. In this case, staff recommends that the trail be treated as a historically-significant element of the existing site and that the plan celebrate this feature by making a highlight of the community. The plan currently places the alley of the proposed townhouses within the previous Rhode Island Avenue right-of-way. Urban Design recommends that the plans be revised to highlight the trail within the community by placing units so that the community fronts on the trail. This can be achieved from a redesign of the plan by placing the units so that they front on a street running parallel to the 50-foot-wide trolley trail abandoned easement. Fencing along the west side of the trolley trail parcel will conceal the unattractive postal site from the future townhouses in accordance with Staff Exhibit A. Lighting is also an important factor in highlighting the trail to prevent crime and will be considered at the time of DSP consistent with the conceptual cross section associated with Staff Exhibit A.

Recreational Facilities
This project should provide for the trolley trail within the historic right-of-way as a linear greenway park in accordance with Staff Exhibit A. The county has placed considerable effort in bringing the trolley trail to fruition along the historic alignment, and staff supports the separation of the land area as a linear park and the dedication of land as part of the mandatory dedication requirements. In addition, construction of the trail, as well as recreational facilities, should also be credited toward mandatory land dedication requirements. The homeowners association lands associated with the townhouse development should include an active outdoor facility, such as a combined tot-lot and pre-teen playground. Within the multifamily buildings, indoor and outdoor recreational facilities should be included. Outdoor facilities should be provided in open courtyards that are buffered from noise impacts generated from the railroad tracks.

Plan Lot Layout
In regard to the layout of the lots and parcels as proposed by the applicant, staff has a number of concerns. The preliminary plan should indicate a proposed layout of the subdivision of the land, as well as the proposed use of the property, intensity of the development (or density of on each parcel of development), land disposition, and indicate any easements or rights-of-way necessary. The plan has been compared to the concept plans that were contained in the record of the hearing for the primary amendment. Applicant's Exhibit 1 of A-10018 contains layouts of plans that are labeled as Consensus Plan A and B. These plans represent the concept plans referred to in Condition 1(b) above. The subject application has generally followed the layout as shown in regard to the subdivision of land, however, some of the details of the plan may need to be adjusted and are recommended in Staff Exhibit A, which include the following:

a. The trolley trail should be located within the historic alignment and the fronts of the units should face onto the trail, rather than backing up to the trail. The fronting of the units on the trail will allow eyes on this historic feature of the site.

b. The utility lines within the abandoned trolley easement should be placed under ground and should be placed in a public utility easement.

c. The plans show a number of features within the limits of the streets that should be placed within their own parcels. For example, a stormwater management pond in the median of Van Buren Street is shown as being within the street. This facility should be located in its own parcel for maintenance, and maintenance provided either by the business community

or another entity, such as the Town of Riverdale Park. The same comment applies to the outdoor plaza being proposed within the street of Van Buren. The configuration of Van Buren Street should go around these features, not be contained within the street itself. The same comment goes for the green space within the circle.

d. If possible, the ice house should be preserved, at least in part, and the configuration of Van Buren Street adjusted to allow for the maximum preservation of the feature. Additional information is required to determine the depth of the historic feature and an investigation should be made determining the ability to preserve the feature in place prior to approval of the DSP. Staff presented a concept for a layout which could provide for preservation in place. This concept can be further reviewed at the time of DSP when additional archeological investigations and adequate information is provided to make a fully informed determination of the disposition of the ice house, as discussed further in the Historic section of this report.

Staff Exhibit A

Staff Exhibit A was created in order to address the concerns of the Transportation Planning Section, including issues of vehicular traffic circulation and pedestrian and hiker/biker circulation; the concerns of the Environmental Planning Section in regard to the variation request relating to noise impacts; the concerns of the Department of Parks and Recreation (DPR) in regard to mandatory land dedication, as well as their concerns about the preservation of the trail within the abandoned Rhode Island Avenue easement and safety issues; and the Urban Design Sections concerns about layout and safety. The layout issues were discussed with the applicant at the Subdivision and Development Review Committee (SDRC) meeting on August 17, 2012 and in detail on October 2, 2012. On November 29, 2012, the applicant submitted a revised preliminary plan which did not address the issues raised by staff as discussed herein. On December 3, 2012, staff presented Staff Exhibit A to the applicant and the municipalities.

DPR has requested mandatory dedication for the majority of the historic Rhode Island Avenue Trolley right-of-way. The staff exhibit provides for dedication by shifting the townhouse units to the east of the trolley trail as opposed to the applicant's proposal to jog the trail out of the historic alignment and place the trail in front of the townhouse units and orient the rear of the units and alleyway servicing those units toward the master plan trail.

The Transportation Planning Section trails specialist has advised that the Master Plan of Transportation (MPOT) indicates that a shared use trail should be provided in the abandoned right-of-way and that construction of the trail has begun along the three to four mile stretch of the trail extending from north of College Park south of Hyattsville within a dedicated right-of-way. This trail is a major achievement by the county for promoting the bicycle as a viable mode of transportation and recreation with extensive infrastructure improvements and land acquisition by MNCPPC and municipalities. Future use of this trail could be extensive, as this trail may provide a bypass of Baltimore Avenue (US 1) for bike commuters. It would be inconvenient and unsafe to be located as proposed by the applicant. Staff Exhibit A reduces the number of crossings and potential conflict points within the development between trail users and vehicular traffic and, thus, creates a safer environment.

The Environmental Planning Section has expressed concerns about the location of townhouse units within the noise corridor. Staff Exhibit A retains the applicant's proposed number of townhouses as shown on the proposed preliminary plan, but locates the lots within in the 300-foot lot depth using the 65 dBA Ldn line as recommended in the staff support of the variation request.

Staff does acknowledge that Staff Exhibit A is a conceptual layout and reduces the amount of land area associated with the multifamily dwelling units. This can be more fully analyzed at the time of DSP. The DSP may propose minor modification from what is depicted on the preliminary plan of subdivision, but must remain in substantial conformance with the concepts as presented in Staff Exhibit A. Staff's recommendation for approval of the variation is for 15 lots within the 300-foot lot depth; this number may change with the review of the DSP only with clear and substantial findings that the DSP substantially conforms to Staff Exhibit A and the approved preliminary plan. Any additional lots within the 300-foot lot depth must have rear yard outdoor activity areas fully outside the 65 dBA Ldn. Any modification must conform to the concepts set forth in Staff Exhibit A and include the relocation of the master plan trolley trail into its historic alignment, orientation of the townhouse lots fronting on the trolley trail, ensuring outdoor activity areas are outside the 65 dBA Ldn, and one safe pedestrian crossing before the traffic circle for trolley trail users.

Staff has taken all of the concerns above into consideration in formatting Staff Exhibit A. From a design standpoint, staff believes that fronting the townhouse units on the trail elevates the trail as an important feature of the site, just as the urban plaza and the park within the ellipse are important features of the design of the community. The trail, however, is an extension of the wider community. It extends an element of countywide value to the community. It supports the historic pattern of development to the north and the south of the project. The trail allows for alternative modes of transportation to access the site besides the vehicular traffic from Baltimore Avenue. Placing the trail at the rear of townhouse units will have a negative effect on the trail. It will become a possible nuisance to the development as an element that will not be fully embraced by the community, and may even provide an unsafe environment for trail users. If the units are fronting on the trail, it is less likely that criminal activity will occur on the pathway, as is demonstrated by crime prevention through environmental site design (CPTED) principles which call for "eye on" the community shared elements.

6. **Environmental**—A Type 1 Tree Conservation Plan, TCP1-005-12, was required and has been reviewed. A Natural Resources Inventory, NRI-121-06, for this property was signed on September 28, 2006 and was previously reviewed. An updated NRI reflecting the current code requirements was approved as the '-01' revision to the plan on March 19, 2012. With regard to the environmental regulations that became effective on September 1, 2010, the subject application is not grandfathered under Subtitle 25 and Subtitle 24 with respect to the delineation of regulated environmental features, woodland conservation, and applicable submittal requirements because the proposed project does not have a previously approved preliminary plan of subdivision.

General Plan Conformance

The 2002 *Prince George's County Approved General Plan* (General Plan) contains 'Tier-Specific' and 'Countywide-Specific' goals, objectives, and policies with regard to the protection of natural features, noise pollution, stormwater management, light pollution, and woodland conservation. Many of these policies have been implemented through updates to the Woodland and Wildlife Habitat Conservation Ordinance (WCO), zoning requirements, and applicable master plans that are discussed further.

The applicable **Tier-Specific** policy is as follows:

POLICY 2: Preserve, restore and enhance environmental features and green infrastructure elements.

The site contains a small isolated wetland and a small area of 100-year floodplain, but no other regulated environmental features such as streams are located on-site. The site is approximately 91 percent wooded and contains a network gap area and evaluation area within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan.*

The current plans show the preservation of 0.25 acre of the existing 32.73 acres of existing net tract woodland. This small area of preservation is located in a network gap area. Woodland conservation is discussed further under conformance with the master plan, development plan, Green Infrastructure Plan, and also within the Environmental Review section.

The applicable **Countywide-Specific** policies are as follows:

POLICY 1: Preserve, protect, and enhance the designated green infrastructure elements.

See Conformance with the 2005 *Approved Countywide Green Infrastructure Plan* below.

POLICY 2: Preserve, protect and enhance surface and ground water features and restore lost ecological functions.

Based on the current NRI for the subject site, the site contains a small isolated wetland and a small area of 100-year floodplain, but no other regulated environmental/surface water features such as streams are located on-site. The preservation and protection of groundwater features will be addressed during the review of the stormwater management concept plan by the Department of Public Works and Transportation (DPW&T).

POLICY 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern.

The current plan does not propose to preserve nor replant woodland. Because the site is undeveloped and fully wooded, it is very possible to preserve woodlands on portions of the property while still implementing the desired development pattern. Opportunities to replant woodland will be evaluated in further detail during the final design phase. Woodland conservation is discussed in the following sections of this memorandum, as well as the Environmental Review section.

POLICY 5: Reduce overall sky glow, minimize the spill-over of light from one property to the next, and reduce glare from light fixtures.

Light pollution is discussed in the Development Plan section below.

POLICY 7: Minimize impacts of noise on residential uses during the land development process.

The site is adjacent to a CSX right-of-way which is generally regulated for noise and vibration impacts associated with railroad transportation. Noise impacts are discussed in the following sections of this memorandum.

Master Plan Conformance

The site is within the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* (Planning Area 68 Master Plan and SMA), which predates the General Plan. While the environmental objectives of the master plan are superseded by current regulations for woodland

conservation and stormwater management, the master plan states that the goal is to "Maintain, restore and enhance the natural character and aesthetic qualities of the Anacostia River stream valley and preserve and expand the Planning Area's forest cover."

The goal of preserving and expanding forest cover within the planning area was reiterated in Policy 3 of the General Plan to "preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern." A review of 2009 aerial photos indicates that the subject site is one of the few remaining tracts of undeveloped land within Planning Area 68. The site is not within nor adjacent to a stream valley; however, it is approximately 91 percent wooded, contains specimen trees, and on-site preservation is the preferred woodland conservation methodology. The on-site mature woodland and trees should be preserved to meet the site's woodland conservation threshold requirements and expand the community's existing urban tree cover to the fullest extent possible.

Development Plan Conformance
The site is within the *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park MUTCD Plan) approved by the Prince George's County Council on January 20, 2004. Section 27-546.14(a) of the Zoning Ordinance allows for the expansion of the boundary of an approved M-U-TC as a "primary" amendment provided that:

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

The approved Development Plan contains environmental standards for noise and tree preservation which are applicable to the current preliminary plan application as follows:

Lighting

3. Fixtures shall be located so that light does not spill from a parking lot of service area onto an adjacent residential property.

4. All lighting shall be shielded and of an intensity that minimizes light pollution

The site is not directly adjacent to any residential lots or residential uses; however, the residential lots located on the west side of Baltimore Avenue (US 1) and the residential lots that are proposed on the subject site may be subject to light pollution from the proposed development. The proposed lighting should use full cut-off optics to ensure that off-site light intrusion into residential and woodland conservation areas is minimized, and so that sky glow does not increase as a result of this development.

This concept was considered during the review and approval of Zoning Map Amendment A-10018, as reflected under the discussion of previous conditions of approval below.

Landscaping

1. The required tree coverage for each property shall be ten percent of the gross site area, measured by the projected ten year coverage provided by a tree. The tree coverage should be accomplished through the provision of shade rather than

ornamental trees. In lieu of meeting this standard, the applicant may plant street trees in conformance with the streetscape standards (see Public Space Section) either on the property or within the abutting right-of-way.

The required tree canopy coverage as stated above supersedes the tree canopy requirement of Subtitle 25, Division 3, which is ten percent for sites zoned M-U-TC. The gross tract area of the site is 37.35 acres, resulting in a tree canopy requirement of 3.75 acres. It is unclear at this level of review how the requirement is proposed to be met.

The site is 91 percent wooded and is in the vicinity of residential areas that exhibit a mature tree canopy cover based on a review of 2009 aerial photos. In order to achieve the mature canopy consistent with the character of the surrounding communities, the requirement should be met through preservation of mature woodlands, specimen trees, and other larger trees on the site. The requirement for tree canopy coverage will be evaluated further at the time of DSP.

This concept was considered during the review and approval of A-10018, as reflected under the discussion of previous conditions of approval below.

2. **Healthy trees shall be preserved. Where they cannot be preserved on site, a professional arborist may transplant them to a new location within Riverdale Park.**

The site contains several large trees, including specimen trees, which should be considered for preservation. A review of the most recent NRI plan shows that the site contains 35 specimen trees, of which a majority are located within Forest Stand 1 (Trees 247–257, 277–280, and 282) located along the western portion of the site; and Forest Stand 3 (Trees 261–270, 272–276, and 284) located along the northeastern portion of the site. These stands have also been determined to have the highest priority for preservation on the site. The site contains other trees that do not qualify as specimen trees, but are mature and significant in size, and should be considered for on-site preservation; smaller trees located on-site are of an appropriate size (6 to 12 inches diameter at breast height) to be considered for on-site or off-site transplanting, should designated receiving areas be identified.

This concept was considered during the review and approval of A-10018, as reflected under the discussion of previous conditions of approval below.

Noise Mitigation

2. **The sound from the exterior to within the interior of all residences shall not exceed 45 dBA (Ldn) and should not exceed 35dBA (Ldn). This is to be achieved through material and design changes, including, but not limited to:**

   a. **Double-glazed windows/double-pane windows.**
   b. **Above-normal insulation in the roof and walls.**
   c. **Above-normal insulation in doors and other construction elements.**
   d. **The use of high mass construction materials such as concrete, masonry, and stone.**

The subject site is located between Baltimore Avenue (US 1) and the CSX right-of-way. Baltimore Avenue is a major collector and is not generally regulated for noise. The upper-level and ground-level unmitigated 65 dBA Ldn noise contours have been shown on the plans.

This concept was considered during the review and approval A-10018, as reflected under the discussion of previous conditions of approval below.

Conformance with the Countywide Green Infrastructure Plan
The 2005 *Approved Countywide Green Infrastructure Plan* indicates that the property contains a network gap area and evaluation area within the designated network.

The site is significantly wooded with no existing development and contains a small isolated wetland and a small area of 100-year floodplain. The site is bordered on the east by CSX railroad tracks; to the west by Baltimore Avenue (US 1); to the north by the Washington Metro Area Transit Authority (WMATA); and to the south by a site developed with a post office. The WMATA site to the north is partially wooded and partially developed with an existing building and WMATA metro tracks. The potential to establish a contiguous habitat corridor connection is somewhat limited due to the existing conditions of the adjacent properties; however, the site contains areas of high-priority woodland that would significantly contribute to the urban tree canopy character of the area and provide benefits that include urban wildlife habitat, water quality improvement, and the reduction of heat island effects.

The concept of having the woodland conservation threshold met on-site was considered during the review and approval of A-10018, as reflected under the discussion of previous conditions of approval below.

Summary of Previous Conditions of Approval, Zoning Map Amendment A-10018
The following text addresses previously approved environmental conditions from Zoning Map Amendment A-10018 related to the subject application. The respective conditions are in **bold** typeface, the associated comments, additional information, plan revisions, and recommended conditions are in standard typeface:

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 preliminary plan application contains a valid approved NRI. No additional information is needed for conformance with this condition.

b. At the time of Preliminary Plan, the Type 1 tree conservation plan shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable. At a minimum, preservation shall be focused on the highest priority areas (Forest Stands 1 and 3).

Forest Stands 1 and 3 were identified on the NRI and as part of the rezoning application to be of the highest preservation value on-site. These stands contain a majority of the 35 specimen trees identified on-site; Forest Stand 1 contains

16 trees (247–257, 277–280, and 282) located along the western portion of the site, and Forest Stand 3 contains 16 trees (261–270, 272–276, and 284) located along the northeastern portion of the site.

Preservation of the high-priority woodlands and the specimen trees they contain would significantly contribute to the urban tree canopy character of the area and provide benefits that include urban wildlife habitat, water quality improvement, and the reduction of heat island effects. In addition to the environmental reasons for preserving woodland and specimen trees, the preservation of Stand 3 would also serve as a vegetated buffer for the properties to the north and east.

The woodland conservation threshold for this site is 15.17 percent of the net tract area, or 5.43 acres. The Type 1 tree conservation plan (TCP1) currently shows the preservation of only 0.25 acre of the existing 32.73 acres of existing net tract woodland subject to this condition (M-U-TC). This small area of preservation is located in a network gap area of the Green Infrastructure Network, within Stand 3 on the northeastern corner of the site. However, this proposed preservation area does not entirely meet the minimum dimensional requirements for being counted as woodland conservation (minimum 50 feet wide), and it appears that the portion of this preservation area that meets the minimum dimensional requirements may no longer meet the minimum area requirement (10,000 square feet) in order to be counted as woodland conservation. If this preservation area cannot be revised during the certification review to meet the minimum requirements of a woodland conservation area, the plan will have no on-site woodland conservation and the entire woodland conservation requirement will need to be met off-site or with the use of fee-in-lieu. If the preservation area can be revised to meet the minimum requirements of a woodland conservation area, the plan will have only approximately 0.25 acre of on-site woodland conservation and the remainder of the requirement will need to be met off-site or with the use of fee-in-lieu.

There are three areas shown on the plan as woodland preserved–not credited. These are areas of existing woodland that are not proposed to be cleared, but do not meet the minimum criteria to be counted as woodland conservation for calculation purposes. These areas are labeled on the plan as totaling 0.45 acre. The woodland conservation worksheet needs to be revised to account for these areas as discussed in detail in the Environmental Review section below.

A variance request was received for the removal of 24 of the 35 existing specimen trees. The 11 specimen trees proposed to remain are located within Stands 1 and 3; however, based on the information provided, it appears unlikely that all of the specimen trees proposed to be preserved will survive the construction process. A majority of the trees proposed to remain are shown within close proximity of (and some are actually shown within) proposed stormwater management facilities. Proposed grading is also shown to significantly impact the trees to remain. Several specimen trees are located within the area of mandatory dedication for US 1. The variance request for the removal of specimen trees is discussed in more detail under Condition 10c below.

No documentation has been submitted by the applicant to specifically address this condition of approval, the applicant has not addressed their efforts, to the

fullest extent practicable, why they are unable to provide the threshold on-site. The woodland conservation threshold for this site is 5.43 acres and, according to the TCP1 as submitted, 0.25 acre of woodland conservation and 0.45 acre of woodland preserved–not credited, is being proposed on-site. The TCP was revised from the initial submittal to show the proposed preservation of additional specimen trees and three small fragmented areas of existing woodland. However, as mentioned above, many of the specimen trees and one of the small fragmented areas labeled as woodland preserved–not credited are also located in an area shown to be graded for stormwater management.

c. **At the time of preliminary plan, condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.**

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted Woodland and Wildlife Habitat Conservation Ordinance (WCO) effective on September 1, 2010.

Type 1 tree conservation applications are required to meet all of the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). If the specimen trees on-site have a condition rating of 70 or above, every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual (ETM) for guidance on each species' ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of the WCO provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a statement of justification stating the reasons for the request and how the request meets each of the required findings.

A variance request from Section 25-122(b)(1)(G) was stamped as received on November 29, 2012 for the proposed removal of 24 of the 35 on-site specimen trees. The variance request includes a statement of justification in accordance with Section 25-119(d)(1); however, the statement of justification indicates that 11 trees are proposed to be retained, while the TCP1 shows the possibility of preserving only six.

The Specimen Tree table on the TCP1 shows a condition description (good, fair, poor) for each of the 35 specimen trees in accordance with the approved NRI; however, the Council's condition of approval requires that a condition analysis be provided for all specimen trees within Stands 1 and 3 that are not located within a conservation area. This requirement was discussed at the Subdivision and Development Review Committee (SDRC) meeting held on August 17, 2012,

and outlined in the Environmental Planning Section's memorandum dated August 28, 2012. The required condition rating score sheets were stamped as received by the Environmental Planning Section on January 2, 2013.

The condition rating score sheets include an evaluation of the health of each tree and provide a condition rating score. The condition description (good, fair, poor) is then required to be based on the condition score in accordance with Table A-2 (page A-12) of the ETM. The information submitted to date with respect to the condition description does not appear to have been based on the requirements of the ETM. The Specimen Tree table shown on the TCP1 needs to be revised to include the condition score for all specimen trees located within Stands 1 and 3 and to update the condition description of each tree to be consistent with Table A-2 of the ETM.

The specimen tree condition rating score and condition description assist in the evaluation of the potential for long-term survivability along with other proposed site features including the proximity of the limit of disturbance (LOD) to the tree, the percent of critical root zone that is proposed to remain undisturbed, and the grading differential surrounding the trees to remain. The table on the TCP1 indicates that 11 specimen trees numbered 252–255, 261, 262, 267–270, and 282 are proposed to be preserved; however, the plan indicates that over half of these trees will be cleared and only six trees could remain.

In Stand 1, Trees 252, 253, 254, 279, 280, and 281 are located in the required area of roadway dedication (15 feet) along US 1 and must be considered as cleared for variance purposes. There is a possibility that the dedication may increase dependent upon a decision from SHA. Trees 255 and 282 are shown in an area of extensive proposed grading for the installation of stormwater management bioretention features. The proposed grades are shown as close as three feet from the base of the trunks with a difference in elevation from one side of the trees to the other of as much as four feet. The trees would not survive such construction.

In Stand 3, Tree 261 is labeled as a white ash with a condition rating score of 53 percent and, according to the ETM, should be considered in poor condition. This tree is currently shown on the plan and indicated in the table as being preserved; however, it is recommended that this tree be removed based on the condition of the tree (trees in poor health do not withstand surrounding development well and will likely become hazardous post-construction) and to help curb the spread of the Emerald Ash Borer, an invasive insect currently under an eradication program within the county. Also within Stand 3, Trees 262, 267, 268, 269, and 270 are proposed to be preserved, both on the plan and in the table. These trees are located within close proximity to the bridge on the eastern portion of the property proposed to connect the subject site with the adjacent site (the American Center for Physics). It is important to note that, of the trees proposed to be preserved, Trees 267, 268, and 269 are all white oaks with condition rating scores of 75 and, according to the ETM, should be considered in fair condition although the table on the plan indicates that they are in good condition. These trees are likely to withstand construction stresses fairly well and should be the main focus of preservation efforts within Stand 3 for this and all future applications. Because the location of the proposed bridge has not been finalized,

and any change in the location could affect the potential to preserve these three trees, it is recommended that, if the location of the bridge should change, it should be shifted to the south of the current location away from Trees 267, 268, and 269. Specimen Tree 262 is located to the south of the proposed bridge crossing, but has a condition rating score of 53 and is in poor condition. This tree should be further evaluated at the time of DSP to determine the likelihood of survival given that approximately half of the critical root zone is proposed to be impacted. Specimen Tree 270 is the only specimen tree on-site that is currently shown within a woodland preservation area; however, as discussed in the Environmental Review section of this memo, the woodland preservation area as shown on the plan does not meet the minimum dimensional requirements (50 feet wide) to be counted as woodland preservation and, if revised to meet the dimensional requirements, may no longer meet the minimum area requirements (10,000 square feet). Specimen Tree 270 is a white oak with a condition rating score of 53, among the lowest on the entire site, and assessed as being in poor condition; however, because the tree is located adjacent to a stormwater management pond, the potential for post-construction failure is not likely to be an issue because any potential to fall will not likely affect any constructed or personal property and should be included in the gated area of the stormwater management facility, thus further reducing the risk of any personal injury.

All specimen trees that are proposed to remain at time of detailed site plan should be survey-located and evaluated by a certified arborist for construction tolerance based on the final site design. This evaluation should contain specific recommendations for the treatment of each tree throughout the construction process including, but not limited to, the location of protection fence and signs, root pruning, crown pruning, fertilization, watering, etc. The evaluation should also include a detailed management plan for the implementation of the recommendations including timing (at what stage during the construction process certain items should occur, as well as timing during the year for long-term maintenance). Field evaluations performed, at a minimum on an annual basis, by a certified arborist should be included in the maintenance schedule for a minimum of five years. The detailed requirements of any maintenance schedule should be evaluated during the detailed site plan review.

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.**

While the timing mechanism for this condition is not specific to the preliminary plan of subdivision, the plans as submitted indicate that only 0.25 acre of woodland conservation and 0.45 acre of woodland preserved–not credited is being proposed on-site. The preservation of 11 specimen trees has been proposed; however, the plans show the preservation of only six specimen trees. A draft tree canopy coverage schedule has been provided.

e. **At the time of preliminary plan, a Phase I noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a**

minimum, the associated railroad noise and the whistle blower. The 65 dBA Ldn noise contour shall be shown on all future plans.

A Phase I noise study prepared by Phoenix Noise & Vibration, LLC, dated February 24, 2012, was submitted with the preliminary plan application and was stamped as received July 27, 2012. As discussed at the SDRC meeting held August 17, 2012 and as outlined in a memorandum issued by the Environmental Planning Section on August 28, 2012, revisions to the noise report were required to be submitted 35 days prior to any Planning Board hearing to address the following: to revise the conclusions of the report to be based on the day-night average noise level (Ldn); to provide general mitigation options for all outdoor activity areas located within the 65 dBA Ldn unmitigated ground-level noise level contour; and to specifically identify whether the train whistle was included in the noise analysis.

A noise report also prepared by Phoenix Noise & Vibration, LLC, dated February 23, 2012, was stamped as received November 29, 2012. The second report had not been revised to address the required revisions.

Supplemental information was stamped as received January 2, 2013, including a vibration analysis dated February 6, 2008, a revised vibration analysis dated September 21, 2012, and an e-mail chain between the noise consultant and the engineer dated December 21, 2012 addressing whistle noise, all prepared by Phoenix Noise & Vibration, LLC. Additional supplemental information in the form of a letter prepared by Phoenix Noise & Vibration, LLC, dated January 3, 2013, was stamped as received January 3, 2013, which also addressed issues concerning the train whistle and vibration.

The original noise report dated February 24, 2012 evaluated traffic and railway noise impacts for the proposed development. The analysis included on-site noise measurements (including whistles), computerized noise modeling based on current railway volumes and forecasted traffic volumes, and delineation of future noise contours.

In the review of a preliminary plan of subdivision, an analysis of the impact of vibration from the adjacent railroad tracks is required. A vibration analysis was provided in the supplemental information stamped as received January 2, 2013. The analysis notes that the results of measurements of current vibration levels do not exceed the residential limits (200 micrometers/second) or the commercial limits (400 micrometers/second) established by the International Standards Organization (ISO), or the residential limits (143 micrometers/second) established by the Federal Transit Authority (FTA). The study notes that these limits apply to occupant comfort and not structural damage. The report further states that all levels measured are well below limits established for structural damage. The study analyzed both freight and transit trains. The highest vibration level recorded was for a freight train (143.8 micrometers/second). This level passes the ISO residential standard and only slightly exceeds the FTA residential standard by an imperceptible amount for occupant comfort. The recorded vibration level was for only one occurrence of the 11 freight and 25 total trains observed during the 16-hour survey. Because the vibration levels are below the

industry-accepted standards for residential uses, staff does not recommend any changes to the design or additional information regarding vibration.

The traffic noise model used to evaluate the traffic noise associated with US 1 indicates that the western portion of the site is within traffic noise levels in excess of 65 dBA Ldn, which is the noise level above which residential uses are generally not recommended. Because the current site design shows this area to be planned for commercial and retail use, no additional information with respect to traffic-generated noise is needed for the project as it relates to US 1.

The noise model used to evaluate train noise along the CSX railway indicates that the eastern portion of the site will be affected by noise levels in excess of 65 dBA Ldn for residential uses. The 65 dBA Ldn noise contours have been shown on the preliminary plan and the TCP1 in accordance with the zoning condition. All proposed residential units (townhouses and multifamily) located within the 65 dBA Ldn unmitigated upper level noise contour will require special building materials to ensure proper mitigation. At the time of detailed site plan, a Phase II noise report will be required to address information regarding structural mitigation.

Outdoor activity areas associated with residential uses along the CSX railroad tracks were also evaluated for noise impacts. The plans show several back and side yard areas within the 65 dBA Ldn unmitigated ground-level noise contour; however, the noise report deems the use of the typical day-night average noise level (Ldn) as inappropriate for ground-level outdoor activity areas and instead bases the conclusions of the report on the daytime equivalent continuous sound level (Leq) for railway generated noise. The calculation of the day-night average noise level (Ldn) includes the addition of 10 dBA to the nighttime noise levels to account for increased sensitivity during nighttime hours. This is the accepted standard used by the Planning Department and the standard which the applicant was advised to use verbally during the SDRC meeting on August 17, 2012 and in writing in the August 28, 2012 Environmental Planning Section memorandum.

The report indicates that the use of Ldn (day-night average) is appropriate for designing mitigation to maintain acceptable indoor noise levels; however, the report concludes that, since outdoor activity areas are not typically used during nighttime hours, and because railway noise is sporadic with loud, short-term events, and relatively low noise levels throughout the rest of a typical 24-hour period, only the Leq (daytime noise) should be considered for mitigation purposes for outdoor activity areas. Based on the plans as submitted, no outdoor activity areas would require mitigation based on the Leq (daytime only noise); however, several back and side yards would require mitigation based on the Ldn (day-night average) unless the preliminary plan is revised in accordance with Staff Exhibit A.

Staff Exhibit A demonstrates a similar townhouse lot count, when compared to the applicant's plan, in a different configuration. This configuration demonstrates a design in which no outdoor activity areas associated with lots (back and side yards of townhouses) are affected by noise above 65 dBA Ldn. There is one open space area intended for stormwater management and/or some other passive recreation that would be located within the unmitigated ground-level 65 dBA

Ldn noise contour; however, given the passive nature of the area and that it is not directly associated with individual property, this use and the overall design generated is supported.

f. **At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the Type 1 tree conservation plan.**

A revised Stormwater Management Concept Plan (11589-2010-00) has been submitted which shows the use of bioretention, extended detention, filtration, and 100-year attenuation. The concept letter was approved by DPW&T on May 3, 2010 and expires May 3, 2013; however, the plan provided has not been certified by DPW&T and appears to have been revised subsequent to the concept letter approval. An approved concept plan and associated letter must be submitted prior to certification of the preliminary plan which shows the current concept. The TCP1 shows the general location of the proposed stormwater management features; however, the associated stormdrain features also need to be shown.

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.**

No additional information is needed to address this condition with respect to the preliminary plan.

13. **Prior to approval of a detailed site plan, a 90-to-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. This depth of buffer may be reduced north of Van Buren Street with approval by the Planning Board, provided the applicant submits evidence demonstrating that it submitted plans to the Town of University Park prior to the acceptance of the detailed site plan and the Town was afforded sufficient time to comment, and if it is determined to be a superior design solution, by providing berms, retaining walls, landscaping, or other screening of the parking lot from the residences to the west consistent with Parking Sections Exhibit dated January 7, 2012. In no event shall the buffer be less than 60 feet in width.**

It appears that the current site design meets the intent of this condition with most parking areas located approximately 100 feet from the western property boundary, with the exception of the parking area on the northwestern-most portion of the site. This parking area has been located behind a retaining wall approximately 60 feet from the boundary.

While the timing mechanism for this condition is not specific to the preliminary plan of subdivision, the variance request for the removal of specimen trees and the plans as

submitted indicate that it is the intention of the applicant to preserve Specimen Trees 252 through 255 and 282 along the frontage of Baltimore Avenue (US 1). The current design incorporates a pond and several bioretention areas within a park-like setting; however, installation of the stormwater management features and grading within this area, as currently designed, would preclude the preservation of trees within the buffer area.

Additionally, there is a minimum of 15 feet of right-of-way dedication required along US 1 (45 feet from centerline), and there is a possibility that the dedication may increase dependent upon a decision from SHA (11 feet). The ultimate right-of-way dedication required will affect the amount of clearing that is required, as well as the ultimate disposition of the specimen trees within the right-of-way. It is recommended that the required buffers be provided along the entire length of the property frontage on US 1, beyond the right-of-way dedication and to incorporate retention of existing trees to the maximum extent practicable.

14. Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:

a. A revised Stormwater Management Concept Plan that designates the property as a new site and complies with the stormwater management provisions contained in County Council Bill CB-15-2011 (Subtitle 32) to provide more environmental site design to the maximum extent practicable, with the goal of no new impact on the tributary drainage into the northeast Branch of the Anacostia River. The proposed plan shall show the use of environmental site design technologies such as bioretention, infiltration, and especially green roofs to the maximum extent practicable.

A revised stormwater management concept plan has been submitted and discussed in more detail under previous conditions of approval above.

Environmental Review

An approved Natural Resources 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.

A review of the available information indicates that streams and steep slopes 15 percent or greater 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 U. S. Department of Agriculture (USDS), 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.*

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.

This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is greater than 40,000 square feet and contains more than 10,000 square feet of woodlands. A Type 1 Tree Conservation Plan (TCP1-005-12) was submitted with the preliminary plan application.

The woodland conservation threshold (WCT) for this 35.83-acre property in the M-U-TC and R-55 zones is 15.17 percent of the net tract area or 5.43 acres. The worksheet on the plan indicates that approximately 32.48 acres of the 32.73 acres of existing woodland are proposed to be cleared. The total woodland conservation requirement based on the current plan is 17.49 acres. The woodland conservation requirement is proposed to be satisfied by 0.25 acre of on-site preservation and the remainder of the requirement is proposed to be met off-site.

As part of the TCP1 review and approval, the general woodland conservation requirements are established, including how the requirements are proposed to be met. The TCP1 as submitted shows the entire woodland conservation requirement that cannot be met on-site as proposed to be met off-site at a woodland conservation bank. The Town of Riverdale Park has expressed interest in having the application move forward with the use of fee-in-lieu, so that they may apply for the funds from the county's woodland conservation fund for use directly within their municipality. This has been done for at least one previous application. The Woodmore Towne Centre was approved with the use of fee-in-lieu intended for and used by the City of Glenarden.

Per Section 25-122(d)(8) of the County Code, the Planning Board may approve the use of fee-in-lieu to meet woodland conservation requirements that total one acre or larger if the project generating the requirement is located in the Developed Tier, or if the approval of the use of fee-in-lieu addresses an identified countywide conservation priority. The subject application is located in the Developed Tier. However, because this site is split-zoned and those zones are located within different municipalities, the woodland conservation requirement should be calculated to be based on the area and amount of clearing proposed within each jurisdiction. It is recommended that the Planning Board approve the option for the use of fee-in-lieu with the current application. The use of fee-in-lieu will be discussed at the time of detailed site plan.

The TCP1 currently shows the preservation of only 0.25 acre of the 32.73 acres of existing net tract woodland. This small area of preservation is located in a network gap area within Stand 3 on the northeastern corner of the site. However, this proposed preservation area does not entirely meet the minimum dimensional requirements for being counted as woodland conservation (minimum 50 feet wide), and it appears that the portion of this preservation area that meets the

minimum dimensional requirements will no longer meet the minimum area requirement (10,000 square feet) in order to be counted as woodland conservation. All woodland conservation areas must be revised to meet the minimum dimensional and area requirements for woodland conservation, otherwise the areas should be re-labeled as woodland preserved–not credited.

There are several areas shown on the plan as woodland preserved–not credited, currently totaling 0.45 acre. The woodland conservation worksheet needs to be revised to account for these areas as woodland retained, not part of requirements. It should be noted that proposed grading is shown within at least one of these areas. Any clearing necessary to accommodate the current site design needs to be reflected with an accurate limit of disturbance (LOD), and all clearing needs to be accounted for.

The plan requires technical revisions to be in conformance with the WCO. The LOD needs to be shown around all proposed site design features including, but no limited to, stormwater management features and grading. The woodland clearing and removal of additional specimen trees necessary for the installation of these features needs to be accurately reflected on the plan and accounted for in the worksheet. The Specimen Tree table needs to be updated to accurately reflect the trees that are proposed to be removed, the column heading for the condition ratings needs to be updated to include the title "condition analysis score," and the scores for all trees must be filled-in, in accordance with previous conditions of approval.

Building footprints should be shown on the TCP1 so that an evaluation can be made with respect to the location of outdoor activity areas for noise evaluation purposes as well as conformance with APA (Aviation Policy Area) requirements. The location of the municipal boundaries should be provided on the plan. The assigned TCP number needs to be typed-in the approval block (TCP1-005-12). After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.

Section 24-130(b)(4) of the Subdivision Regulations requires that "Where a property is partially or totally within an area covered by an adopted Watershed Plan, the plat shall conform to such plan." The approved stormwater management concept plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32, Water Resources and Protection; Division 3, Stormwater Management; Section 172, Watershed Management Planning. As such, the requirements of Section 24-130(b)(4), which requires that a subdivision be in conformance with any watershed management plan have been addressed with the approval of the stormwater management concept plan by DPW&T.

The site is located within the flight path of College Park Airport and may be affected by airport and aircraft operations. The northeastern portion of the site is located in APA-6. The preliminary plan is subject to compliance with APA regulations under County Council Bill CB-51-2002. Section 27-548.38(b)(4) of the Zoning Ordinance indicates that development densities within APA-6 are the same as in the underlying zone. Section 27-548.42(b) indicates that, in APA-6, no building permit may be approved for a structure higher than 50 feet unless the applicant demonstrates compliance with Federal Aviation Regulations (FAR) Part 77. Because building footprints and heights have not been shown on the TCP1, it is difficult to determine whether any building is proposed to be above 50 feet in height. Aviation Policy Area 6 has been shown on the TCP; however, the proposed building footprints and their respective heights have not. Further, review of the proposed development conformance with the APA regulations will occur at the time of detailed site plan, where architecture and height will be reviewed.

Section 27-548.43(b)(1) requires notification of the airport environment pursuant to the following:

(b) Every zoning, subdivision, and site plan application that requires approval by the Planning Board, Zoning Hearing Examiner, or District Council for a property located partially or completely within an Aviation Policy Area shall be subject to the following conditions;

(1) Developments with a homeowners' association: Prior to final plat approval, the Declaration of Covenants for the property, in conjunction with the formation of a homeowners' association, shall include language notifying all future contract purchasers of homes in the community of the existence of a general aviation airport within approximately one mile of the community. The Declaration of Covenants shall include the General Aviation Airport Environment Disclosure Notice. At the time of purchase contract with home buyers, the contract purchaser shall sign an acknowledgment of receipt of the Declaration. The liber and folio of the recorded Declaration of Covenants shall be noted on the final plat.

As a condition of the preliminary plan, the final plat should provide reference that this site is within the APA and subject to airport noise.

7. **Primary Management Area (PMA)**—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. Section 24-130(b)(5) states:

(b) The Planning Board shall require that proposed subdivisions conform to the following:

(5) Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Any lot or parcel proposed for development shall provide a minimum of one acre of contiguous land area exclusive of any land within regulated environmental features in a configuration that will support the reasonable development of the property. This limitation does not apply to open space and recreational parcels. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features.

Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification must address how each impact has been avoided and/or minimized and should include exhibits of the proposed disturbance.

A statement of justification for the proposed impacts was stamped as received by the Environmental Planning Section on December 10, 2012, and associated exhibits stamped as received December 18, 2012. The preliminary plan proposes impacts to the isolated wetland and wetland buffer for the installation of streets and residences and impacts to the floodplain for residential development and roadway extension.

Impact area 1 proposes 937 square feet of impact to the isolated wetland and wetland buffer for the installation of a street and residences. The central location of the isolated wetland would make preservation difficult because of grading constraints, as well as negatively affecting the overall vehicular and pedestrian patterns.

Impact 2 proposes 2,488 square feet of impact to the floodplain for residential development and a required connection to Maryland Avenue. Because the floodplain is located along the length of the southern property boundary where the existing Maryland Avenue right-of-way is located, a road connection necessitates impacting the floodplain. Attenuation of the 100-year floodplain has been addressed in Stormwater Management Concept Plan 11589-2010-00.

Staff supports the request for the proposed impacts to the isolated wetland, wetland buffer, and floodplain for the reasons stated above.

Primary Management Area Conclusions
The proposed site design and the statement of justification show that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. The two proposed impacts for the installation of street and residences totaling 3,425 square feet are recommended for approval.

8. **Variance to Section 25-122(b)(1)(G)**—Type 1 tree conservation (TCP1) applications are required to meet all of the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). If the specimen trees on-site have a condition rating of 70 or above, every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the

Woodland and Wildlife Habitat Conservation Ordinance or WCO) provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a statement of justification stating the reasons for the request and how the request meets each of the required findings.

A variance request from Section 25-122(b)(1)(G) of the County Code was stamped as received on November 29, 2012 for the proposed removal of 24 of the 35 on-site specimen trees. The variance request includes a statement of justification in accordance with Section 25-119(d)(1) of the County Code; however, the statement of justification indicates that 11 trees are proposed to be retained, while the TCP1 shows the possibility of preserving only six.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The statement of justification submitted seeks to address the required findings for the proposed removal of 24 of the 35 specimen trees together.

Staff does not agree with this approach because there are different reasons to remove various trees based on species, health, and construction tolerance, as well as location, existing, and proposed topography. As mentioned previously, there are several specimen trees shown on the plan to be removed that should have been included in the variance request.

The statement of justification does not specifically list the trees included in the request. However, the specimen tree chart on the TCP1 indicates that the following trees are proposed to be removed: 247–250, 256, 257, 259, 260, 263–266, 272–281, 283, and 284. The following trees are shown on the TCP1 plan as being removed, but were not included in the variance request: 252, 253, 254, 255, and 282. In addition to these trees, staff is recommending that Tree 261 be removed.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

The statement of justification describes existing constraints on the site such as the existing CSX railroad to the east and the metro rail located partially to the north. Other existing features that are unique to this site include the postal facility to the south and a Washington Suburban Sanitary Commission (WSSC) waterline that bisects the site, as well as a requirement to provide trolley trail improvements. The statement of justification indicates that the site design has been somewhat limited to reduce noise exposure to future residences and that this area has instead been designated for stormwater management purposes. The statement of justification indicates that the need for adequate stormwater management and environmental site design practices are conditions that are peculiar to the property; however, all development applications are subject to the same stormwater management and environmental site design requirements.

The statement of justification describes a proposed crossing over the CSX railway which is required for transportation and other health, safety, and welfare purposes. The crossing is a design constraint unique to the project and is shown on the plan to require the removal of several specimen trees. The right-of-way dedication along US 1 is another design constraint that is required for transportation and other health, safety, and welfare purposes. While this point was not specifically made in the statement of justification, the right-of-way dedication will affect many specimen trees.

Grading of the site is needed to balance the site as well as to provide a relatively flat area for development purposes. Many of the specimen trees proposed to be removed are located centrally on-site and need to be removed for grading purposes.

The TCP1 reflecting the current site design shows clearing of the entire site with the exception of three small areas and only six specimen trees. The statement of justification indicates that any additional loss in developable area for specimen tree retention would cause unwarranted hardship.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

The statement of justification indicates that the application proposes the removal of certain specimen trees that hinder the design of residential and commercial development, and that the decision to remove specimen trees is in keeping with the surrounding area's development character. The statement also indicates that existing site constraints exist and that further limiting the developable area to accommodate the protection of specimen trees and their root zones would deprive the applicant of the opportunity to create a functional and efficient mixed-use development. The statement of justification also states that the surrounding area has been developed and that the site itself was previously developed as housing in the 1940s and 1950s.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

Under this finding, the statement of justification indicates that not granting the request to remove specimen trees would prevent the project from being developed in a functional and efficient manner.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The applicant has taken no action to date on the subject property.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

The request to remove the trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality.

The stormwater management design for the site is required to meet the current regulations which require the post-development conditions to mimic a pre-development condition of a site as "woods in good condition." The stormwater concept shows the use of environmental site design features such as bioretention in addition to extended detention.

Because the site must meet strict water quality and quantity requirements, the loss of specimen trees should not have a significant adverse impact on water quality. Specific requirements regarding stormwater management for the site will be further reviewed and approved by DPW&T.

Variance Conclusions
Based on the preceding analysis, the required findings of Section 25-119(d) have been addressed. Staff recommends approval of the removal of specimen trees totally, 30 trees: Specimen Trees 247 through 250, 252 through 257, 259 through 261, 263 through 266, and 272 through 284.

9. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 11589-2010-00, was approved on May 3, 2010, and is valid until May 3, 2013. The applicant has submitted a revised stormwater management concept plan to DPW&T for approval. Development must be in accordance with the approved plan or any subsequent revisions.

The approved stormwater management (SWM) concept plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32, Water Resources and Protection, Division 3, Stormwater Management Plan, Section 172 Watershed Management Planning of the Prince George's County Code. As such, the requirement of Section 24-130(b)(4) of the Subdivision Regulations, which requires that a subdivision be in conformance with any watershed management plan, has been addressed with the approval of the SWM concept plan by DPW&T.

Pursuant to Condition 14 of Zoning Map Amendment A-10018, the applicant submitted two sets of transmittal sheets of all of the SWM plan submittals to the Town of Riverdale Park, the Town of University Park, the City of Hyattsville, and the City of College Park. One set of transmittal sheets was dated March 7, 2012 and a second set was dated July 10, 2012. On September 20, 2012, a meeting was conducted at DPW&T to discuss the SWM plan for the proposed Cafritz development. The meeting was attended by the applicant, DPW&T staff, M-NCPPC staff, and staff of the Town of Riverdale Park, the Town of University Park, and the City of College Park. Based on the September 20, 2012 meeting, the applicant submitted a second revised SWM concept plan, which has not yet been approved by DPW&T. The second revised SWM concept plan should be approved by DPW&T and submitted prior to signature approval of the preliminary plan of subdivision.

10. **Parks and Recreation**—This preliminary plan of subdivision has been reviewed by the Department of Parks and Recreation (DPR) for conformance to the Prince George's County Subdivision Regulations, the requirements of Zoning Map Amendment A-10018 for Cafritz Property, the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park MUTCD Plan), R-55 zoning regulations, the Land Preservation and Recreation Program for Prince George's County, and the existing conditions within the vicinity of the proposed development as they pertain to public parks and recreation facilities.

Background
The subject property consists of 37.34 acres of land and is located on the east side of Baltimore Avenue (US 1), approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410). Running north to south and bisecting the property is the historic Rhode Island Avenue Trolley right-of-way. The 2010 *Historic Sites and District Plan* identified "Streetcar Suburbs" as a heritage theme. "The Maryland & Washington Railway was

the first streetcar line established in Prince George's County in 1897." It extended from Washington, DC to Hyattsville, Riverdale, and by 1902 out to Laurel. The Maryland and Washington Railway operated streetcars and trolley through Riverdale Park (68-004), Calvert Hills in College Park (66-037) and University Park (66-029) all of which are listed as "streetcar suburbs" on the National Register Historic Districts (NRHD). These neighborhoods are located to the south, west, and north of the subject property, respectively. Although the subject property is not within the above mentioned historic districts, the trolley right-of-way is a key component that links and unifies the above mentioned historic districts.

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Town of Riverdale Park MUTCD Plan have identified the abandoned Rhode Island Avenue right-of-way as a master-planned trail corridor. One of the conditions of approval of A-10018 is that the applicant must construct the portion of the Rhode Island Avenue Trolley Trail through the subject property. This condition states that the trail must be completed and open to the public prior to issuance of the third building permit on the subject property.

The Rhode Island Avenue Trolley Trail is a vital link in M-NCPPC's park system. The trail corridor is approximately 3.9 miles in length and runs from Greenbelt Road in College Park to Armentrout Drive in Hyattsville. It is being developed as a major collaborative effort with the local municipalities of College Park, Riverdale Park, and Hyattsville. The Rhode Island Avenue Trolley Trail is envisioned as a major trail corridor that follows the existing trolley right-of-way not only for recreational purposes, but also as an important north-south commuter corridor parallel to US 1 (Baltimore Avenue) for pedestrians and bicyclists. As a result of collaborative efforts with the local municipalities, several sections of the trail have already been constructed north of the subject property. Funds have been allocated for M-NCPPC to start construction of several other phases in 2013. The Cafritz Property segment of the Rhode Island Avenue Trolley Trail Corridor is approximately one-third of a mile in length and will connect Tuckerman Street to Albion Street. When completed (along with the M-NCPPC construction), the master-planned trail corridor will be continuous for almost two miles and connect College Park to Hyattsville.

Discussion

The applicant has submitted a preliminary plan of subdivision which proposes subdivision of the property into lots and parcels which provides for mixed-use development which will include office, retail/flex, hotel, and residential. The residential development will consist of 126 single-family attached units along with 855 multifamily units. The total projected population of the development will be 2,045 new residents. Based on Section 24-134 of the Subdivision Regulations, the dedication of 15 percent of the land area can be required by the Planning Board for mandatory dedication of parkland for that portion of the property used for residential purposes, or 22.45 acres. Based on the applicant's proposal, this requirement would yield 3.37 acres of parkland which could be required for mandatory dedication.

In a memorandum received from the applicant on December 6, 2012, the applicant provided a conceptual listing of the interior and exterior amenities for the proposed multifamily buildings. With regard to private recreational facilities for the townhomes, the applicant proposes that the construction of the Rhode Island Avenue hiker- biker trail through the site would fulfill the mandatory dedication requirements.

DPR has no objection to the applicant's proposal to meet the requirements of the Subdivision Regulations by providing private recreational facilities (as allowed by Section 24-134(b) of the Subdivision Regulations), provided that the proposed facilities will be superior or equivalent to those that would have been provided under the provision of mandatory dedication. However,

DPR does not agree with the applicant on the types of recreational facilities which should be provided. The proposed facilities listed are predomintaly indoor facilities with fitness centers for active recreation within each of the multifamily buildings. DPR would like to see more opportunties for outdoor active recreation available to all residents, such as tot lots, playgrounds, and fitness stations well distributed throughout the development. Secondly, DPR is not in agreement that the construction of the Rhode Island Avenue hiker/biker trail will fulfill the requirement for mandatory dedication on the townhouse portion of the development, as the construction of the trail was a previous condition of approval from the rezoning of the property (A-10018, Condition 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).

Additionally, many of the activities listed by the applicant are seasonal in nature (such as the swimming pools) and are in essence market ammenities (such as Wi-Fi rooms, media center, and fire pits) and are not recreational facilities appropriate to meet the requirement of mandatory dedication. DPR is of the opinion that the recrational facilities proposed should be reconsidered and a revised detailed facilities program should be provided and reviewed at the time of detailed site plan.

The applicant's proposal to design the site includes a proposal to reroute and/or detour the Rhode Island Avenue Trolley Trail to the east by approximately 75 feet, extending north through the entire development, before jogging back to the original historic alignment at the northern portion of the property. The proposed master-planned trail is shown within a public use easement that runs along the length of the property (in a north-south direction). The applicant's proposal relocates the master-planned trail along the fronts of the 40 proposed townhome units on a ten-foot-wide sidewalk, within a 10-foot-wide easement. This revised location does not take into consideration the historic nature of the trolley right-of-way, and backs these dwelling units to the trail. Further, there would be sharp and restrictive turns required by public trail users at the northern and southern ends of the property in order to continue beyond the subject property. Additionally, along the southern end of the property (towards Tuckerman Street), the site design proposes a private alley for the rear-loaded townhomes. This alley is in direct alignment with the remainder of the Rhode Island Avenue Trolley Trail to the south. Users of the trail traveling northward from Tuckerman Street would need to negotiate and cross any traffic in the local alleyways. This could present an unsafe condition for users of the trail.

DPR is strongly opposed to this relocation of the master-planned trail as proposed by the applicant since the remainder of the master-planned trail was designed in a very linear fashion by utilizing the historic trolley trail right-of-way. DPR proposes mandatory dedication of parkland in order to maintain the integrity of the master-planned trail (DPR Exhibit A). DPR recommends dedication of land 50 feet wide on the northern and southern section of the property so the concept and vision of the trolley can be implemented. This 50-foot-wide strip of land would be consistent with M-NCPPC efforts on implementing the trail corridor to the south. The area noted on Exhibit A measures 1.36 acres and is below the mandatory dedication requirement of 3.37 acres. The center portion of the trolley trail right-of way should be in a 25-foot-wide public use easement, as the master-planned trail would cross several public road rights-of-way and the village green/center for the proposed development (approximately 0.26 acre).

The remaining 2.01-acre mandatory dedication requirement can be met by the use of private recreational facilities and reviewed at the time of DSP. DPR believes that the private recreational facilities should be provided and incorporated into the trail. This concept would help identify, promote, and celebrate this important trail in the local community. Provision of facilities along the trail could consist of playgrounds or play areas, fitness stations, and /or seating areas which

would help meet the need for outdoor recreation for the residents of this development. Orienting the rear of 40 dwelling units to the trail as proposed by the applicant is not consistent with the importance of this M-NCPPC park facility and the desire to celebrate it as an integral part of the community. This revision to the applicant's private recreation facilities package will meet the requirement of Section 24-134(b) of the Subdivision Regulations which states that private recreational facilities may be provided to satisfy the mandatory dedication requirements, provided that the proposed facilities will be superior or equivalent to those that would have been provided under the provision of mandatory dedication.

DPR believes that, if the applicant dedicates the land as shown on DPR Exhibit A, revises the site layout consistent with Staff Exhibit A, and provides a revised private recreation facilities package at the time of DSP, Section 24-134 will be met.

11. **Trails**—This preliminary plan has been reviewed for conformance with Section 24-123 of the Subdivision Regulations, previous approvals, the *Approved Countywide Master Plan of Transportation* (MPOT), and the appropriate area master plan, in order to implement planned trails, bikeways, and pedestrian improvements.

The subject application is located on the east side of Baltimore Avenue (US 1) between Albion Road and Tuckerman Street. The site is covered by the MPOT, the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (area master plan), and Zoning Map Amendment A-10018 (Basic Plan).

Conformance to Prior Approvals
Approved Basic Plan A-10018 included numerous conditions of approval related to bicycle and pedestrian facilities. Conditions related to bicycle and pedestrian facilities and the master plan trail along the Rhode Island Avenue Trolley Corridor are copied below from the approved resolution (PGCPB No. 12-09) and were discussed in the Previous Approvals section of this report.

Conformance to Master Plans
The 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 Rhode Island Avenue Trolley Trail
A preliminary review of the information provided by the applicant appears to confirm that the former trolley right-of-way has reverted to the Cafritz Property (Parcel 81). Based on the ruling of the District Court referenced in a letter dated May 11, 2012 (Reed to Chellis), Cafritz owns the property in fee simple.

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

> **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 Prince George's County Planning Department and the Department Parks and Recreation (DPR) continue to recommend that the trail be located in the historic trolley right-of-way. The Planning Department supports the conclusion of DPR that the trail be designed as a key component and highlight of the development that is readily accessible to the community and is in an open and visible location within the Cafrtiz development. The master plan trail is a major north-south trail connection; a location within its own public (M-NCPPC) right-of-way is preferable to a wide sidewalk in front of residential lots. Consistent with the recommendations of the MPOT and DPR, the Transportation Planning Section recommends that the trolley trail be located and constructed within the former trolley right-of-way and be dedicated to M-NCPPC. The exact design of the trail and former trolley right-of-way should be evaluated in detail at the time of detailed site plan (DSP) to ensure compliance with crime prevention through environmental site design (CPTED) principles. The Transportation Planning Section also supports the recommendation that open space and outdoor activities be planned along the trail corridor in accordance with Staff Exhibit A. This will open the trail corridor up to the surrounding uses, better integrate the trail with surrounding residential uses, enable the trail to be a main focal point within the community, and ensure there is good visibility along the trail.

The Transportation Planning Section also recommends that the traffic circle be redesigned or relocated so that the trolley trail only has to cross Van Buren Street once as opposed to the two crossings currently shown at the circle. This concept will enhance trail user safety and was incorporated into Staff Exhibit A.

US 1 Streetscape Improvements
The development and design concepts included in the Town of Riverdale Park MUTCD Plan recommend an enhanced streetscape for Baltimore Avenue (US 1). The town center streetscape width varies from a minimum of 90 feet to a maximum of 110 feet. Within this area the following is required:

> **Sidewalk: An unobstructed seven-foot-wide walkway that is located adjacent to the street wall that is formed by the buildings.**
>
> **Landscaping/Pedestrian Amenity Strip: Includes street trees and landscaping, and space for the placement of amenities such as benches, post office boxes, and pedestrian-oriented lights.**

The Town of Riverdale Park MUTCD Plan recommends five-foot-wide bike lanes along most of US 1 in the town center to facilitate bicycle commuting to the University of Maryland and other communities along US 1 (MUTCD Plan, page 25). The sidewalk and streetscape along US 1 shall comply with the design standards on pages 58–61 of the MUTCD Plan. Dedication of 45 feet from centerline along US 1 should be sufficient to include all of the required streetscape elements, unless SHA determines that additional dedication of 11 feet is necessary, resulting in 56 feet of dedication from the centerline of US 1.

The landscape buffer required along US 1 may include a pedestrian trail which is envisioned to meander through this "linear park." Staff is recommending sidewalks within the right-of-way of US 1 in accordance with SHA standards, and does not believe that it is a duplication of the path provided within the linear buffer along US 1. The sidewalk linking directly to the north and south within the right-of-way will allow hikers and bikers a direct line for commuting without having to enter the linear park on the applicant's property. The design and placement of the pedestrian trail within the buffer may not be desirable for pedestrian and biker commuters especially at night with the dense vegetation and meandering nature of the trail proposed through the property. Further analysis may be appropriate at the time of DSP to determine if duplication would in fact exist. If the applicant would propose to delete the public sidewalk, a public use easement would be necessary to ensure and secure the right of the public to cross into the property and use the linear park trail to travel north to south along US 1. Staff does not recommend a public use easement on the private property when right-of-way exists for a public sidewalk.

Internal Sidewalk Connections

The internal road network includes seven-foot-wide sidewalks on commercial roads; five-foot-wide sidewalks on residential roads; eight-foot-wide sidewalks on the Van Buren Entry configuration; and seven-foot-wide sidewalks on the Woodbury Entry configuration. This appears to be adequate to accommodate pedestrian movement through the site and to both US 1 and the Rhode Island Avenue Trolley Trail.

Condition 3(e) of A-10018 requires that an east-west trail/bicycle connection be provided through the site between US 1 and the trolley trail. This connection is being provided along Woodbury Street with the provision of standard or wide sidewalks and designated bike lanes along both sides. This location is preferable to Van Buren Street, as Woodbury Street will serve as the road connection over the railroad tracks, thereby providing an east-west bicycle and pedestrian connection through the site and to adjoining properties to the east. The cross section provided for the proposed bridge over the railroad tracks includes designated bike lanes and standard sidewalks along both sides, consistent with the cross sections for the remainder of the road within the subject site. Van Buren Street includes seven-foot-wide sidewalks along both sides of its entire length.

The Transportation Demand Management (TDM) Plan has been amended to include a discussion of bicycle parking and a potential bike share station. The TDM should be revised to indicate the type of bicycle parking to be provided on the site. The exact number and location will be determined at the time of DSP. Modification of the preliminary plan to incorporate a potential location for a bike share station is recommended.

The intersection of the trolley trail and Van Buren Street will be evaluated at the time of DSP and appropriate pedestrian safety modifications will be recommended at that time. Of primary importance will be getting trail users safely across this east-west road and through the traffic circle. Staff Exhibit A reduces what staff believes is unnecessary conflicts between vehicles and pedestrians at the traffic circle. Currently, the plan proposes two crossings of the traffic circle

midway. Staff Exhibit A shifts the traffic circle and reduces the number of conflicts at a point where vehicles will be entering the circle, instead of asking pedestrians to cross in front of vehicles twice after they have already entered the circle.

Currently, all road cross sections proposed are labeled as private roads. However, the major roads on the subject site should be in public ownership. This is particularly important for Woodberry Street and Rhode Island Avenue. Woodberry Street is the east-west connection that will provide access to the communities to the east across the CSX bridge.

12. **Transportation**—The application is a preliminary plan of subdivision for a phased mixed-use development, with an anticipated total build-out of six years. The proposed development, as evaluated by the submitted traffic impact study, consists of approximately 981 residential units (606 multi-story, non-aged, multifamily units; 219 attached senior housing units; 30 faculty housing units; and 126 attached townhouse units), 22,000 gross square feet office space, a 120-room hotel, and no more than 168,000 gross square feet of commercial retail. While the proposed development levels shown in the latest submitted plans might vary slightly from these figures, the adequacy determination incorporated herewith is based on the trips that would be generated by development levels stated above. The existing site at the present time does not contain any development.

While the required adequacy findings for transportation facilities for this preliminary plan of subdivision will be based on the projected number of AM and PM weekday, midday, or weekend (Saturday) peak-hour vehicle trips calculated for the subject site in accordance with the procedures outlined in the 2012 edition of the "Approved Transportation Review Guidelines, Part One" (Guidelines) and the revised scoping agreement prepared as noted by Condition 14(c) of Zoning Ordinance No. 11-2012 (Case No. A-10018), the maximum allowable site generated new trips at any phase or at build-out must not exceed the levels stated in Condition 22 of Zoning Ordinance No.11-2012.

The subject property is located within the Developed Tier and the Baltimore Avenue (US 1) Corridor as defined and designated in the *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

> **Links and signalized intersections:** Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.
>
> **Unsignalized intersections:** *The Highway Capacity Manual* (Transportation Research Board) procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. Vehicle delays in all movement not exceeding 50.0 seconds are deemed to yield to an acceptable operating condition at unsignalized intersections.

Transit-Oriented Development (TOD)
Transit-Oriented Development (TOD) is defined in the Guidelines as development that is pedestrian-oriented and includes compact neighborhoods with moderate- to high-density land uses. Any TOD development within centers and corridors, as designated in the General Plan or any successor document and as amended by other master or sector plans, would be eligible for

trip reduction allowance of six percent for "Acceptable/ Marginal TOD" to as much as 30 percent reduction allowance for "Excellent TOD" of the total calculated number of site generated trips.

The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, and links in the transportation system:

- US 1 & Paint Branch Parkway / Campus Drive
- US 1 & Rossborough Lane
- US 1 & College Avenue/ Regents Drive
- US 1 & Knox Road
- US 1 & Calvert Road
- US 1 & Guilford Road
- US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road
- US 1 & future Northern Access Road
- US 1 & Van Buren Street (unsignalized)
- US 1 & Future Southern Access Road
- US 1 & MD 410
- US 1 & Queensbury Road
- Paint Branch Parkway & River Road
- MD 201 & River Road
- Rivertech Court and River Road (unsignalized)
- Rhode Island Avenue & Queensbury Road (unsignalized)
- Lafayette Avenue & Queensbury Road (unsignalized)
- Natoli Place & Queensbury Road (unsignalized)

With the anticipated build-out in six years, the proposed phasing as shown in the revised preliminary plans is not applicable for a determination of the adequacy for transportation facilities. Per Subtitle 24 of the County Code (the Subdivision Regulations) and when the projected build-out is in six years, all impacted transportation facilities including the existing, permitted for, and/or under construction with 100 percent of construction funds allocated within either the adopted County Capital Improvement Program (CIP) or the current State Consolidated Transportation Program (CTP), incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) of the Zoning Ordinance or otherwise fully bonded by the applicant and permitted for construction, must be adequate to accommodate the total projected traffic. The total traffic in addition to including an appropriate annual growth rate of existing and observed trips must also include the traffic that will be generated by the proposed development and any approved but not yet built development.

Using trip generation rates in the Guidelines and use-specific, as well as the mid-day and Saturday peak generation rates contained in the latest edition of the *ITE Trip Generation Manual* (Institute of Transportation Engineers), the net build-out peak-hour vehicle trips for each required analysis period is presented in the table below:

Proposed Use	Peak Hour			
	Weekday			
	AM	PM	Mid-day	Saturday
Residential				
219 units senior housing	28	35	38	66
Less internal Capture (ITE)	-2	-7	-7	-8
Less - 30% TDM, Transit, TOD (Guidelines)	-8	-8	-10	-17
New Trips	18	20	21	41
Other housing types				
30 units faculty housing	21	24	12	51
606 units multifamily housing	316	363	196	315
126 units of Townhouses	89	101	50	79
Less internal Capture (ITE)	-16	-89	-44	-53
Less - 30% TDM, Transit, TOD (Guidelines)	-123	-120	-64	-117
New Trips	287	279	150	275
Residential New Trips	*305*	*299*	*171*	*316*
Office				
22,000 sq. ft. general office	44	41	29	9
Less internal Capture(ITE)	-4	-11	-8	-3
Less - 30% TDM, Transit, TOD (Guidelines)	-12	-9	-6	-2
Office New Trips	*28*	*21*	*15*	*4*
Hotel				
120-Room facility	78	96	60	86
Less internal Capture(ITE)	-4	-18	-11	-10
Less - 30% TDM, Transit, TOD (Guidelines)	-24	-23	-15	-23
Hotel New Trips	*50*	*55*	*34*	*53*
Retail				
168,200 sq. ft. retail (shopping center)	214	1,076	1,024	1,202
Less internal Capture(ITE)	-25	-123	-69	-74
Less - 15% TDM, Transit, TOD (Guidelines)	-29	-143	-143	-169
Less Pass-by trips-50% (Guidelines)	18	20	21	41
Retail New Trips	*80*	*404*	*536*	*633*
Total Net New Trips	***463***	***779***	***756***	***1,006***

Notes:
The submitted traffic impact study includes a total peak hour reduction of 30 percent for the residential, office and hotel uses, and 15 percent for retail for existing bus and transit service, the proposed shuttle service, and the required TDM program.

The approved Transportation Review Guidelines, Part 1- 2012, allows for a 30 percent reduction for all uses contained in a development application if the proposed development meets certain TOD stated standards and combine TOD ranking score of 92 or more, as demonstrated by the attached worksheets.

The proposed development is projected to generate 463 AM and 779 PM new weekday peak-hour vehicle trips, respectively. While the generated AM and PM peak-hour vehicle trips are less than the 548 AM and 902 PM new peak-hour vehicle trip caps stated by Condition 22 of Zoning Ordinance No. 11-2012, nonetheless, the stated levels are more than the required threshold (50) for submission of a traffic impact study as specified by the Guidelines. As a result, staff required submission of a traffic study detailing AM and PM weekday, midday, and weekend peak hour analyses, as well as provision and full description and proposed financing of the required TDM program elements.

The applicant submitted for review two separate traffic impact studies. The first traffic impact study report dated July 10, 2012, conducted by Wells and Associates, was for the total build-out of the site as stated above, with a proposed build-out in five years, or by 2017. The second traffic impact study report dated September 5, 2012, also conducted by Wells and Associates, was submitted at the request of staff for analysis of "phase one" consisting of 120 townhouse units and 100,000 square feet of retail space. This phase of development was planned to proceed and be completed in less than two years, or in 2014, and well in advance of the required construction of the roadway with the CSX crossing and connection to Rivertech Road.

Following the preliminary review for sufficiency, both reports were found to be acceptable by the Transportation Planning Section, and were referred for review and comments to SHA, DPW&T, the City of College Park, the Town of Riverdale Park, and the Town of University Park. These reports were found to be acceptable because both reports incorporated appropriate trip generation rates and procedures outlined and recommended by the Guidelines, including methodology and approach, as well as all critical intersections and roadway segments required by Condition 14 (c)(1–8) of Zoning Ordinance No. 11-2012.

Both reports included a transportation facilities mitigation plan by proffering to replace the existing single left-turn lane along northbound US 1 at this location with the provision of double left-turn lanes. Section 24-124(a)(6) of the Subdivision Regulations authorizes the Planning Board to consider traffic mitigation procedures identified in a prepared Transportation Facilities Mitigation Plan (TFMP) in certain areas of the county experiencing unacceptable transportation service levels. Since mitigation represents a departure from the standard procedure, the use of mitigation is limited to certain areas and meeting specific criteria outlined by County Council Resolution (CR-29-1994) and the Guidelines. One of the criteria is that the proffered improvement included in the TFMP is not already fully funded in either the adopted county CIP, or the current state CTP, and must be funded in whole or in part (if in part, other commitments must be made) by the applicant. The Guidelines also require approval of any proffered mitigation plan by the appropriate agency prior to consideration by the Planning Board.

The mitigation improvement proffered by the applicant for the provision of double left-turn lanes along northbound US 1 at its intersection with MD 410 (East-West Highway) was included with full funding and construction scheduled for the year 2013 in the previous CTP (FY 2012–2018). With the current limited funding at the state level for transportation projects, there was a possibility that this improvement may have less than 100 percent construction funds in the new CTP, but due to the important nature of this improvement, the current CTP (FY 2013–2019) re-appropriated full 100 percent funding and construction to begin in spring 2013. As a result of this action, the applicant could not utilize mitigation at this intersection to meet a finding of adequacy. Therefore, the applicant's traffic consultant was asked to revise the required analysis by including this improvement as part of the background condition. Since there are no other feasible improvements that can be constructed at this location, mitigation was no longer an

option; therefore, the consultant proposed to reroute some of the background traffic to the planned, but not yet funded, roadway connection that includes the proposed CSX crossing to River Road.

The revised analysis and the prepared point-by-point response to each of the transportation-related conditions contained in Zoning Ordinance No. 11-2012 was submitted for review on December 10, 2012. Supplementing this revised analysis, another report was submitted on December 13, 2012 detailing the needed justification for the assumed vehicle trip generation reductions for the proposed development to account for proffered and required transit, Transportation Management Program (TMP) components, TOD, as well as the rerouting of a portion of the projected background and future traffic from US 1 to the new proposed CSX crossing to Kenilworth Avenue by way of River Road. For a development to be deemed as TOD, there are specific standards identified in the Guidelines which must be included for staff review in the subsequent detailed site plans. Both of these supplemental documents were referred to SHA, DPW&T, and the three municipalities of College Park, Riverdale Park, and University Park for their review and comments.

The findings and recommendations outlined below are based upon a review of submitted reports and written comments provided by the reviewing agencies and municipalities, and additional analyses conducted by staff, consistent with the Guidelines and the approved plans.

Traffic Study Analysis

Existing Conditions
Pursuant to the scoping agreement, the traffic impact study identified the following intersections as the critical intersections, with existing traffic conditions for each analysis period, as summarized within the table below:

EXISTING TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**AM**	**PM**
US 1 & Paint Branch Parkway / Campus Drive	B/1036	C/1213
US 1 & Rossborough Lane	A/692	A/767
US 1 & College Avenue/ Regents Drive	A/754	A/857
US 1 & Knox Road	A/775	A/993
US 1 & Calvert Road	A/572	A/768
US 1 & Guilford Road	A/712	A/754
US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/659	A/619
US 1 & future Northern Access Road		
US 1 & Van Buren Street*/ Future Main Access Road	(12.8) Seconds	(13.3) Seconds
US 1 & Future Southern Access Road		
US 1 & MD 410	E/1555	E/1590
US 1 & Queensbury Road	A/934	A/941
Paint Branch Parkway & River Road	A/622	A/634
MD 201 & River Road	A/999	A962
Rivertech Court and River Road*	(27.6) Seconds	(22.7) Seconds
Rhode Island Avenue & Queensbury Road *	(10.7) Seconds	(11.2) Seconds
Lafayette Avenue & Queensbury Road *	(8.6) Seconds	(12.9) Seconds
Natoli Place & Queensbury Road *	(8.8) Seconds	(9.5) Seconds
* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.		

EXISTING TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	Mid-Day	SAT
US 1 & Paint Branch Parkway / Campus Drive	N/S**	C/1158
US 1 & Rossborough Lane	N/S	A/893
US 1 & College Avenue/ Regents Drive	A/684	A/759
US 1 & Knox Road	N/S**	A/952
US 1 & Calvert Road	N/S**	A/639
US 1 & Guilford Road	N/S**	A/735
US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/446	A/604
US 1 & future Northern Access Road		
US 1 & Van Buren Street*/ Future Main Access Road	(11.9) Seconds	(15.5) Seconds
US 1 & Future Southern Access Road		
US 1 & MD 410	C/1164	E/1496
US 1 & Queensbury Road	A/722	A/989
Paint Branch Parkway & River Road	N/S**	A/270
MD 201 & River Road	N/S**	A/606
Rivertech Court and River Road*	N/S**	(9.8) Seconds
Rhode Island Avenue & Queensbury Road *	(8.4) Seconds	(9.1) Seconds
Lafayette Avenue & Queensbury Road *	(9.0) Seconds	(9.3) Seconds
Natoli Place & Queensbury Road *	(9.1) Seconds	(9.2) Seconds

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.

**N/S: Not required by the signed traffic study Scope.

Background Conditions

As required, the background condition evaluates the anticipated background traffic with existing and programmed transportation infrastructure and improvements that are 100 percent funded or bonded and permitted for construction.

The background traffic combines growth in existing traffic volumes attributable to development outside the study area with traffic that would be generated by approved and unbuilt developments within the study area. A review of the historical SHA traffic volume maps indicates that US 1 in the immediate vicinity of the site has experienced less than 0.1 percent growth per year over the last seven years. Therefore, staff concurs that the use of 0.5 percent per year growth rate for US 1 through 2017, the proposed build-out year, used in the analysis is appropriate. In addition, there are nine approved but not yet built development plans, including M-Square/Riverside, and the Maryland Book Exchange, in the study area which would collectively contribute a total of 2,997 AM new weekday peak hour trips; 3,084 PM new weekday peak hour trips; 2,097 new mid-weekday peak hour trips; and 1,753 Saturday new peak hour trips to the area road network.

In addition to including the provision of a double left-turn lane along northbound US 1 at its intersection with MD 410, which is fully funded with construction scheduled for the year 2013 in the current CTP, the traffic study includes the following improvements (**in bold**), which are not built, but are among the approval conditions of the M Square and Riverside development plans, as part of the transportation system for the background condition:

a. An additional right-turn lane on the eastbound approach of MD 201 @ River Road
b. An additional left-turn lane on the northbound approach of MD 201 @ River Road
c. Signalization of the intersection of Rivertech Court with River Road.

The results of the background analyses are shown within the following table:

BACKGROUND TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**AM**	**PM**
U S1 & Paint Branch Parkway / Campus Drive	C/1211	E/1511
US 1 & Rossborough Lane	A/756	A/852
US 1 & College Avenue/ Regents Drive	A/841	A/1049
US 1 & Knox Road	A/841	A/1086
US 1 & Calvert Road	A/638	A/844
US 1 & Guilford Road	A/783	A/864
US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/717	A/685
US 1 & future Northern Access Road		
US 1 & Van Buren Street*/ Future Main Access Road	(13.5) Seconds	(14.7) Seconds
US 1 & Future Southern Access Road		
US 1 & MD 410 W/ SHA funded improvement	**E/1515**	E/1596
US 1 & Queensbury Road	A/992	A/91019
Paint Branch Parkway & River Road	A/691	A/801
MD 201 & River Road w/ planned improvements	**D/1336**	C/1177
Rivertech Court and River Road w/ planned traffic signal	**A/926**	B/1019
Rhode Island Avenue & Queensbury Road *	(10.7) Seconds	(11.2) Seconds
Lafayette Avenue & Queensbury Road *	(8.6) Seconds	(12.9) Seconds
Natoli Place & Queensbury Road *	(8.8) Seconds	(9.5) Seconds
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.		

BACKGROUND TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**Mid-Day**	**SAT**
US 1 & Paint Branch Parkway / Campus Drive	N/S**	D/1409
US 1 & Rossborough Lane	N/S	A/983
U S1 & College Avenue/ Regents Drive	A/843	A/974
US 1 & Knox Road	N/S**	A/1017
US 1 & Calvert Road	N/S**	A/705
US 1 & Guilford Road	N/S**	A/816
US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/501	A/664
US 1 & future Northern Access Road		
US 1 & Van Buren Street*/ Future Main Access Road	(12.6) Seconds	(16.9) Seconds
US 1 & Future Southern Access Road		
US 1 & MD 410 w/ SHA funded improvement	**C/1119**	E/1464
US 1 & Queensbury Road	A/780	B/1052
Paint Branch Parkway & River Road	N/S**	A/327
MD 201 & River Road w/ planned improvements	**N/S****	A/655
Rivertech Court and River Road w/ planned traffic signal	**N/S****	A/210
Rhode Island Avenue & Queensbury Road *	(8.4) Seconds	(9.1) Seconds
Lafayette Avenue & Queensbury Road *	(9.0) Seconds	(9.3) Seconds
Natoli Place & Queensbury Road *	(9.1) Seconds	(9.2) Seconds

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.
**N/S: Not required by the signed traffic study Scope.

Future (Total) Conditions
An analysis of the traffic data under "Total" conditions for the build-out of the proposed development represents a combination of background traffic and site-generated traffic, as presented above. The total traffic analysis conditions reported in the following tables are based upon the following additional concepts, assumptions, and proposed roadway improvements:

a. The total traffic conditions represent the full build-out of the project in six years, without additional analysis or findings for development phasing as included in the submitted plans.

b. Provides for vehicle reduction through the use of the proffered TMP components, including the utilization of existing bus and rail service, on-site bike sharing and car sharing programs, and utilization of the proposed shuttle and circular bus service required by Zoning Ordinance No. 11-2012. While the submitted TMP lacks the needed mode shift goals, the required financial committals and specifics, as well as the necessary

monitoring and implementation tools, the sum of all proposed reductions used in the prepared traffic impact study is almost equal to the level of reduction credits currently allowed by the Guidelines for an "Excellent TOD" designated development. The applicant has justified the proposed development as Excellent TOD, by completing the required checklist included in the Guidelines, with some of the stated specific standards needed to be verified at the time of detailed site plan review.

c. Rerouting a portion of the background development-generated traffic along the north and southbound lanes of US 1, south of Van Buren Street, that will go through or make a left turn at MD 410 to the proposed CSX crossing and River Road to MD 201.

d. Conversion of the outside through lane along northbound US 1 to the through/right lane at the proposed south and north access roadways.

e. Install traffic signal along with associated geometric improvements, as specified Zoning Ordinance No. 11-2012, including physical barriers to eliminate through movement between the existing Van Buren Street and mid-access roadway (**in bold**).

TOTAL TRAFFIC CONDITIONS[1]		
	LOS/CLV (delay)*	
Intersection	**AM**	**PM**
US 1 & Paint Branch Parkway / Campus Drive	C/1192	E/1489
US 1 & Rossborough Lane	A/770	A/864
US 1 & College Avenue/ Regents Drive	A/863	B/1074
US 1 & Knox Road	A/860	B/1104
US 1 & Calvert Road	A/652	A/871
US 1 & Guilford Road	A/831	A/946
US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/769	A/756
US 1 & Site's north Access*	(10.6) Seconds	(13.9) Seconds
US 1 & Van Buren Street/ Site's Main Access W/ Signal	**A/720**	B/1132
US 1 & Site's South Access*	(10.9) Seconds	(14.3) Seconds
US 1 & MD 410 W/ SHA funded improvement	**E/1516**	E/1596
US 1 & Queensbury Road	A/992	A/91019
Paint Branch Parkway & River Road	A/691	A/801
MD 201 & River Road w/ planned improvements	**D/1336**	C/1177
Rivertech Court and River Road w/ planned traffic signal	**A/926**	B/1019
Rhode Island Avenue & Queensbury Road *	(10.7) Seconds	(11.2) Seconds
Lafayette Avenue & Queensbury Road *	(8.6) Seconds	(12.9) Seconds
Natoli Place & Queensbury Road *	(8.8) Seconds	(9.5) Seconds
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.		

TOTAL TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	Mid-Day	SAT
US 1 & Paint Branch Parkway / Campus Drive	N/S**	D/1444
US 1 & Rossborough Lane	N/S	B/1021
US 1 & College Avenue/ Regents Drive	A/835	B/1029
US 1 & Knox Road	N/S**	B/1079
US 1 & Calvert Road	N/S**	A/767
US 1 & Guilford Road	N/S**	A/918
US 1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/501	A/769
US 1 & future Northern Access Road	(11.5) Seconds	(12.7) Seconds
US 1 & Van Buren Street/ Main Access w/ planned signal	**A/585**	B/1009
US 1 & Future Southern Access Road	(11.9) Seconds	(13.0) Seconds
US 1 & MD 410 w/ SHA funded improvement	**C/1121**	E/1462
US 1 & Queensbury Road	A/826	B/1089
Paint Branch Parkway & River Road	N/S**	A/319
MD 201 & River Road w/ planned improvements	**N/S****	A/708
Rivertech Court and River Road w/ planned traffic signal	**N/S****	A/663
Rhode Island Avenue & Queensbury Road *	(8.6) Seconds	(9.3 Seconds
Lafayette Avenue & Queensbury Road *	(9.1) Seconds	(9.4) Seconds
Natoli Place & Queensbury Road *	(9.3) Seconds	(9.3) Seconds

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.
**N/S: Not required by the signed traffic study Scope.

The results shown in the tables above indicate that all studied intersections would operate acceptably under total traffic provided the noted improvements are either constructed or fully bonded and permitted for construction. It is equally important to note that the resulting critical lane volume (CLV) findings noted above are based upon the projected peak-hour vehicle trips resulting from the full build-out of the proposed plan for each studied period and the inclusion of the CSX crossing and its connections from US 1 to River Road as part of the background network. In accordance with the Guidelines, this would mean that the proposed CSX crossing and its connections to US 1 and River Road must be constructed or deemed funded and permitted for construction in accordance with Section 24-124(a) of the Subdivision Regulations.

In addition to the above intersection levels of service analysis, and at staff request, a queuing analysis was done for the US 1 southbound left turns at the proposed signalized intersection of Van Buren Street and the Main access driveway using the total projected traffic. This queuing analysis indicates that a maximum queue length of 400 feet plus the required taper, per SHA standards, would be needed. Since this required length is significantly less than the existing

1,200 feet from this location to the next signalized intersection to the north along US 1, staff concurs with report findings that a single left-turn lane at this location would be sufficient to accommodate the total build-out left-turn traffic from US 1.

Master Plan and Right-of-Way Dedication
The subject property is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Town of Riverdale Park MUTCD Plan). The submitted plan indicates that the existing right-of-way for US 1 in the vicinity of subject site is 60 feet wide. The existing roadway consists of only two travel lanes on each side with a center left turning lane. While there are no sidewalks along the property frontage or along the WMATA property, there are sidewalks along US 1 to the north and south of the site. Staff recommends sidewalks within the right-of-way along the property's frontage to connect to the north and south, as further discussed in the Trails section.

Both approved master plans envision and recommend US 1 as a four-lane divided major collector facility roadway with a 90 to 110-foot right-of-way along the subject property. Provision of at least 45 feet of right-of-way from existing centerline along US 1 and along the proposed property frontage will allow for the needed landscaped median that will include a left-turn lane, two travel lanes, an on-road bike lane on each side, a landscaped strip, and wide sidewalks within the right-of-way. This minimum amount of needed right-of-way does not however provide for the exclusive right turn (11 feet) along northbound US 1 and at the proposed Main access driveway, required by SHA as part of their latest email referral received January 3, 2012.

Staff recommends that the applicant dedicate 45 feet from the centerline plus an additional 11 feet unless SHA deems the right-turn lane is not necessary at the time of DSP, but no less dedication than 45 feet.

On-Site Circulation and Access
The subject property is adjacent to US 1. As proposed, based on distribution of site-generated traffic, the subject site will be served by three access points from US 1, two of which are proposed to be stop-controlled and limited to right turns. The main access street from US 1 will be opposite existing Van Buren Street and is proposed as a four-lane divided gateway with extra-wide median to be used as public gathering places and plazas. The proposed Van Buren Street is proposed to accommodate on-road bike lanes, bus stops, potential bike share and car sharing stations, and wide sidewalks transitioning to two-lane divided roadway as it crosses the planned Rhode Island Avenue Regional Trail and intersects with other planned internal roadways that will provide access to existing Maryland Avenue, or the proposed CSX crossing. The preliminary plan proposes a CSX railroad crossing from Woodberry Street that will extend to River Road and a southern access driveway connection to Maryland Avenue. While a portion of site traffic is assigned to Maryland Avenue, the proposed plan does not show the required extension north of Tuckerman Street, which would be needed to gain access to Maryland Avenue.

Considering the level of activities and projected multi-function of the proposed Van Buren Street (the main boulevard), staff concurs with the suggested changes proposed in Staff Exhibit A to reconfigure the proposed ellipse and shift it further east, which would provide for a much safer environment for walking and biking, as well as vehicular traffic. The proposed changes would eliminate several unintended conflict points and create a much more desirable vehicular circulation and access to the proposed CSX crossing and to reach the College Park Metro Station, the planned M Square Purple Line Station, the Riverside/M Square development, and Kenilworth Avenue (MD 201).

Conformance to Zoning Ordinance No. 11-2012
As indicated in prior sections, there is an approved Zoning Ordinance, No. 11-2012 (A-10018), for the subject site with several transportation-related conditions and considerations. Several of these require review at, or prior to, approval of any preliminary plan. The status of these related transportation conditions and considerations are summarized below:

1. **Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:**

   e. **one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.**

   This is done. The plan proposes on-road bike lanes from US 1 (the planned bike lane along US 1) through the site and along both Van Buren and Woodbury Streets, but the plan proposes both of these roadways as private streets and not dedicated to public use. The proposed Van Buren Street is the main road for the development and is proposed as a four-lane divided gateway with extra-wide median to be used as public gathering places and plazas, on-road bike lanes, bus stops, and potential bike share and car sharing stations. Van Buren Street is proposed to transition into two-lane divided roadway as it crosses the planned Rhode Island Avenue Regional Trail and intersects with other planned internal roadways that will provide access to existing Maryland Avenue and the planned CSX crossing.

   To this end, the proposed redesign of Van Buren Street as proposed by Staff Exhibit A would create a much better environment for all users including bikers by eliminating several unintended conflict points, as well as helping to establish a much more desirable vehicular circulation and access to the proposed CSX crossing as a way to the College Park Metro Station, the Riverdale Park Marc Station, and MD 201.

   f. **The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.**

   While the spirit of this condition is enforceable at the time of detailed site plan and building permit review, the preliminary plan needs to be revised to show all internal roadways except for the proposed alleyways that are or will be dedicated to public use.

14. Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:

c. A Revised Traffic scoping agreement and Impact Study that:

(1) Accurately reflects the development proposal and anticipated phasing;

(2) Eliminates corridor averaging for all intersections included in the Study;

(3) Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;

(4) Analyzes all proposed connections, including the proposed CSX Crossing and Maryland Avenue;

(5) Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate;

(6) Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bike share, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing;

(7) Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved detailed site plan or preliminary plan of subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and

(8) Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.

This condition identifies specific analysis procedures that all its elements have been fully incorporated in the prepared traffic studies and here within the staff review.

15. After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.

While the spirit of this condition is enforceable at the time of building permit review, the preliminary plan needs to be revised to show all internal roadways except for the proposed alleyways that will be dedicated to public use (Town of Riverdale Park). All internal roadways provide access to various proposed uses as well as being used to reach US 1 and the CSX crossing, which would provide convenient access to the College Park Metro, the Riverdale Park Marc Station, and MD 201. Therefore, a "dedicated to public use" roadway network is far superior to that shown on the proposed plans, which includes a complete set of private internal streets, because a dedicated street network ensures that public access would not be denied at any time and without proper justification.

17. **At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.**

The applicant has submitted a prepared TMP for the entire development, identifying program actions that, when and if funded and implemented, would provide for some reduction and diversion of projected site vehicle trips to other modes. The plan, however, lacks the required funding obligations and staff is unable to find any specific trip reduction goals associated with the proffered TMP, as well as any reporting or monitoring provisions.

18. **Prior to approval of a Preliminary Plan of Subdivision, the applicant shall provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.**

The TMP, while identifying reductions in generated vehicle trips as a result of the existing and proposed circular and shuttle bus service, lacks the required commitment to organize and achieve a private shuttle. Staff is unaware of any other means of satisfying and ensuring that will happen as required prior to issuance of any use and occupancy permit.

19. **Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.**

The applicant has not submitted any document to this item. One way to satisfy this condition and demonstrate the applicant's commitment and willingness would be for the applicant to enter into a joint agreement and a signed funding obligation with any of the existing transit operating agencies in the area and/or DPW&T for provision of the required circular bus service that specifies the proposed route, potential stops, hours of operation, proposed headways, and overall length and duration of service. The contribution of funds would be required once the framework is determined, with input from the municipalities.

22. **Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.**

The proposed development, with the appropriate trip reductions noted in the study, conforms to the required peak hour caps. It is important to note that the transportation adequacy finding for the submitted preliminary plan is based on different AM and PM new peak hour caps. The new caps, which are based on the analysis included in the applicant's submitted traffic study, are less than those stated by this condition. As a result, staff would propose new AM and PM vehicle trip caps to be included as part of the submitted preliminary plan approval conditions.

24. **Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, subject to the opportunity for review and comment by the Town of Riverdale Park and the Town of University Park:**

    a. **The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").**

    b. **Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety vehicles.**

The proposed plan shows Maryland Avenue Extension through the site as a private street, with eventual connection, even though not directly to the proposed extension of Van Buren Street. The plan, however, does not show the required extension of existing Maryland Avenue from the property line south to its present terminus at Tuckerman Street in the Town of Riverdale Park. This off-site connection is critical, as the applicant's submitted traffic study have assigned some of the site projected traffic to

Maryland Avenue. Without this connection and based on the submitted study's assumptions, the preliminary plan should be revised to show this connection and note it on the plan prior to signature approval.

As mentioned as part of Conditions 4 and 15 above, the full incorporation of the proposed layout modifications by Staff Exhibit A to the site's internal circulation, as well as inclusion of an approval condition for the provision of Maryland Avenue extension to Tuckerman Street would greatly improve the access, safety, and circulation for all users with the subject site.

25. Prior to the approval of a Preliminary Plan of Subdivision (the "Preliminary Plan"), the applicant shall do the following, subject to the opportunity for review and comment by Prince George's County, the Town of Riverdale Park, and the Town of University Park:

a. The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the "CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.

b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.

c. Provide letters from the CSX and University of Maryland (or the affected land owner), that recommend approval of the CSX Crossing as shown on the Preliminary Plan and identify the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University (or the affected land owner).

d. Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.

Further, the applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars ($5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local laws. 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.

The submitted plan shows the required CSX crossing, the alignment, cross section, and how it is connected from Van Buren Street to River Road via Rivertech Road. The plan also shows a revised location as the preferred location for this crossing, and applicant has secured a general approval confirmation from CSX for the proposed location of this crossing. However, to date, the applicant has not been able to furnish staff with an approval letter from the American Center for Physics (the affected property owner) where the eastern half of the access connection must be built. The applicant has not provided staff with any of the required cost estimates and financial calculations for design, right-of-way, and the construction. The applicant also has failed to provide or demonstrate that secure funding or financial assurances are or would be available to ensure the required crossing and its connection to River Road as outlined by this condition.

27. **The applicant, the Town of Riverdale Park, and the Town of University Park will work together to petition the District Council to initiate and establish a Transportation Demand Management District ("TDMD") program under the Prince George's County Transportation Demand Management District Ordinance Subtitle 20A. Consideration should be given to establishing the boundaries of the TDMD to extend from Paint Branch Parkway to Queensbury Road. Once a TDMD is established, the applicant will provide financial support and the "TMP" will become part of the District and will be monitored by the Transportation Management Authority ("TMA"). The TDMD should provide for traffic reduction goals and periodic independent verification of monitoring whether the goals have been met, including restricting the maximum allowable density to a level that will generate average net additional daily vehicle trips on Baltimore Avenue that are not more than 20% above current levels, and net additional peak hour trips that are no more than 20% above current peak-hour vehicle trips at AM (06:00-09:00), mid-day (11:00-14:00), PM (16:00-19:00), and Saturday (10:00-18:00). These counts will be performed at a fixed location specified in the TDMD between East-West Highway and the southern entrance, and between Queens Chapel Road and the northern entrance, to the project and will be based upon traffic estimates that have been reviewed and determined to be reasonably accurate by the Transportation Planning Section of M-NCPPC. If the goals of the TDMD are not met, additional vehicle trip reduction measures to resolve the problem will be required pursuant to the requirements of Subtitle 20A.**

As of this writing, staff is not aware that any such petition to initiate and establish a TDMD has been prepared or submitted for approval by the District Council or the municipalities. Due to its nature, staff recommends that full review and conformity to this condition to be carried forward and reviewed at the time of DSP.

CONSIDERATIONS

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.**

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 submitted plan shows the provision of the Rhode Island Avenue Trolley Trail across the WMATA property, connecting to the terminus of the existing trail at Albion Street and south to Tuckerman Avenue. Staff recommends that the preliminary plan be revised to fully incorporate Staff Exhibit A proposed modifications to the proposed alignment of this trail within the subject site that greatly improve the access, safety, and use of this trail within and through the subject site.

Transportation Conclusions
In accordance with the above findings, the Transportation Planning Section has determined that several unsatisfied transportation-related zoning approval conditions (Conditions 17, 18, 19, and 25c and d) have not been fully satisfied or adequately addressed by the application, as stated above, despite the requirement that they must be addressed at or prior to approval of the preliminary plan of subdivision.

13. **Schools**—The residential portion of this preliminary plan was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003, and concluded the following:

Residential

Impact on Affected Public School Clusters
Attached Single-Family Units

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	126	126	126
Pupil Yield Factor	0.140	0.113	0.108
Subdivision Enrollment	18	14	14
Actual Enrollment	32,692	9,421	14,494
Total Enrollment	32,710	9,435	14,508
State Rated Capacity	36,567	11,807	16,740
Percent Capacity	89%	80%	87%

Multi-Family Units

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	855	855	855
Pupil Yield Factor	0.042	0.039	0.033
Subdivision Enrollment	36	33	28
Actual Enrollment	32,692	9,421	14,494
Total Enrollment	32,728	9,454	14,522
State Rated Capacity	36,567	11,807	16,740
Percent Capacity	90%	80%	87%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: $7,000 per dwelling if a building is located between the Capital Beltway (I-95/495) and the District of Columbia; $7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WMATA); or $12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are $8,762 and $ 15,020, to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

Nonresidential
The commercial portion of this preliminary plan subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded that this portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

14. **Fire and Rescue**—The residential portion of this preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations, and is within the recommended response times.

Residential
The proposed development is within the seven-minute required response time for the first due fire station using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

First Due Fire/EMS Company #	Fire/EMS Station	Address
7	Riverdale	4714 Queensbury Road

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in CB-56-2005.

Nonresidential
The commercial portion of this preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
7	Riverdale	Engine	4714 Queensbury Road	1.19	3.25	Within
1	Hyattsville	Ladder Truck	6200 Belcrest Road	1.43	4.25	Within
12	College Park	Paramedic	8115 Baltimore Avenue	2.19	4.25	Within
7	Riverdale	Ambulance	4714 Queensbury Road	1.19	7.25	Within

Capital Improvement Program
The Prince George's County Capital Improvement Program (CIP) for Fiscal Years 2012–2017 proposes replacing the existing Hyattsville Fire/EMS station with a new four-bay fire/EMS station.

The above findings are in conformance with the 2008 *Adopted and Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure."

15. **Police Facilities**—The subject property is located in Police District I, Hyattsville. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on July 27, 2012.

Residential

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 7/27/2012	7/2011-6/2012	5 minutes	8 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of ten minutes for emergency calls and the 25 minutes for nonemergency calls were met on July 27, 2012.

The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01 (e)(1)(A) and (B) regarding sworn police personnel staffing levels.

Nonresidential
The proposed development is within the service area of Police District I, Hyattsville. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the July 1, 2011 (U.S. Census Bureau) county population estimate is 871,233. Using 141 square feet per 1,000 residents, it calculates to 122,843 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

16. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that "the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval."

The 2008 *Water and Sewer Plan* placed this property in dormant water and sewer Category 3. An active Category 3 must be obtained for the subject property for water and sewer through the administrative amendment procedure, prior to approval of a final plat.

Water and sewer lines in Baltimore Avenue (US 1) abut the property. Water and sewer line extensions and/or an on-site system may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC).

17. **Health Department**—The Prince George's County Health Department has evaluated the proposed preliminary plan of subdivision and offers the following comments:

Historical documents reference the presence of a 70-foot-deep well and subsequent (unspecified) replacement well on the property in the vicinity of the original "MacAlpine" house, a structure which also served as the administration building during the Calvert Homes period of the property. If these wells are encountered during future grading or other construction activities on the property, they must be backfilled and sealed in accordance with the requirements of COMAR 26.04.04, by a licensed well driller or as witnesses by a representative of the Health Department.

18. **Public Utility Easement (PUE)**—In accordance with Sections 24-122(a) and 24-128(b)(12) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

> "Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748."

The preliminary plan of subdivision must provide a ten-foot-wide public utility easement along the public and private rights-of-way. However, the Town of Riverdale Park MUTCD Plan contains design standards and guidelines for streetscape that may impact the applicant's ability to provide standard public utility easements in a dense urban environment. At the time of detailed site plan, the applicant can provide an alternative PUE acceptable to all affected utilities, including WSSC and Washington Gas, if applicable. A color-coded utility plan should be required and approved prior to approval of the DSP. If the alternative is not approved by all of the affected utility companies, the standard ten-foot-wide PUE shall be required. Utility easements in accordance with the approved plan will then be reflected on the final plat prior to approval.

19. **Historic**— The subject property comprises approximately 35.83 acres, is bordered on the west by Baltimore Avenue (US 1) and on the east by CSX railroad tracks, and is located north of Tuckerman Street and south of Albion Road in Riverdale Park, Maryland. The subject application proposes a mixed-use development which includes residential, commercial, hotel, and office. Portions of Archeological Site 18PR259 are located on proposed Lots 2 and 3.

Background
The Engineering Research Corporation (ERCO) building (Historic Site 68-022), a Prince George's County historic site, is adjacent to the southeastern portion of the subject property. Built in 1939, the ERCO building is a two-story industrial structure with a large administrative block finished in the Modern style and a larger rear factory that is without ornamentation. This industrial building mimicked the design of contemporary transportation machinery such as ships, airplanes, and automobiles, and industrial and consumer products, such as bicycles, toasters, radios, and vacuum cleaners. Built by Henry Berliner, the ERCO plant is representative of the significant developments in aviation that took place in the county; the factory produced the Ercoupe (the first tricycle aircraft that was touted as characteristically incapable of spinning) and was later adapted to meet defense needs during World War II.

Also adjacent to the subject property are the Riverdale Park (68-004), University Park (66-029), and Calvert Hills (66-037) National Register historic districts to the south, west, and north, respectively. The Riverdale Park Historic District (listed December 2002) is significant as a late-nineteenth and early-twentieth century railroad and streetcar suburb that surrounds the Calvert Family Riversdale Plantation house (a National Historic Landmark completed in 1807). The suburb of Riverdale Park began in earnest around 1890 and includes a range of houses that reflect late-nineteenth and early-twentieth century residential architectural preferences. The University Park Historic District (listed in October 1996; boundary expansion pending) is an early-twentieth century automobile suburb begun in 1920 that reflects middle-class residential architectural styles through World War II and in the post-war period until 1960. The Calvert Hills Historic District (listed in December 2002), formerly a part of the Calvert Family Riversdale Plantation, is significant as a late-nineteenth and early-twentieth century streetcar and automobile suburb. The earliest houses in Calvert Hills are from the 1890s, although the majority date from the 1920s and 1930s, and reflect the architectural taste of the pre-World War II period. The National Register historic districts are not regulated by Subtitle 29, the Prince George's County Historic Preservation Ordinance.

The developing property was once part of Charles Benedict Calvert's Riversdale plantation. Charles Calvert donated land for and was the founder of the Maryland Agricultural College, now the University of Maryland. In addition, he served one term in the United States Congress from 1861 to 1863, representing the Sixth District of Maryland. After the death of Charles Calvert in 1864, his estate was divided among his wife and children. His son, Charles Baltimore Calvert, was allotted a tract comprising 203.5 acres that was approximately 600 yards wide and stretched from Baltimore Avenue on the west, across the Baltimore and Ohio (B&O) railroad tracks to Paint Branch and Edmonston Road on the east. Calvert built a residence, known as MacAlpine, and developed a farm on his property around 1868. Calvert designed and supervised the construction of the house and the various outbuildings that included a brick cow barn, a brick icehouse, a brick carriage barn, a meat house, a smokehouse, and a wooden corn/wagon shed. MacAlpine was built on the site of an earlier structure occupied by a foreman of the Riversdale estate that was destroyed by fire. An old well from the earlier structure served MacAlpine until it ran dry. A new well, pump house, and water tower, were placed directly behind the house and served as the water supply until public water utilities were installed in the twentieth century.

Historic photographs of MacAlpine show that the structure was a Georgian-style brick residence with a full-length porch on the front with a central stairway and a low balustrade. The farm produced about 200 barrels of corn per year, as well as a substantial quantity of dairy products. Charles Baltimore Calvert died in 1906 and his family continued to reside at the MacAlpine estate until 1910. Between 1910 and 1917, MacAlpine was used as the Calvert family's summer residence. Charlotte Calvert Spence (a daughter of Charles Baltimore and Eleanor Calvert) and

her husband, Thomas H. Spence, a Dean of the University of Maryland, moved into MacAlpine in 1917. Eleanor Calvert died in 1932 and Charlotte and Thomas Spence moved from MacAlpine in 1934. The Calvert family eventually rented the MacAlpine estate to the Longfellow School for Boys in 1934 and subsequent years.

The subject property was acquired by the federal government in 1942 and a housing development known as Calvert Homes was built for defense workers in the nearby ERCO plant. All of the houses were built on concrete pads, some units containing two bedrooms and others one. The Calvert Homes housing development was closed in 1954 and was subsequently demolished.

In 1948, the Prince George's County Board of Education purchased a 1.4-acre tract adjacent to the MacAlpine house for use as a school for the residents of Calvert Homes. After the demolition of the Calvert Homes development, the school continued to be used to educate physically handicapped children. Morris Cafritz acquired the subject property in 1960 and the property remains in the possession of the Cafritz family. The MacAlpine house was subsequently demolished and there are no remaining buildings on the subject property.

Archeological Survey

A Phase I archeological survey was completed on the subject property in March 2008. Two historic archeological sites were previously recorded on the property in 1984: 18PR259, the MacAlpine Mansion, and 18PR260, the Calvert Homes housing development. The Phase I investigations in 2008 combined the two sites into one site, 18PR259, that included the MacAlpine Mansion and the Calvert Homes development. Pedestrian survey identified numerous concrete pads associated with the Calvert Homes development. Several features related to the MacAlpine Mansion were also noted, including a concrete-lined cellar, a pile of bricks where a barn is thought to have been located, and an ice house. The ice house at MacAlpine is one of only three surviving examples of the form in the county. The Riversdale Plantation was known to include several ice houses, all of which are no longer extant. Phase II investigations were recommended on the four features associated with the MacAlpine estate: the MacAlpine foundation, the ice house, the meat house, and the brick barn foundation. Very little cultural material was found in association with the Calvert Homes development. Therefore, no further work was recommended in the areas associated with the 1940s housing development.

Phase II archeological investigations were conducted on the Cafritz property in March 2012. Phase II archeological investigations on the subject property revealed extensive disturbance to the MacAlpine House foundations, the ice house, and the outbuilding to the south.

Portions of the MacAlpine house foundation were exposed and several three by three-foot test units were excavated on the interior and exterior to determine whether earlier intact archeological deposits remained and to identify the construction techniques used for the house. The concrete cellar identified in the Phase I survey was found to be a 1940s addition to the building when it was used as an administrative office for the Calvert Homes development under the ownership of the federal government. A chimney was added to the rear of the house in the 1940s to provide additional heating and remains of the chimney flue were identified in the Phase II investigations. The areas inside and outside the foundation walls of MacAlpine were heavily disturbed by the mid-twentieth century additions and uses. In addition, one of the granite monuments marking the outlines of various tracts comprising the Riversdale plantation was found to the south of the house foundation. The floor plans of the MacAlpine House have been sufficiently documented through historic sources and the archeological investigations. Additional excavation within and around the foundation will not provide further significant information on the operations of the

farm or its period of significance. No further work is recommended on the MacAlpine house foundations.

Excavations around the ice house consisted of three exploratory trenches inside the structure to determine its size and its state of preservation. The upper portions of the brick-lined ice house were robbed and the opening was used as a trash dump through the 1940s and 1950s. The nature of the rubble deposit inside the ice house prevented further excavation and the base was not reached.

The area of what was identified as the bank barn in the Phase I survey was investigated with close-interval shovel testing and two test units. The west wall of a building was identified and two test units were excavated, one on the interior and one on the exterior of the building. Test Unit 1, located on the exterior of the building, revealed a thick layer of demolition debris overlying the original ground surface with a 21:22 percent slope. Test Unit 2 on the interior of the structure revealed a two-foot-thick layer of demolition debris overlying a 0.30-foot thick ash layer. The building had a beaten earth floor. The east wall of the building was found in one of the shovel test pits. The east-west dimensions of the building were estimated to be 25 feet in width. Therefore, the building was interpreted as the carriage barn and not the bank barn.

Historic Preservation Review

The preliminary plan, Type 1 tree conservation plan, and natural resources inventory, should be revised to identify the ERCO Historic Site (68-022) adjacent to the southeastern portion of the subject property, the features comprising Archeological Site 18PR259 on the subject property, and the adjacent National Register historic districts.

The preliminary plan shows the location of a bridge across the CSX tracks at the northeastern corner of the property to the American Center for Physics property to the east. Specific details of the bridge will be provided at the time of detailed site plan. Therefore, the Historic Preservation Commission (HPC) should review the effects of this bridge on the adjacent National Register historic districts at the time of detailed site plan.

Tree conservation and other illustrative plans for the application indicate several potential impacts on the property: (1) substantial grading that would remove all of the trees and seemingly all of the archeological features currently identified on proposed Lots 2 and 3; (2) a vehicular connection between the subject property and the American Center for Physics property to the east by means of a flyover across the railroad right-of-way; (3) the illustrative plans for the proposed development indicate the possibility of multi-story buildings on the property that may have a visual impact on the adjacent National Register historic districts.

The University of Maryland is the owner of the ERCO Historic Site (68-022), which is adjacent to the subject property. The University signed a Memorandum of Agreement with the Maryland Historical Trust in November 2012 to provide for the demolition of the ERCO building due to its deteriorated condition and to provide mitigation measures for the loss of the site. Because of the anticipated demolition of the ERCO building and the implementation of proposed mitigation measures, the proposed development will have no effect on the ERCO historic site.

A condition of the zoning case requires the review of the preliminary plan by the HPC for its impact on identified archeological features, the impact of a potential vehicular access road on the 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.

A plan for interpretive signage and other public outreach measures focused on the history and significance of the MacAlpine property and the Calvert Homes development should be developed at the time of detailed site plan.

The ice house is a rarity as a structure type in Prince George's County, therefore, every effort should be made to preserve this feature in place and interpret it for the public. The applicant should explore the possibility of removing the debris from the interior of the ice house and reconstructing the feature to interpret to the public. At the time of detailed site plan, the applicant should provide a plan for preserving the ice house feature in place or provide justification for why the feature cannot be avoided by the proposed construction. The ice house feature meets the following criteria within the Guidelines for Archeological Review (p. 16): A) rarity—there are only two other examples of extant ice houses in the county; B) public value—the feature was built for Charles Baltimore Calvert, whose family was instrumental in the establishment of the University of Maryland and the B&O Railroad; C) research value—the ice house could provide information on food preservation practices in the late 1800s and early 1900s; D) site integrity—the lower portions of the structure appear to remain intact; E) interpretive value in place—the ice house could be used to demonstrate food preservation practices in the late 1800s and early 1900s.

The contents of the ash destruction layer within the outbuilding ruins should also be further examined to identify the contents of the building at the time of its destruction. The brick outbuilding meets the following criteria within Guidelines for Archeological Review (p. 16): A) rarity—there are few all brick barns in Prince George's County; and C) research value—the ash layer within the outbuilding could provide information on farming activities on the MacAlpine farm in the 1930s. A plan for additional archeological investigations on this structure should be submitted to Historic Preservation staff prior to submission of the detailed site plan.

Historic Preservation Commission

The Historic Preservation Commission (HPC) reviewed the new Preliminary Plan, 4-12004, for the subject property at its December 18, 2012 meeting. In its discussion, HPC agreed that the ice house was a significant feature and noted that it was located on the edge of a proposed parking lot. HPC felt that the applicant had not explored all of their options to try to preserve this significant feature in place. Historic Preservation staff noted that there was insufficient information to determine the exact location of the ice house feature within the developing property, the depth of the feature, or its physical character. In addition, there is insufficient information on the extent and integrity of the brick carriage barn. The applicant also has not presented alternative designs to try to avoid the ice house. HPC wanted to retain the recommendation of Phase III preservation-in-place or data recovery for the ice house and brick carriage barn features so that, with additional information available at the time of detailed site plan, an informed decision could be made. HPC agreed that staff's proposed Condition 3 appropriately allows for additional investigations and provides enough flexibility to allow for either preservation-in-place or removal of the resource based on more detailed information. HPC voted 8-0-1 (the Chairman voted "present") to approve Preliminary Plan 4-12004 with the following conditions:

a. All current plans shall be revised and all future plans for the subject property shall include the identification and boundaries of the ERCO Historic Site (68-022); the Riverdale Park (68-022); University Park (66-029); and Calvert Hills (66-037) National Register Historic Districts. Note 23 on the cover sheet of the preliminary plan shall read:

"The ERCO Site (68-002) is adjacent to the subject property. The Calvert Hills (66-037), Riverdale Park (68-002), University Park (66-029) National Register Historic Districts are adjacent to the subject property."

b. The Historic Preservation Commission shall review all subsequent plans of development for their impact on identified archeological features, and the impact of a potential vehicular access road and proposed buildings visible from the adjacent National Register historic districts.

c. Prior to Planning Board approval of the detailed site plan, the applicant shall provide a plan, subject to review and approval by the M-NCPPC staff archeologist for:

(1) Interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations); the interpretive measures should also address the significance of the ERCO factory and the Calvert Homes development;

(2) Avoiding and preserving the ice house feature within Archeological Site 18PR259 in place, or

(3) Investigating the significant portions of Archeological Site 18PR259 at the Phase III level.

d. Prior to any ground disturbance or approval of any grading permits, if Phase III archeological data recovery is proposed, the applicant shall:

(1) Provide a final report detailing the Phase II and Phase III investigations, and

(2) Ensure that all artifacts are curated at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland.

The Historic Preservation Commission (HPC) conditions are supported and carried forward with this application. HPC agreed that additional information is necessary on the extent, physical character, and integrity of the ice house and brick carriage barn features. This information should take the form of additional Phase II work, which will inform Phase III investigations that could result in either preservation-in-place of the ice house or its removal. The applicant should submit an alternative design analysis to Historic Preservation staff at the time of detailed site plan to evaluate the possibility of preserving-in-place the ice house feature.

After the HPC meeting, Urban Design staff developed an alternative layout to avoid the ice house feature to address the concerns of HPC regarding its potential for preservation-in-place. The applicant should explore the possibility of implementing staff's proposed concept plan as part of an alternative design analysis.

20. **Use Conversion**—The subject application is proposing 981 residential units and 597,761 square feet of commercial space in the M-U-TC Zone. Zoning Map Amendment A-10018 approved a mixed-use development for the site. If the applicant proposes a change of use for the subject site that does not comprise a mixed of use, then a new preliminary plan should be required.

21. **Conditions**—At the time of the writing of this technical staff report, there are outstanding issues that result in a recommendation for disapproval as discussed throughout this report. The applicant

has indicated that the additional information was forthcoming; therefore, staff continued to review this application in anticipation of receiving that information. The following is a list of conditions, to date, that would be applicable to this application. This list should in no way be construed as a complete list of conditions, and was not prepared with the benefit of the recommendations of the municipalities.

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:

    a. Incorporate all of Parcel 81, including the 25 feet of the trolley trail abandoned easement to the east of Parcel A (post office property).

    b. Label buffer lots along Baltimore Avenue (US 1) as parcels and indicate ownership.

    c. Provide dimensions on all rights-of-way. Label all streets as public and alleys as private to be conveyed to a homeowners association. Provide a general note indicating that all public rights-of-way are to be dedicated to the Town of Riverdale Park.

    d. Show a ten-foot public utility easement (PUE) along all public and private rights-of-way. Revise General Note 30 that modification of PUEs may occur at the time of detailed site plan prior to final plat with the approval of all affected utility companies.

    e. Include the identification and boundaries of the Engineering Research Corporation (ERCO) Historic Site (68-022); the Riverdale Park (68-022); University Park (66-029); and Calvert Hills (66-037) National Register Historic Districts.

    f. Revise Note 23 on the cover sheet to include:

        "The ERCO Historic Site (68-002) is adjacent to the subject property. The Calvert Hills (66-037), Riverdale Park (68-002), University Park (66-029) National Register Historic Districts are adjacent to the subject property."

    g. Show a preliminary location for a future bike share station.

    h. Amend the road cross section exhibit to reflect the public right-of-way limits. Public and private roads should be clearly marked and labeled on a public/private road exhibit.

    i. Reflect the dedication of 56 feet from the centerline of Baltimore Avenue (US 1), shifting the entire buffer to the east. Delineate the 45 feet from centerline and possible 11-foot-wide turn lane within the right-of-way. Provide a note that the 11-foot turn lane may not be required if determined by the State Highway Administration at the time of detailed site plan.

    j. All townhouse lots shall abut a public street.

k. Revise General Note 13 to accurately reflect the density, square-footages, and uses as approved with this preliminary plan.

l. Provide dimensions on all lot and parcel lines.

m. Reflect all open space lots as parcels and indicate to whom they will be dedicated.

n. All alleys shall be dimensioned and placed in a separate parcel to be conveyed to a homeowners association.

o. Delineate Aviation Policy Analysis Zone 6 (APA-6)..

p. Indicate the General Plan tier.

q. Provide a note that the property is subject to Zoning Map Amendment A-10018.

r. Increase the font size of the label of the 300-foot lot depth.

2. Prior to signature approval of the preliminary plan and Type1 tree conservation plan, the plans shall be revised in accordance with Staff Exhibit A and DPR Exhibit A, including the extension of Van Buren Street to Maryland Avenue.

3. Prior to approval of any final plat, the applicant and the applicant's heirs, successors, and/or assignees shall obtain approval of detailed site plan(s) for the entire site, including the portion in the One-Family Detached Residential (R-55) Zone (1.63 acres).

4. At the time of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

   a. Evidence from the State Highway Administration in regard to the dedication and improvements along the Baltimore Avenue (US 1) right-of-way, specifically including the need for a turn lane (11 feet wide) along the frontage of the property.

   b. Delineate the extent of the public use easement to the benefit of The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the master plan trolley where not located on park property (DPR Exhibit A). The easement should provide for utilities as requested by the utility companies.

5. Prior to the approval of the detailed site plan, a Type II tree conservation plan shall be approved.

6. Prior to signature approval of the preliminary plan, the applicant and the applicant's heirs, successors, and/or assignees shall submit a revised and approved stormwater management concept plan that reflects the lot layout of the approved preliminary plan. The revised and approved concept shall be correctly shown on the Type 1 tree conservation plan, including the associated stormdrain features.

7. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 11589-2010-00 and any subsequent revisions.

8. Prior to signature approval of the preliminary plan, the Type 1 tree conservation plan shall be revised as follows:

   a. Ensure that all woodland conservation areas meet the minimum dimension and area requirements outlined in Section 25 of the County Code.

   b. Ensure that all areas shown as "woodland preserved–not credited" are accurately reflected in the worksheet as "woodland retained not part of requirements."

   c. Revise the limits of disturbance (LOD) to encompass all proposed site features including, but not limited to, all stormwater management features and grading.

   d. Ensure that all woodland clearing and the removal of additional specimen trees necessary for the installation of all proposed site features is accurately reflected on the plan, accounted for in the worksheet, and reflected in the Specimen Tree table.

   e. Revise the Specimen Tree table to change the column currently labeled as "condition analysis" to read "condition analysis score" and the column shall be filled-in.

   f. Show all proposed building footprints on the plan.

   g. Show the municipal boundary lines.

   h. Type the assigned tree conservation plan number into the approval block (TCP1-005-12).

   i. Have the plan signed and dated by the qualified professional who prepared it.

   k. Add a note below the worksheet that states:

      "The option of using fee-in-lieu of off-site woodland conservation has been approved under Preliminary Plan 4-12004."

9. Prior to certification of the preliminary plan, the Specimen Tree table on the Type 1 tree conservation plan shall be revised as follows:

   a. To fill-in the condition rating score column with the condition rating score for all trees located within Stands 1 and 3, as a whole number score.

   b. To update the condition description column to reflect assigned descriptions in accordance with Table A-2 of the Environmental Technical Manual.

   c. To update the proposed disposition column to accurately reflect the disposition of all trees.

10. At the time of detailed site plan, all specimen trees proposed to be preserved shall be:

    a. At a minimum, the preservation of Specimen Trees 267, 268, and 269.

    b. Survey located and accurately reflected on all plans.

    c. Evaluated by a certified arborist for construction tolerance based on the final site conditions and include the following information, at a minimum:

        (1) Recommendations for treatment prior to, during, and after construction. Treatments may include options such as the placement of protection devices and signs, root pruning, crown pruning, fertilization, and watering.

        (2) A detailed management plan for the implementation of the recommendations, specifically to address the timing of the implementation of all recommendations, and to establish field inspections to be performed by a certified arborist over a minimum five-year maintenance period.

11. At the time of detailed site plan (DSP), the DSP acceptance package shall contain a Phase II noise report to address the following:

    a. To have conclusions based on the day-night average (Ldn).

    b. To outline structural mitigation for indoor noise mitigation for all residential buildings located within the 65 dBA unmitigated upper-level contour.

    c. To outline final noise mitigation measures for all outdoor activity areas located within the 65 dBA unmitigated ground-level contour.

    d. To eliminate all single-family lots where the entire associated outdoor activity area cannot be mitigated below 65 dBA Ldn.

    e. To show on the Type 1 tree conservation plan and DSP the location of the mitigated upper and lower-level 65 dBA Ldn noise contours.

12. Prior to approval of the detailed site plan, the required conclusion, proposed structural mitigation, and final noise mitigation shall be adequately addressed to the satisfaction of the Planning Board.

13. Prior to approval of building permits for lots containing residential units, certification by a professional engineer with competency in acoustical analysis shall be submitted to The Maryland-National Capital Park and Planning Commission (M-NCPPC) as part of the building permit package. The certificate shall verify that noise mitigation methods have been incorporated in the architectural plans to reduce interior noise levels to 45 dBA Ldn or less.

14. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-005-12). The following note shall be placed on the final plat of subdivision:

> "This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-005-12), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

15. Development of this subdivision shall be in conformance with the Aviation Policy regulations as outlined in County Council Bill CB-51-2002. The following note shall be placed on the final plat of subdivision:

> "The limits of this plat lie within a one-mile vicinity of the College Park Airport and is subject to over flight by aircraft using a public use/ general aviation airport. At the time of purchase contract with home buyers, the contract purchaser shall sign an acknowledgement of receipt of the declaration of covenants."

16. In accordance with Section 27-548.43 of the Zoning Ordinance and prior to final plat approval, the Declaration of Covenants for the property, in conjunction with the formation of a homeowners association, shall include language notifying all future contract purchasers of homes in the community of the existence of a general aviation airport (College Park Airport) within one mile northeast of the community. The Declaration of Covenants shall include the General Aviation Airport Environmental Disclosure Notice. At the time of purchase contract with homebuyers, the contract purchaser shall sign an acknowledgement of receipt of the Declaration. The liber and folio of the recorded Declaration of Covenants shall be noted on the final plat along with a description of the proximity of the development to the general aviation airport.

17. Prior to approval of the detailed site plan (DSP), pursuant to Section 27-548.39(b) of the Zoning Ordinance, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate compliance with the height restrictions of Section 27-548.42(b) relating to Aviation Policy Analysis Zone 6 (APA-6). The height of residential structures is limited to no greater than 50 feet unless the applicant demonstrates compliance with FAR Part 77, of the Federal Aviation Regulations. At the time of DSP, the Type 2 tree conservation plan shall reflect the delineation of APA-6, as well as the proposed building footprints and their respective heights, to demonstrate compliance with the height restrictions.

18. The preliminary plan of subdivision and all future plans for the subject property shall include the identification and boundaries of the Engineering Research Corporation (ERCO) Historic Site (68-022); the Riverdale Park (68-022); University Park (66-029); and Calvert Hills (66-037) National Register Historic Districts.

19. The Historic Preservation Commission shall review the detailed site plan for impacts on identified archeological features and the impact of a potential vehicular access road and proposed buildings visible from the adjacent National Register historic districts.

20. Prior to Planning Board approval of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan, subject to review and approval by the Maryland-National Capital Park and Planning Commission (M-NCPPC) staff archeologist for:

    a. Interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations); the interpretive measures should also address the significance of the Engineering Research Corporation (ERCO) factory and the Calvert Homes development;

    b. Avoiding and preserving the ice house feature within Archeological Site 18PR259 in place, or

    c. Investigating the significant portions of Archeological Site 18PR259 at the Phase III level.

21. Prior to any ground disturbance or the approval of any grading permits, if Phase III archeological data recovery is approved at the time of detailed site plan, the applicant shall:

    a. Provide a final report detailing the Phase II and Phase III investigations, and

    b. Ensure that all artifacts are curated at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland.

22. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement (PUE) as delineated on the preliminary plan or an alternative easement acceptable to all applicable utilities as reflected on the approved detailed site plan.

23. The development on the subject site shall be limited to the mix of allowed uses and the intensity that will generate no more than 463 AM weekday, 779 PM weekday, 756 midday, and 1,006 Saturday peak-hour vehicle trips during any stage of development. Any development that is deemed to generate more peak-hour vehicle trips than the levels stated above shall require a new preliminary plan of subdivision with a new determination of adequacy for transportation facilities.

24. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall incorporate specific standards as set forth in the *Planning Board's Transportation Review Guidelines,* that when implemented the development is deemed as meeting the Guidelines designation as an "excellent Transit Oriented development."

25. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

    a. Dedicate to public use right-of-way along the property's frontage of Baltimore Avenue (US 1) of 45 feet from the centerline, and an additional 11 feet for a total of 56 feet from the centerline. If at the time of detailed site plan review, the State Highway Administration referrals verify that the right-turn lane along the property's frontage is not required, a reduction in the dedication of 11 feet only is acceptable.

    b. Dedicate to public use all internal streets, except alleyways, to public use (Town of Riverdale Park).

26. At the time of detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall fully incorporate the recommended Urban Design Section's reconfiguration and realignment of the proposed Van Buren Street extension, including the elimination of the proposed right-in access to the proposed surface parking lot south of this street, within the subject property which improves access, safety, and circulation for all users if it is determined that the ice house shall be preserved in place.

27. Prior to issuance of any building permit on the subject property, the applicant shall obtain access approval and have permitted for construction:

    a. The provision of two right-in/right-out access driveways, and the provision of a divided main access driveway opposite of the existing Van Buren Street along with associated improvements that prohibits through movements across Baltimore Avenue (US 1) to and from both sides of Van Buren Street, as well as any other improvements deemed needed by the State Highway Administration (SHA) at these locations and along US 1.

    b. The extension and construction of continuous sidewalk that extends from the existing sidewalk terminus north and south of the subject site including the entire site's frontage with US 1, unless modified by SHA.

28. Prior to issuance of the first building permit for the development, the following road improvements shall (a) have been constructed, (b) fully funded and scheduled for construction in the adopted CIP or current CTP, (c) fully bonded and permitted for construction with agreed-upon time table for construction by the applicant and the applicant's heirs, successors, assignees, and/or others, or otherwise is incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) and in accordance with Section 24-124(a)(1) of the County Code:

    a. The proposed CSX crossing, including its connections to River Road via Rivertech Court and associated improvements for the intersections of the access road with Rivertech Court and Rivertech with River Road, consisting of at least two travel lanes, on-road bike lanes, and sidewalks, per Department of Public Works and Transportation (DPW&T) standards and specifications.

    b. Provision of an additional right-turn lane on the eastbound approach of Kenilworth Avenue (MD 201) @ River Road, and an additional left-turn lane on the northbound approach of MD 201 @ River Road, per State Highway

Administration (SHA) standards and specifications and when deemed needed by SHA. SHA may modify or require additional improvements for this intersection as part of the ongoing planning studies for the Purple Line.

c. Signalization of the intersection of Rivertech Court with River Road per DPW&T standards and specifications.

d. Signalization of the intersection of Baltimore Avenue (US 1) with Van Buren Street, as well any associated improvements and coordination of signals along US 1 between East-West Highway (MD 410) and Amherst Road, per SHA specifications and standards.

29. Prior to approval of the detailed site plan, the applicant shall:

a. Provide a comprehensive bicycle and pedestrian map indicating the location and width of all trails, sidewalks, wide sidewalks, and on-road bicycle facilities. This plan shall reflect the east-west bicycle route along Van Buren Street.

b. A determination shall be made regarding the maintenance and operation of the trolley trail.

c. The number, location, and type of bicycle parking shall be indicated, consistent with Condition 6(c) of Zoning Map Amendment A-10018.

d. The traffic circle should be redesigned or relocated so that the trolley trail only crosses Van Buren Street once (Staff Exhibit A). At the time of detailed site plan, the intersection of the trolley trail and Van Buren Street will be evaluated and appropriate design or pedestrian safety modifications will be made in coordination with the appropriate road agency.

e. Right-of-way dedication along Baltimore Avenue (US 1) shall accommodate the seven-foot-wide walkway, the landscape/pedestrian amenity strip, and the designated bike lanes recommended in the MUTCD plan.

30. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall convey to The Maryland-National Capital Park and Planning Commission (M-NCPPC) 1.36± acres of land as shown on DPR Exhibit A. Land to be conveyed shall be subject to the following:

a. An original special warranty deed for the property to be conveyed (signed by the Washington Suburban Sanitary Commission (WSSC) assessment supervisor) shall be submitted to the Subdivision Review Section of the Development Review Division (M-NCPPC), along with the final plat.

b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges, prior to and subsequent to final plat.

c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits which include such property.

d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR prior to approval of grading permits.

e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.

f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that the land is in acceptable condition for conveyance, prior to dedication.

g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.

h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.

i. No stormwater management facilities, tree conservation, or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR beyond those reflected on the approved preliminary plan and tree conservation plan. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to issuance of grading permits.

31. The applicants and the applicant's heirs, successors, and/or assignees shall design and construct the master planned trolley trail within the dedicated area (DPR Exhibit A).

a. Prior to approval of the detailed site plan, the applicant shall work with the Department of Parks and Recreation (DPR) concerning the exact alignment of the master planned trolley trail. The alignment shall be approved by DPR.

b. 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.

c. As per Zoning Amendment A-10018, the ten-foot-wide master-planned trail shall be completed and ready for use prior to issuance of the third building permit.

32. Prior to approval of a building permit by the Maryland-National Capital Park and Planning Commission (M-NCPPC), the applicants shall submit to the Department of Parks and Recreation (DPR) a performance bond, letter of credit, or other suitable

financial guarantee for the master-planned trail construction (M-NCPPC), in an amount to be agreed upon with DPR.

33. In accordance with Section 24-134(b) of the Subdivision Regulations, private recreational facilities shall be provided to address the shortfall in the mandatory dedication requirements provided:

    a. At the time of detailed site plan review, the applicant shall submit a comprehensive private recreational facilities package for approval by the Urban Design Section (M-NCPPC). The Department of Parks and Recreation will provide assistance as needed.

    b. The private recreational facilities shall be designed and constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.

    c. The developers and the developer's heirs, their successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.

34. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (M-NCPPC) for construction of recreational facilities (private) on the subject property for approval prior to submission of the final plat. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records.

35. Prior to issuance of building permits for the subject site, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of private recreational facilities on subject property.

36. Prior to the approval of the final plat, the applicant shall submit trail construction plans along with three original, executed public recreational facilities agreements (RFA). Upon approval by the Department of Parks and Recreation, 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.

37. Prior to approval of building permits, the applicant and the applicants heirs, successors, and/or assignees shall demonstrate that a homeowners association (HOA) and business association has been established and that common areas have been conveyed to the HOA/business association (Lots 6, 7, 136, 137, and 138 and Parcels A, C, E, M, and N), and as reflected on the approved preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:

    a. A copy of an unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD) along with the final plat.

    b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.

c. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse, or similar waste matter.

d. Any disturbance of land to be conveyed to a HOA/business association shall be in accordance with an approved detailed site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee may be required to warrant restoration, repair, or improvements required by the approval process.

e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division prior to issuance of grading or building permits in accordance with the approved detailed site plan.

f. Temporary or permanent use of land to be conveyed to a HOA for stormwater management shall be approved by the Development Review Division in accordance with the approved detailed site plan.

g. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

38. Prior to approval of the final plat, the applicant shall submit an executed public use easement to the benefit of The Maryland-National Capital Park and Planning Commission (M-NCPPC) for that portion of the master plan trolley trail located on private property, and as delineated on the approved detailed site plan. The easement shall be approved by M-NCPPC, Department of Parks and Recreation, and the liber/folio reflected on the final plat prior to recordation.

39. Prior to the issuance of grading permits, the applicant shall demonstrate that any abandoned well associated with the existing structure has been backfilled and sealed in accordance with Code of Maryland Regulations (COMAR) 26.04.04 by a licensed well driller.

40. The final plat shall include a note that the development of the M-U-TC-zoned (Mixed Use Town Center) portion of the property is subject to Zoning Map Amendment A-10018.

RECOMMENDATION

STAFF RECOMMENDS DISSAPPROVAL BECAUSE THE APPLICATION FAILS TO CONFORM TO CONDITIONS 10(b), 18, 19, 25(b), 25(c), AND 25(d), OF DISTRICT COUNCIL ZONING ORDINANCE NO. 11-2012 FOR ZONING MAP AMMENDMENT A-10018.

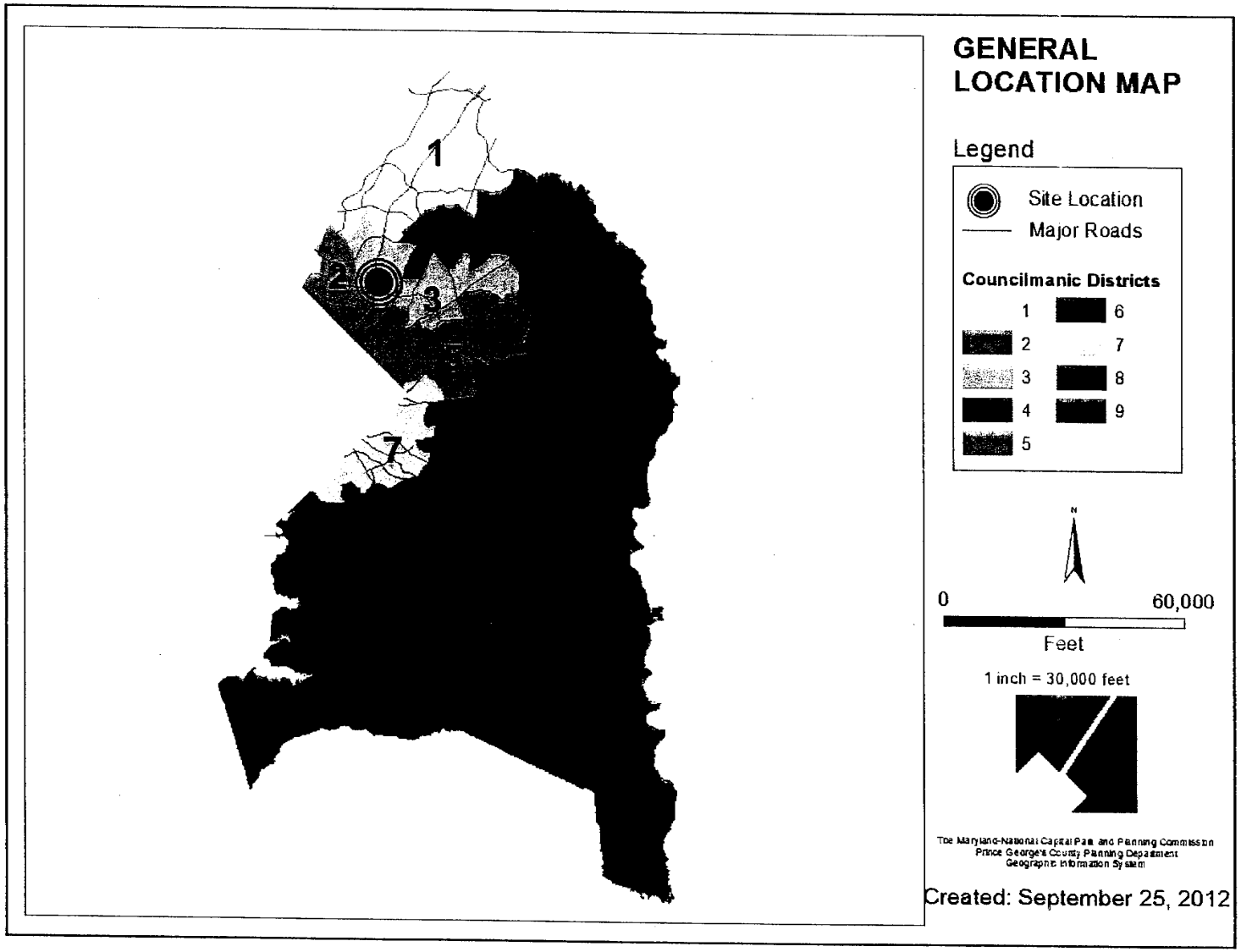
ITEM:

CASE: 4-12004

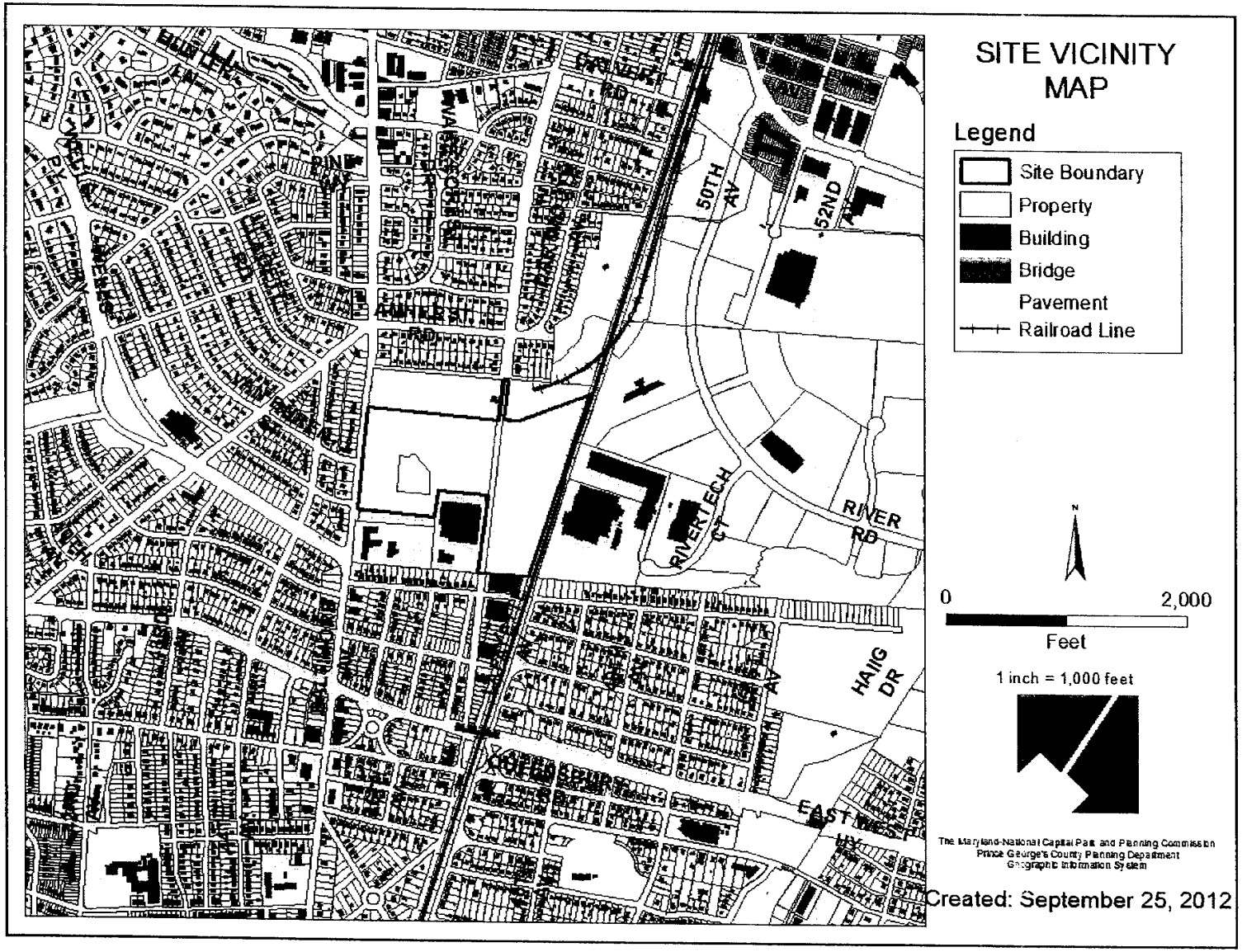
CAFRITZ PROPERTY

THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT

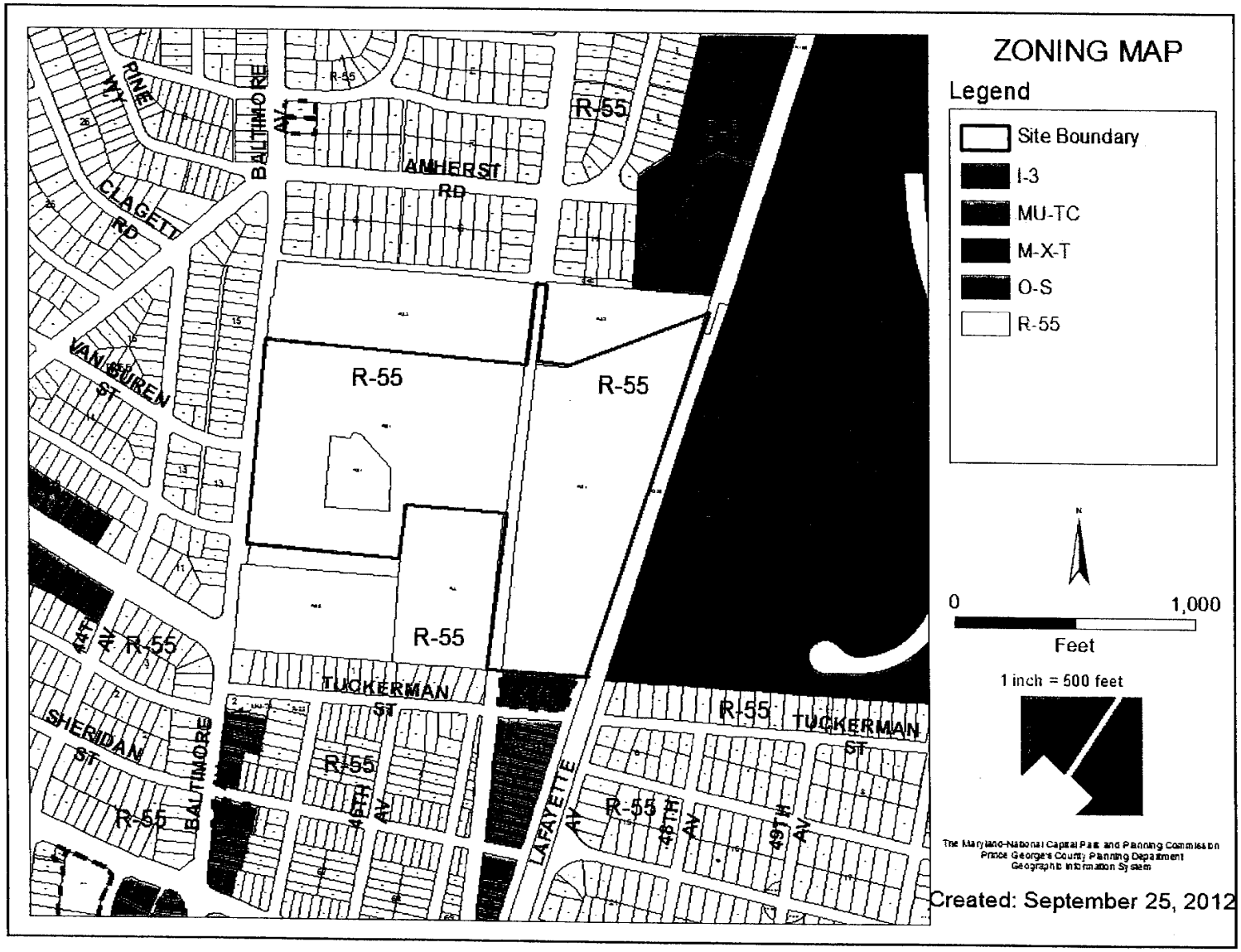
GENERAL LOCATION MAP



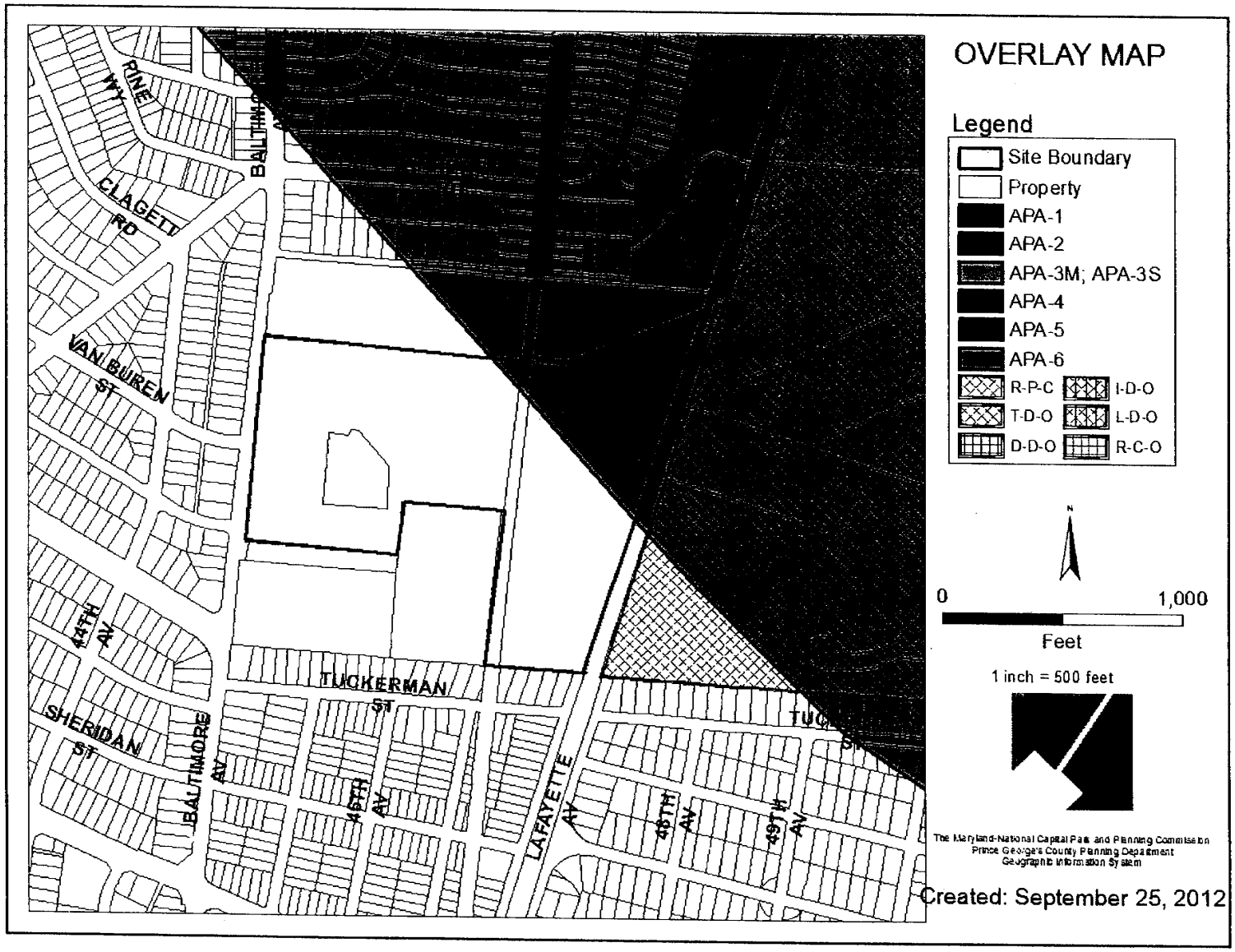
SITE VICINITY



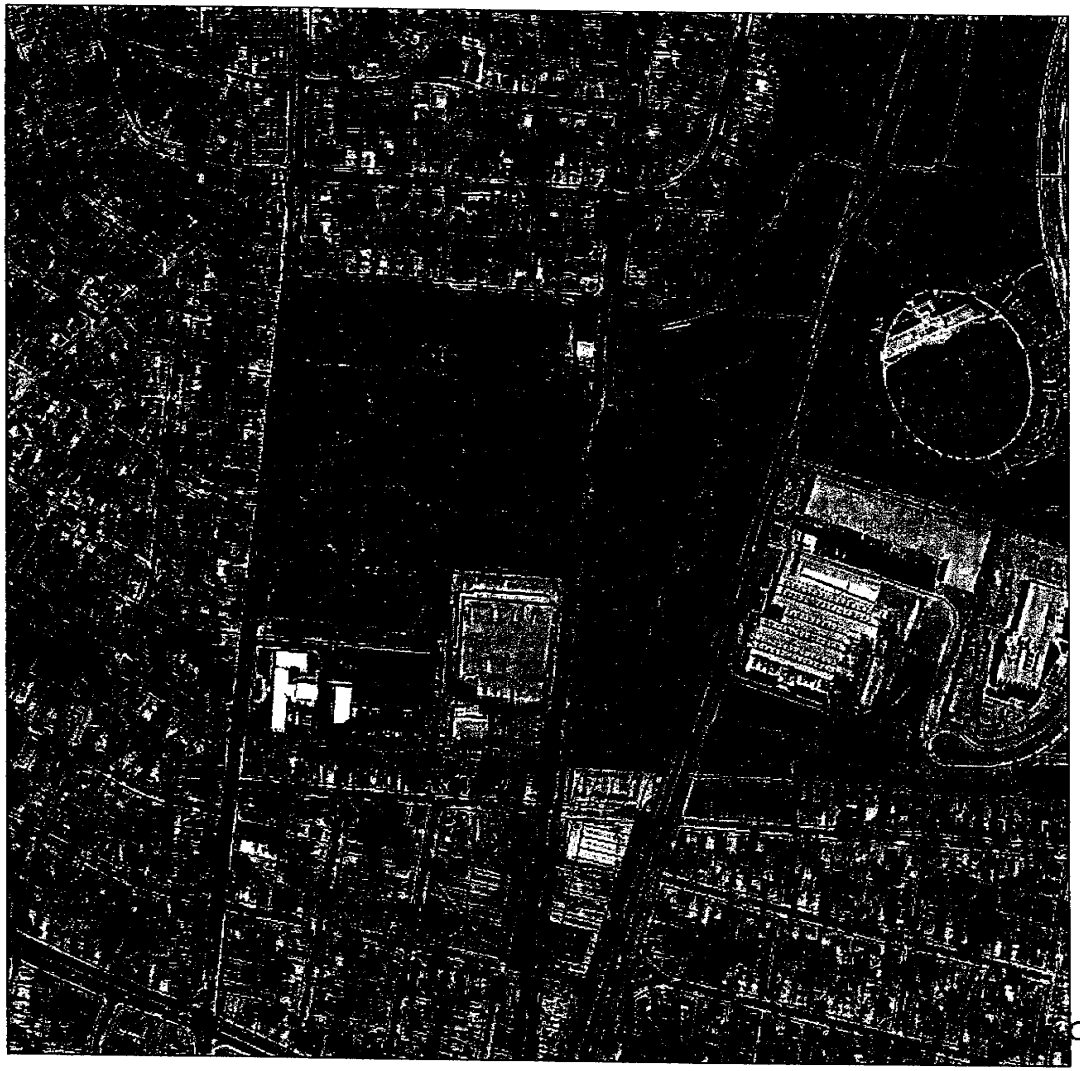
ZONING MAP


ZONING MAP
Legend
Site Boundary
I-3
MU-TC
M-X-T
O-S
R-55
0
1,000
Feet
1 inch = 500 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: September 25, 2012
R-55
AMHERST RD
BALTIMORE AV
PINE WY
CLAGETT RD
VAN BUREN ST
TUCKERMAN ST
SHERIDAN ST
LAFAYETTE AV
46TH AV
48TH AV
49TH AV

OVERLAY MAP


OVERLAY MAP
Legend
Site Boundary
Property
APA-1
APA-2
APA-3M; APA-3S
APA-4
APA-5
APA-6
R-P-C
I-D-O
T-D-O
L-D-O
D-D-O
R-C-O
N
0
1,000
Feet
1 inch = 500 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: September 25, 2012
PINE WY
CLAGETT RD
VAN BUREN ST
44TH AV
SHERIDAN ST
BALTIMORE AV
TUCKERMAN ST
46TH AV
LAFAYETTE AV
48TH AV
49TH AV

AERIAL MAP



AERIAL MAP

Legend

Site Boundary

Property

IMAGERY FROM SPRING 2011

N

0 1,000

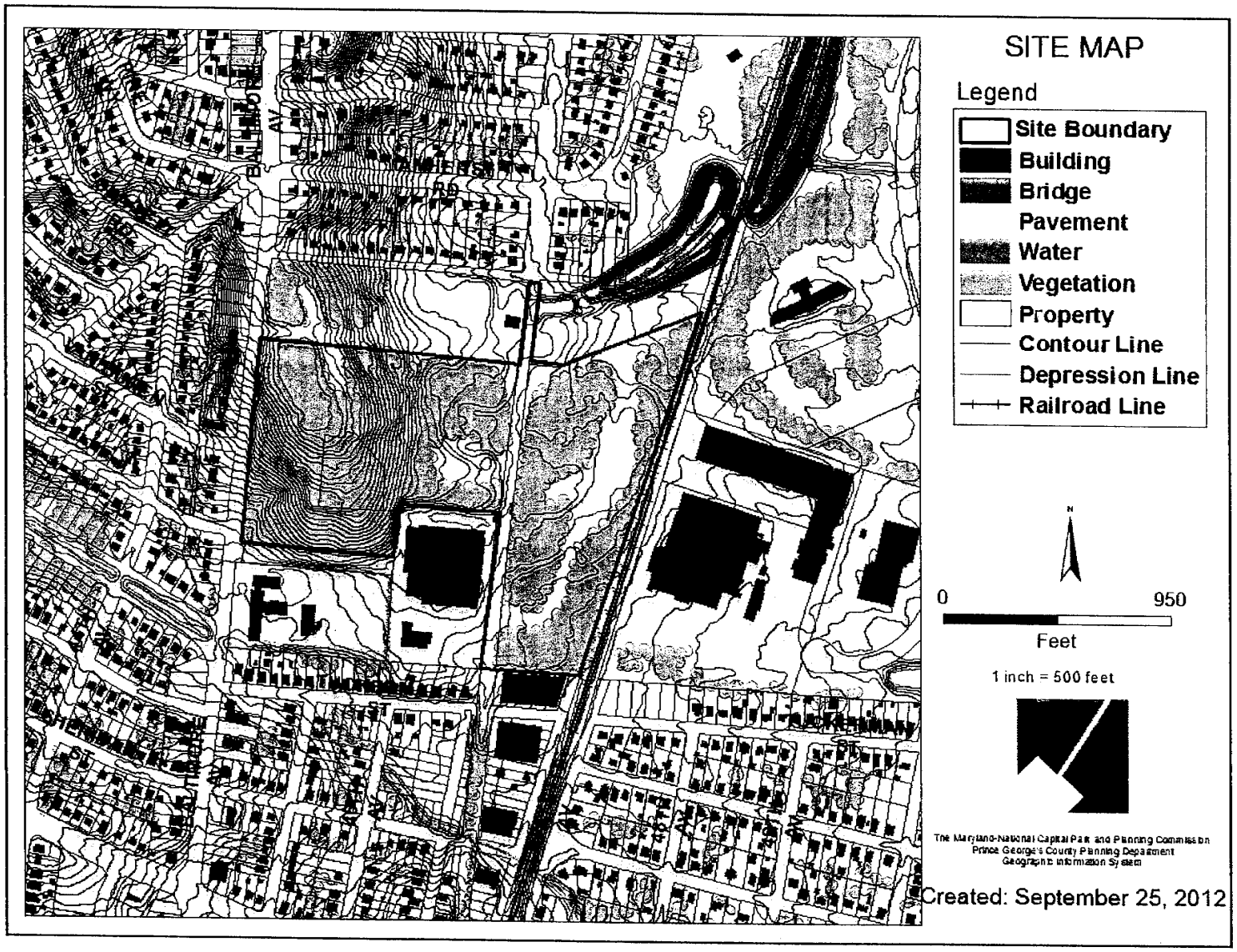
Feet

1 inch = 500 feet

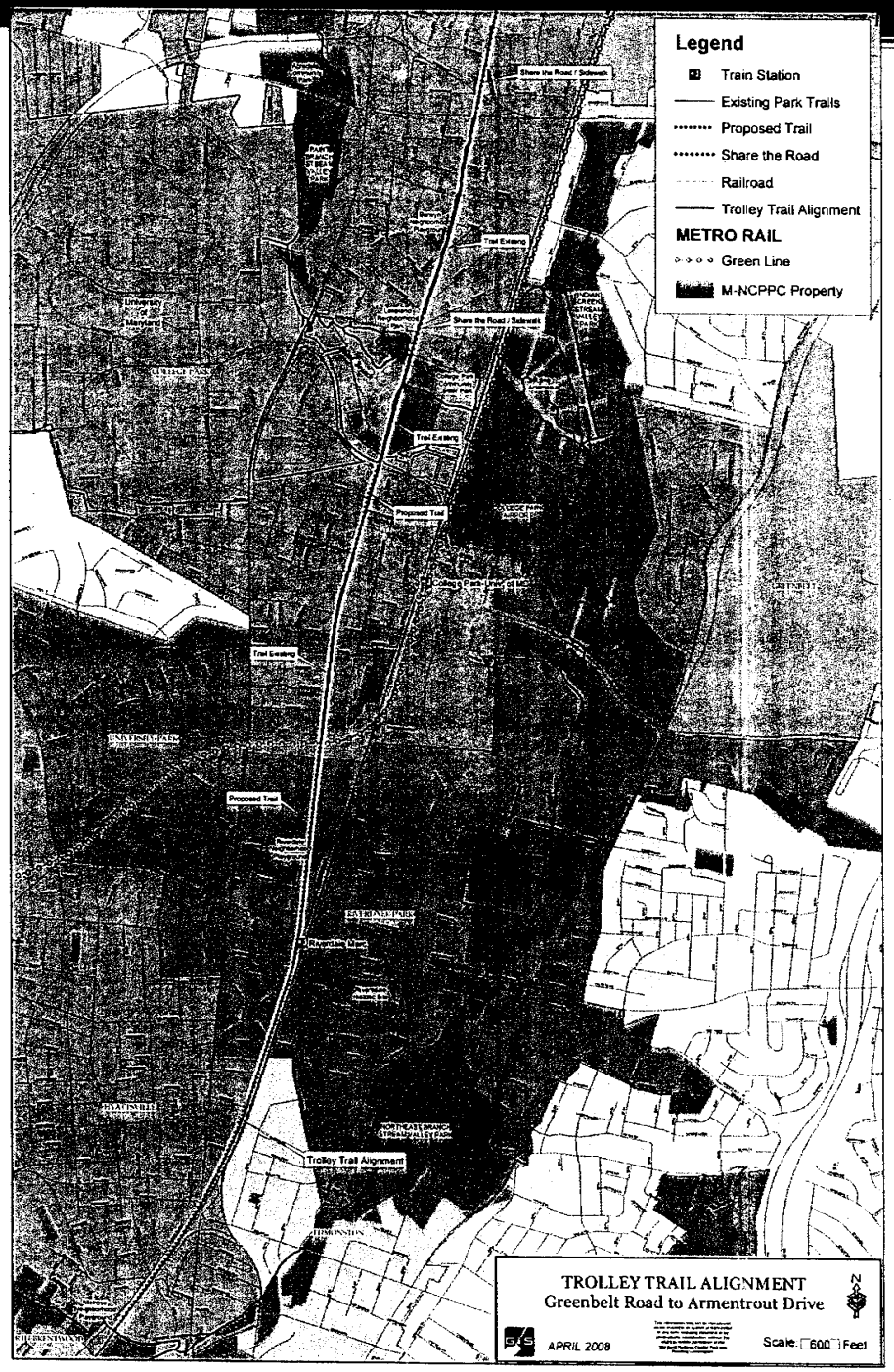
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: September 25, 2012

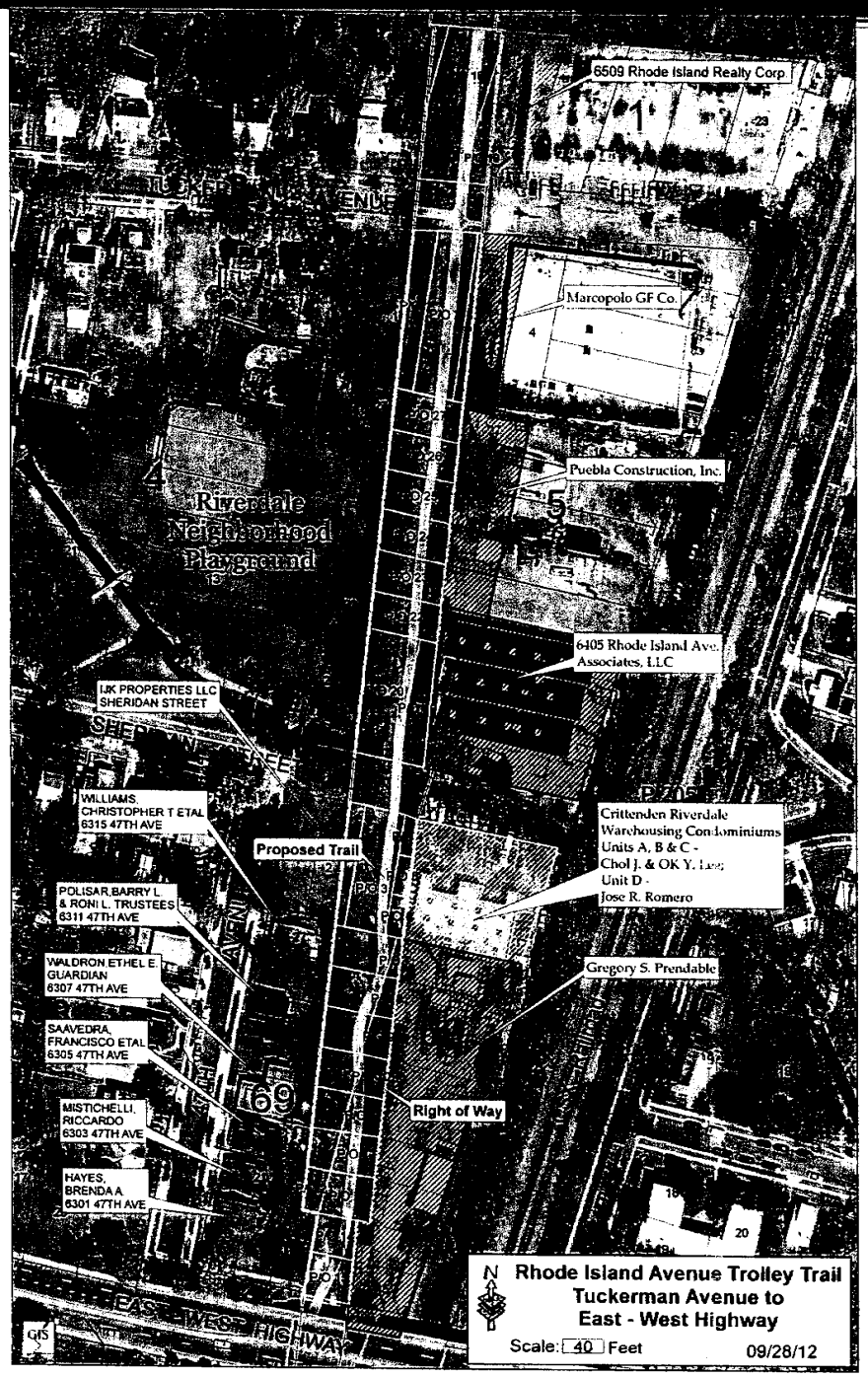
SITE MAP


SITE MAP
Legend
Site Boundary
Building
Bridge
Pavement
Water
Vegetation
Property
Contour Line
Depression Line
Railroad Line
N
0
950
Feet
1 inch = 500 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: September 25, 2012

TROLLEY TRAIL ALIGNMENT

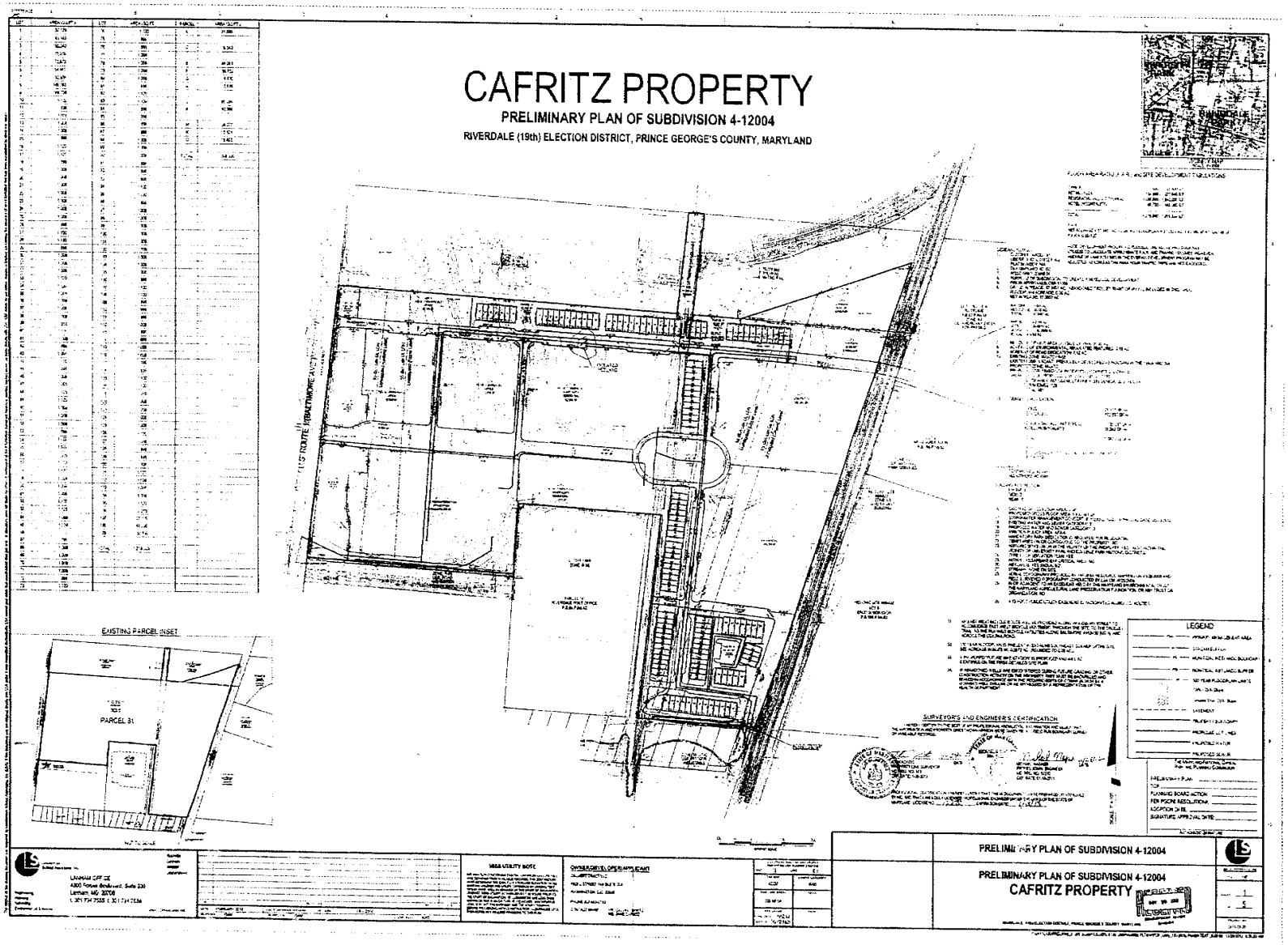


OWNERS ALONG R-O-W TUCKERMAN AVE TO EAST-WEST HIGHWAY



1/17/2013

PRELIMINARY PLAN 1 OF 5



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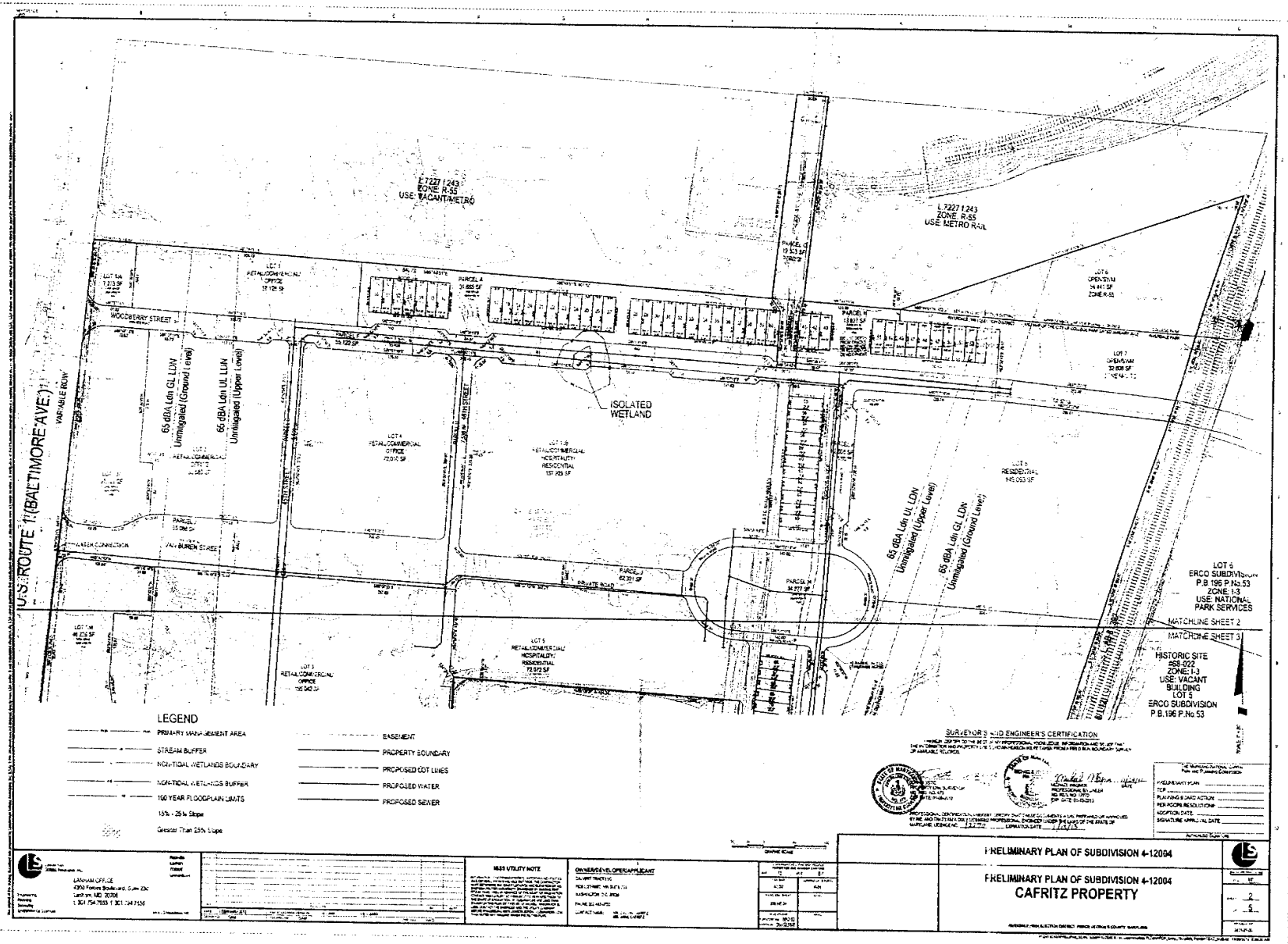

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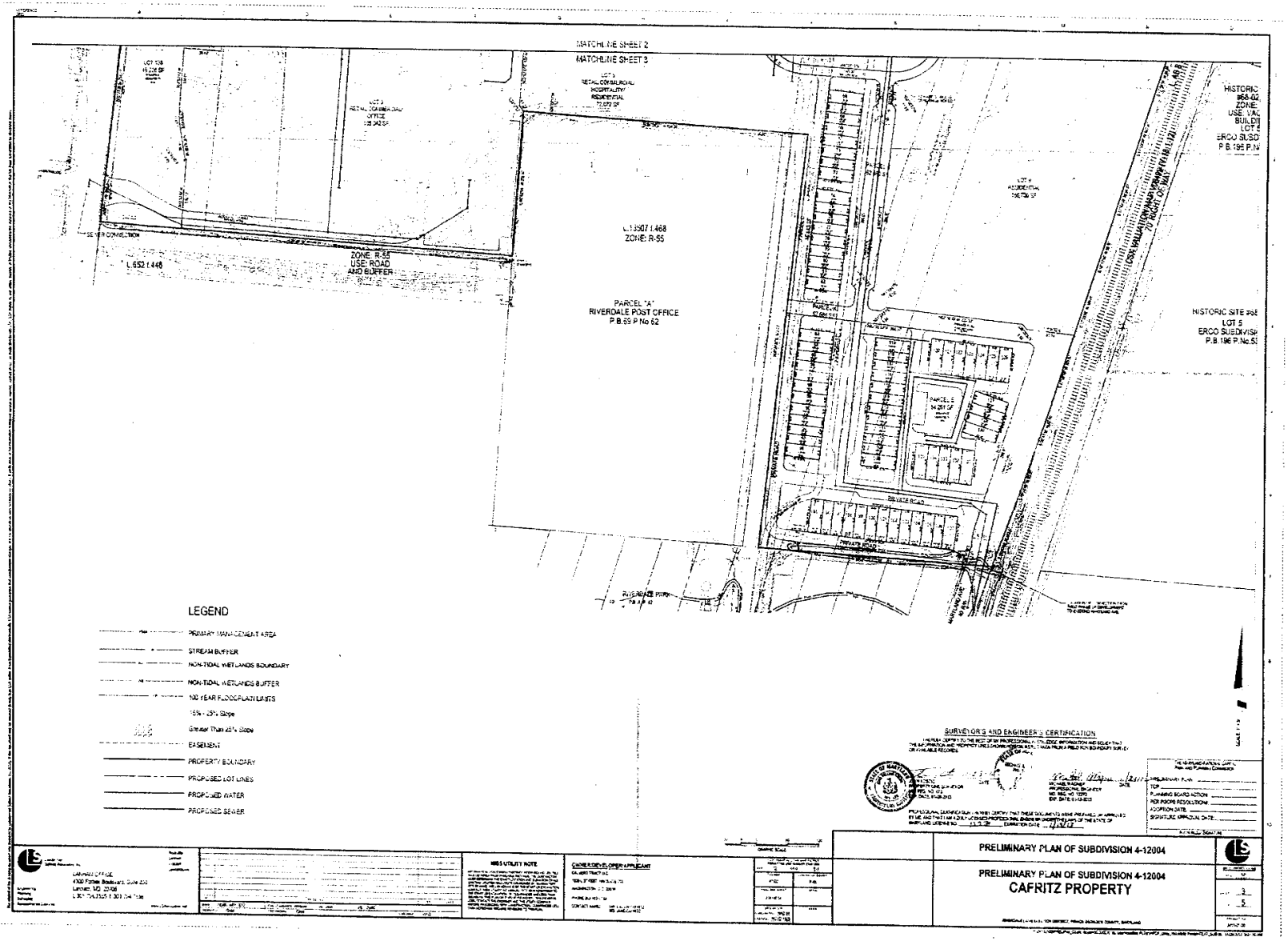

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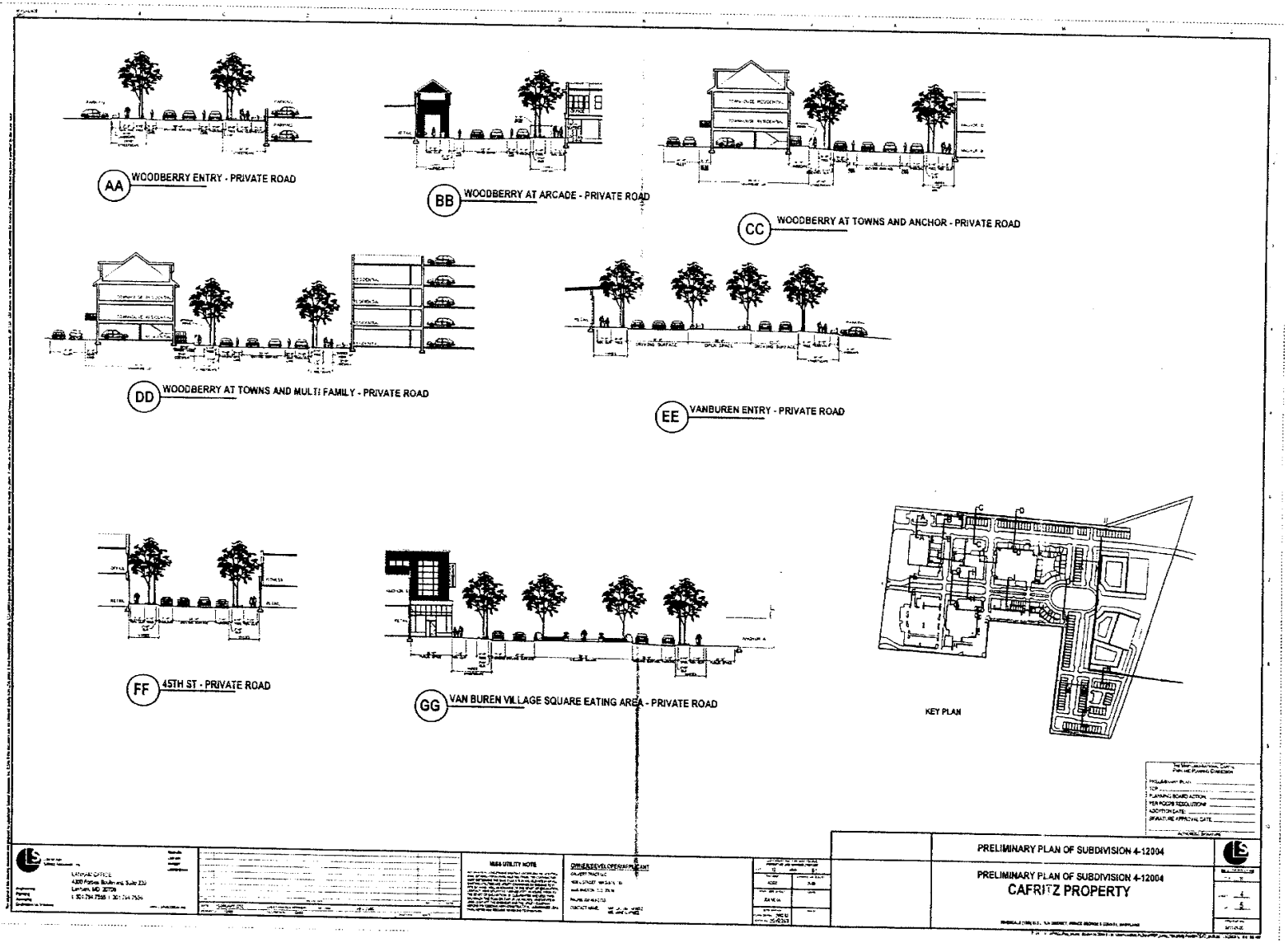

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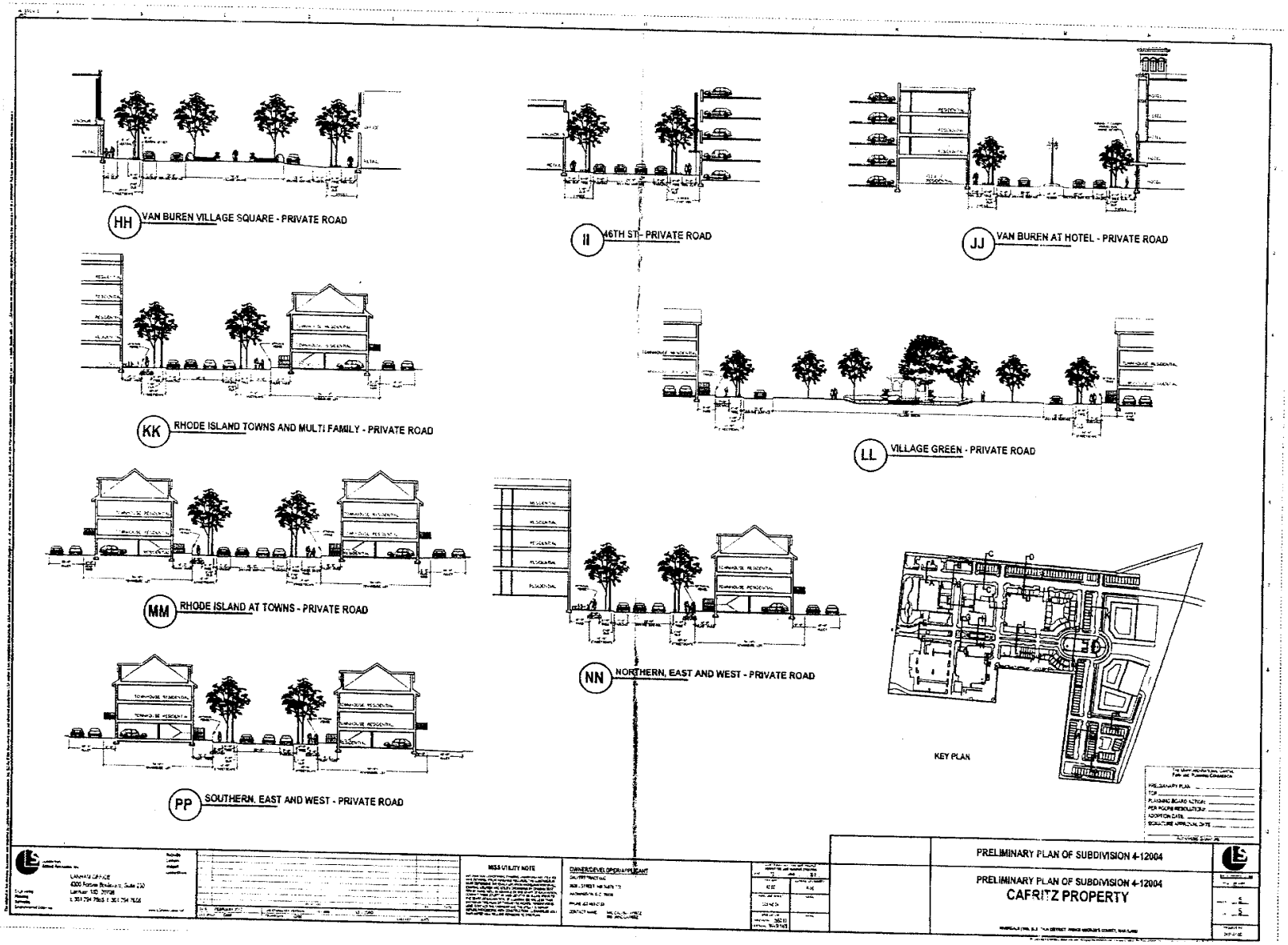
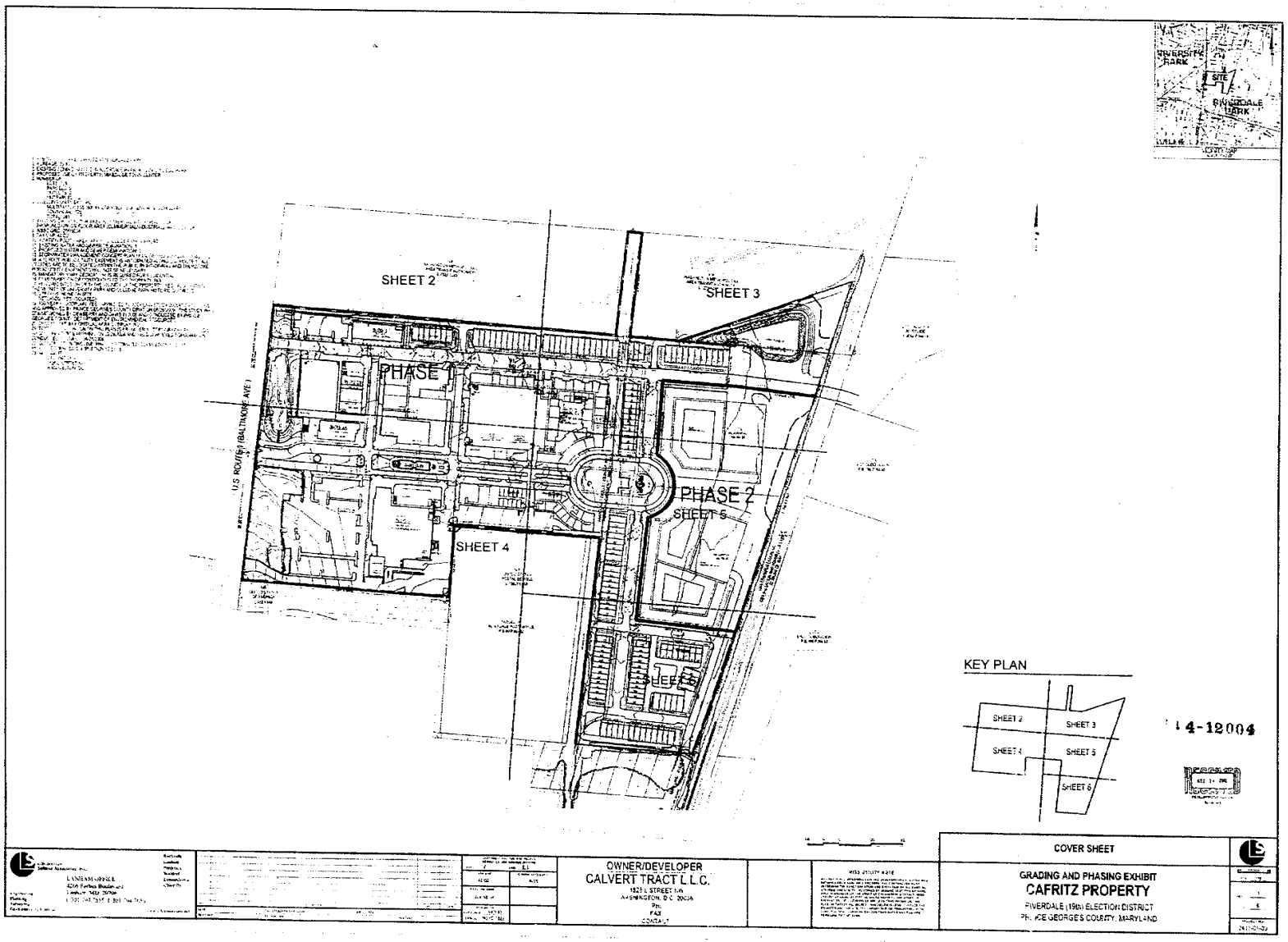


PHASING AND GRADING 1 OF 6



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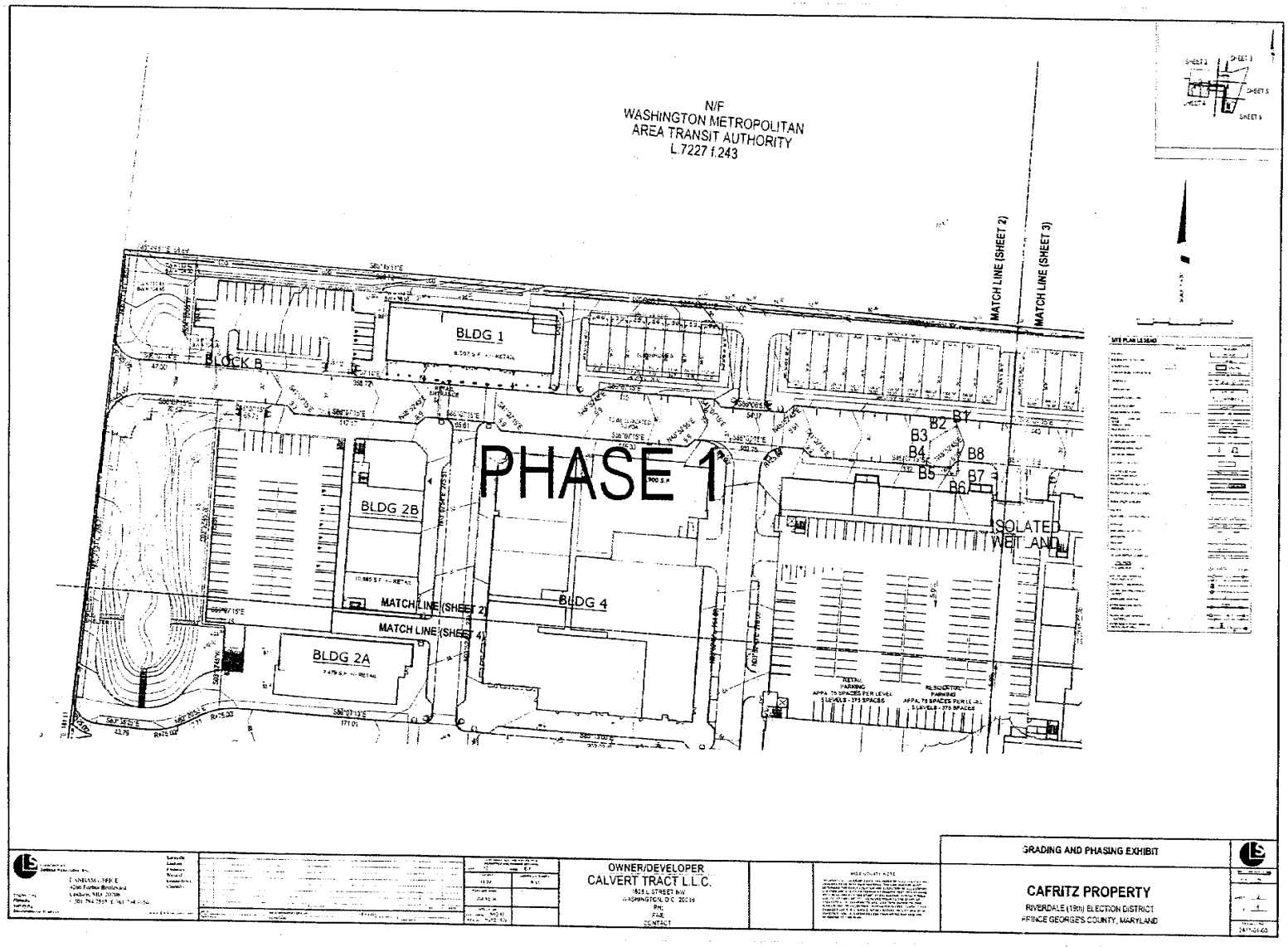

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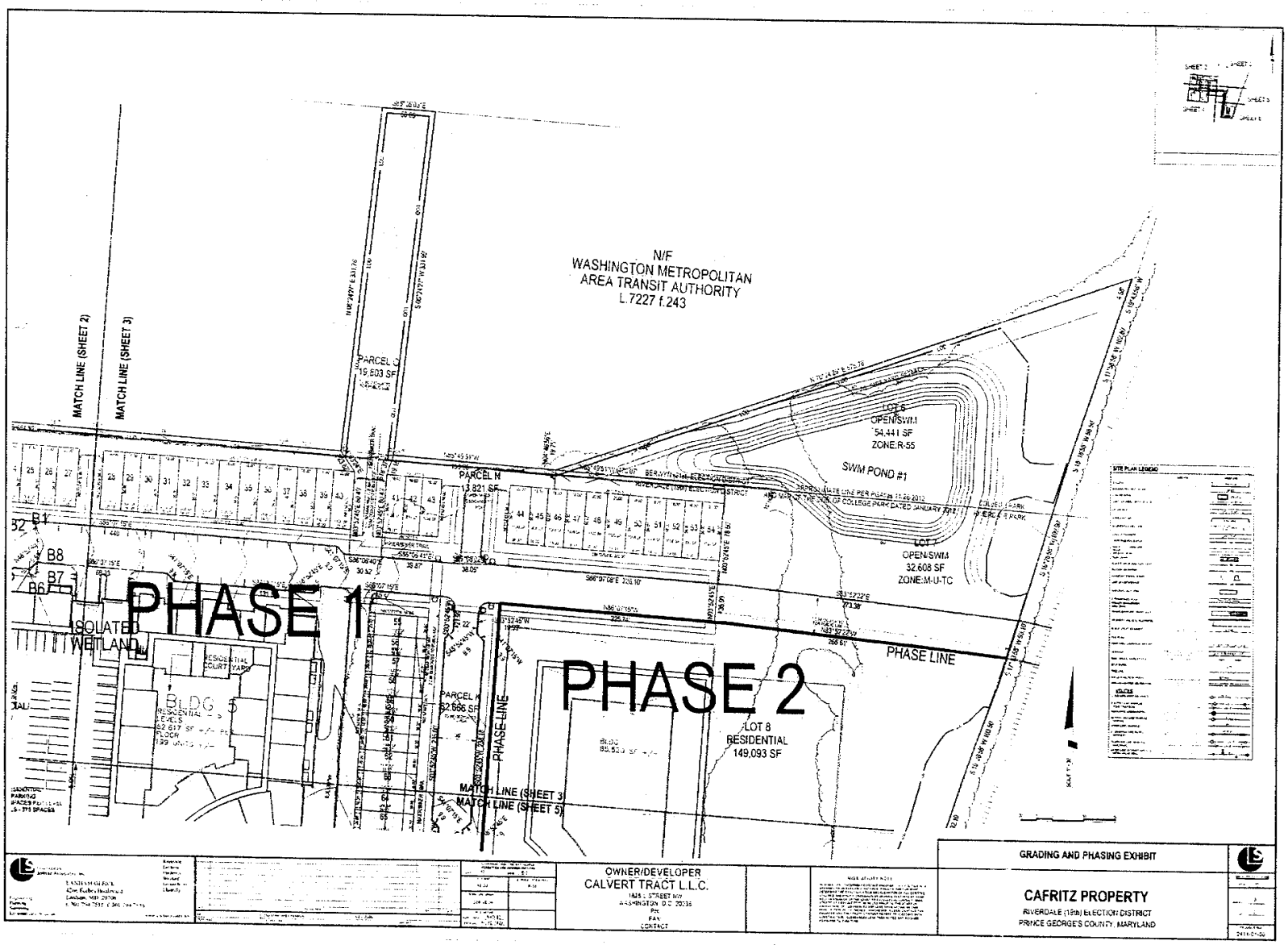

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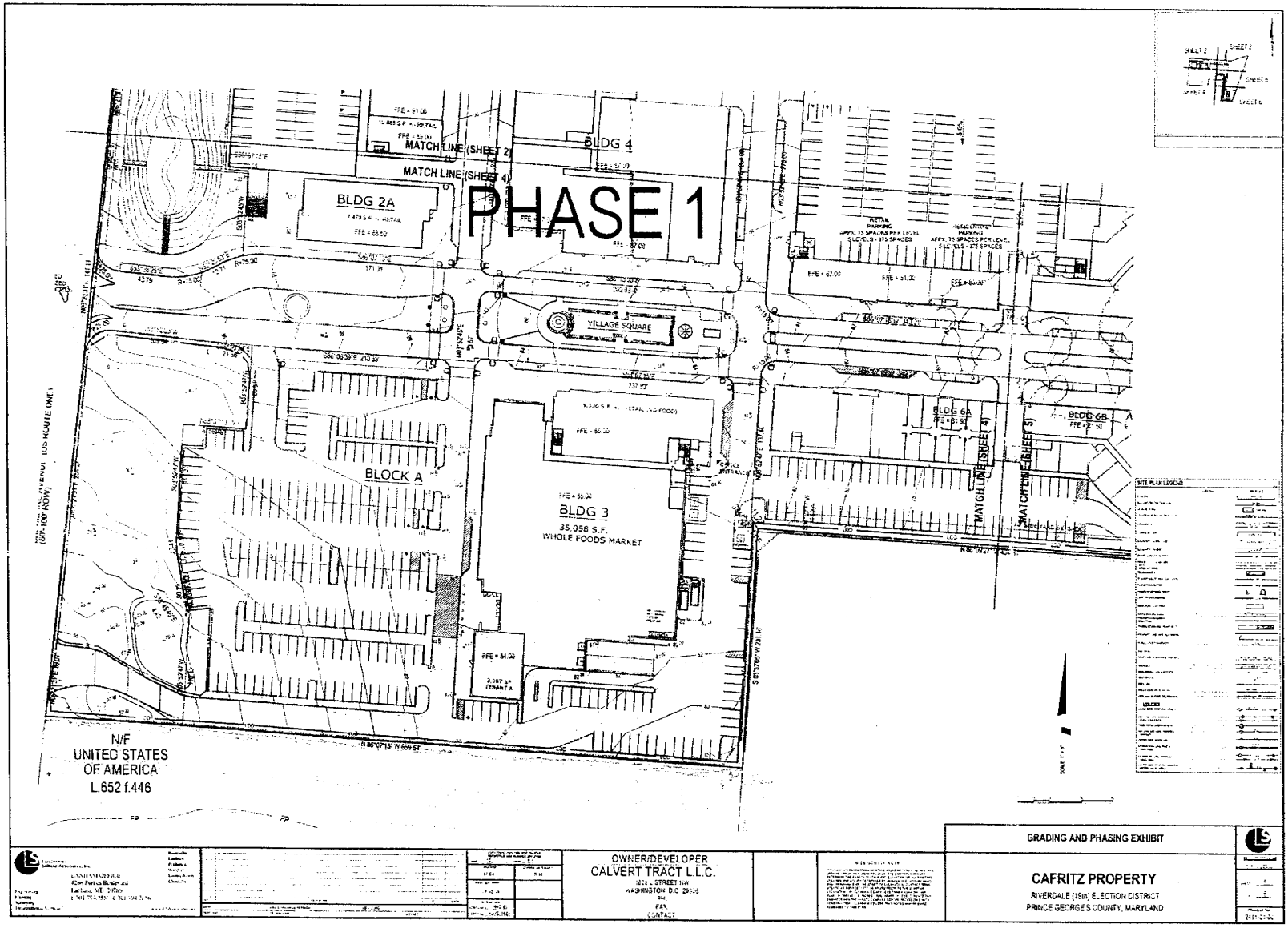

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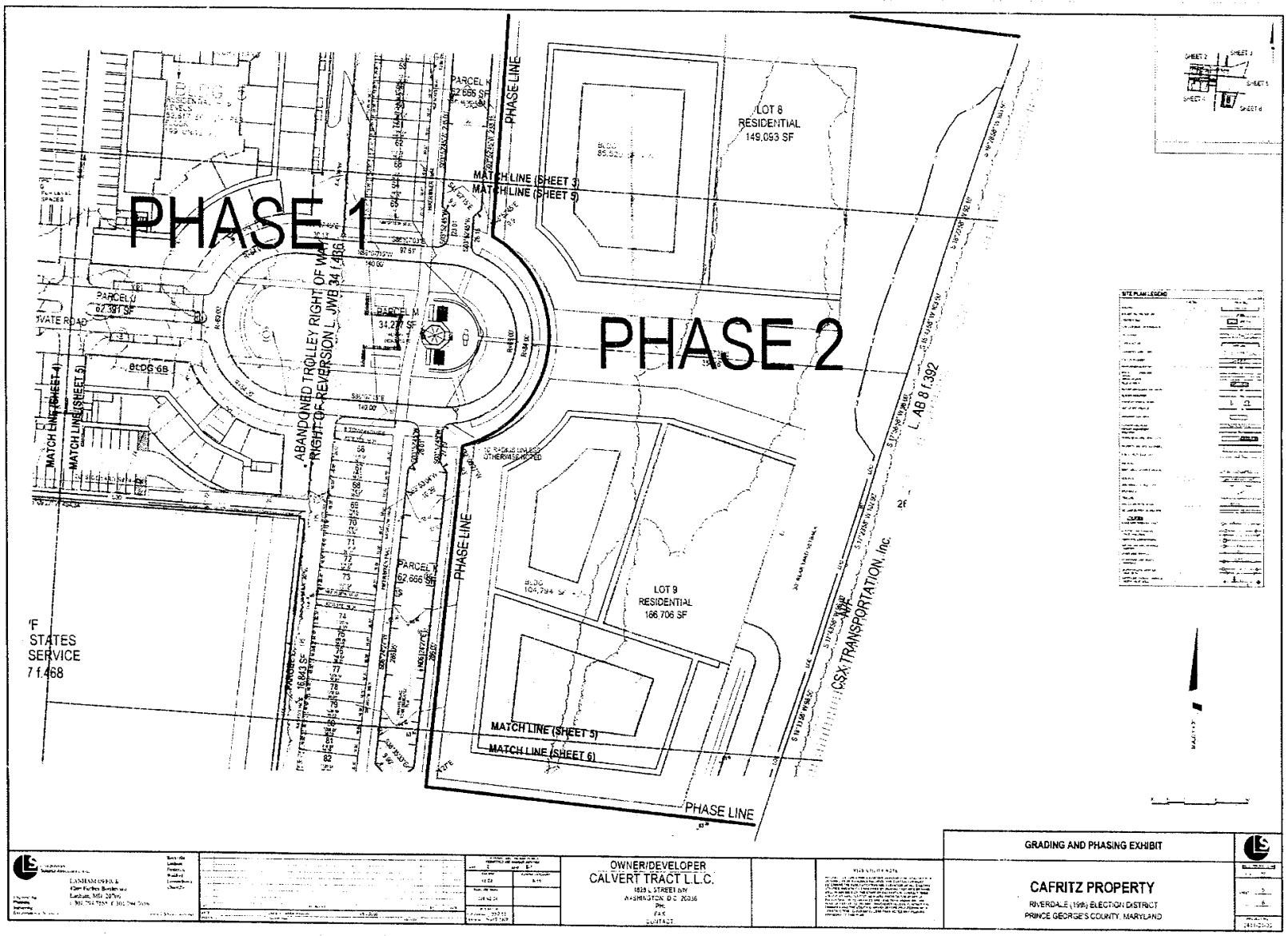
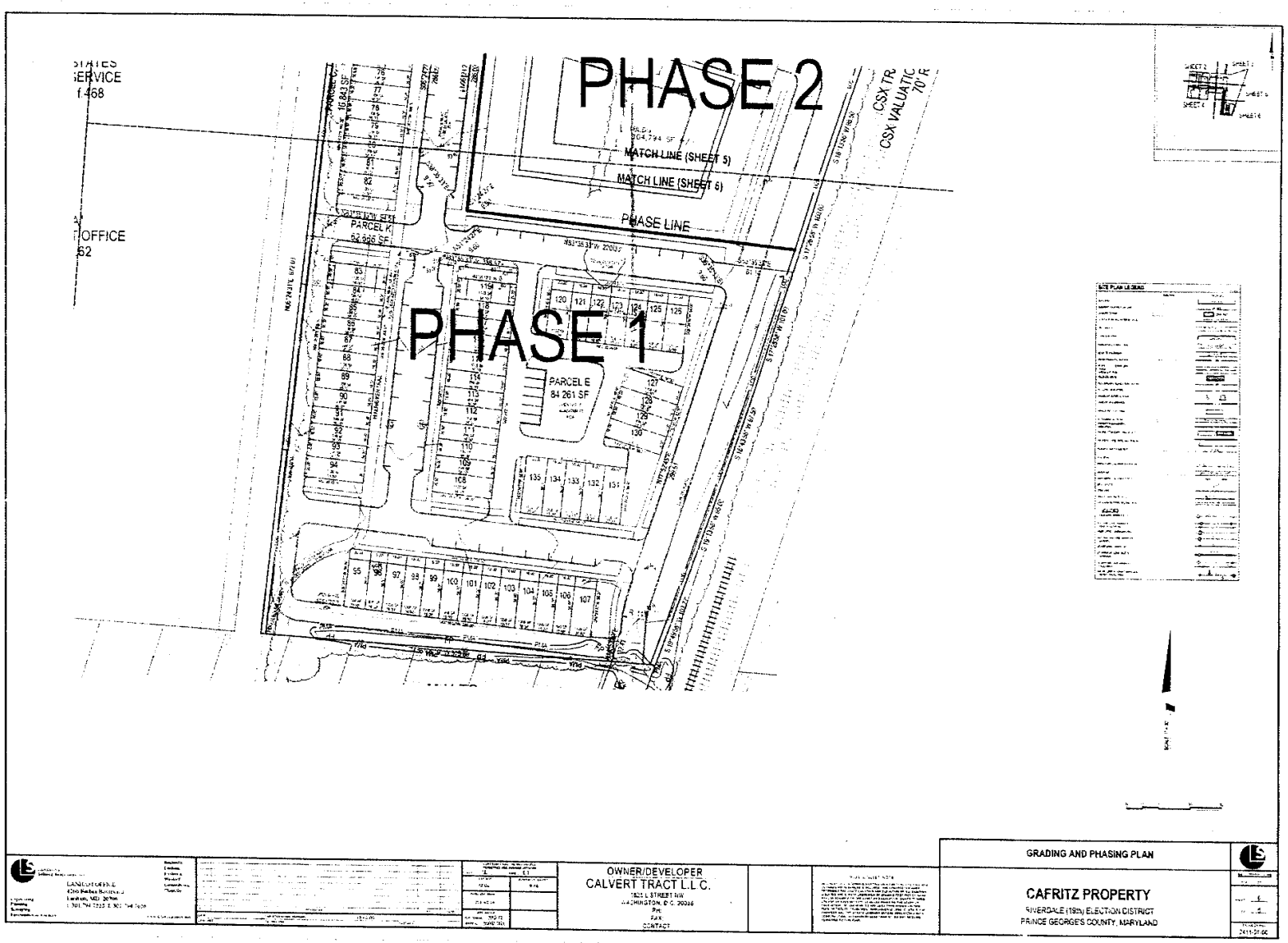
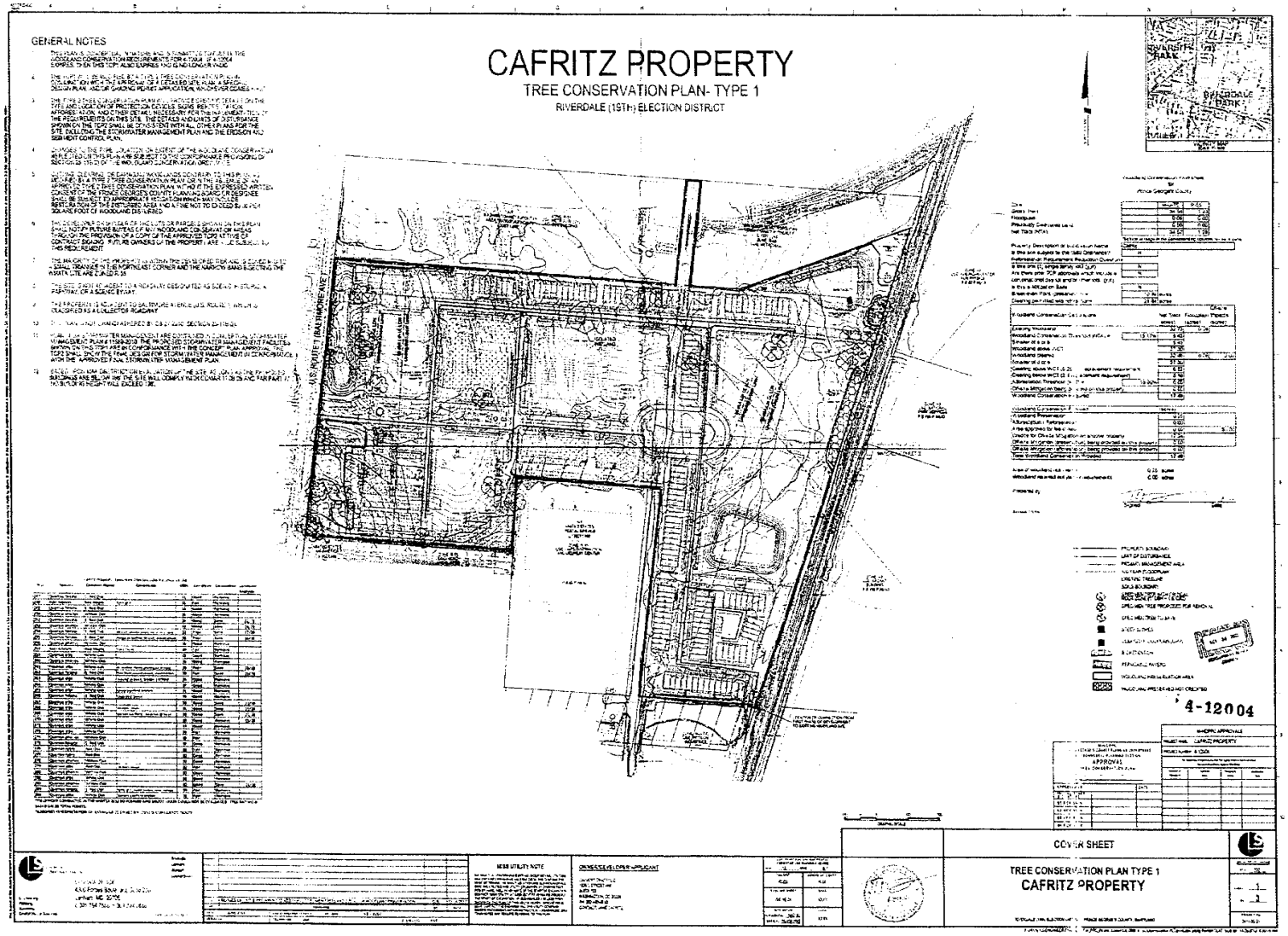


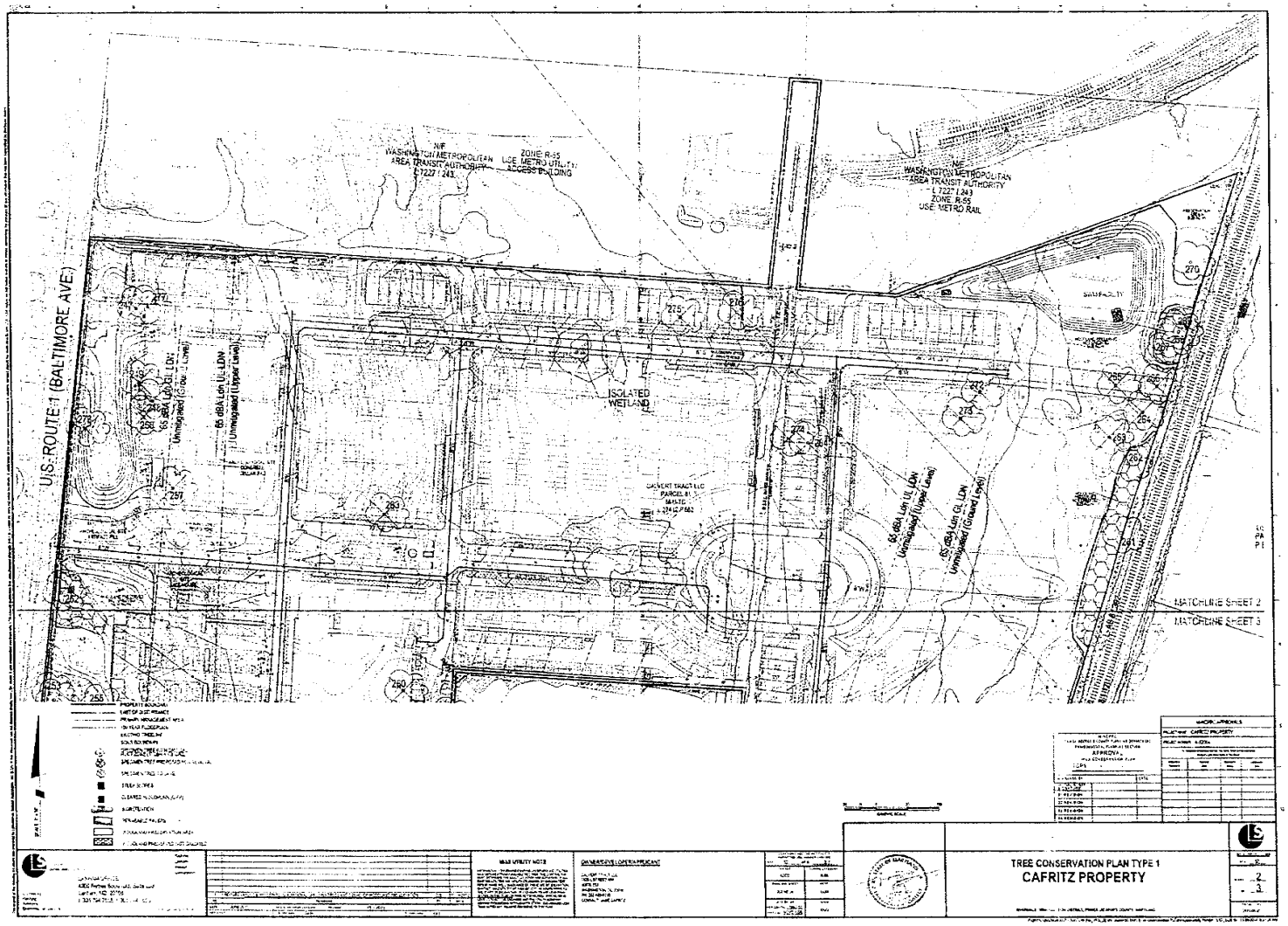
PHASING AND GRADING 6 OF 6



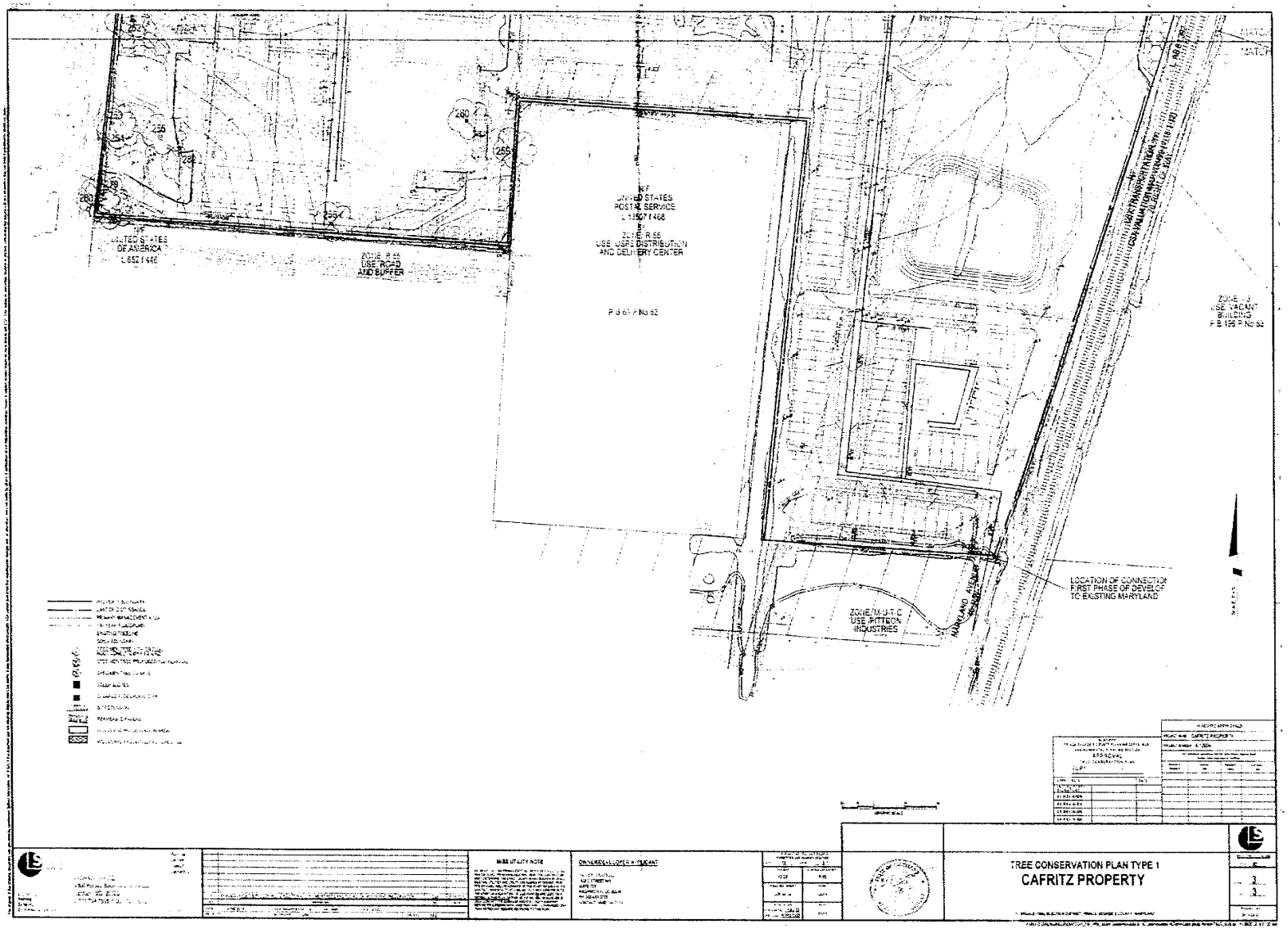
TREE CONSERVATION PLAN 1 OF 3



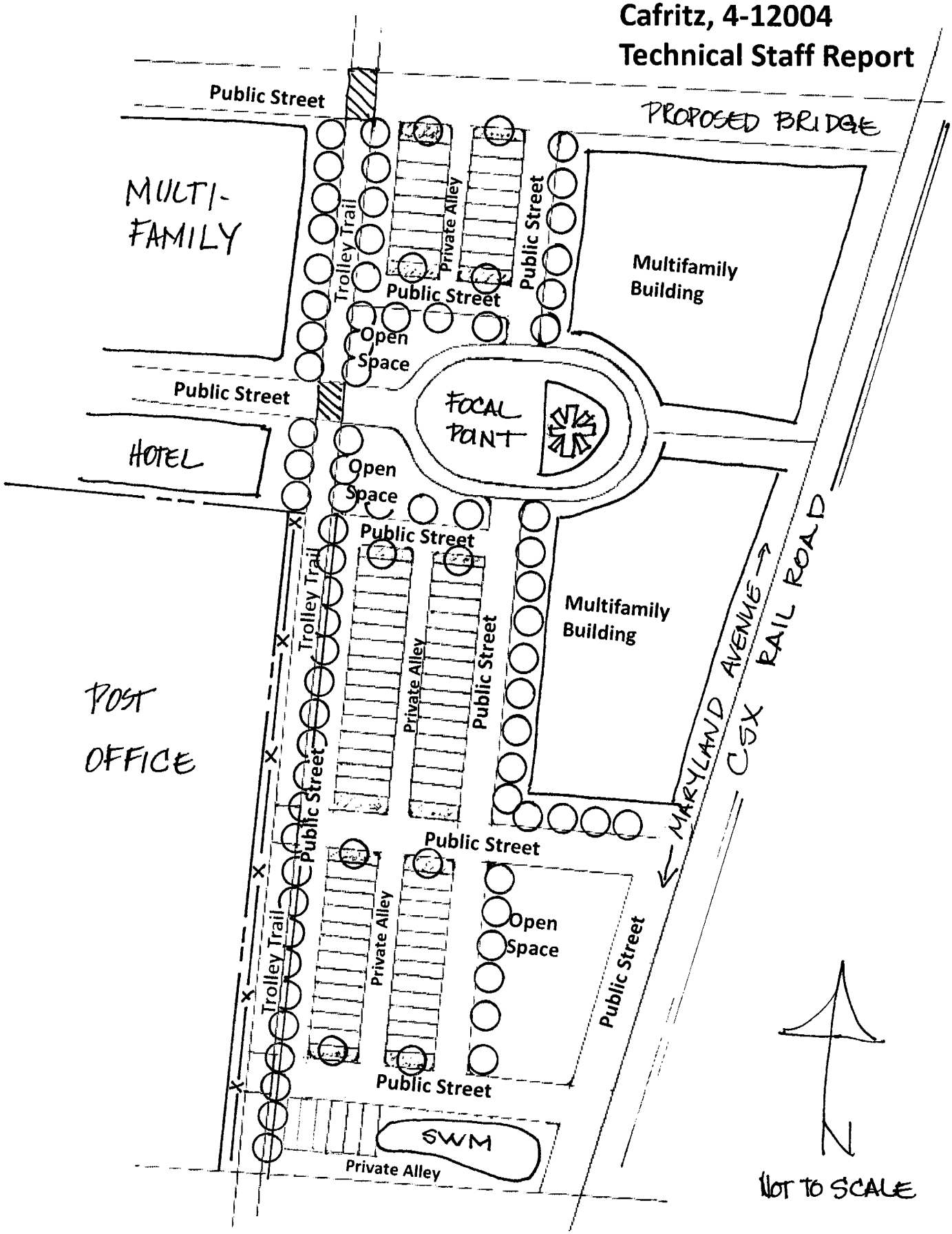
TREE CONSERVATION PLAN 2 OF 3



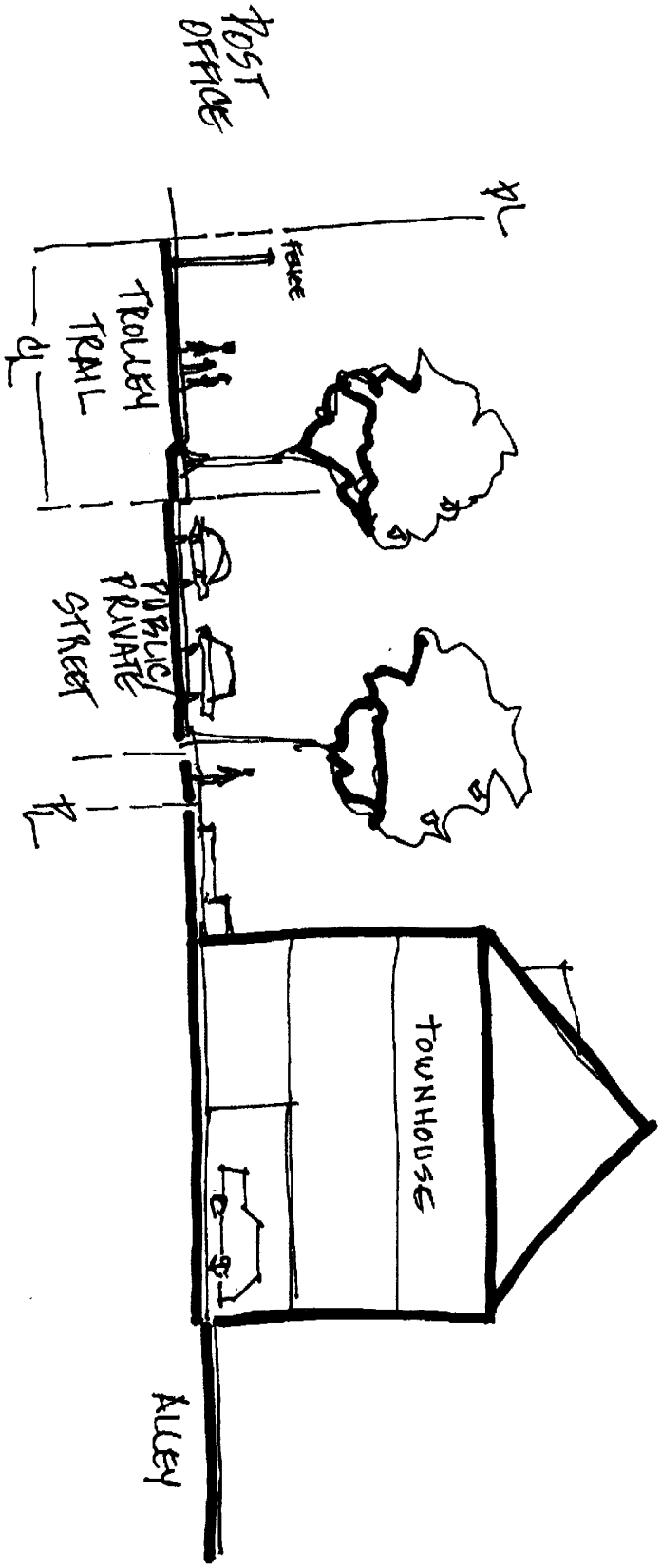
TREE CONSERVATION PLAN 3 OF 3



Staff Exhibit A
Cafritz, 4-12004
Technical Staff Report



Cross Section Exhibit
Cafritz, 4-12004
Technical Staff Report

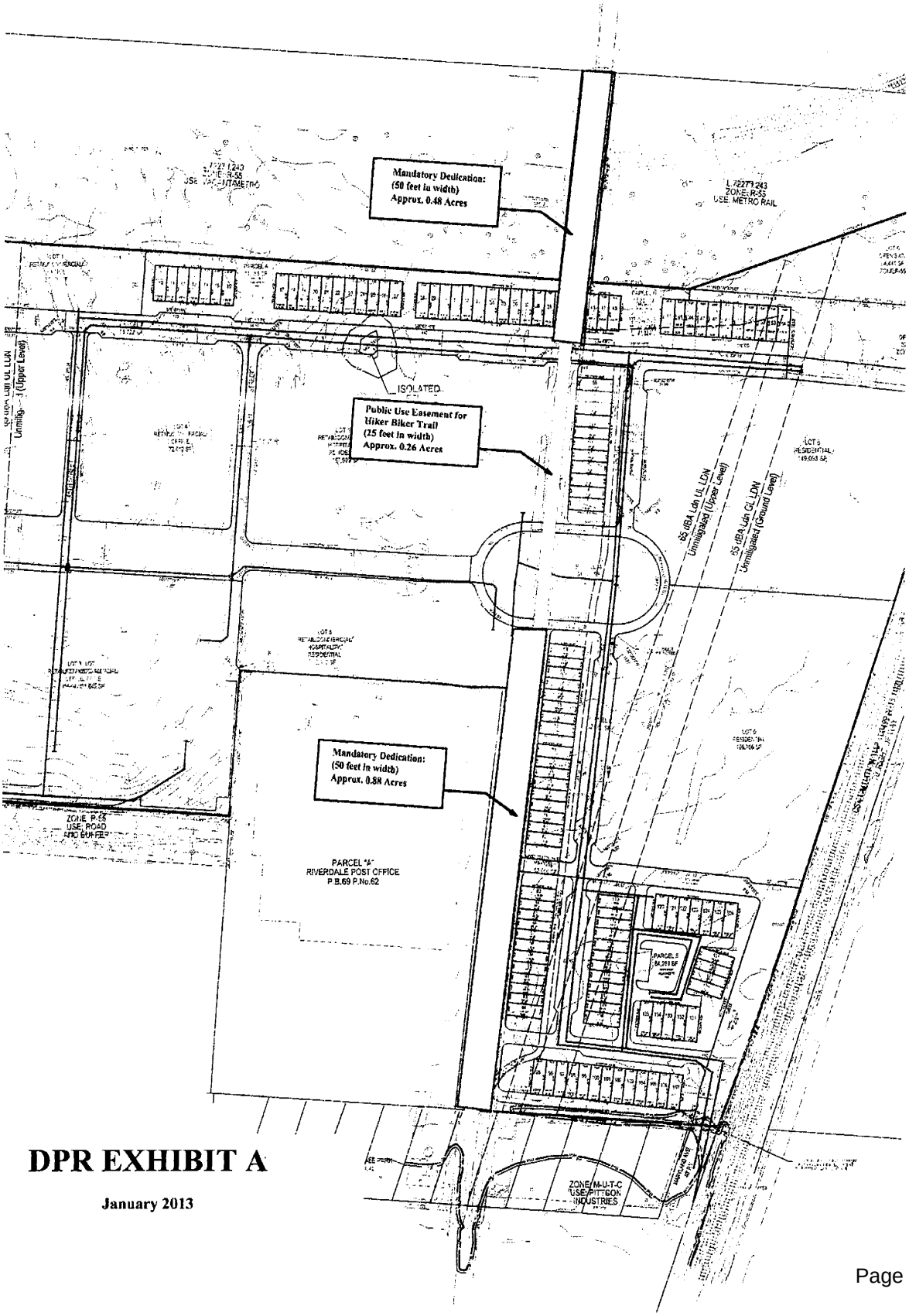


CAFRITZ PROPERTY

DPR Exhibit A
Cafritz, 4-12004
Technical Staff Report

PRELIMINARY PLAN OF SUBDIVISION 4-12004

RIVERDALE (19th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND



DPR EXHIBIT A

January 2013

Case No.: A–10018

Applicant: Calvert Tract, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 11–2012

AN ORDINANCE to amend the Zoning Map for the Maryland–Washington Regional District in Prince George's County, Maryland, by approving a Mixed–Use Town Center (M–U–TC) Zone and an amendment to the 2004 *Approved Town of Riverdale Park Mixed–Use Town Center Zone Development Plan*, subject to certain conditions, in accordance with Subtitle 27 of the Prince George's County Code.

WHEREAS, Application No. A–10018, as amended, was filed for property described as the Cafritz Property, about 35.71 acres, in the R–55 Zone, 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, to rezone the property to the M–U–TC Zone by expanding the boundary of the Town of Riverdale Park M–U–TC Zone; and

WHEREAS, Application No. A–10018, as amended, was also filed to request an amendment to the 2004 *Approved Town of Riverdale Park Mixed–Use Town Center Development Plan*; and

WHEREAS, 35.71 acres of the subject property is located within the municipality of the Town of Riverdale Park; and

WHEREAS, the Town of Riverdale Park has recommended approval of the application, as amended; and

WHEREAS, the application, was reviewed by the Technical Staff of the Prince George's County Planning Board, which filed a report with recommendations; and

WHEREAS, the application was advertised and the property was posted prior to public hearings, in accordance with all requirement of law; and

WHEREAS, public hearings on the application were held before the Prince George's County Planning Board, which filed a recommendation of approval with conditions, as reflected in PGCPB Resolution No. 12–09, adopted February 16, 2012; and

WHEREAS, the Prince George's County Planning Board transmitted its recommendation of approval to rezone the property from One–Family Detached Residential (R–55) Zone to the M–U–TC Zone and to amend the 2004 *Approved Town of Riverdale Park Mixed–Use Town Center Zone Development Plan* to the District Council on February 21, 2012; and

WHEREAS, the application was advertised prior to public hearings, in accordance with all requirement of law; and

WHEREAS, public hearings on the application were also held before the District Council; and

WHEREAS, having reviewed the record in this case, the District Council has determined that Application No. A–10018, as amended, should be granted; and

WHEREAS, as the basis of this action, the District Council adopts as its findings and conclusions the recommendations of the Planning Board in PGCPB Resolution No. 12–09; and

WHEREAS, as the basis of this action, the District Council voted 7–2 to approve the application, as amended, that is in conflict with or contrary to the 1994 Approved Master Plan and Sectional Map Amendment for Planning Area 68.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland–Washington Regional District in Prince George's County, Maryland is hereby amended by 1) rezoning the property which is the subject of Application No. A–10018, as amended, and 2) approving the proposed amendment to the 2004 *Approved Town of Riverdale Park Mixed–Use Town Center Zone Development Plan.*

SECTION 2. Application No. A–10018, as amended, is approved subject to the following conditions:

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.

    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.

    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 staff level revisions.

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.

2. Prior to signature approval of the Development Plan the following revisions shall be made:

a. Revise the general notes on Sheet 1 of 7 of the Plan Sheets to include the adjacent historic site and historic districts, provide the tax map, grid, and parcel number, and clearly indicate if the abandoned right-of-way is a part of the gross tract area.

b. Revise Sheet 3 of 7 of the Plan Sheets to label the right-of-way for ingress/egress for the post office from Baltimore Avenue (US 1), and that it was conveyed to the United States of America by quitclaim deed recorded in the Prince George's County Land Records in Liber 3624, Folio 948.

c. Revise the Plan Sheets to delineate the boundary of Aviation Policy Analysis Zone 6 and the municipal boundaries of the City of College Park and the Town of Riverdale Park.

d. Revise the Development Plan to include streetscape details as indicated on Gateway Park and Street Sections for Baltimore Avenue (US 1) that provide for a safe and attractive pedestrian zone.

e. Provide information and verify that the right-of-way extending north and south through Parcel 81 and the Washington Metropolitan Area Transit Authority (WMATA) property has, in fact, been abandoned and that the issue is settled and/or provide information of the disposition of that area of land, as appropriate.

f. Revise the Development Plan to conform to the amended boundary as reflected in the applicant's January 12, 2012 request.

g. Revise Map 1: Concept Plan A and Concept Plan B and Maps 2 and 3 so that the townhouses front on streets, have ample front yards for tree plantings, and that the units are oriented so that the alleys are parallel to the roadways serving the fronts of the units.

h. Revise the sign standards to reflect the level of detail provided in the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* and consolidated into one area of the Guidelines.

i. Revise the Guidelines to add the following:

(1) Development that increases existing gross floor area (GFA) by 5 percent or 2,500 square feet, whichever is smaller, shall subject the site to full review for compliance with the design standards. Lesser changes to the site, and additions to single-family residential dwellings, shall not subject the entire site to review for compliance, only the portion impacted by the improvement.

(2) Gas stations may add a maximum of 30 feet to the build-to line in order to place a pump between the station and the sidewalk. The additional setback may not be used for customer parking, loading, or outdoor storage.

(3) All new gas stations shall have a maximum of two 18-foot-wide driveways.

(4) Gas stations should minimize the area of impermeable surface.

(5) Car repair businesses may have a maximum of two curb cuts that are a maximum width of ten feet each.

(6) Buildings shall occupy a minimum of 50 percent of the net lot area for each lot.

(7) The building façade shall occupy a minimum of 66 percent of the build-to-line for each lot.

(8) Drive-through windows are inconsistent with the pedestrian orientation of the town center and are strongly discouraged. Drive-through windows may only be considered if accessed by alleys and located on the rear of the property.

(9) Pedestrian-accessed ATMs may be located on the front or side of the building along a street line. Vehicular oriented ATMs shall not be visible from Woodberry Street, 45th Street north of Van Buren, or Van Buren Street.

(10) The maximum number of off-street parking spaces permitted for commercial (nonresidential) land-use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-

568(a) of the Zoning Ordinance. If structured parking is provided, this maximum number may be increased.

(11) Car repair businesses may not store vehicles in front of or alongside the building, but may store cars inside or in the rear, with appropriate screening if adjacent to a residential use.

(12) Healthy trees shall be preserved within proposed green areas, landscape strips, streetscapes, and parking lots, where feasible. Where they cannot be preserved on-site, a professional arborist may transplant them to a new location on-site or within the Town of Riverdale Park, where feasible.

j. Revise the Development Plan to combine blocks 6d and 6e into one block 6d.

3. Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:

a. The Preliminary Plan shall reflect the unmitigated 65 dBA Ldn from noise generators.

b. The plan shall delineate the 300-foot lot depth from the right-of-way (CSX railroad tracks) for residential development in accordance with Section 24-121(a)(4) of the Subdivision Regulations. The preliminary plan may establish additional restrictions on the layout if it is determined that noise and vibration issues are associated with the railroad tracks.

c. The applicant shall provide information and verify that the right-of-way extending north and south through parcel 81 has, in fact, been abandoned and/or provide information of the disposition of that area of land, as appropriate.

d. Documents shall be provided so that the trail will be dedicated to public use within a maintenance easement or other suitable agreement.

e. Provide one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.

f. The applicant shall provide a draft report detailing the Phase II archeology investigations.

g. The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency

access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.

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.

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.

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

   a. Plans indicating that the signalized intersection at Van Buren Street and Baltimore Avenue (US 1) shall include highly-visible and attractive pedestrian crosswalks, pedestrian signals, and other pedestrian or warning signage as appropriate, subject to State Highway Administration (SHA) approval.

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

   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.

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.

8. Prior to any ground disturbance or the approval of any grading permits, if Phase III archeological mitigation is proposed, the applicant shall provide a final report detailing the

Phase II and Phase III investigations and ensure that all artifacts are curated in a proper manner.

9. Prior to final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I, Phase II, and Phase III archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Commission and the Maryland-National Capital Park and Planning Commission staff archeologist.

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.

    b. At the time of Preliminary Plan, the Type 1 tree conservation plan shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable. At a minimum, preservation shall be focused on the highest priority areas (Forest Stands 1 and 3).

    c. At the time of preliminary plan, condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.

    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.

    e. At the time of preliminary plan, a Phase I noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a minimum, the associated railroad noise and the whistle blower. The 65 dBA Ldn noise contour shall be shown on all future plans.

    f. At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the Type 1 tree conservation plan.

    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.

PROFERRED CONDITIONS

The applicant proffered the following conditions, which the Planning Board has reviewed and modified for purposes of clarification and enforcement purposes:

11. Revise the Guidelines as follows:

a. To page iii under Overall Design Principles, add the following bullet points to the list of bullet points:

(1) Low impact design principles shall be incorporated into the overall community design.

(2) Create a community that respects and supports equally all modes of transportation. The development will encourage pedestrian, bicycle, and public transit modes of transportation.

(3) Demonstrate design features for sustainability that address environmental health, air and water quality, energy efficiency, and carbon neutrality.

b. On page ii, insert at the end of the section Public Spaces the following language:

"Public spaces such as parks, plazas, and squares should promote activity, in front of buildings or public right-of-ways, and be focal points within the community."

c. Page ii, in the first sentence of the second paragraph under Public Spaces, add "appropriate" between "all" and "intersecting".

d. All standards from the 2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan relating to gas stations and auto-repair should be reinserted into the standards.

e. On Page 5, remove Intent under building placement and streetscape, and add the following language:

Enhance the Town Center's sense of place by developing a coherent identity through buildings that relate to the street and open spaces. Create buildings that frame the street and open spaces, and encourage close proximity of retail, offices, residential units, and services.

f. On Page 7, under Services, Utilities, and Stormwater, replace #1 Standard to read as follows:

> All utility lines added during development shall be underground. All utility meters and access points shall be on the rear of the property. Utilities shall include, but are not limited to, electric, natural gas, fiber optic, cable television, telephone, water and sewer service.

g. On Page 7, under Services, Utilities, and Stormwater, add the following to the last sentence of Intent: "sidewalks, open spaces, and MARC train."

h. Page 7, under Services, Utilities, and Stormwater, add to the beginning of #6 under Standards: "All lot-level development shall".

i. Strike Standard #11 from page 10, under Parking and Loading Design.

j. On Page 11, under Lighting, change Standard #5 to add "and design" after "intensity."

k. Page 11, under Landscaping, add "2004 Approved" before "Town" in the first sentence.

l. Page 11, under Landscaping, to Standard #6 "Appendix B" add "of the 2004 Approved Town of Riverdale Park Mixed-Use Town Center Development Plan."

m. Page 11, under landscaping, Standard #2, after "green areas" add "and where possible in parking areas."

n. Page 12, Building Height, add a new Standard #4, to read as follows:

> Single-story buildings shall match or exceed the height of the adjacent buildings bases, and shall be not less than 20 feet in height. However, single-story buildings are discouraged.

o. Page 14, Architecture, remove Standard #13.

p. Page 13, Architecture, amend Standard #9 to remove "Townhomes" and replace with "Residences."

q. Page 13, Architecture, Standard #5 add to the end of the first sentence the following language: "with exception of cementitious siding."

r. Page 13, Architecture, Standard #5, after the new amendment above, strike the remaining language in the standard and replace it with the following language:

"Materials other than masonry, brick, wood, and clear glass may be approved if material samples are provided and examples of existing buildings that use such materials in the proposed way are submitted, and the M-U-TC Design Review Committee (in the review of the SP process) and the Planning Board (in the review of the DSP process) finds that it meets the Intent of this section."

s. Page 13 Architecture, Standard #6, remove "all" in first sentence, strike "surrounding" in first paragraph, strike C and strike E.

t. Page 15, Building Openings, strike Standard #5 and replace with:

"Tinted and colored windows may not be used unless the M-U-TC Design Review Committee (in the review of the SP process) and the Planning Board (in the review of the DSP) finds that the windows meet the intent of this section."

u. Page 16, Signage, strike Standard #8.

v. Page 16, Signage, move all standards (except 8) to page 10.

w. Page 16, Signage, strike the Intent section.

x. Page 16, Signage, include all old standards #8 and #10-19 not specific to historical core.

y. Page 18, Landscaping and Pedestrian Amenity Zone, Standard #5, strike "as irrigation" and replace with "or absorption."

z. Page 20, Parks and Plazas, strike Standard 12 and replace with:

"Where possible, add continuous lines of habitat through the use and linkages of street trees, landscaping, parks, and yards."

aa. Page 7, Access and Circulation Standard #4, substitute with the following:

"The number of vehicle-oriented ATMs shall be less than the number of pedestrian-oriented ATMs on a building-by-building basis, and vehicle-oriented ATMs shall not be visible from primary streets.

bb. Page 7, Access and Circulation, Standard #2, change "windows" to "services". Limit number of service lanes to two. Drive-through lanes for restaurants are prohibited.

cc. Include provisions for loading dock requirements such that they are screened from the street and any adjacent residential development.

dd. Page 7, Services, Utilities, and Stormwater Management, Standard #5 strike "should" in the first sentence and substitute the word "shall".

ee. Pages 7 and 8, Services, Utilities, and Stormwater Management, Standard #6(1) substitute with the following:

> "Lot-level Best Management Practices (BMP's) that include green roofs, dispersion trenches, rain gardens, cisterns, rain barrels, pervious pavements, and/or other BMPs;"

ff. Page 10, Parking and Loading Design, add a new Standard #18 stating the following:

> Parking pads on surface lots shall include permeable paving subject to a soil study identifying the top soils and subsoils and their appropriateness to support the use of porous pavement.

gg. Page 12, Building Height, substitute entirety of Standard #2 with the following:

> "An additional two stories may be considered, not to exceed six stories."

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.

13. Prior to approval of a detailed site plan, a 90-to-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. This depth of buffer may be reduced north of Van Buren Street with approval by the Planning Board, provided the applicant submits evidence demonstrating that it submitted plans to the Town of University Park prior to the acceptance of the detailed site plan and the Town was afforded sufficient time to comment, and if it is determined to be a superior design solution, by providing berms, retaining walls, landscaping, or other screening of the parking lot from the residences to the west consistent with Parking Sections Exhibit dated January 7, 2012. In no event shall the buffer be less than 60 feet in width.

14. Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:

    a. A revised Stormwater Management Concept Plan that designates the property as a new site and complies with the stormwater management provisions contained in CB-15-2011 (Subtitle 32) to provide more environmental site design to the maximum extent practicable, with the goal of no new impact on the tributary drainage into the northeast Branch of the Anacostia River. The proposed plan shall show the use of environmental site design technologies such as bio-retention, infiltration, and especially green roofs to the maximum extent practicable.

b. The applicant shall provide evidence that copies of all stormwater submittals were provided to the Town of Riverdale Park, the Town of University Park, the City of Hyattsville and the City of College Park, 30 days prior to filing with DPW&T and notification of an invitation to all meetings between the applicant and DPW&T.

c. A Revised Traffic scoping agreement and Impact Study that:

(1) Accurately reflects the development proposal and anticipated phasing;

(2) Eliminates corridor averaging for all intersections included in the Study;

(3) Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;

(4) Analyzes all proposed connections, including the proposed CSX Crossing and Maryland Avenue;

(5) Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate;

(6) Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bikeshare, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing;

(7) Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved detailed site plan or preliminary plan of subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and

(8) Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.

15. After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.

16. The applicant shall submit evidence of an application submittal to the U.S. Green Building Council (USGBC) under Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) for a Smart Location and Linkage (SLL) prerequisite review at the time of Preliminary Plan submission and provide the results for review prior to approval of the Preliminary Plan. Upon GBCI/USGBC approval of SLL prerequisites, the applicant shall pursue and employ commercially reasonable efforts to obtain conditional approval of the plan under LEED-ND 2009 Stage 1 (pre-entitlement) approval. If based on pre-entitlement review, full certification through LEED-ND is not practicable, then the applicant shall at detailed site plan provide a LEED score card that demonstrates a minimum of silver certification for all new construction and that will be enforced through DSP review. If the LEED score card requirements cannot be enforced through the DSP review or other third-party certification acceptable to both the applicant and the Town of Riverdale Park and the Town of University Park (and pursued by the applicant at its expense), at minimum the applicant shall pursue silver certification under LEED-NC and LEED Homes, or if available, equivalent standards as determined at time of DSP by the Planning Board.

17. At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.

18. Prior to approval of a Preliminary Plan of Subdivision, the applicant shall provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.

19. Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.

20. Prior to approval of any DSP for the project, the applicant shall submit a traffic signal warrant study following the accepted methodology of DPW&T or the Maryland State Highway Administration (SHA) for the intersection of Baltimore Avenue and Van Buren Street with channelization as shown on Sheet 4 of the Development Plan. This analysis will examine both existing and total projected traffic volumes. If signals are deemed warranted by the appropriate agency, the applicant shall initiate a bond to secure the entire cost prior to the release of any building permits within the subject property and shall agree to install the signals as directed by DPW&T or the State Highway Administration. Further, subject to SHA approval, applicant shall install the traffic control devices as noted on the Development Plan (Pork Chop Islands) or as modified by SHA to direct traffic so that no traffic may directly access or egress the property across Baltimore Avenue along Van Buren Street. Both entrances and exits at Woodberry and Wells Parkway, respectively north and south of the Van Buren "gateway," must be right turn only in and out. Prior to the issuance of a grading permit, the applicant shall demonstrate that the State Highway Administration has preliminarily approved the installation of the traffic signal and other traffic control devices at Van Buren Street and Baltimore Avenue, subject to approval of the final construction plan and permit by SHA. If for any reason, including lack of warrants or SHA or other required governmental approval, the traffic signal and other traffic control devices described in this paragraph are not installed or cannot be installed at Van Buren and Baltimore Avenue, no permits may be issued.

21. Prior to approval of a detailed site plan the plans shall provide or demonstrate:

    a. After completion of construction of the first multi-family building in the project:

        (1) At least 80 percent of the parking for the overall development ultimately will be in structured parking; and

        (2) The maximum number of off-street surface parking spaces permitted for each nonresidential land use type shall be equal to 80 percent of the minimum number of required off-street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance.

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

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

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

22. Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.

23. Prohibit clear-cutting or re-grading any portion of the development until a detailed site plan for that portion of the site has been approved.

24. Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, subject to the opportunity for review and comment by the Town of Riverdale Park and the Town of University Park:

    a. The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").

    b. Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety vehicles.

    c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 100 residential dwelling units, the construction of the Van Buren Extension shall be complete as verified by the Town of Riverdale Park.

25. Prior to the approval of a Preliminary Plan of Subdivision (the "Preliminary Plan"), the applicant shall do the following, subject to the opportunity for review and comment by Prince George's County, the Town of Riverdale Park, and the Town of University Park:

    a. The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the "CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.

    b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.

c. Provide letters from the CSX and University of Maryland (or the affected land owner), that recommend approval of the CSX Crossing as shown on the Preliminary Plan and identify the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University (or the affected land owner).

d. Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.

Further, the applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars ($5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local laws. 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.

26. The implementation of the CSX Crossing shall be in accordance with the following:

a. Prior to the issuance of any permits for development on the property, the applicant (1) shall submit a roadway plan for the location and design of the CSX Crossing to CSX, or to AECOM or other agent designated by CSX, and to the University of Maryland (or the affected land owner), and (2) shall submit letters received from both of them that approve the construction of the CSX Crossing in accordance with the roadway plan, subject to approval and authorization of the final construction plan, and verification by the Prince George's County Department of Public Works and Transportation that the roadway plan meets the American Association of State Highway and Transportation Officials' (AASHTO) standards and is appropriate for construction of the CSX Crossing, and has been approved by CSX and the University of Maryland (or the affected land owner).

b. Prior to the issuance of building permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the applicant (1) shall have received all necessary permits and approvals for construction of the CSX Crossing, (2) shall have provided the Prince George's County Department of Public Works and Transportation with all approved financial assurances and performance security to ensure completion of construction of the CSX Crossing, and (3) shall have commenced construction of the CSX Crossing as verified by the Prince George's County Department of Public Works and Transportation.

c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 120 residential dwelling units, the construction of the CSX Crossing shall be at least fifty percent complete as verified by the Prince George's County Department of Public Works and Transportation shall have verified that all approved financial assurances and performance security to ensure completion of construction of the crossing remain in full force and effect.

d. Prior to the issuance of building permits for more than 382 residential dwelling units, the CSX Crossing shall be open for use by public vehicular traffic as verified by the Prince George's County Department of Public Works and Transportation.

e. Applicant shall timely provide the Towns of Riverdale Park and University Park, the City of College Park, and the Prince George's County Department of Public Works and Transportation with copies of all submittals, notices, approvals and determinations made pursuant to this condition.

27. The applicant, the Town of Riverdale Park, and the Town of University Park will work together to petition the District Council to initiate and establish a Transportation Demand Management District ("TDMD") program under the Prince George's County Transportation Demand Management District Ordinance Subtitle 20A. Consideration should be given to establishing the boundaries of the TDMD to extend from Paint Branch Parkway to Queensbury Road. Once a TDMD is established, the applicant will provide financial support and the "TMP" will become part of the District and will be monitored by the Transportation Management Authority ("TMA"). The TDMD should provide for traffic reduction goals and periodic independent verification of monitoring whether the goals have been met, including restricting the maximum allowable density to a level that will generate average net additional daily vehicle trips on Baltimore Avenue that are not more than 20% above current levels, and net additional peak hour trips that are no more than 20% above current peak-hour vehicle trips at AM (06:00-09:00), mid-day (11:00-14:00), PM (16:00-19:00), and Saturday (10:00-18:00). These counts will be performed at a fixed location specified in the TDMD between East-West Highway and the southern entrance, and between Queens Chapel Road and the northern entrance, to the project and will be based upon traffic estimates that have been reviewed and determined to be reasonably accurate by the Transportation Planning Section of M-NCPPC. If the goals of the TDMD are not met, additional vehicle trip reduction measures to resolve the problem will be required pursuant to the requirements of Subtitle 20A.

CONSIDERATIONS:

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.

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.

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

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.

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.

ORDERED this 12th day of July, 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Patterson, Toles and Turner.

Opposed: Council Members Olson and Lehman.

Abstained:

Absent:

Vote: 7-2

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND, SITTING AS THE DISTRICT COUNCIL FOR THAT PART OF THE MARYLAND–WASHINGTON REGIONAL DISTRICT IN PRINCE GEORGE'S COUNTY, MARYLAND

BY:_____
Andrea C. Harrison, Chair

ATTEST:

_____
Redis C. Floyd
Clerk of the Council

Prince George's County Planning Department
Community Planning Division

301-952-4225
www.mncppc.org

December 27, 2012

MEMORANDUM

TO: Quynn Nguyen, Subdivision Section, Development Review Division

VIA: Cynthia Fenton, Acting Planning Supervisor, Community Planning Division

FROM: Chad Williams, LEED AP BD+C, Planner Coordinator, Community Planning Division

SUBJECT: **4-12004 Cafritz Property**

DETERMINATIONS

- This application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier and does not violate the General Plan's growth goals for the year 2025, based upon review of Prince George's County's current General Plan Growth Policy Update.

- This application does not conform to the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68,* which calls for infill single-family detached residential development and the consideration of rezoning to a residential Comprehensive Design Zone with densities comparable to the R-55 Zone.

- This application conforms to the mixed-use land use recommendations of the 2012 Riverdale Park M-U-TC Development Plan (as amended during the approval of A-10018, Cafritz Property) and the purposes of the M-U-TC (Mixed-Use Town Center) Zone. The mix of uses requested by the application are permitted by the zone.

- Several revisions to the proposed application are recommended to better ensure a more logical and functional site circulation pattern and open space network, including the relocation of the Rhode Island Avenue Trolley Trail to the historic alignment in keeping with the amended development plan and the approved site plan concepts associated with A-10018.

- Key pieces of information have yet to be submitted, including a letter from the American Center for Physics regarding the proposed bridge crossing (per Condition 25 of A-10018) and agreements/settlement on the ownership and maintenance of proposed rights-of-way within the property.

- The northeast portion of this application is located under the traffic pattern for a small general aviation airport (College Park Airport) and is subject to Aviation Policy Area regulations in Sections 27-548.32 through 27-548.48 of the Zoning Ordinance. In particular, the applicant should be made aware of height and purchaser notification requirements contained in these regulations.

BACKGROUND

Location: 1,500 feet north of the intersection of US 1 and East-West Highway on the east side of US 1.

Size: 37.35 Acres

Existing Uses: Vacant, wooded land

Proposal: The applicant proposes a new subdivision incorporating a mix of commercial, residential, hotel, and office uses resulting in between 1,277,000 to 1,915,000 square feet of total development.

GENERAL PLAN, MASTER PLAN AND SMA

2002 General Plan: This subject application is located in 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 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 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.

Master Plan: 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*

Planning Area/ Community: Planning Area 68/Riverdale Park

Land Use: The Planning Area 68 Master Plan recommends single-family detached dwellings with consideration for a residential Comprehensive Design Zone for the subject property (see page 16). The Riverdale Park Mixed-Use Town Center Zone Development Plan (as amended) envisions a mix of uses (commercial/office, hotel, and residential) on the subject property.

Environmental: Refer to the Environmental Planning Section referral for comments on the environmental infrastructure guidance contained in the *Approved Master Plan and Sectional Map Amendment for Planning Area 68* and the 2005 *Countywide Green Infrastructure Plan.*

Historic Resources:	Adjacent to the subject property are the Riverdale Park (#68-004), University Park (#66-029), and Calvert Hills (#66-037) National Register historic districts to the south, west, and north respectively. The Engineering Research Corporation (ERCO) building to the east of the subject property is identified as a Prince George's County Historic Site (68-022). The subject property contains several historic structures of interest. Refer to the Historic Preservation Section referral for additional details.
Transportation:	The property fronts onto US 1 which is identified in the 2009 *Approved Countywide Master Plan of Transportation* as a four-lane collector road (C-209) with an 80-110 foot right-of-way between the Washington, D.C. line and Guilford Drive.
Public Facilities:	The Planning Area 68 Master Plan identifies the subject property as a possible location for a proposed park/school. The subject property adjoins a National Guard armory and a USPS postal facility, both identified as "public/quasi-public" uses in the master plan.
Parks & Trails:	The Rhode Island Avenue Trolley Trail extends through the site from north to south. The Planning Area 68 Master Plan identifies the subject property as a possible location for a proposed park/school. US 1 is planned for bike lanes and a sidepath.
SMA/Zoning:	The 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* SMA retained the R-55 zoning but recommended that future consideration should be given to rezoning the Cafritz property to a residential Comprehensive Design Zone. The District Council approval of A-10018 on July 12, 2012 rezoned the property to the M-U-TC Zone and approved the amended Riverdale Park Town Center M-U-TC Development Plan.

PLANNING ISSUES

On July 12, 2012 the County Council sitting as the District Council of Prince George's County approved zoning ordinance No. 11-2012 to amend the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* boundary to include the Cafritz Property subject to various conditions. The revised Cafritz Property Design Standards and Guidelines (Summer 2012) per the conditions of approval put forth in zoning ordinance No. 11-2012 have been certified by the Planning Department and have been used to review this application.

The application is a request to subdivide the Cafritz Property to create a Mixed-Use Town Center (M-U-TC) development consistent with the Riverdale Park Mixed-Use Town Center Development Plan (as amended).

Plan Conformance

The application is 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 does not conform to the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68.* The master plan provides the following specific recommendations for this property (see page 16):

> "The following comments relate specifically to the Cafritz property: While zoned R-55, the property should be considered for a residential Comprehensive Design Zone, provided that the proposed development is compatible with surrounding residential communities and continues existing design and development patterns. Specifically, design of the development should incorporate a street pattern similar to that of the surrounding community, which has right-angle blocks and alleys. Brick should also be used on all units as the primary construction material. Special attention should be given to the development's frontage along US 1 to preserve the existing wooded image. A tree-save area should be provided and the units directly behind the tree-save area should front US 1."

As a mixed-use development with over 250,000 square feet of non-residential space, 855 multifamily dwelling units, and 126 single-family attached dwelling units proposed, this application does not conform to land use recommendations for single-family detached residential development. However, the District Council's approval of A-10018 on July 12, 2012 rezoned the Cafritz Property to the M-U-TC Zone and made it subject to the Riverdale Park Mixed-Use Town Center Zone Development Plan (as amended). The proposed application does conform to the development plan and the proposed mix of uses is consistent with the goals, vision, and intent of the M-U-TC Zone and amended development plan.

Cafritz Property Design Standards and Guidelines

The 2012 Cafritz Property Design Standards and Guidelines amend the approved 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan.* It should be noted that the certified Cafritz Property Design Standards and Guidelines only apply to the 37-acre Cafritz development and not to the remainder of the Riverdale Park M-U-TC Zone properties. The following comments address the specific proposals of the preliminary plan of subdivision in light of the guidance provided by the amended development plan.

Staff notes many of the specific standards and guidelines of the amended development plan will be reviewed at the time of detailed site plan. The certified site plans and streetscape sections approved with A-10018 and Concept Plan B (Map 1) and appropriate (at the subdivision level of review) site standards identified in the Cafritz Property Design Standards and Guidelines document form the basis of review for the following comments.

Rhode Island Avenue Trolley Trail

The most significant lot pattern issue pertains to the Rhode Island Avenue Trolley Trail. The amended development plan, specifically the site plan concept drawings certified as part of A-10018, reflects the intent and desire of the county and the applicant to use the historic alignment of Rhode Island Avenue for the location of the trolley trail through the subject property. The submitted preliminary plan of subdivision shifts the trail alignment to the east, placing it on the west side of 48th Street adjacent to a number of proposed townhome lots. This design solution is not appropriate to or respective of the historic context of the site and the former trolley line alignment, and does not conform to the certified site plan concepts.

Staff notes the relocated trail is generally consistent with Map 1: Concept Plan B in the Cafritz Property Standards and Guidelines document. However, users of the trolley trail will be very likely to bypass this unnecessary diversion of the trail in favor of the straight-line approach, which as designed would be along the rear alley of the townhome lots fronting 48th Street.

The applicant should be strongly encouraged to relocate the trolley trail along the historic alignment of Rhode Island Avenue and shift the townhome lots along 48th Street further east to accommodate the trail. Consideration should also be given to incorporation of amenities and natural features to foster a small linear park along the historic trolley alignment.

There are no indications at this time as to who will be responsible for the construction of the Rhode Island Avenue Trolley Trail north of the proposed townhome lots along Woodbury Street crossing the WMATA property into the Calvert Hills neighborhood. The applicant should construct this crucial trail connection and dedicate this portion of the trail to either M-NCPPC or the City of College Park.

Additional Proposed Street and Lot Pattern Comments
The proposed subdivision would establish a large right-of-way (ROW) for the extension of Van Buren Street (intended to be the primary street within the site). The amended development plan identifies two plazas or open space features in the western half of the site within the center of Van Buren Street. These plazas should be individually platted and consideration given to dedication to the Town of Riverdale Park to ensure these public amenities are constructed and under public ownership and maintenance.

The applicant should clarify the proposed transit circulation pattern within the proposed development and provide appropriate assurances that curb radii, lane widths, and other features along the transit route(s) are adequate for modern WMATA and county buses.

The applicant should give consideration to potential realignment and reconfiguration of the southeastern portion of the subject site to more logically accommodate connectivity between relocated Rhode Island Avenue and Maryland Avenue. Staff notes that a number of proposed townhome lots in this portion of the subject property are within unacceptable noise contour areas and suggests that some of these lots may be appropriate to remove in favor of a better roadway circulation pattern.

The applicant should clearly identify and provide for future connectivity to the USPS site and the National Guard Armory in case either or both of these sites redevelop in the future. It appears Parcel K in the south-eastern portion of the subject site is intended to facilitate this connection in the future but multiple connections should be considered, including the possibility for a connection through proposed Lot 3.

Street Design, Ownership, and Maintenance
Staff notes most of the proposed streetscape designs tend to reduce the amount of roadway driving lane paving in favor of slightly wider parallel parking, landscape/tree planting, and sidewalk areas. These proposed changes generally correspond to the concepts and requirements of the amended development plan, which call for "a pedestrian-oriented town center with an infrastructure of wide, continuous sidewalks, alley shortcuts, safe street crossings, and rear access parking. A landscaping/pedestrian amenity strip would buffer pedestrians on the sidewalk from traffic." (See page ii of the Cafritz Property Design Standards Guidelines document).

At present all proposed streets are identified as private roads. This remains a key issue that must be resolved prior to action on the proposed application. The ownership and maintenance of the proposed streets is an issue critical to the future success of the development, and by ensuring public ownership of key streets and open spaces in accordance with the desires of the Town of Riverdale Park

numerous potential issues pertaining to ongoing maintenance and public access will be resolved. The Riverdale Park M-U-TC Design Review Committee has discussed the ownership issue with the applicant in detail but resolution of this issue has not occurred at the time of this referral.

The applicant should provide additional details on the design and location of the proposed CSX bridge crossing. At present the location where the slope of the bridge (necessary to achieve the required height to clear the tracks) and the retaining walls begin on the Cafritz Property remains a question, impacting potential access to several townhouse lots in the northeastern corner of the site and proposed Lot 8.

Other Open Space Comments
The applicant should clearly identify the proposed public plazas, squares, civic greens, and open spaces within the subject property along with all public open space and recreation amenities that are proposed to meet the needs of future residents, shoppers, and visitors.

Additional detail should be provided regarding the sidewalk and trail network within and flanking the linear park proposed along US 1. This information is necessary to determine any public use easements or dedications that may be appropriate to ensure public access along this major county roadway.

Tree Conservation Plan Comments

The applicant has made an effort to preserve more specimen trees than originally proposed, along with what have been presented as "small groves" of trees at several locations within the subject property. In response to continued concerns expressed by the Riverdale Park M-U-TC Design Review Committee, the applicant continues to explore the feasibility of protecting additional specimen trees, and has worked with staff to increase the amount of tree and woodland preservation from the initial submittal.

The submitted tree conservation plan drawings suggest the phased approach to stormwater management desired by the applicant. This reviewer has not seen any stormwater management concept plans impacting the proposed development but does have concern with the transition of the southern-most surface stormwater management pond into an underground retention and filtration cell as proposed Lot 9 is developed into a multifamily residential building. Additional detail and assurances that the stormwater management of the site will not be negatively impacted by this transition may be appropriate.

Additionally, bioretention, infiltration, green roofs, and other environmental site design techniques should be used extensively throughout the proposed development to better manage stormwater and provide for a more comprehensive approach to sustainability and the natural environment.

Missing Information

At the time this referral was prepared, the applicant had yet to submit several important pieces of information. These include the letters mandated by Condition of Approval 25 for A-10018 Cafritz Property regarding the proposed CSX bridge crossing and information regarding the ownership and maintenance agreements of select streets and open spaces within the proposed development. This information should be submitted as soon as possible for staff evaluation prior to the Planning Board hearing on this application.

Variation and Variance Requests

The applicant has provided a request for both a variation and a variance. The variation pertains to the residential lot depth requirement of Section 24-121(a)(4) of the Subdivision Ordinance for properties adjacent to an existing or planned transit right-of-way, in this case the CSX/MARC rail line on the eastern side of the subject property. The variance request pertains to Section 25-122(b)(1)(G) for the removal of 24 out of 35 existing specimen trees. Staff defers comment on these requests to the Subdivision and Environmental Planning Sections. There are no master plan or general plan issues with either request.

LEED® Certification

This reviewer understands the applicant has provided evidence of an application submitted to the U.S. Green Building Council (USGBC) for a Smart Location and Linkage prerequisite review under the provisions and requirements of the LEED-ND (LEED® for Neighborhood Development) rating system. Staff expects to see additional movement toward certification under the Silver or higher level under the LEED-NC (New Construction) and LEED Homes building rating systems at the time of detailed site plan submittal.

Aviation Policy Area

The northeastern portion of this application is located under the traffic pattern for a small general aviation airport (College Park Airport). This area is subject to Aviation Policy Area regulations adopted by CB-51-2002 (DR-2) as Sections 27-548.32 through 27-548.48 of the Zoning Ordinance. Specifically, the subject property is located in Aviation Policy Area (APA) 6. The APA regulations contain additional height requirements in Section 27-548.42 and purchaser notification requirements for property sales in Section 27-548.43 that are relevant to evaluation of this application. No building permit may be approved for a structure higher than 50 feet in APA-6 unless the applicant demonstrates compliance with FAR Part 77.

The application should also be referred to the Maryland Aviation Administration for information and comment:

Ashish J. Solanki, Director
Office of Regional Aviation Assistance
Maryland Aviation Administration
PO Box 8766
BWI Airport, MD 21240-0766

c: Ivy A. Lewis, AICP, Division Chief, Community Planning Division
Long-Range Agenda Notebook

Loiederman
Soltesz Associates, Inc.

4-12004

November 29, 2012

Ms. Quynn Nguyen
Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RECEIVED
NOV 30 2012
DEVELOPMENT REVIEW
DIVISION

Re: Cafritz. 4-12004
Variation from Section 24-121 (a)(4)
LSA No.: 2411-05-01

Dear Quynn:

The following information is provided pursuant to the need to apply for a variation from Section 24-121(a)(4) of the Subdivision Regulations for the residential lot depth requirement of 300' when adjacent to an existing or planned transit right-of-way.

The subject property is located in the developed tier within the Town of Riverdale Park,. It is 37.35 acres in size and is zoned MUTC. A small portion in the northeast end of the site is within the municipal boundary of College Park and is zoned R-55. The site is bordered on the east by an existing CSX right-of-way and tracks. To the north the site adjoins vacant land owned by WMATA there are exposed tracks in the eastern portion of this right-of-way. In the western portion of the WMATA property, the tracks are underground. To the west is US Route One right-of-way and to the south the site adjoins the existing post office facility, and existing commercial uses along Maryland Avenue.

The specific variation should be approved for the following reasons:

1. **The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

   The granting of the variation will not be detrimental to public safety, health or welfare, or injurious to other properties. The lot depth, while less than 300 feet will not prevent the applicant's ability to mitigate the effects from the adjacent transit right-of-way. The adjacent tracks do add to the ambient noise level on the Cafritz property. The unmitigated 65 dba limits for ground level and upper level locations has been identified on the plan via a noise study. The applicant will provide the required noise mitigation per the appropriate COMAR section for interior and external use of the property. This could include both landscape noise reduction measures such as berming, fences, or broad leaf vegetation to reduce noise impacts as well as architectural measures including treated or thicker windows. Taken together these measures will provide the necessary protection against nuisance noise impacts from the adjacent tracks.

   Where possible, the current design focuses on the feature such as SWM or parking garages near the CSX line to help mitigate noise. The revised plan also saves additional specimen trees and additional tree save areas along the CSX right-of-way which will help mitigate sound levels in those areas.

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Finally, safety is of paramount concern to the applicant. The applicant is providing as much separation as practicably available between the lots that do not have the required 300' lot depth and the adjacent transit right-of-way. Stormwater management is proposed in between the residential area onsite and the adjacent right-of-way. This stormwater management system of ponds and landscape will make it difficult to cross towards the tracks discouraging residential/pedestrian conflict with the property limits. Attractive security fencing will be added to create another hindrance.

Taken together, these efforts will mitigate the potential for harm to the public safety, health, or welfare and they will not be injurious to other property.

2. **The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties:**

The site is located inside the beltway; the areas around the site have been developed in some manor throughout the years, as noted previously. The area of the site nearest the CSX line is long and narrow. Without the ability to provide lots less than the required 300' lot depth adjacent to the transit rights-of-way, the site layout would be hindered by poorly placed roads and off-site connectivity. It would not be possible to develop the site as described in District Council order 11-2012. This site includes 35 acres in the developed tier near existing transit.

3. **The variation does not constitute a violation of any other applicable law, ordinance, or Regulation;**

This variation request does not constitute a known violation to any other applicable law, ordinance, or regulation.

4. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

Without the approval of this variation, the applicant and owner would undergo hardship as opposed to mere inconvenience since the site located in the developed tier would be rendered undevelopable. The location of the site in the developed tier, near existing transit as well as the shape of the property make site development difficult without granting this variation. Review and public hearing support the decision to bring a mixed use design to the site that fits with the overall character of the surrounding neighborhoods and this implies a reduction of the lot depth requirements as the vast majority of the adjacent properties include residential properties without a 300' lot depth.

The shape of the property dictates that much of the residential portion of the site be pushed towards the rear of the property in order to allow the commercial retail access and proximity to U.S. Route 1 in order to succeed. Site topography requires an extensive earthwork operation to put the development on grade for construction while maintaining the existing WSSC water line and trolley trail through the site.

5. **In the R-30, R-30c, R-18, R-18c, R-10, R-10, and R-H zones, where multi-family dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113 (a) above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the prince George's County Code.**

   The site is not located in any of the listed zones and therefore this condition does not apply.

   In conclusion, the requirement for a lot depth of 300' lots for residential uses adjacent to transit rights-of-way would severely limit the efficiency of the development's design. The site is unique because of its shape, and the surrounding properties its location within older developed areas of the county and because it's in close proximity to existing transit resources. This variance is warranted for these reasons.

   Therefore, for the above reasons, the applicant respectfully requests that a variation from 24-121(a)(4) be granted for the subject property.

Should you have any further questions, please do not hesitate to contact our office.

Sincerely,

LOIEDERMAN SOLTESZ ASSOCIATES, INC

Timothy H. Davis, RLA, AICP, LEED BD+C
Associate

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

January 8, 2012

MEMORANDUM

TO: Quynn Nguyen, Subdivision Section

FROM: Susan Lareuse, Master Planner, Urban Design Section

SUBJECT: Preliminary Plan of Subdivision
4-12004, Cafritz Property

The subject Preliminary Plan of Subdivision proposes to subdivide the property in order to construct a mixed use community. Based on the Urban Design Section's review of the above Preliminary Plan of Subdivision, we offer the following major comments.

Conformance with the Requirements of the Zoning Ordinance 11-2012

On July 12, 2012 the District Council approved a primary amendment (A-10018) to the 2004 *Approved Town of Riverdale Park Mixed–Use Town Center Zone Development Plan*, that amended 35.71 acres of the Zoning Map for the Maryland–Washington Regional District in Prince George's County, Maryland, by designating a Mixed–Use Town Center (M–U–TC) Zone on the subject property subject to certain conditions. The conditions of approval required the applicant to revise the Development Plan and the associated Guidelines, and that revised package was delivered to the Development Review Division for review on August 14, 2012. A number of revisions to the plans were submitted in response to the staff's insistence that the plans submitted for certification reflect the record of the A-10018 case, and any changes to the plans reflect only the conditions of approval that adjusted either the Development plan or the guidelines. The plans were finalized in accordance with the plans reviewed by the District Council and the certification of the plans and the text, collectively referred to as the Development Plan, was completed on October 2, 2012. It should be recognized that some discrepancies exist in the collective documents that make up the Development Plan, and that the preliminary plan will begin the process of resolving those discrepancies as it is reviewed for conformance to Subtitle 24.

The following conditions from Zoning Ordinance 11-2012 apply to the review of Preliminary Plan 4-12004:

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.

Comment: This condition requires a Detailed Site Plan review and approval prior to the approval of any final plat for the property. Prior to approval of any final plat, it must be found to be consistent with the DSP. A condition of approval of the preliminary plan is appropriate to emphasize the zoning condition above. It should be noted that this condition is more restrictive than Section 27-270, Order of Approvals.

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.**

Comment: The condition above is applicable to the preliminary plan in recognizing that the subsequent DSP, SP or SE should be in general conformance with either Concept Plan A or Concept Plan B, dated January 7, 2012, particularly in regard to the site design and circulation. During the review of the zoning map amendment, it was recognized that the level of detail included in the concept plans was illustrative only, and that as the plans continued through the development review process that laws and regulations that were not applicable at the time of the zoning approval 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 through the adoption of conditions, that the decision on the zoning case recognized that adequate public facilities and the protection of the environmental features of the site would be further analyzed at the time of the preliminary plan.

Changes to the development concepts as previously shown on the Concept plans may be necessary in order to fulfill the requirements of Subtitle 24. The approval of the layout as shown on the concept plans should **not** influence the review and conclusions of approval of a variance from Subtitle 24 requirements at the time of the preliminary plan review, as the laws governing subdivision were not applied at the time of the zoning case.

3. **Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:**

   a. **The Preliminary Plan shall reflect the unmitigated 65 dBA Ldn from noise generators.**

      Comment: The preliminary plan indicates the unmitigated 65 dBA Ldn noise contour. The revised preliminary plan indicates both single family attached and multifamily units

to be located within the high noise area. The multifamily units may be able to protect outdoor activity areas through the arrangement of courtyards within the confines of the buildings on the site. However, single family attached dwelling within the 65 dBA Ldn noise contour should be relocated outside of the high noise area to protect the outdoor play areas that will be impacted noise generated from the trains. The applicant has not provided a solution to mitigating the noise impacts.

b. **The plan shall delineate the 300-foot lot depth from the right-of-way (CSX railroad tracks) for residential development in accordance with Section 24-121(a)(4) of the Subdivision Regulations. The preliminary plan may establish additional restrictions on the layout if it is determined that noise and vibration issues are associated with the railroad tracks.**

Comment: The preliminary plan shows the 300-hundred-foot lot depth demarcation from the CSX railroad and from the metro (WMATA) noise generator. In this case, approximately 28 town homes are within the 300-hundred-foot lot depth. The applicant has filed a variation for the residential lot depth requirement of 300 feet, which the staff supports partially.

Variation Request for Section 24-121(a)(4)

Section 24-121(a)(4) of the Subdivision Regulations requires that residential lots adjacent to an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet with adequate protection from traffic nuisances being provided by earthen berms, plant materials, fencing, and/or the establishment of building restriction lines. The applicant is asking for relief from this requirement to allow 28 town house units to be located within so many feet of the noise corridor. Staff recommends that the granting of the variation be related directly to the evidence contained within the noise and vibration study.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

> **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**
>
> **(1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The staff supports a limited granting of the variation to the 65 dBa line because the noise study and the plans do not demonstrate any method that is feasible to protect the townhouse lots and the future inhabitants from the noise generated from the railroad. The placement of multifamily units within the noise corridor is not as much of a problem for the future residents because the interior noise level can be mitigated through the use of construction techniques and by locating courtyards interior to the building. The staff has reviewed the plans to determine if a revision of the layout could further enhance the protection of the inhabitants of the future townhomes by moving the units outside of the unmitigated 65 dBa line. Staff has created an exhibit that places townhouses in locations that are outside of the unmitigated 65 dBa line and the plan generally conforms to the concept plans at the time of the zoning approval for the property. The exhibit does not reduce the number of townhouses as was proposed by the applicant, but it does encroach into areas previously shown as footprints for multifamily lots. However, if the applicant wants to provide more multifamily lots and reduce the number of townhouses, as long as the townhouses are outside of the noise corridor, staff would consider that optional design as well. Granting the variation beyond the unmitigated 65 dBa line, would be injurious to the future inhabitants of the townhouse lots and because the rail road is a highly used freight corridor and there is an at grade crossing to the south of the subject property, the whistle blower is required prior to reaching the at grade crossing for trains moving both north and south along the corridor.

(2) The conditions on which the variations are based are unique to the property for which the variation is sought and are not applicable generally to other properties;

There are no conditions of the site or the surrounding area that make this variation request unique.

(3) The variation does not constitute a violation of any other applicable law, ordinance or regulation; and

Because the applicant will have to obtain permits from other local, state and federal agencies as required by their respective regulations, the approval of this variation request would not constitute a violation of other applicable laws.

(4) Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out.

The property is approximately 35 acres in size and does not have any peculiar physical surroundings. Furthermore, it is not irregularly shaped, nor are there topographical conditions that exist that justify the requested variance. A redesign of the plan can concentrate the town houses in areas of the 37 acre parcel to protect the future residents form the impacts of the noise from the railroad. Staff has provided an exhibit that

demonstrates all of the proposed 126 town house units meeting the 300-hundred-foot lot depth requirement.

For the multifamily units located within the 300-hundred-foot lot depth, the location of the parking structure should be along the railroad tracks so that the structure will provide a noise mitigation for the outdoor play areas.

In fact, planning in urban areas for noise reduction is extremely important because there are so many noise generators within compact, high density areas and zones. This high-density development can be realized with density added in areas outside of the noise corridor. Placing multiple stories of residential units above retail is another way to increase density within the property. Granting the proposed variance as defined by staff will not cause a hardship to the applicant.

In conclusion, the staff supports the variation to the 65 dBa line, and a redesign of the plan to remove the proposed townhouse lots from within the noise contour.

c. **The applicant shall provide information and verify that the right-of-way extending north and south through parcel 81 has, in fact, been abandoned and/or provide information of the disposition of that area of land, as appropriate.**

Comment: The preliminary plan findings should explain the history of ownership and provide evidence into the record about the disposition of the right-of-way.

d. **Documents shall be provided so that the trail will be dedicated to public use within a maintenance easement or other suitable agreement.**

Comment: This condition relates to the trolley trail alignment. One area of contention of the preliminary plan is the proposed location for the north/south trail alignment. Urban Design staff supports the location of the north/south trail within the historic alignment of abandoned Rhode Island Avenue. This alignment is in keeping with the surrounding neighborhood alignment and will provide the best location for commuters, hikers and bikers. The plans as proposed, shows the trail meandering past the front of townhouses. This change in the alignment is not in keeping with the entirety of the trail which has been paced within the trolley line area for up to four miles within the county. It is also an inconvenience for commuters to move off the trail and may even encourage people to use the rear alley for the future townhouses as an alternative path system. In this case, staff recommends that the trail be treated as a historically significant element of the existing site and that the plan celebrate this feature by making a highlight of the community. The plan currently places the alley of the proposed townhouses within the previous Rhode Island right-of-way. Urban Design staff recommends that the plans be revised to highlight the trail within the community by placing units so that the community fronts on the trail. This can be achieved from a re-design of the plan by placing the units fronting on a street running parallel to the abandoned 50-foot-wide trolley right-of-way. A buffer along the west side of the trolley trail parcel will conceal the unattractive postal site from

the future town houses. Lighting is also an important factor in highlighting the trail to prevent crime and will be considered at the time of Detailed Site plan.

e. **Provide one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.**

Comment: This condition is intended to provide public access to an east/west connection through the property. Also, there should be a fully delineated route with additional widening of those streets that contain the bike path.

f. **The applicant shall provide a draft report detailing the Phase II archeology investigations.**

Comment: The Historic Preservation staff should verify this information.

g. **The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.**

Comment: The revised preliminary plan was submitted showing all of the streets as private, then revised to show all the streets as public. The Subdivision Regulations dictate the use of public and private streets for certain uses. The plan should be revised to clearly indicate the disposition of public streets and private streets in accordance with Subtitle 24. Maintenance responsibilities should be decided at the time of the approval of the preliminary plan.

The public plaza and the areas shown as green areas should not be incorporated into the street, but should be on individual parcels. Clarification of maintenance and ownership should be provided on the plans relating to all private streets and parcels. The Transportation Planning Section, the Department of Public Works & Transportation and the Town of Riverdale Park should provide guidance in regard to the design of the streets. Urban design staff supports the use of narrow streets that accommodate the bicycle and allows for bus turning movements.

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.

Comment: Historic Preservation Commission review of the project is required at this time.

8. **Prior to any ground disturbance or the approval of any grading permits, if Phase III archeological mitigation is proposed, the applicant shall provide a final report detailing the Phase II and Phase III investigations and ensure that all artifacts are curated in a proper manner.**

Comment: The condition above will be enforced prior to the issuance of grading permits for the site.

9. **Prior to final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I, Phase II, and Phase III archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Commission and the Maryland-National Capital Park and Planning Commission staff archeologist.**

Comment: The condition above will be enforced prior to the final plat. However, any proposal for preservation in place will require the investigation to be done at the time of the DSP.

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.**

    b. **At the time of Preliminary Plan, the Type 1 tree conservation plan shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable. At a minimum, preservation shall be focused on the highest priority areas (Forest Stands 1 and 3).**

    c. **At the time of preliminary plan, condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.**

    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.**

    e. **At the time of preliminary plan, a Phase I noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a minimum, the associated railroad noise and the whistle blower. The 65 dBA Ldn noise contour shall be shown on all future plans.**

    f. **At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site**

design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the Type 1 tree conservation plan.

Comment: The conditions above should be addressed by the Environmental Planning Section.

13. **Prior to approval of a detailed site plan, a 90-to-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. This depth of buffer may be reduced north of Van Buren Street with approval by the Planning Board, provided the applicant submits evidence demonstrating that it submitted plans to the Town of University Park prior to the acceptance of the detailed site plan and the Town was afforded sufficient time to comment, and if it is determined to be a superior design solution, by providing berms, retaining walls, landscaping, or other screening of the parking lot from the residences to the west consistent with Parking Sections Exhibit dated January 7, 2012. In no event shall the buffer be less than 60 feet in width.**

Comment: The current proposed layout indicates that the gateway feature will be part of three separate lots. In order to ensure maintenance of the park like setting and the health of the vegetation in the bio-retention areas, it may benefit the community that this area be maintained in conjunction with the Town of Riverdale Park and perhaps University Park, along with the business community occupying space located within the overall site. The front of the property along Baltimore Avenue was of major concern in the review of the Primary Amendment. This area was shown as one of the green spaces and basically was proposed as part of the justification for mitigation of setting the buildings back from the right-of-way (see Applicants Exhibit 1, Cafritz Property at Riverdale Park, Green Spaces, pages 10-12). This green space is contained within proposed Lots 1, 2 and 3. Within this area, the applicant developed a set of plans and perspectives to depict the future design as a gateway park to the development. The park-like area exhibits includes seating areas, trails, exercise stations, sculpture, historic interpretation, children's play area, bus shelter, WIFI access, bike station, transportation kiosk, a pedestrian bridge, specimen tree preservation and bio-retention areas. Therefore, it is appropriate, that since this land area is largely to the benefit of the neighborhood, the affected municipalities should be included in the decision making and perhaps the maintenance of the gateway feature. In this case, Town of Riverdale Park and the City of University Park should consider involvement in order to protect the features and facilities to be implemented in the parcels, and an easement should be created in order to maintain the land area in cooperation with the land owner. However, the final decision for this suggestion lies with the affected municipalities.

The SHA may require additional dedication along the frontage of the property in order to provide a right turn lane into the property. If this is the case, the final plat should dedicate the full required depth of dedication along the front of the property. The decision for the minimum width required for the dedication should be determined prior to the acceptance of the Detailed Site Plan for review, as this issue will substantially impact the frontage of the property and the design of the gateway entrance to the development. Furthermore, if widening of the roadway is required by SHA, the existing overhead utilities should be placed underground along the frontage of the property. Widening of the roadway may also require the removal of the existing specimen trees along the frontage of the property.

14. **Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:**

a. **A revised Stormwater Management Concept Plan that designates the property as a new site and complies with the stormwater management provisions contained in CB-15-2011 (Subtitle 32) to provide more environmental site design to the maximum extent practicable, with the goal of no new impact on the tributary drainage into the northeast Branch of the Anacostia River. The proposed plan shall show the use of environmental site design technologies such as bio-retention, infiltration, and especially green roofs to the maximum extent practicable.**

b. **The applicant shall provide evidence that copies of all stormwater submittals were provided to the Town of Riverdale Park, the Town of University Park, the City of Hyattsville and the City of College Park, 30 days prior to filing with DPW&T and notification of an invitation to all meetings between the applicant and DPW&T.**

Comment: The applicant has revised the SWM Concept plan, but it may not have yet been approved. The SWM concept letter submitted with the application is dated May 10, 2010. Perhaps the applicant can explain the process that was followed in association with the current approved plan and information from the municipalities would also be helpful in determining if this condition has been fulfilled.

c. **A Revised Traffic scoping agreement and Impact Study that:**

(1) **Accurately reflects the development proposal and anticipated phasing;**

(2) **Eliminates corridor averaging for all intersections included in the Study;**

(3) **Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;**

(4) **Analyzes all proposed connections, including the proposed CSX Crossing and Maryland Avenue;**

(5) **Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate;**

(6) **Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bikeshare, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing;**

(7) **Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved detailed site plan or preliminary plan of subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and**

(8) **Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.**

Comment: The issues above should be addressed in the review of the preliminary plan by the Transportation Planning Section.

15. After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.

16. The applicant shall submit evidence of an application submittal to the U.S. Green Building Council (USGBC) under Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) for a Smart Location and Linkage (SLL) prerequisite review at the time of Preliminary Plan submission and provide the results for review prior to approval of the Preliminary Plan. Upon GBCI/USGBC approval of SLL prerequisites, the applicant shall pursue and employ commercially reasonable efforts to obtain conditional approval of the plan under LEED-ND 2009 Stage 1 (pre-entitlement) approval. If based on pre-entitlement review, full certification through LEED-ND is not practicable, then the applicant shall at detailed site plan provide a LEED score card that demonstrates a minimum of silver certification for all new construction and that will be enforced through DSP review. If the LEED score card requirements cannot be enforced through the DSP review or other third-party certification acceptable to both the applicant and the Town of Riverdale Park and the Town of University Park (and pursued by the applicant at its expense), at minimum the applicant shall pursue silver certification under LEED-NC and LEED Homes, or if available, equivalent standards as determined at time of DSP by the Planning Board.

Comment: This condition requires the submission of evidence by the applicant that they have begun the process of LEED certification. It should be provided prior to signature approval of the preliminary plan or prior to the submission of the DSP.

17. At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.

18. Prior to approval of a Preliminary Plan of Subdivision, the applicant shall provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be

satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.

19. Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.

22. Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.

24. Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, subject to the opportunity for review and comment by the Town of Riverdale Park and the Town of University Park:

a. The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").

b. Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety vehicles.

c. Prior to the issuance of use and occupancy permits for more than 100,000 square feet of commercial (retail, office or hotel) space and more than 100 residential dwelling units, the construction of the Van Buren Extension shall be complete as verified by the Town of Riverdale Park.

25. Prior to the approval of a Preliminary Plan of Subdivision (the "Preliminary Plan"), the applicant shall do the following, subject to the opportunity for review and comment by Prince George's County, the Town of Riverdale Park, and the Town of University Park:

a. The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the "CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.

b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the

first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.

c. **Provide letters from the CSX and University of Maryland (or the affected land owner), that recommend approval of the CSX Crossing as shown on the Preliminary Plan and identify the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University (or the affected land owner).**

d. **Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.**

Further, the applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars ($5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local laws. 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.

Comment: Conditions 17-25 should be addressed by the Transportation Planning Division.

Recreational Facilities

Urban Design staff generally proposes that recreational facilities, both indoor and outdoor, active and passive, and for all age groups should be provided in a residential development, no matter the density proposed. This project should provide for the trolley trail within the historic right-of-way as a linear greenway park. The county has placed considerable effort in bringing the trolley trail to fruition along the historic alignment and Urban Design staff supports the separation of the land area as a linear park and the dedication of land as part of the mandatory dedication requirements. In addition, the construction of the trail as well as recreational facilities should also be credited toward mandatory land dedication requirements. The lands associated with the residential development should include an active outdoor facility, such as a combined tot-lot and pre-teen playground. Within the multifamily buildings, indoor and outdoor recreational facilities should be included. Outdoor facilities should be provided in open courtyards that are buffered from the noise generated by the railroad tracks.

Plan Layout

In regard to the layout of the lots and parcels as proposed by the applicant, Urban Design staff has a number of concerns. The preliminary plan should indicate a proposed layout of the subdivision of the land, as well as the proposed use of the property, intensity of the development (or density of on each parcel of development), land disposition and any easements or right-of-ways necessary. The plan has been compared to the Concept Plans that were contained in the record of the hearing for the Primary Amendment. Applicant's Exhibit No. 1 of A-10018 contains layouts of plans that are labeled as Consensus Plan A and B. These plans represent the concept plans referred to in Condition No. 1(b) above.

The subject application has generally followed the layout as shown in regard to the subdivision of land, however, some of the details of the plan may need to be adjusted.

a. The trolley trail should be located within the historic alignment and the fronts of the units should face the trail, rather than backing up to the trail. The fronting of the units on the trail will allow eyes on this historic feature of the site.

b. The utility lines within the abandoned trolley easement should be placed under ground and should be placed in a public utility easement.

c. The plans show a number of features within the limits of the streets that should be placed within their own parcels. For example, a SWM pond in the median of Van Buren Street is shown as being within the street. This facility should be located in its own parcel and to be maintained either by the business community or another entity, such as the Town of Riverdale Park. The same comment applies to the green area within and around the circle and the outdoor plaza being proposed within the street of Van Buren. The configuration of Van Buren Street should go around these features, not be contained within the street itself.

d. If possible, the Ice House should be preserved, at least in part, and the configuration of Van Buren Street adjusted to allow for the maximum preservation of the feature. Additional information is required to determine the depth of the historic feature and an investigation should be made to determine the ability to preserve the feature in place prior to approval of the DSP.

Urban Design Section Recommendations

Based on the foregoing analysis, the Urban Design Section recommends the following:

1. Prior to signature approval of the preliminary plan of subdivision, the applicant shall:

    a. Revise the plan to eliminate all townhouse lots proposed within the 65 dBa line.
    b. Revise the plan to indicate the trail within a linear park through the development and to re-orient the townhouse units to front along a street parallel to the trail.
    c. Revise the plan to clearly distinguish between the streets and the urban plaza, the green space, and the storm water management facilities to be within their own parcels. The future ownership and maintenance of the parcels should be defined and included in any easement mechanisms needed to secure and ensure proper maintenance.
    d. Revise the plan to indicate a public utility easement to underground the existing overhead utilities along the abandoned trolley trail right-of-way, in the area between the post office and the WMATA property.

2. Prior to acceptance of the Detailed Site Plan, the applicant shall:

    a. Provide evidence from the State Highway Administration that the final decision in regard to the dedication and improvements along the Baltimore Avenue right-of-way, specifically including the need for a decal lane along the frontage of the property.

3. Prior to approval of the Detailed Site Plan, the applicant shall investigate the possibility of preserving the ice house in place.

4. Prior to approval of any final plat, it shall be in conformance with the approved detailed site plan(s) for the property.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division
Environmental Planning Section
301-952-3650

January 9, 2013

MEMORANDUM

TO: Quynn Nguyen, Senior Planner, Subdivision Review Section

VIA: Katina Shoulars, Supervisor, Environmental Planning Section

FROM: Megan Reiser, Planner Coordinator, Environmental Planning Section MKR

SUBJECT: **Cafritz Property; 4-12004 and TCP1-005-12**

The Environmental Planning Section (EPS) has reviewed the preliminary plan and Type 1 Tree Conservation Plan stamped as received by the Environmental Planning Section on November 29, 2012 as well as associated information stamped as received December 10, 2012 thru January 3, 2013.

The Environmental Planning Section recommends approval of 4-12004 and TCP1-005-12 subject to the conditions noted at the end of this memorandum.

Background

The Environmental Planning Section previously reviewed a Natural Resources Inventory (NRI), NRI-121-06, for this property which was signed on September 28, 2006. An updated NRI reflecting the current code requirements was approved as the -01 revision to the plan on March 19, 2012.

The Environmental Planning Section also previously reviewed a Primary amendment to an approved Mixed-Use Town Center (M-U-TC) development to incorporate the subject 37.35-acre site, and rezoning the site from R-55 to M-U-TC.

The current application is a Preliminary Plan of Subdivision request for residential, commercial, hotel and office uses.

With regard to the environmental regulations that became effective on September 1, 2010, the subject application is not grandfathered under Subtitle 25 and Subtitle 24 with respect to the delineation of regulated environmental features, woodland conservation, and applicable submittal requirements because the proposed project does not have any previously approved development applications.

Site Description

This 37.35-acre site is split zoned, with 34.58 acres in the M-U-TC zone and 1.25 acres in the R-55 zone. The property is located on the east side of Baltimore Avenue (US Route 1) where it intersects with Van Buren Street. A review of the available information indicates that streams and steep slopes 15 percent or greater 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 (USDS) 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 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 adopted General Plan.

General Plan Conformance

The *Approved General Plan (October 2002)* contains Tier-specific and Countywide-specific goals, objectives and policies with regard to the protection of natural features, noise pollution, stormwater management, light pollution and woodland conservation. Many of these policies have been implemented through updates to the woodland conservation ordinance, zoning requirements, and applicable master plans that will be discussed in later sections of this memorandum.

The applicable Tier-specific policy is as follows:

> **POLICY 2: Preserve, restore and enhance environmental features and green infrastructure elements.**
>
> **Comment:** The site contains a small isolated wetland and a small area of 100-year floodplain, but no other regulated environmental features such as streams are located on-site. The site is approximately 91 percent wooded and contains a Network Gap Area and Evaluation Area within the designated network of the Countywide Green Infrastructure Plan.
>
> The current plans show the preservation of 0.25 acres of the existing 32.73 acres of existing net tract woodland. This small area of preservation is located in a Network Gap Area. Woodland conservation is discussed further under conformance with the Master Plan, Development Plan, Green Infrastructure Plan, and also within the Environmental Review Section.

The applicable Countywide-specific policies are as follows:

Policy 1: Preserve, protect, and enhance the designated green infrastructure elements.

Comment: See Conformance with the Countywide Green Infrastructure Plan below.

Policy 2: Preserve, protect and enhance surface and ground water features and restore lost ecological functions.

Comment: Based on the current Natural Resource Inventory for the subject site, the site contains a small isolated wetland and a small area of 100-year floodplain, but no other regulated environmental/ surface water features such as streams are located on-site. The preservation and protection of groundwater features will be addressed during the review of the stormwater management concept plan by the Department of Public Works and Transportation (DPW&T).

Policy 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern.

Comment: The current plan does not propose to preserve nor replant woodland. Because the site is undeveloped and fully wooded, it is very possible to preserve woodlands on portions of the property while still implementing the desired development pattern. Opportunities to replant woodland will be evaluated in further detail during the final design phase. Woodland conservation is discussed in the following sections of this memorandum as well as the Environmental Review section.

Policy 5: Reduce overall sky glow, minimize the spill-over of light from one Property to the next, and reduce glare from light fixtures.

Comment: Light pollution is discussed in the Development Plan section below.

Policy 7: Minimize impacts of noise on residential uses during the land development process.

Comment: The site is adjacent to a CSX right-of-way which is generally regulated for noise and vibration impacts associated with railroad transportation. Noise impacts are discussed in the following sections of this memorandum.

Master Plan Conformance

The site is within the *Approved Master Plan and Sectional Map Amendment for Planning Area 68 (May 1994)* which predates the *Approved General Plan.* While the environmental objectives of the Master Plan are superseded by current regulations for woodland conservation and stormwater management, the master plan states that the goal is to "Maintain, restore and enhance the natural character and aesthetic qualities of the Anacostia River stream valley and preserve and expand the Planning Area's forest cover."

Comment: The goal of preserving and expanding forest cover within the Planning Area was reiterated in Policy 3 of the *Approved General Plan* to "preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern." A review of the 2009 Aerial photos indicates that the subject site is one of the few remaining tracts of undeveloped land within Planning Area 68. The site is not within nor adjacent to a stream valley; however it is approximately 91 percent wooded, contains specimen trees, and on-site preservation is the preferred woodland conservation methodology. The onsite mature woodland and trees should be preserved to meet the sites woodland conservation threshold requirements and expand the community's existing urban tree cover to the fullest extent possible.

Development Plan Conformance

The *Approved Master Plan and Sectional Map Amendment for Planning Area 68 (May 1994)* was amended by the *Riverdale Park Mixed-Use Town Center Zone Development Plan* approved by the Prince George's County Council on January 20, 2004. The Zoning Code allows for the expansion of the boundary of an approved M-U-TC as a "Primary" amendment provided that:

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

The approved Development Plan contains environmental standards for noise and tree preservation which are applicable to the current preliminary plan application as follows:

Lighting

> **3. Fixtures shall be located so that light does not spill from a parking lot of service area onto an adjacent residential property.**
>
> **4. All lighting shall be shielded and of an intensity that minimizes light pollution**
>
> **Comment:** The site is not directly adjacent to any residential lots or residential uses; however, the residential lots located on the west side of Baltimore Avenue and the residential lots that are proposed on the subject site may be subject to light pollution from the proposed development. The proposed lighting should use full cut-off optics to ensure that off-site light intrusion into residential and woodland conservation areas is minimized, and so that sky glow does not increase as a result of this development.
>
> This concept was considered during the review and approval of the Zoning Map Amendment, A-10018, as reflected under the discussion of the previous conditions of approval section of this memo.

Landscaping

1. **The required tree coverage for each property shall be ten percent of the gross site area, measured by the projected ten year coverage provided by a tree. The tree coverage should be accomplished through the provision of shade rather than ornamental trees. In lieu of meeting this standard, the applicant may plant street trees in conformance with the streetscape standards (see Public Space Section) either on the property or within the abutting right-of-way.**

   Comment: The required tree canopy coverage as stated above supersedes the tree canopy requirement of Subtitle 25, Division 3, which is 10 percent for sites zoned M-U-TC. The gross tract area of the site is 37.35 acres, resulting in a tree canopy requirement of 3.75 acres. It is unclear at this level of review how the requirement is proposed to be met.

   The site is 91 percent wooded and is in the vicinity of residential areas that exhibit a mature tree canopy cover based on a review of the 2009 aerial photos. In order to achieve the mature canopy consistent with the character of the surrounding communities, the requirement should be met through the preservation of mature woodlands, specimen trees and other larger trees on the site. The requirement for tree canopy coverage will be evaluated further at the time of permit or site plan review, whichever is required first.

   This concept was considered during the review and approval of the Zoning Map Amendment, A-10018, as reflected under the discussion of the previous conditions of approval section of this memo.

2. **Healthy trees shall be preserved. Where they cannot be preserved on site, a professional arborist may transplant them to a new location within Riverdale Park.**

   Comment: The site contains several large trees, including specimen trees, which should be considered for preservation. A review of the most recent Natural Resources Inventory (NRI) plan shows that the site contains 35 specimen trees, of which a majority are located within Forest Stand 1 (trees 247-257, 277-280, and 282) located along the western portion of the site, and Forest Stand 3 (trees 261-270, 272-276, and 284), located along the northeastern portion of the site. These stands have also been determined to have the highest priority for preservation on the site. The site contains other trees that do not qualify as specimen trees, but are mature and significant in size, and should be considered for on-site preservation; smaller trees located on-site are of an appropriate size (6 inches to 12 inches DBH) to be considered for on-site or off-site transplanting, should designated receiving areas be identified.

   This concept was considered during the review and approval of the Zoning Map Amendment, A-10018, as reflected under the discussion of the previous conditions of approval section of this memo.

Noise Mitigation

2. **The sound from the exterior to within the interior of all residences shall not exceed 45 dBA (Ldn) and should not exceed 35dBA (Ldn). This is to be achieved through material and design changes, including, but not limited to:**

    a. **Double-glazed windows/double-pane windows.**
    b. **Above-normal insulation in the roof and walls.**
    c. **Above-normal insulation in doors and other construction elements.**
    d. **The use of high mass construction materials such as concrete, masonry, and stone.**

Comment: The subject site is located between US Route 1 (Baltimore Avenue) and the CSX right of way. US Route 1 is a major collector and is not generally regulated for noise. The upper level and lower level unmitigated 65dBA Ldn noise contours have been shown on the plans.

This concept was considered during the review and approval of the Zoning Map Amendment, A-10018, as reflected under the discussion of the previous conditions of approval section of this memo.

Conformance with the Countywide Green Infrastructure Plan

The *Approved Countywide Green Infrastructure Plan* indicates that the property contains a Network Gap Area and Evaluation Area within the designated network.

The site is significantly wooded with no existing development and contains a small isolated wetland and a small area of 100-year floodplain. The site is bordered on the east by the CSX railroad tracks, to the west by US Route 1, to the north by the Washington Metro Area Transit Authority (WMATA), and to the south by a site developed with a post office. The WMATA site to the north is partially wooded and partially developed with an existing building and WMATA metro tracks. The potential to establish a contiguous habitat corridor connection is somewhat limited due to the existing conditions of the adjacent properties; however, the site contains areas of high priority woodland that would significantly contribute to the urban tree canopy character of the area and provide benefits that include urban wildlife habitat, water quality improvement, and the reduction of heat island effects.

The concept of having the woodland conservation threshold met on-site was considered during the review and approval of the Zoning Map Amendment, A-10018, as reflected under the discussion of the previous conditions of approval section of this memo.

Summary of Previous Conditions of Approval

The following text addresses previously approved environmental conditions related to the subject application. The respective conditions are in **bold** typeface, the associated comments, additional information, plan revisions and recommended conditions are in standard typeface.

Zoning Case A-10018

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.

Comment: The preliminary plan application contains a valid approved Natural Resources Inventory. No additional information is needed for conformance with this condition.

b. At the time of Preliminary Plan, the Type 1 tree conservation plan shall demonstrate that the woodland conservation threshold has been met on-site to the fullest extent practicable. At a minimum, preservation shall be focused on the highest priority areas (Forest Stands 1 and 3).

Forest Stands 1 and 3 were identified on the NRI and as part of the rezoning application to be of the highest preservation value on-site. These stands contain a majority of the 35 specimen trees identified on-site; Forest Stand 1 contains 16 trees (247-257, 277-280, and 282) located along the western portion of the site, and Forest Stand 3 contains 16 trees (261-270, 272-276, and 284) located along the northeastern portion of the site.

The preservation of the high priority woodlands, and the specimen trees they contain, would significantly contribute to the urban tree canopy character of the area and provide benefits that include urban wildlife habitat, water quality improvement, and the reduction of heat island effects. In addition to the environmental reasons for preserving woodland and specimen trees, the preservation of Stand 3 would also serve as a vegetated buffer for the properties to the north and east.

The woodland conservation threshold for this site is 15.17 percent of the net tract area, or 5.43 acres. The TCP1 currently shows the preservation of only 0.25 acres of the existing 32.73 acres of existing net tract woodland. This small area of preservation is located in a Network Gap Area of the Green Infrastructure Network, within Stand 3 on the northeastern corner of the site. However, this proposed preservation area does not entirely meet the minimum dimensional requirements for being counted as woodland conservation (minimum 50-feet wide), and it appears that the portion of this preservation area that meets the minimum dimensional requirements may no longer meet the minimum area requirement (10,000 square feet) in order to be counted as woodland conservation. If this preservation area cannot be revised during the certification review to meet the minimum requirements of a woodland conservation area, the plan will have no on-site woodland conservation and the entire woodland conservation requirement will need to be met off-site or with the use of fee-in-lieu. If the preservation area can be revised to meet the minimum requirements of a woodland conservation area, the plan will

have only approximately 0.25 acres of on-site woodland conservation and the remainder of the requirement will need to be met off-site or with the use of fee-in-lieu.

There are three areas shown on the plan as woodland preserved – not credited. These are areas of existing woodland that are not proposed to be cleared, but do not meet the minimum criteria to be counted as woodland conservation for calculation purposes. These areas are labeled on the plan as totaling 0.45 acres. The woodland conservation worksheet needs to be revised to account for these areas as discussed in detail in the Environmental Review section of this memo.

A variance request was received for the removal of twenty four (24) of the thirty five (35) existing specimen trees. The eleven (11) specimen trees proposed to remain are located within Stands 1 and 3; however, based on the information provided it appears unlikely that all of the specimen trees proposed to be preserved will survive the construction process. A majority of the trees proposed to remain are shown within close proximity of (and some are actually shown within) proposed stormwater management facilities. Proposed grading is also shown to significantly impact the trees to remain. Several specimen trees are located within the area of mandatory dedication for US Route 1. The variance request for the removal of specimen trees is discussed in more detail under A-10018 Condition 10c of this memo.

No documentation has been submitted by the applicant to specifically address this condition of approval. The woodland conservation threshold for this site is 5.43 acres, and according to the TCP1 as submitted, 0.25 acres of woodland conservation, and 0.45 acres of woodland preserved – not credited, is being proposed on-site. The TCP was revised from the initial submittal to show the proposed preservation of additional specimen trees and three small fragmented areas of existing woodland. However, as mentioned above many of the specimen trees and one of the small fragmented areas labeled as woodland preserved – not credited, are also located in an area shown to be graded for stormwater management.

c. **At the time of preliminary plan, condition analysis shall be submitted for all specimen trees within Stands 1 and 3 that are outside any proposed woodland conservation area. Every effort shall be made to preserve the healthiest trees on-site.**

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted WCO effective on September 1, 2010.

TCP1 applications are required to meet all of the requirements of Subtitle 25, Division 2 which includes the preservation of specimen trees, Section 25-122(b)(1)(G). If the specimen trees on-site have a condition rating of 70 or above, every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone

disturbances).

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance or WCO) provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a Statement of Justification stating the reasons for the request and how the request meets each of the required findings.

A variance request from Section 25-122(b)(1)(G) of the county code was stamped as received on November 29, 2012 for the proposed removal of twenty-four (24) of the thirty-five (35) on-site specimen trees. The variance request includes a Statement of Justification in accordance with Section 25-119(d)(1) of the county code; however, the Statement of Justification indicates that eleven (11) trees are proposed to be retained while the TCP1 shows the possibility of preserving only six (6).

The specimen tree table on the TCP1 shows a condition description (good, fair, poor) for each of the thirty-five (35) specimen trees in accordance with the approved NRI; however, the Council's condition of approval requires that a condition analysis be provided for all specimen trees within Stands 1 and 3 that are not located within a conservation area. This requirement was discussed at the Subdivision and Development Review Committee (SDRC) meeting held on August 17, 2012 and outlined in the Environmental Planning Section's memo dated August 28, 2012. The required condition rating score sheets were stamped as received by the Environmental Planning Section on January 2, 2012.

The condition rating score sheets include an evaluation of the health of each tree and provide a condition rating score. The condition description (good, fair, poor) is then required to be based on the condition score in accordance with Table A-2 (page A-12) of the Environmental Technical Manual. The information submitted to date with respect to the condition description does not appear to have been based on the requirements of the Technical Manual. The specimen tree table shown on the TCP1 needs to be revised to include the condition score for all specimen trees located within Stands 1 and 3 and to update the condition description of each tree to be consistent with Table A-2 of the technical manual.

The specimen tree condition rating score and condition description assist in the evaluation of the potential for long term survivability along with other proposed site features including the proximity of the LOD to the tree, the percent of critical root zone that is proposed to remain undisturbed, and the grading differential surrounding the trees to remain. The table on the TCP1 indicates that eleven (11) specimen trees numbered 252 thru 255, 261, 262, 267 thru 270, and 282 are proposed to be preserved; however, the plan indicates that over half of these trees will be cleared and only six (6) trees could remain.

In stand 1, trees 252, 253, 254, 279, 280, and 281 are located in the required area of roadway dedication (15 feet) along US 1 and must be considered as cleared for variance purposes. There is a possibility that the dedication may increase dependent upon a decision from the State Highway Administration. Trees 255 and 282 are shown in an area of extensive proposed grading for the installation of stormwater management bioretention features. The proposed grades are shown as close as three feet from the base of the trunks with a difference in elevation from one side of the trees to the other of as much as four feet. The trees would not survive such construction.

In stand 3, tree 261 is labeled as a white ash with a condition rating score of 53 percent and according to the technical manual should be considered in poor condition. This tree is currently shown on the plan and indicated in the table as being preserved; however, it is recommended that this tree be removed based on the condition of the tree (trees in poor health do not withstand surrounding development well and will likely become hazardous post-construction) and to help curb the spread of the Emerald Ash Borer, an invasive insect currently under an eradication program within the county. Also within stand 3, trees 262, 267, 268, 269, and 270 are proposed to be preserved, both on the plan and in the table. These trees are located within close proximity to the bridge on the eastern portion of the property proposed to connect the subject site with the adjacent site (the American Center for Physics). It is important to note that of the trees proposed to be preserved, trees 267, 268, and 269 are all white oaks with condition rating scores of 75 and according to the technical manual should be considered in fair condition, although the table on the plan indicates that they are in good condition. These trees are likely to withstand construction stresses fairly well and should be the main focus of preservation efforts within stand 3 for this and all future applications. Because the location of the proposed bridge has not been finalized, and any change in the location could affect the potential to preserve these three trees, it is recommended that if the location of the bridge should change, it should be shifted to the south of the current location, away from trees 267, 268, and 269. Specimen tree 262 is located to the south of the proposed bridge crossing, but has a condition rating score of 53 and is in poor condition. This tree should be further evaluated at the time of DSP to determine the likelihood of survival given that approximately half of the critical root zone is proposed to be impacted. Specimen tree 270 is the only specimen tree on-site that is currently shown within a woodland preservation area; however, as discussed in the Environmental Review section of this memo, the woodland preservation area as shown on the plan does not meet the minimum dimensional requirements (50 feet wide) to be counted as woodland preservation and if revised to meet the dimensional requirements, may no longer meet the minimum area requirements (10,000 square feet). Specimen tree 270 is a white oak with a condition rating score of 53, among the lowest on the entire site, and assessed as being in poor condition; however, because the tree is located adjacent to a stormwater management pond, the potential for post-construction failure is not likely to be an issue because any potential to fall will not likely affect any constructed or personal property and should be included in the gated area of the stormwater management facility, thus further reducing the risk of any personal injury.

All specimen trees that are proposed to remain at time of detailed site plan should be survey located and evaluated by a certified arborist for construction tolerance based on the final site design. This evaluation should contain specific recommendations for the treatment of each tree throughout the construction process including but not limited to: the location of protection fence and signs, root pruning, crown pruning, fertilization, watering, etc. The evaluation should also include a detailed management plan for the implementation of the recommendations including timing (at what stage during the construction process certain items should occur as well as timing during the year for long term maintenance). Field evaluations performed, at a minimum on an annual basis, by a certified arborist should be included in the maintenance schedule for a minimum of 5 years. The detailed requirements of any maintenance schedule should be evaluated during the detailed site plan review.

Variance for specimen tree removal
Section 25-119(d) of the WCO contains six required findings [text in bold] to be made before a variance can be granted. The Statement of Justification submitted seeks to address the required findings for the proposed removal of twenty four (24) of the thirty-five (35) specimen trees together.

Staff does not agree with this approach because there are different reasons to remove various trees based on species, health, and construction tolerance, as well as location, existing and proposed topography. As mentioned previously, there are several specimen trees shown on the plan to be removed that should have been included in the variance request.

The Statement of Justification does not specifically list the trees included in the request. However, the specimen tree chart on the TCP1 indicates that the following trees are proposed to be removed: 247 thru 250, 256, 257, 259, 260, 263 thru 266, 272 thru 281, 283 and 284. The following trees are shown on the TCP1 plan as being removed, but were not included in the variance request: 252, 253, 254, 255, and 282. In addition to these trees, staff is recommending that tree 261 be removed.

(A) Special conditions peculiar to the property have caused the unwarranted hardship

The Statement of Justification describes existing constraints on the site such as the existing CSX railroad to the east and the metro rail located partially to the north. Other existing features that are unique to this site include the postal facility to the south, a WSSC waterline that bisects the site, as well as a requirement to provide trolley trail improvements. The Statement of Justification indicates that the site design has been somewhat limited to reduce noise exposure to future residences and that this area has instead been designated for stormwater management purposes. The Statement of Justification indicates that the need for adequate stormwater management and environmental site design practices are conditions that are peculiar to the property; however, all development applications are subject to the same stormwater management and environmental site design requirements.

The Statement of Justification describes a proposed crossing over the CSX railway which is required for transportation and other health, safety, and welfare purposes. The crossing is a design constraint unique to the project and is shown on the plan to require the removal of several specimen trees. The right-of-way dedication along US 1 is another design constraint that is required for transportation and other health, safety, and welfare purposes. While this point was not specifically made in the Statement of Justification, the right-of-way dedication will affect many specimen trees.

Grading of the site is needed to balance the site as well as to provide a relatively flat area for development purposes. Many of the specimen trees proposed to be removed are located centrally on-site and need to be removed for grading purposes.

The TCP1 reflecting the current site design shows the clearing of the entire site with the exception of three small areas and only six (6) specimen trees. The Statement of Justification indicates that any additional loss in developable area for specimen tree retention would cause unwarranted hardship.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

The Statement of Justification indicates that the application proposes the removal of certain specimen trees that hinder the design of residential and commercial development and that the decision to remove specimen trees is in keeping with the surrounding area's development character. The statement also indicates that existing site constraints exist and that further limiting the developable area to accommodate the protection of specimen trees and their root zones would deprive the applicant of the opportunity to create a functional and efficient mixed-use development. The Statement of Justification also states that the surrounding area has been developed and that the site itself was previously developed as housing in the 1940's and 1950's.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

Under this finding, the Statement of Justification indicates that not granting the request to remove specimen trees would prevent the project from being developed in a functional and efficient manner.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant

The applicant has taken no action to date on the subject property.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

The request to remove the trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality

The stormwater management design for the site is required to meet the current regulations which require the post-development conditions to mimic a pre-development condition of a site as "woods in good condition." The stormwater concept shows the use of environmental site design features such as bioretention in addition to extended detention.

Because the site must meet strict water quality and quantity requirements, the loss of specimen trees should not have a significant adverse impact on water quality. Specific requirements regarding stormwater management for the site will be further reviewed and approved by the Department of Public Works and Transportation.

Recommended Condition: Prior to certification of the preliminary plan, the specimen tree table on the TCP1 shall be revised as follows:

a. to fill-in the condition rating score column with the condition rating score for all trees located within stands 1 and 3, as a whole number score.
b. to update the condition description column to reflect assigned descriptions in accordance with Table A-2 of the Environmental Technical Manual.
c. to update the proposed disposition column to accurately reflect the disposition of all trees.

Recommended Condition: At time of detailed site plan, the plans shall reflect the preservation of specimen trees 267, 268, and 269.

Recommended Condition: At time of detailed site plan, all specimen trees proposed to be preserved shall be:

a. survey located and accurately reflected on all plans
b. evaluated by a certified arborist for construction tolerance based on the final site conditions and include the following information, at a minimum:
    i. recommendations for treatment prior to, during, and after construction. Treatments may include options such as the placement of protection devices and signs, root pruning, crown pruning, fertilization, and watering
    ii. a detailed management plan for the implementation of the recommendations, specifically to address the timing of the implementation of all recommendations, and to establish field inspections to be performed by a certified arborist over a minimum 5 year maintenance period

Recommended Finding: The required findings of Section 25-119(d) have been adequately addressed for the removal of specimen trees numbered 247 thru 250, 256, 257, 259, 260, 263 thru 266, 272 thru 281, 283 and 284, 252, 253, 254, 255, 282, and

261.

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.**

While the timing mechanism for this condition is not specific to the preliminary plan of subdivision, the plans as submitted indicate that only 0.25 acres of woodland conservation, and 0.45 acres of woodland preserved – not credited, is being proposed on-site. The preservation of eleven (11) specimen trees has been proposed; however, the plans show the preservation of only six (6) specimen trees. A draft Tree Canopy Coverage Schedule has been provided.

Comment: Conformance with this condition should be addressed in full at the appropriate time.

e. **At the time of preliminary plan, a Phase I noise and vibration study shall be submitted. The study shall determine the location of the unmitigated 65 dBA Ldn noise contour for the adjacent CSX right-of-way, which includes at a minimum, the associated railroad noise and the whistle blower. The 65 dBA Ldn noise contour shall be shown on all future plans.**

A Phase I noise study prepared by Phoenix Noise & Vibration, LLC, dated February 24, 2012, was submitted with the preliminary plan application and was stamped as received July 27, 2012. As discussed at the Subdivision and Development Review Committee (SDRC) meeting held August 17, 2012 and as outlined in a memo issued by the Environmental Planning Section (EPS) on August 28, 2012, revisions to the noise report were required to be submitted 35 days prior to any Planning Board Hearing to address the following: to revise the conclusions of the report to be based on the Day-Night Average Noise Level (Ldn); to provide general mitigation options for all outdoor activity areas located within the 65 dBA Ldn unmitigated lower level noise level contour; and to specifically identify whether the train whistle was included in the noise analysis.

A noise report also prepared by Phoenix Noise & Vibration, LLC, dated February 23, 2012 was stamped as received November 29, 2012. The second report had not been revised to address the required revisions.

Supplemental information was stamped as received January 2, 2013, including: a vibration analysis dated February 6, 2008; a revised vibration analysis dated September 21, 2012; and an email chain between the noise consultant and the engineer dated December 21, 2012 addressing whistle noise, all prepared by Phoenix Noise & Vibration, LLC. Additional supplemental information in the form of a letter prepared by Phoenix Noise & Vibration, LLC, dated January 3, 2013 was stamped as received January 3, 2013, which also addressed issues concerning the train whistle and vibration.

The original noise report dated February 24, 2012, evaluated traffic and railway noise impacts for the proposed development. The analysis included on-site noise measurements (including whistles), computerized noise modeling based on current railway volumes and forecasted traffic volumes, and delineation of future noise contours.

In the review of a Preliminary Plan of Subdivision, an analysis of the impact of vibration from the adjacent railroad tracks is required. A vibration analysis was provided in the supplemental information stamped as received January 2, 2013. The analysis notes that the results of measurements of current vibration levels do not exceed the residential limits (200 micrometers/second) or the commercial limits (400 micrometers/second) established by the International Standards Organization, or the residential limits (143 micrometers/second) established by the Federal Transit Authority. The study notes that these limits apply to occupant comfort and not structural damage. The report further states that all levels measured are well below limits established for structural damage. The study analyzed both freight and transit trains. The highest vibration level recorded was for a freight train (143.8 micrometers/second). This level passes the ISO residential standard and only slightly exceeds the FTA residential standard by an imperceptible amount for occupant comfort. The recorded vibration level was for only one occurrence of the 11 freight and 25 total trains observed during the 16 hour survey. Because the vibration levels are below the industry accepted standards for residential uses, staff does not recommend any changes to the design or additional information regarding vibration.

The traffic noise model used to evaluate the traffic noise associated with US 1 indicates that the western portion of the site is within traffic noise levels in excess of 65 dBA Ldn, which is the noise level above which residential uses are generally not recommended. Because the current site design shows this area to be planned for commercial and retail use, no additional information with respect to traffic generated noise is needed for the project as it relates to US 1.

The noise model used to evaluate train noise along the CSX railway indicates that the eastern portion of the site will be affected by noise levels in excess of 65 dBA Ldn for residential uses. The 65 dBA Ldn noise contours have been shown on the preliminary plan and the TCP1 in accordance with the zoning condition. All proposed residential units (townhouses and multifamily) located within the 65 dBA Ldn unmitigated upper level noise contour will require special building materials to ensure proper mitigation. At time of detailed site plan, a Phase II noise report will be required to address information regarding structural mitigation.

Outdoor activity areas associated with residential uses along the CSX railroad were also evaluated for noise impacts. The plans show several back and side yard areas within the 65 dBA Ldn unmitigated lower level noise contour; however, the noise report deems the use of the typical Day-Night Average Noise Level (Ldn) as inappropriate for ground level outdoor activity areas and instead bases the conclusions of the report on the daytime Equivalent Continuous Sound Level (Leq) for railway generated noise. The calculation of the Day-Night Average Noise Level (Ldn) includes the addition of 10 dBA to the

nighttime noise levels to account for increased sensitivity during nighttime hours. This is the accepted standard used by the Planning Department and the standard which the applicant was advised to use verbally during the SDRC meeting on August 17, 2012, and in writing in the August 28, 2012 EPS memo.

The report indicates that the use of Ldn (day-night average) is appropriate for designing mitigation to maintain acceptable indoor noise levels; however, the report concludes that since outdoor activity areas are not typically used during nighttime hours, and because railway noise is sporadic, with loud, short term events and relatively low noise levels throughout the rest of a typical 24 hour period, only the Leq (daytime noise) should be considered for mitigation purposes for outdoor activity areas. Based on the plans as submitted, no outdoor activity areas would require mitigation based on the Leq (daytime only noise); however, several back and side yards would require mitigation based on the Ldn (day-night average).

Variation for 300-foot lot depth

The application contains a variation request from Section 24-121(a)(4) for the residential lot depth requirement of 300 feet when adjacent to an existing or planned transit right-of-way. The variation request was reviewed in accordance with Section 24-113(a) as required by the Subdivision Regulations, which contains five (5) required findings [text in bold] to be made before a variation can be granted.

a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

(1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;

The Statement of Justification accompanying the variation request indicates that the variation would not be detrimental to public safety, health or welfare, or injurious to other properties because the proposed lot depth of less than 300 feet will not prevent the applicant's ability to mitigate the effects from the adjacent transit right-of-way. It is stated that required noise mitigation per the appropriate COMAR section for interior and exterior uses of the property will be provided and that landscape measures such as berming, fences, or broad leaf vegetation could be used to reduce noise impacts as well as architectural measures including treated or thicker windows. It further states that taken together these measures will provide necessary protection against nuisance noise impacts from the adjacent tracks. However, it should be noted that the noise report and the plans

indicate that no mitigation is being proposed to mitigate outdoor activity areas located with the unmitigated lower level 65 dBA Ldn noise contour.

As discussed in detail in other sections of this memo, the conclusions in the noise report for outdoor activity areas were based on the Leq (daytime noise), not the Ldn (day-night average) which is the accepted standard used by the Planning Department and the State. The report concludes that no mitigation is required for outdoor activity areas based on the Leq (daytime noise). However, several back and side yards would require mitigation based on the Ldn (day-night average).

The variation request from the residential lot depth requirement of 300 feet when adjacent to an existing or planned transit right-of-way is supported only for the area between the unmitigated lower level 65 dBA Ldn noise contour and the limit of the 300-foot depth requirement from the railroad right-of-way. All townhouse lots located within the unmitigated lower level 65 dBA Ldn noise contour should be removed because the justification has been largely based on the conclusions of the noise report which considers only the Leq (daytime only) noise levels for mitigation of outdoor activity areas. As stated above, the accepted standard used by the Planning Department is the Day-Night Average Noise Level (Ldn).

Alternatively, Planning Department staff has generated an exhibit which demonstrates a similar lot count and number of multifamily units in a different configuration. This configuration demonstrates a design in which no outdoor activity areas associated with lots (back and side yards of townhouses) are affected by noise above 65 dBA Ldn. There is one open space area, intended for stormwater management and/ or some other passive recreation, that would be located within the unmitigated lower level 65 dBA Ldn noise contour; however, given the passive nature of the area and that it is not directly associated with individual property, this use, and the overall design generated by staff is supported.

(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

The Statement of Justification for the variation request states that the site is located within the beltway and that the surrounding areas have been developed in some manner over the years. It further states that area of the site nearest the CSX line is long and narrow and that without the variation, the site layout would be hindered by poorly placed roads and off-site connectivity and that it would not be possible to develop the site as described in District Council order 11-2012. However, as discussed under (1) above, staff has generated an exhibit which demonstrates a similar lot count and number of multifamily units in a different configuration. Staff believes that this alternative layout demonstrates general compliance with the lot depth requirement, to the extent of the unmitigated lower level 65 dBA Ldn noise contour.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and

The variation request does not constitute a known violation to any other applicable law, ordinance, or regulation.

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

The site is located in the Developed Tier and is located near existing transit. The Statement of Justification indicates that the shape of the property dictates that much of the residential portion of the site be pushed towards the rear of the property in order to allow the commercial retail access and proximity to US 1. Site topography requires extensive earthwork operation to put the development on grade for construction while maintaining the existing WSSC water line and trolley trail through the site.

As discussed under (1) and (2) above, staff has generated an exhibit which demonstrates a similar lot count and number of multifamily units in a different configuration. Staff believes that this alternative layout demonstrates general compliance with the lot depth requirement, to the extent of the unmitigated lower level 65 dBA Ldn noise contour.

(5) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The site is located in the MU-T-C and R-55 zones. Because the site is not located in any of the listed zones, this finding does not apply.

The variation request is supported only for the area between the unmitigated lower level 65 dBA Ldn noise contour and the limit of the 300-foot depth requirement from the railroad right-of-way.

At time of acceptance of a detailed site plan, a Phase II noise report must be submitted with conclusions based on the Day-Night Average (Ldn) with respect to noise generated by the adjacent railroad right-of-way and to address final noise mitigation measures for interior and for outdoor activity areas located within the 65 dBA Ldn unmitigated lower level noise contour.

Recommended Condition: The detailed site plan package shall contain a Phase II noise report to address the following:

a. to have conclusions based on the Day-Night Average (Ldn)

b. to outline structural mitigation for indoor noise mitigation for all residential buildings located within the 65 dBA unmitigated upper level contour

b. to outline final noise mitigation measures for all outdoor activity areas located within the 65 dBA unmitigated lower level contour

c. to eliminate all single-family lots where the entire associated outdoor activity area cannot be mitigated below 65 dBA Ldn

d. to show on the TCP2 and DSP the location of the mitigated upper and lower level 65 dBA Ldn noise contours

Recommended Condition: Prior to approval of the detailed site plan, the required conclusion, proposed structural mitigation, and final noise mitigation shall be adequately addressed to the satisfaction of the Planning Board.

Recommended Condition: Prior to the approval of building permits for lots containing residential units, certification by a professional engineer with competency in acoustical analysis shall be submitted to M-NCPPC as part of the building permit package. The certificate shall verify that noise mitigation methods have been incorporated in the architectural plans to reduce interior noise levels to 45 dBA Ldn or less.

f. **At the time of preliminary plan, a revised stormwater management concept plan shall be submitted. The proposed plan shall show the use of environmental site design techniques such as bioretention, infiltration, and green roofs. The concept shall be correctly reflected on the Type 1 tree conservation plan.**

A revised stormwater management concept plan (case 11589-2010-00) has been submitted which shows the use of bioretention, extended detention, filtration and 100 year attenuation. The concept letter was approved by the Department of Public Works and Transportation (DPW&T) on May 3, 2010 and expires May 3, 2013; however, the plan provided has not been certified by DPW&T and appears to have been revised subsequent to the concept letter approval. An approved concept plan and associated letter must be submitted prior to certification of the preliminary plan which shows the current concept.

The TCP1 shows the general location of the proposed stormwater management features; however, the associated stormdrain features also need to be shown.

Recommended Condition: Prior to certification of the preliminary plan, a copy of the Stormwater Management Concept Approval Letter and a copy of the associated approved plan shall be submitted demonstrating the stormwater management design. The approved concept shall be correctly shown on the TCP1, including the associated stormdrain features.

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.

Comment: No additional information is needed to address this condition with respect to the preliminary plan.

13. **Prior to approval of a detailed site plan, a 90-to-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. This depth of buffer may be reduced north of Van Buren Street with approval by the Planning Board, provided the applicant submits evidence demonstrating that it submitted plans to the Town of University Park prior to the acceptance of the detailed site plan and the Town was afforded sufficient time to comment, and if it is determined to be a superior design solution, by providing berms, retaining walls, landscaping, or other screening of the parking lot from the residences to the west consistent with Parking Sections Exhibit dated January 7, 2012. In no event shall the buffer be less than 60 feet in width.**

It appears that the current site design meets the intent of this condition with most parking areas located approximately 100 feet from the western property boundary, with the exception of the parking area on the northwestern most portion of the site. This parking area has been located behind a retaining wall approximately 60 feet from the boundary.

While the timing mechanism for this condition is not specific to the preliminary plan of subdivision, the variance request for the removal of specimen trees and the plans as submitted indicate that it is the intention of the applicant to preserve specimen trees 252-255 and 282 along the frontage of Baltimore Avenue. The current design incorporates a pond and several bioretention areas within a park-like setting; however, the installation of the stormwater management features and grading within this area, as currently designed, would preclude the preservation of trees within the buffer area.

Additionally, there is a minimum of 15 feet of right-of-way dedication required along US 1 and there is a possibility that the dedication may increase dependent upon a decision from the State Highway Administration. The ultimate right-of-way dedication required will affect the amount of clearing that is required as well as the ultimate disposition of the specimen trees within the right-of-way. It is recommended that the required buffers be provided along the entire length of the property frontage on US 1, beyond the right-of-way dedication and to incorporate retention of existing trees to the maximum extent practicable.

14. **Prior to acceptance of an application for a preliminary plan of subdivision, the following information shall be provided:**

    a. **A revised Stormwater Management Concept Plan that designates the property as a new site and complies with the stormwater management provisions contained in CB-15-2011 (Subtitle 32) to provide more environmental site design to the**

maximum extent practicable, with the goal of no new impact on the tributary drainage into the northeast Branch of the Anacostia River. The proposed plan shall show the use of environmental site design technologies such as bio-retention, infiltration, and especially green roofs to the maximum extent practicable.

Comment: A revised stormwater management concept plan has been submitted and discussed in more detail under previous conditions of approval, above.

Environmental Review

1. 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.

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

   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.

   Comment: No revisions are required for conformance to the NRI.

2. This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site is greater than 40,000 square feet and contains more than 10,000 square feet of woodlands. A Type 1 Tree Conservation Plan (TCP1-005-12) was submitted with the preliminary plan application.

   The Woodland Conservation Threshold (WCT) for this 35.83-acre property in the M-U-TC and R-55 zones is 15.17 percent of the net tract area or 5.43 acres. The worksheet on the plan indicates that approximately 32.48 acres of the 32.73 acres of existing woodland are proposed to be cleared. The total woodland conservation requirement based on the current plan is 17.49 acres. The woodland conservation requirement is proposed to be satisfied 0.25 acres of on-site preservation and the remainder of the requirement is proposed to be met off-site.

As part of TCP1 review and approval, the general woodland conservation requirements are established, including how the requirements are proposed to be met. The TCP1 as submitted shows the entire woodland conservation requirement that cannot be met on-site as proposed to be met off-site at a woodland conservation bank. The Town of Riverdale Park has expressed interest in having the application move forward with the use of fee-in-lieu so that they may apply for the funds from the county's woodland conservation fund for use directly within their municipality. This has been done for at least one previous application. The Woodmore Towne Centre was approved with the use of fee-in-lieu intended, and used, by the City of Glenarden.

Per Section 25-122(d)(8) of the county code the Planning Board may approve the use of fee-in-lieu to meet woodland conservation requirements that total one (1) acre or larger if the project generating the requirement is located in the Developed Tier or if the approval of the use of fee-in-lieu addresses an identified Countywide conservation priority. The subject application is located in the Developed Tier. However, because this site is split-zoned and those zones are located within different municipalities, the woodland conservation requirement should be calculated to be based on the area and amount of clearing proposed within each jurisdiction. It is recommended that the Planning Board approve the option for the use of fee-in-lieu with the current application. The use of fee-in-lieu will be discussed at time of detailed site plan.

The TCP1 currently shows the preservation of only 0.25 acres of the 32.73 acres of existing net tract woodland. This small area of preservation is located in a Network Gap Area, within Stand 3 on the northeastern corner of the site. However, this proposed preservation area does not entirely meet the minimum dimensional requirements for being counted as woodland conservation (minimum 50-feet wide), and it appears that the portion of this preservation area that meets the minimum dimensional requirements will no longer meet the minimum area requirement (10,000 square feet) in order to be counted as woodland conservation. All woodland conservation areas must be revised to meet the minimum dimensional and area requirements for woodland conservation, otherwise the areas should be re-labeled as woodland preserved – not credited.

There are several areas shown on the plan as woodland preserved – not credited, currently totaling 0.45 acres. The woodland conservation worksheet needs to be revised to account for these areas as woodland retained not part of requirements. It should be noted that proposed grading is shown within at least one of these areas. Any clearing necessary to accommodate the current site design needs to be reflected with an accurate LOD and all clearing needs to be accounted for.

The plan requires technical revisions to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The limits of disturbance need to be shown around all proposed site design features including, but no limited to, all stormwater management features and grading. The woodland clearing and the removal of additional specimen trees necessary for the installation of these features needs to be accurately reflected on the plan and accounted for in the worksheet. The specimen tree table needs to be updated to accurately reflect the trees that are proposed to be removed, the column heading for the condition ratings needs to be updated to include the title "condition analysis score," and the scores for all trees must be filled-in, in accordance with previous conditions of approval.

Building footprints should be shown on the TCP1 so that an evaluation can be made with respect to the location of outdoor activity areas for noise evaluation purposes as well as conformance with APA requirements. The location of the municipal boundaries should be provided on the plan. The assigned TCP number needs to be typed-in to the approval block (TCP1-005-12).

After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.

Recommended Condition: Prior to certification of the preliminary plan, the TCP1 shall be revised to include the following note below the worksheet:

"The option of using fee-in-lieu of off-site woodland conservation has been approved under Preliminary Plan 4-12004 approval."

Recommended Condition: Prior to certification of the preliminary plan, the TCP1 shall be revised as follows:

a. Ensure that all woodland conservation areas meet the minimum dimension and area requirements outlined in Section 25 of the county code.
b. Ensure that all areas shown as "woodland preserved – not credited" are accurately reflected in the worksheet as "woodland retained not part of requirements."
c. Revise the limits of disturbance (LOD) to encompass all proposed site features including, but not limited to, all stormwater management features and grading.
d. Ensure that all woodland clearing and the removal of additional specimen trees necessary for the installation of all proposed site features is accurately reflected on the plan, accounted for in the worksheet, and reflected in the specimen tree table.
e. Revise the specimen tree table to change the column currently labeled as "condition analysis" to read "condition analysis score" and the column shall be filled-in.
f. Show all proposed building footprints on the plan.
g. Show the municipal boundary lines.
h. Type the assigned TCP number into the approval block (TCP1-005-12).
i. Have the plan signed and dated by the qualified professional who prepared it.

Recommended Condition: Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-005-12). The following note shall be placed on the Final Plat of Subdivision:

> "This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-005-12), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

3. 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 Ordinance. The on-site regulated environmental features include a small isolated wetland and a small area of 100-year floodplain.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a Statement of Justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification must address how each impact has been avoided and/ or minimized and should include 8½ x 11 exhibits of the proposed disturbance.

A Statement of Justification for the proposed impacts was stamped as received by EPS on December 10, 2012 and associated exhibits stamped as received December 18, 2012. The preliminary plan proposes impacts to the isolated wetland and wetland buffer for the installation of streets and residences and impacts to the floodplain for residential development and roadway extension.

Impact area 1 proposes 937 square feet of impact to the isolated wetland and wetland buffer for the installation of a street and residences. The central location of the isolated wetland would make preservation difficult because of grading constraints as well as negatively affecting the overall vehicular and pedestrian patterns.

Impact 2 proposes 2,488 square feet of impact to the floodplain for residential development and a required connection to Maryland Avenue. Because the floodplain is located along the length of the southern property boundary where the existing Maryland Avenue right-of-way is located, a road connection necessitates impacting the floodplain. 100-year floodplain attenuation has been addressed in the stormwater concept approval (case #11589-2010-00).

Staff supports the request for the proposed impacts to the isolated wetland, wetland buffer, and floodplain for the reasons stated above.

Recommended Finding: 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 extension.

4. Section 24-130(b)(4) of the county code requires that "Where a property is partially or totally within an area covered by an adopted Watershed Plan, the plat shall conform to such plan."

   Comment: The approved stormwater concept plan is required to be designed in conformance with any approved Watershed Management Plan, pursuant to Subtitle 32 Water Resources and Protection, Division 3 Stormwater Management, Section 172 Watershed Management Planning. As such, the requirements of Section 24-130(b)(4), which requires that a subdivision be in conformance with any watershed management plan have been addressed with the approval of the SWM concept plan by the Department of Public Works and Transportation.

5. The site is located within the flight path of College Park Airport and may be affected by airport and aircraft operations. The northeastern portion of the site is located in aviation policy area (APA) zone 6. The Preliminary Plan is subject to compliance with APA regulations under CB-51-2002.

   Section 27-548.38(b)(4) of the county code indicates that development densities within APA-6 are the same as in the underlying zone. Section 27-548.42 (b) indicates that in APA-6, no building permit may be approved for a structure higher than 50 feet unless the applicant demonstrates compliance with FAR Part 77. Because building footprints and heights have not been shown on the TCP1, it is difficult to determine whether any building is proposed to be above 50 feet in height. APA-6 has been shown on the TCP; however the proposed building footprints and their respective heights have not.

   Section 27-548.43 requires notification of the airport environment pursuant to the following:

   (b) Every zoning, subdivision, and site plan application that requires approval by the Planning Board, Zoning Hearing Examiner, or District Council for a property located partially or completely within an Aviation Policy Area shall be subject to the following conditions;

   (1) Developments with a homeowners' association: Prior to final plat approval, the Declaration of Covenants for the property, in conjunction with the formation of a homeowners' association, shall include language notifying all future contract purchasers of homes in the community of the existence of a general aviation airport within approximately one mile of the community. The Declaration of Covenants shall include the General Aviation Airport Environment Disclosure Notice. At the time of purchase contract with home buyers, the contract purchaser shall sign an acknowledgment of receipt of the Declaration. The liber and folio of the recorded Declaration of Covenants shall be noted on the final plat.

   Recommended Condition: At time of detailed site plan, the TCP2 shall reflect the delineation of APA-6 as well as the proposed building footprints and their respective heights to demonstrate

compliance with CB-51-2002.

Recommended Condition: Development of this subdivision shall be in conformance with the aviation policy regulations as outlined in CB-51-2002. The following note shall be placed on the Final Plat of Subdivision:

> "The limits of this plat lie within a 1 mile vicinity of the College Park Airport and is subject to over flight by aircraft using a public use/ general aviation airport. At the time of purchase contract with home buyers, the contract purchaser shall sign an acknowledgement of receipt of the declaration of covenants."

Summary of Recommended Findings and Conditions
The Environmental Planning Section recommends approval of Preliminary Plan 4-12004 and TCP1-005-12 subject to the following findings and conditions:

Recommended Findings:

1. The required findings of Section 25-119(d) have been adequately addressed for the removal of specimen trees numbered 247 thru 250, 256, 257, 259, 260, 263 thru 266, 272 thru 281, 283 and 284, 252, 253, 254, 255, 282, and 261.

2. 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 extension.

Recommended Conditions:

1. Prior to certification of the preliminary plan, the specimen tree table on the TCP1 shall be revised as follows:
   a. to fill-in the condition rating score column with the condition rating score for all trees located within stands 1 and 3, as a whole number score.
   b. to update the condition description column to reflect assigned descriptions in accordance with Table A-2 of the Environmental Technical Manual.
   c. to update the proposed disposition column to accurately reflect the disposition of all trees.

2. At time of detailed site plan, the plans shall reflect the preservation of specimen trees 267, 268, and 269.

3. At time of detailed site plan, all specimen trees proposed to be preserved shall be:
   a. survey located and accurately reflected on all plans
   b. evaluated by a certified arborist for construction tolerance based on the final site conditions and include the following information, at a minimum:

i. recommendations for treatment prior to, during, and after construction. Treatments may include options such as the placement of protection devices and signs, root pruning, crown pruning, fertilization, and watering

ii. a detailed management plan for the implementation of the recommendations, specifically to address the timing of the implementation of all recommendations, and to establish field inspections to be performed by a certified arborist over a minimum 5 year maintenance period

4. The detailed site plan package shall contain a Phase II noise report to address the following:
   a. to have conclusions based on the Day-Night Average (Ldn)
   b. to outline structural mitigation for indoor noise mitigation for all residential buildings located within the 65 dBA unmitigated upper level contour
   b. to outline final noise mitigation measures for all outdoor activity areas located within the 65 dBA unmitigated lower level contour
   c. to eliminate all single-family lots where the entire associated outdoor activity area cannot be mitigated below 65 dBA Ldn
   d. to show on the TCP2 and DSP the location of the mitigated upper and lower level 65 dBA Ldn noise contours

5. Prior to approval of the detailed site plan, the required conclusion, proposed structural mitigation, and final noise mitigation shall be adequately addressed to the satisfaction of the Planning Board.

6. Prior to the approval of building permits for lots containing residential units, certification by a professional engineer with competency in acoustical analysis shall be submitted to M-NCPPC as part of the building permit package. The certificate shall verify that noise mitigation methods have been incorporated in the architectural plans to reduce interior noise levels to 45 dBA Ldn or less.

7. Prior to certification of the preliminary plan, a copy of the Stormwater Management Concept Approval Letter and a copy of the associated approved plan shall be submitted demonstrating the stormwater management design. The approved concept shall be correctly shown on the TCP1, including the associated stormdrain features.

8. Prior to certification of the preliminary plan, the TCP1 shall be revised to include the following note below the worksheet:

   "The option of using fee-in-lieu of off-site woodland conservation has been approved under Preliminary Plan 4-12004 approval."

9. Prior to certification of the preliminary plan, the TCP1 shall be revised as follows:
   a. Ensure that all woodland conservation areas meet the minimum dimension and area requirements outlined in Section 25 of the county code.
   b. Ensure that all areas shown as "woodland preserved – not credited" are accurately reflected in the worksheet as "woodland retained not part of requirements."
   c. Revise the limits of disturbance (LOD) to encompass all proposed site features including,

but not limited to, all stormwater management features and grading.

d. Ensure that all woodland clearing and the removal of additional specimen trees necessary for the installation of all proposed site features is accurately reflected on the plan, accounted for in the worksheet, and reflected in the specimen tree table.
e. Revise the specimen tree table to change the column currently labeled as "condition analysis" to read "condition analysis score" and the column shall be filled-in.
f. Show all proposed building footprints on the plan.
g. Show the municipal boundary lines.
h. Type the assigned TCP number into the approval block (TCP1-005-12).
i. Have the plan signed and dated by the qualified professional who prepared it.

10. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-005-12). The following note shall be placed on the Final Plat of Subdivision:

> "This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-005-12), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

11. At time of detailed site plan, the TCP2 shall reflect the delineation of APA-6 as well as the proposed building footprints and their respective heights to demonstrate compliance with CB-51-2002.

12. Development of this subdivision shall be in conformance with the aviation policy regulations as outlined in CB-51-2002. The following note shall be placed on the Final Plat of Subdivision:

> "The limits of this plat lie within a 1 mile vicinity of the College Park Airport and is subject to over flight by aircraft using a public use/ general aviation airport. At the time of purchase contract with home buyers, the contract purchaser shall sign an acknowledgement of receipt of the declaration of covenants."

If you have any questions concerning these comments, please feel free to contact me at 301-952-3752 or by e-mail at megan.reiser@ppd.mncppc.org.

MKR: mkr

I:\environ\development review\Preliminary Plans\2012\4-12004 Cafritz final_mkr.docx

Loiederman
Soltesz Associates, Inc.

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DEC 10 2012
DEVELOPMENT REVIEW
DIVISION

December 6, 2012

Ms. Quynn Nguyen
Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Re: Cafritz. 4-12004
LSA No.: 2411-05-01
Letter of Justification for Impacts to Regulated Environmental Features

Dear Quynn:

The following information is provided pursuant to the need to supply a Statement of Justification for impacts to a "Regulated Environmental Feature" as defined in Subtitle 24-130(B)(5) of the Subdivision Ordinance.

The Cafritz Property consists of 35.83 acres of land located in northwestern Prince George's County, on the eastern side of Baltimore Avenue (US Route 1). The site borders Baltimore Avenue, south of its intersection with Albion Road. The site is comprised of one parcel (Parcel 81) on Prince George's County Tax Map 42 Grid D2. Approximately 91% of the property is forested. The remaining area consists of grass fields. The area surrounding the property consists of CSX railroad tracks and right-of-way, Metrorail tracks and right-of-way, residential development, and retail/commercial development. The site was rezoned to M-U-TC through the Zoning Map Amendment A-10018.

This site proposes approximately 1,200,000 - 1,950,000 sf of retail, commercial, office, and residential with associated parking and infrastructure. Multifamily and townhomes are proposed for most of the eastern portion of the site. The western side of the site will be comprised of primarily retail, commercial, and office. The site was originally developed as housing in the 1940s and 50s. Since then the site has been cleared and overgrown with forest. Zoning for this site requires a mixed-use development. The intended mixed-use development proposes retail, commercial, office, and residential uses. Entry onto the property will come from Baltimore Avenue and Maryland Avenue from the south, while a possible railroad crossing will provide another entrance on the eastern side. Multifamily and townhomes are proposed for most of the eastern portion of the site. The western side of the site will be comprised of primarily retail, commercial, and office.

There is a small, isolated wetland (0.02 acres) at approximately the mid-point of the northern property line, adjacent to the Metrorail right-of-way. This isolated wetland is not regulated by the Maryland Department of the Environment as a jurisdictional wetland. While there is no known FEMA floodplain on the property, there is 100-year County Floodplain located on site; it is confined to the southeastern side of the property and takes up 0.06 acres of the site.

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Attempts were made to avoid all impacts to the regulated features, but preliminary studies showed no practicable alternative that achieved complete avoidance. Alternative designs then focused on minimization of impacts to regulated features to the two impacts outlined below.

Impact Area 1 is 937 square feet (0.02 acres) of unregulated wetland and 5,552 square feet of wetland buffer disturbance for a street and residences.

a. Avoidance: The isolated wetland's central location on the subject property makes its impact nearly impossible to avoid. If steps were taken to avoid this unregulated wetland, the site would be drastically under-developed, and vehicular and pedestrian flow patterns would be less desirable and efficient.

b. Minimization: In addition to its location central to the site, this unregulated wetland is relatively small. Alternative designs have proven there is no practicable way to minimize the impact that would result in the same results as avoidance; i.e. drastic under-development and undesirable and inefficient vehicular and pedestrian traffic flow.

Impact Area 2 is 2,488 square feet (0.06 acres) of and floodplain impact for residential development.

a. Avoidance: The site has several off-site constraints which dictate where certain types of on-site development can be placed. The Metrorail tracks and right-of-way to the north and CSX Railroad tracks and right-of-way to the east act as these constraints. Access into the site from the north is impossible, and very difficult from the east. In order to gain access into the site from the east, a bridge must be constructed over the existing railroad tracks. The primary access onto the site comes directly from Baltimore Avenue.

The floodplain on the southeastern portion of the site is impacted to create a road connection to Maryland Avenue, per condition of approval of CSP-11005, and to allow for residential development. This impact is unavoidable because a connection to Maryland Avenue must be made to alleviate the traffic flow entering and exiting the site at Baltimore Avenue. This additional site entrance will not only alleviate traffic at other entrances, but will also improve the overall flow of the site. Since the floodplain runs the length of the shared property boundary between the site and the existing Maryland Avenue right-of-way, if a connection is to be made to Maryland Avenue at all, the impact is unavoidable.

b. Minimization: Care has been taken to design an access that connects to Maryland Avenue without excessive and unnecessary grading thus reducing an otherwise greater area of disturbance.

Impact ID	Impact type and duration	Total acreage or square footage of impact	Acreage or Square footage of Floodplain impact	Acreage or square footage of unregulated wetland and wetland buffer impact
1	Road connection and structures (permanent)	0.00 sq.ft. PMA	0.00 sq.ft.	937 sq.ft. (0.02 acres)
2	Road Connection (permanent)	2,488 sq.ft. PMA (0.06 acres)	2,488 sq.ft. (0.06 acres)	0.00 sq.ft.
Total Area of Floodplain Impact			2,488 sq.ft. (0.06 acres)	0.00 sq.ft.
Total Area of Wetland and Wetland Buffer Impact			0.00 sq.ft.	937 sq.ft. (0.02 acres)

Mitigation: For areas of significant impacts, has a mitigation package been proposed to provide an equal or better trade-off for the impacts proposed?

Since the environmental features occupy less than 1% of the site and their impacts are required by CSP-11005, they are therefore not significant impacts.

This concludes the Letter of Justification for Cafritz Property 4-12004. Because impacts are unavoidable and have been minimized to the utmost practical, the Applicant respectfully requests approval for impacts to the unregulated wetland and the floodplain.

If you have any further concerns or questions, please do not hesitate to contact our office.

Sincerely,

LOIEDERMAN SOLTESZ ASSOCIATES, INC

Tim Davis, RLA, AICP
Associate

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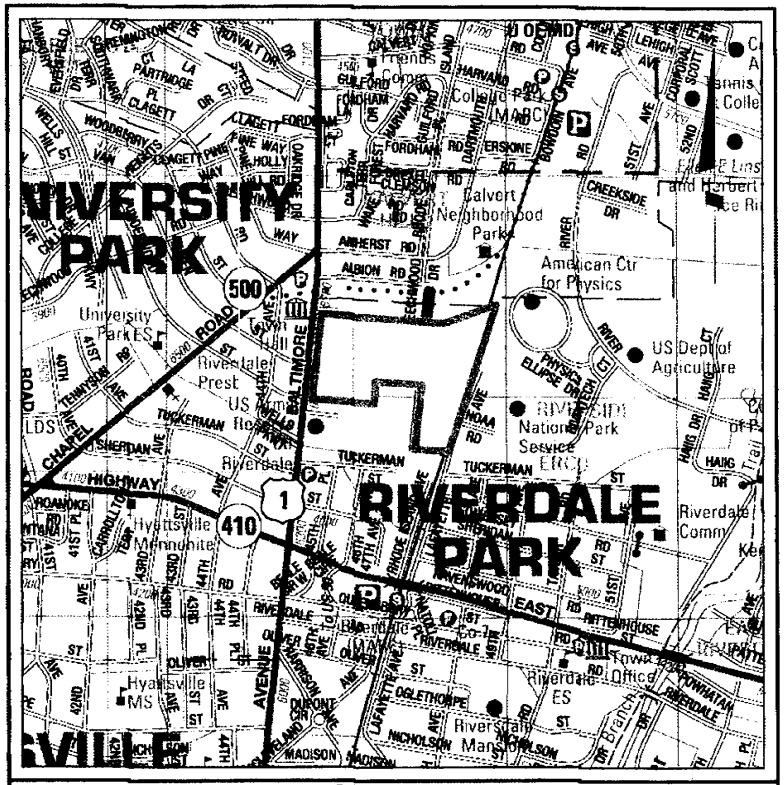

VICINITY MAP
SCALE: 1"=2000'

SCALE: 1" = 60'

ENVIRONMENTAL IMPACT SUMMARY								
Plate #	Stream (LF)	(SF)	Wetland (SF)	(acres)	Wetland Buffer (SF)	(acres)	Floodplain (SF)	(acres)
1	0	0	937	0.02	5552	0.13	0	0.00
2	0	0	0	0.00	0	0.00	2488	0.06
Total	0	0	937	0.02	5552	0.13	2488	0.06

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DEVELOPMENT REVIEW DIVISION

4-12004

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VICINITY MAP AND ENVIRONMENTAL IMPACT CHART

WETLAND/WATERS IMPACT EXHIBIT
CAFRITZ PROPERTY
19TH (RIVERDALE) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
AUGUST, 2012 SHEET 1 OF 6

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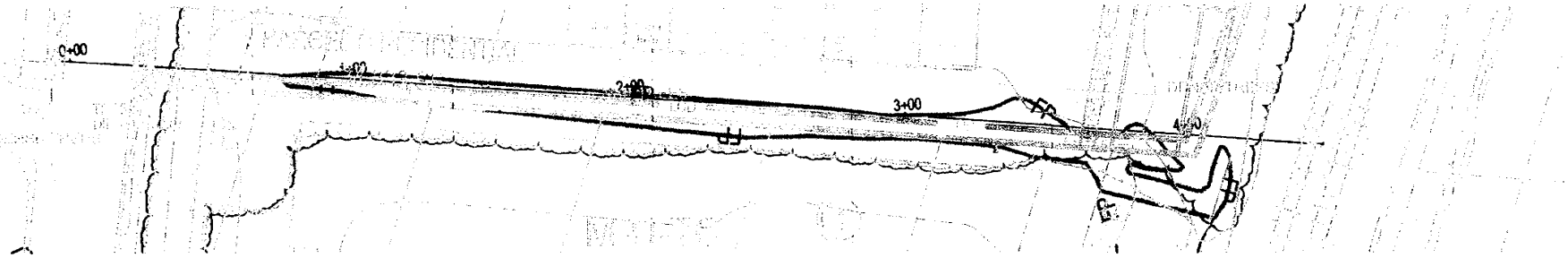
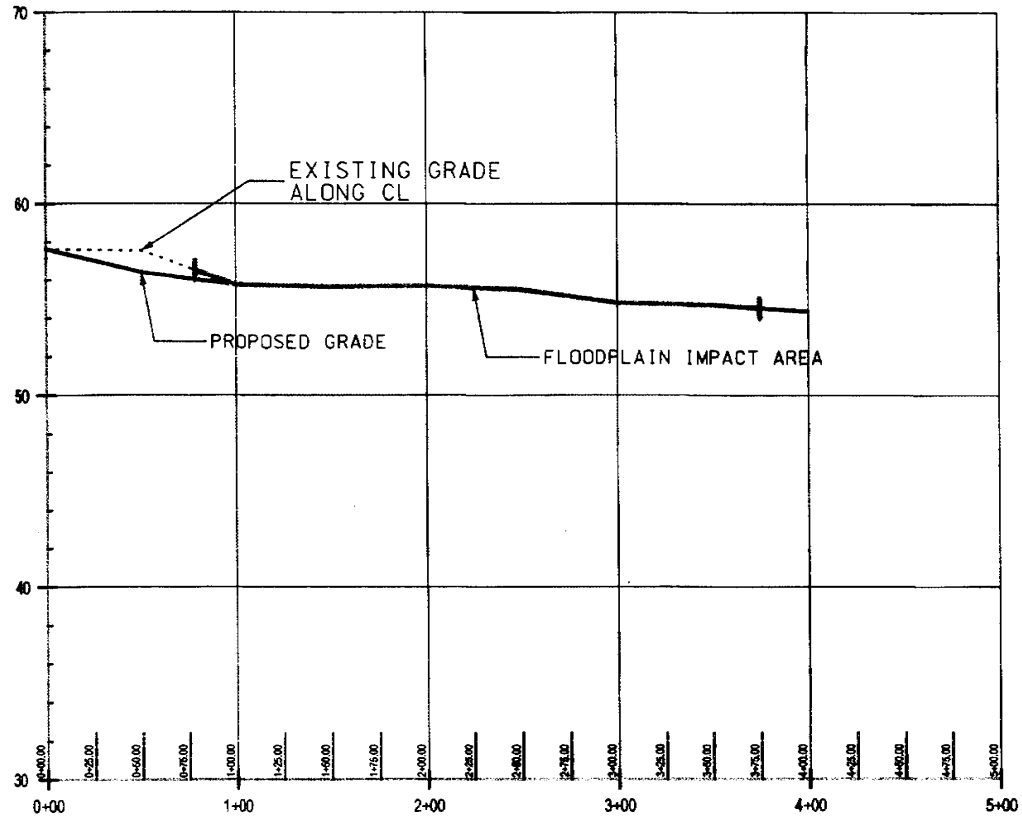


PLAN VIEW
SCALE: 1" = 60'



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4-12004

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AREA 2 IMPACT SECTION
IMPACT FOR PROPOSED ROAD

WETLAND/WATERS IMPACT EXHIBIT
CAFRITZ PROPERTY
19TH (RIVERDALE) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
AUGUST, 2012 SHEET 6 OF 6

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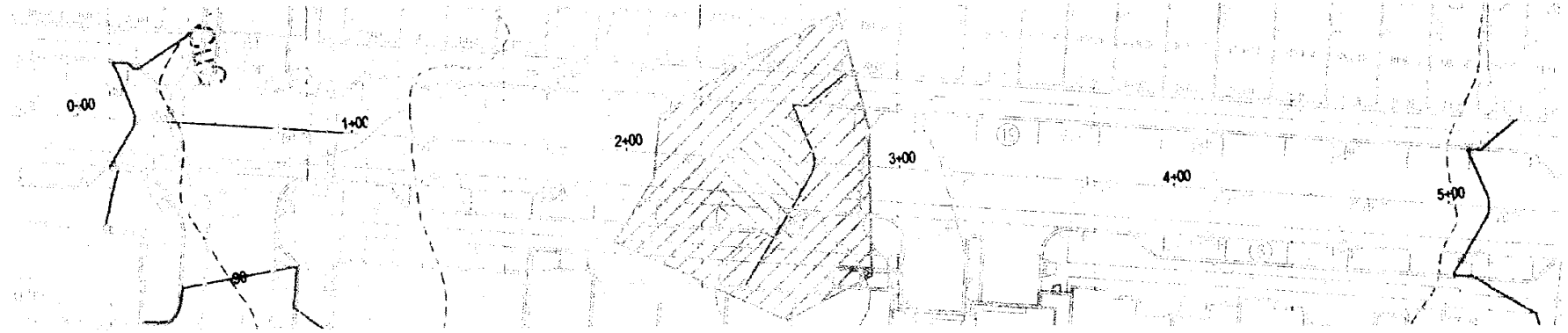
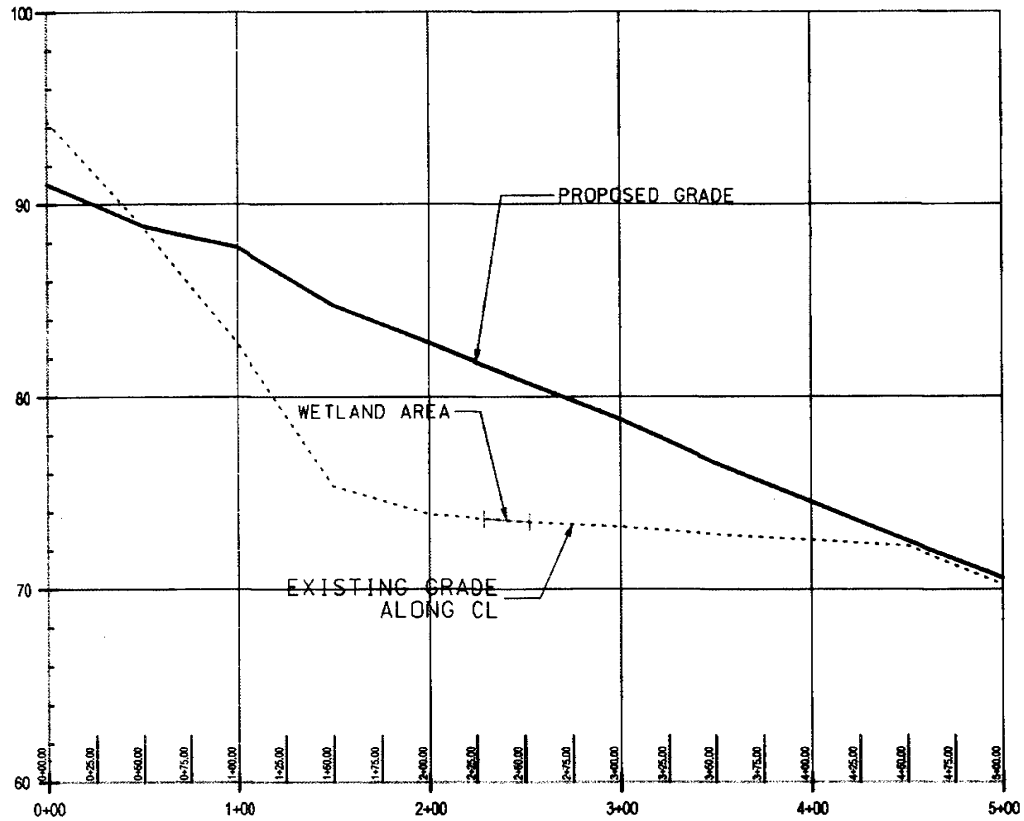


PLAN VIEW
SCALE: 1" = 60'



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AREA 1 IMPACT SECTION
IMPACT FOR PROPOSED ROAD

WETLAND/WATERS IMPACT EXHIBIT
CAFRITZ PROPERTY
19TH (RIVERDALE) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
AUGUST, 2012
SHEET 5 OF 6

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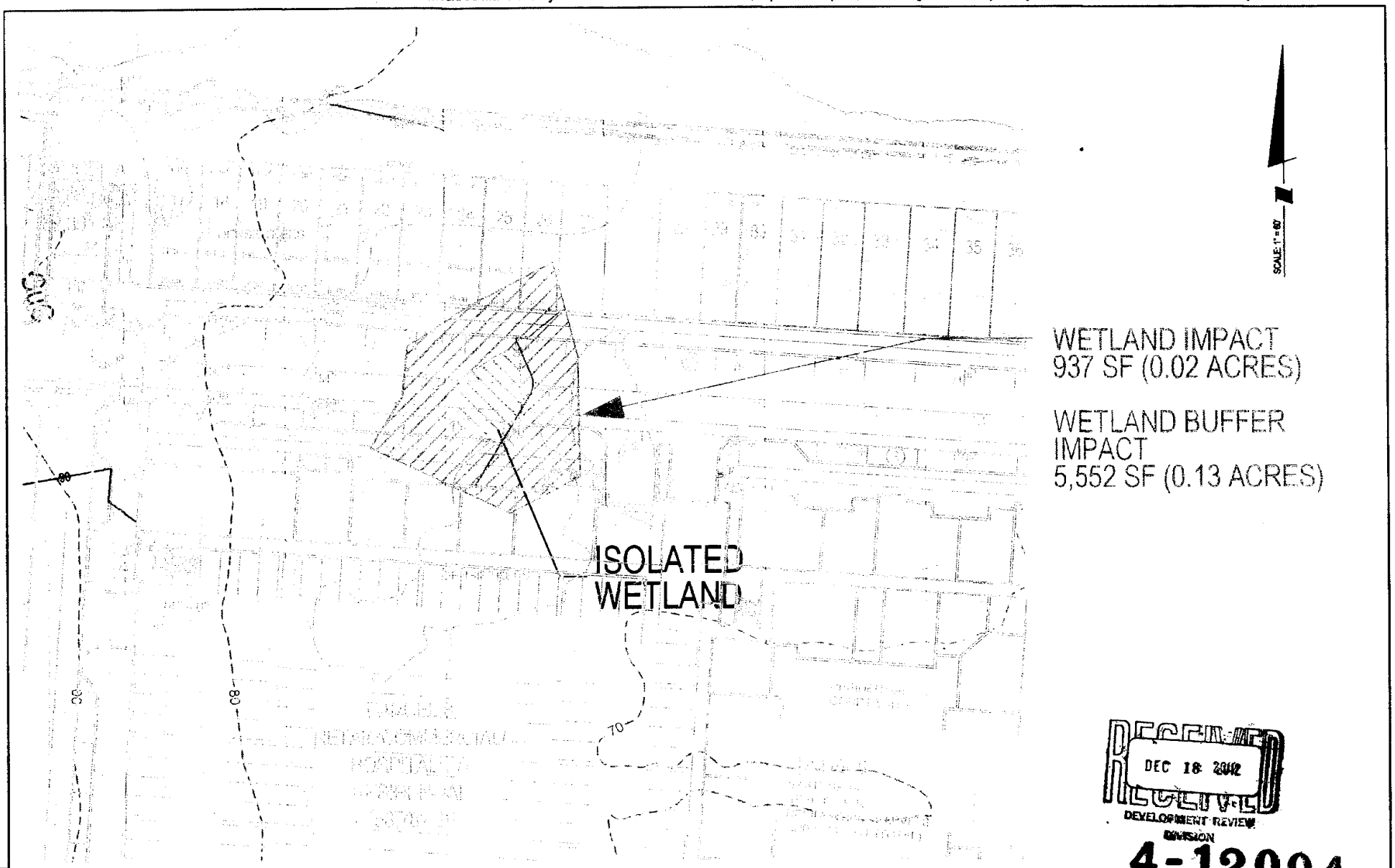

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AREA 1 IMPACT PLATE 1
IMPACT FOR PROPOSED ROAD

WETLAND/WATERS IMPACT EXHIBIT
CAFRITZ PROPERTY
19TH (RIVERDALE) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
AUGUST, 2012
SHEET 3 OF 6

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Loiederman
Soltesz Associates, Inc.

November 29, 2012

Ms. Quynn Nguyen
Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

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DEVELOPMENT REVIEW
DIVISION

Re: Cafritz Property
Variance from Section 25-122(b)(1)(G)
LSA No.: 2411-01-00

4-12004

Dear Quynn:

The following information is provided pursuant to the need to apply for a variance from Section 25-122(b)(1)(G) for the removal of (24) specimen trees out of (35) existing specimen trees in the development of the above referenced project. The intent of the variance request is to provide justification for this removal in accordance with the requirements of Section 25-119(d)(1).

The Cafritz Property consists of 37.35 acres of land located in Prince George's County, in Riverdale, MD. The sites western border is with Baltimore Avenue, north of the intersection with East-West Highway. The eastern edge of the site runs along the existing CSX line. The northern border abuts WMATA property and the southern edge abuts institutional and commercial uses. The site is comprised of one parcel on Prince George's County Tax Map 42 Grid D2, Parcels 81. Approximately 90% of the property is forested. The remaining area consists of small open areas. The site is zoned MUTC (Riverdale Park) MD R-55 (College Park).

This site did not have final Preliminary Plan approval prior to September 1, 2010. Therefore, the new requirements for Subtitle 25 are now applicable to the site. There are (35) specimen trees located within the property. The applicant will retain (11) specimen trees. The specimen trees to remain are located in forest stand 1 and forest stand 3.

The intent of this letter is to provide justification for these impacts in accordance with the requirements of new Section 25-119(d)(1). The applicant has included a copy of The TCP plans which outlines the exact location of each of the specimen trees.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

The site is bordered on the east by railroad and partially on the north by metro rail. The development along those two edges has somewhat been limited in order to reduce noise exposure to future residents and visitors. To reduce this noise exposure, the proximity of most future residences to the existing railroad and metro rail has been increased. This larger space that is now between the proposed residential and rails has become an ideal location for the stormwater and bio-retention practices as well as the proposed CSX crossing. The revised plan does propose

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to save some trees including specimens in forest stand 3 along the CSX right-of-way. Unfortunately, there are several specimen trees that are located in these areas that cannot remain because of the proposed stormwater and ESD and the CSX Crossing. However change in the SWM configuration and layout make additional save areas possible.

The property's proximity to neighboring railroad and metro rail and the need for adequate stormwater management and ESD practices are conditions that are peculiar to this property. Any additional loss in developable area for specimen tree retention will cause the site to not meet its development requirements and will cause the applicant an unwarranted hardship. The configuration of the site and grading constraint on the site create limitation to grading on the site.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

Residential and commercial uses exist in some of the site's surrounding area. Forested area exists as well. The development of this site proposes the removal of certain specimen trees that hinder the design of residential and commercial development. The decision to remove specimen trees is in keeping with the surrounding area's development character of residential/commercial/retail or undeveloped forest. With the existing site constraints already dictating and limiting developable area, further limiting of developable area by protecting the root zones and specimen trees will deprive the applicant of the opportunity to create a functional and efficient mixed-use development. This area is surrounded by areas which have been developed. Previously the site itself was developed as housing in the 1940's and 1950's.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

As explained in (A) and (B) above, not granting this variance will prevent the project from being developed in a functional and efficient manner. It is very important that this happens while also meeting the development approval requirements for the site. Granting this variance will not confer a special privilege to the applicant, but instead will allow the applicant to develop the most functional and efficient development for the surrounding community. We are requesting the varience been used of the unique grading and slope of the site.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The request is based on the existing conditions of the site and the associated requirements for development. The applicant did not create the grading and shape of property bot has attempted to provide a layout that meets zoning requirements; addresses comments received from the Maryland Department of the Environment, and conforms to the requests of the community. That this project proposed to remove specimen trees, is not a condition or circumstance which was the result of any action by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and
The request to remove the specimen trees does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality.

The site is governed by the new Stormwater Management Regulations that went into effect May 5, 2010. These regulations require that stormwater management measures are designed such that post-development conditions mimic a pre-development condition of a site as "woods in good condition". Because the site is required to meet these water quality requirements, the loss of the specimen trees will not adversely affect the water quality.

Based upon the above, this property meets the criteria for a variance for specimen tree removal. This results in an unwarranted hardship to the applicant. If you have any further questions or concerns, please do not hesitate to contact our office.

Sincerely,

LOIEDERMAN SOLTESZ ASSOCIATES, INC

Timothy H. Davis, RLA, AICP, LEED BD+C
Associate

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THE PRINCE GEORGE'S COUNTY GOVERNMENT

DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION
OFFICE OF ENGINEERING
9400 PEPPERCORN PLACE, SUITE 420
LARGO, MARYLAND 20774
(301) 883-5730

STORMWATER MANAGEMENT CONCEPT APPROVAL

CASE NAME: CAFRITZ - RIVERDALE
CASE #: 11589-2010-00
APPLICANTS NAME: Calvert Tract Llc Et Al
ENGINEER : Lsa - Loiederman Soltesz

REQUIREMENTS:

Technical Review is required for PUBLIC/PRIVATE Storm Drain/SWM Construction.

Type of Storm Drainage/SWM Construction is both PUBLIC and PRIVATE.

These additional approvals are required: None.

These fees apply: REVIEW, FEE-IN-LIEU.

These bonds apply: None.

Required water quality controls: BIORETENTION, EXTENDED DETENTION, FILTRATION.

Required water quantity controls: 1, 100 YEAR ATTENUATION(S).

A maintenance agreement is required.

No special conditions apply.

Required easements: None.

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Storm Water Management fee payment of none in lieu of providing on-site attenuation/quality control measures. (Fee-In-Lieu subject to change during technical review.)

CONDITIONS OF APPROVAL:

1. AT THE TIME OF BUILDING PERMIT REVIEW, PLEASE PROVIDE THE REVIEWER WITH A GEOTECHNICAL REPORT TO DETERMINE UNDERGROUND WATER TABLE AS PER CB-94-2004
2. ALL STORM DRAIN OUTFALLS TO HAVE STEPPED RIP-RAP PLUNGE POOLS
3. SHA APPROVAL REQUIRED FOR R-O-W & SD WORK ON ROUTE 1
4. NO STRUCTURES TO BE BUILT WITHIN 25 FEET OF THE 100-YEAR FLOODPLAIN
5. COORDINAGE WITH RIVERDALE PARK FOR ROW IMPROVEMENTS REQUIRED FOR LOCAL ROADWAYS.
6. SHOW ADEQUACY OF THE DOWNSTREAM RECEIVING SYSTEM(S) AT TIME OF TECHNICAL REVIEW. REVIEWED BY EM.

APPROVED BY:

Rey De Guzman

APPROVAL DATE: May 3, 2010
EXPIRATION DATE: May 3, 2013

FOR OFFICE USE ONLY

ADC MAP: 5409-K5 200' SHEET: 208NE04
STREET NAME: WASHINGTON BALTIMORE BLVD
WATERSHED: 14-Northeast Branch (Anacostia)
NUMBER OF DU'S: 0 COST PER DWELLING: 0

CC: APPLICANT, SCD, PERMITS
P.G.C. FORM #3693 (REV 04/93)

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Department of Parks and Recreation
6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: January 3, 2013

TO: Quynn Nguyen
Subdivision Review Section
Development Review Division

VIA: Ray Palfrey, Land Acquisition Supervisor Ray
Park Planning and Development Division
Department of Parks and Recreation

FROM: Paul J. Sun, RLA, Landscape Architect PJS
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **4-12004- Cafritz Property**

The staff of the Department of Parks and Recreation has reviewed the above-referenced Preliminary Plan of Subdivision for conformance to the Prince Georges County Subdivision Regulations, the requirements of the Approved Zoning Map Amendment (A-10018, Cafritz Property), the 2004 Approved Town of Riverdale Park Mixed Use Town Center Zone Development Plan (M-U-T-C-D) regulations, the Land Preservation and Recreation Program for Prince George's County, and the existing conditions within the vicinity of the proposed development as they pertain to Public Parks and Recreation Facilities.

BACKGROUND

The subject property consists of 37.34 acres of land and is located on the east side of Baltimore Avenue (US 1), approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410). The property was re-zoned to Mixed Use Town Center in July of 2012. Running North to South and bisecting the property is the historic Rhode Island Avenue Trolley Right-of-Way. The 2010 Historic Sites and District Plan identified "Streetcar Suburbs" as a heritage theme. "The Maryland & Washington Railway was the first streetcar line established in Prince George's County in 1897". It

extended from Washington, DC to Hyattsville, Riverdale, and by 1902 out to Laurel. The Maryland & Washington Railway operated streetcars and trolley through Riverdale Park (#68-004), Calvert Hills in College Park (#66-037) and University Park (#66-029) all of which are listed as "streetcar suburbs" on the National Register Historic Districts (NRHD). These neighborhoods are located to the south, west and north of the subject property respectively. Although the subject property is not within the above mentioned historic districts, the Trolley Right-of-Way is a key component that links and unifies the above mentioned Historic Districts.

The 2009 Approved Countywide Master Plan of Transportation (MPOT) and The 2004 Approved Town of Riverdale Park Mixed Use Town Center Zone Development Plan (M-U-T-C-D) have identified the abandoned Rhode Island Avenue right-of-way as a Master Planned Trail Corridor. One of the conditions for approval of A-10018 is that the applicant must construct the portion of the Rhode Island Avenue Trolley Trail through the subject property. This condition states that the trail must be completed and open to the public prior to the issuance of the third building permit on the subject property.

The Rhode Island Avenue Trolley Trail is a vital link in M-NCPPC's park system. The Trail Corridor is approximately 3.9 miles in length and runs from Greenbelt Road in College Park to Armentrout Drive in Hyattsville. It is being developed as a major collaborative effort with the local municipalities of College Park, Riverdale Park, and Hyattsville. The Rhode Island Avenue Trolley Trail is envisioned as a major Trail Corridor that follows the existing Trolley Right-of-Way not only for recreational purposes but also as an important North-South commuter corridor parallel to US 1 (Baltimore Avenue) (for pedestrians and bicyclists). As a result of collaborative efforts with the local municipalities, several sections of the trail have already been constructed north of the subject property. Funds have been allocated for M-NCPPC to start construction of several other phases in 2013. The Cafritz Property segment of the Rhode Island Avenue Trolley Trail Corridor is approximately one third of a mile in length and will connect Tuckerman Street to Albion Street. When completed, (along with the M-NCPPC construction) the Master Planned Trail Corridor will be continuous for almost two miles and connect College Park to Hyattsville.

FINDINGS AND DISCUSSION

The applicant has submitted a Preliminary Plan of Subdivision which proposes subdivision the property into 139 Lots and provides for mixed-use development which will include Office, Retail/Flex, Hotel and Residential. The residential development will consist of 126 single family attached units along with 855 multi-family units. The total projected population of the development will be 2,045 new residents. Based on Section 24-134 of the Prince Georges County Subdivision Regulations, the dedication of 15% of the land area can be required for Mandatory Dedication of Parkland. Based on the applicant's proposal, this requirement would yield 3.37 acres of park land.

In a memo received from the applicant on December 6th, 2012, they provided a very rudimentary listing of the interior and exterior amenities for the proposed Multi-Family Buildings. With regards to Private Recreational Facilities for the Townhomes, the applicants proposed that the construction of the Rhode Island Avenue Hiker- Biker Trail through the site would fulfill the mandatory dedication requirements.

DPR has no objection to the applicants' proposal to meet the requirements of the Subdivision Regulations by providing Private Recreational Facilities (as allowed by Section 24-134(b) of the Prince Georges County Subdivision Ordinance), provided that the proposed facilities will be superior or equivalent to those that would have been provided under the provision of Mandatory Dedication. However, DPR does not agree with the applicant on the types of recreational facilities which should be provided. The proposed facilities listed are predomintaly indoor facilities with fitness centers for active recreation within each multi-family buildings. DPR staff would like to see more opportunties for outdoor active recreation available to all residents, such as tot lots, playrounds and fitness stations well distributed through the development. Secondly, DPR is not in agreement that the construction of the Rhode Island Avenue Hiker-Biker Trail will fulfill the requirement for Mandatory Dedication on the Townhouse portion of the development as the construction of the trail was a previous condition of approval from the re-zoning of the property. Additionally, many of the activities listed by the applicant are seasonal in nature (such as the swimming pools) and are in essence market ammenities (such as WI-Fi rooms, media center, and fire pits) and are not true

recreational facilities. DPR is of the opinion that the recrational facilities proposed should be reconsidered and a revised detailed facilities program should be provided and reviewed at the time of Detailed Site Plan review.

The applicants' proposal to design the site includes the choice to re-route and/ or "detour" the Rhode Island Avenue Trolley Trail to the East by approximately 75 feet. The proposed Master Planned Trail is shown within a Public Use Easement that runs along the length of the property (in a North-South direction). The applicants' proposal relocates the Master Planned Trail along the fronts of the proposed townhome units on a 10 foot wide sidewalk, within a 10 foot wide easement. This revised location does not take into consideration the historic nature of the Trolley Right-of-Way. Further, there would be sharp and restrictive turns required by public trail users at the northern and southern ends of the property in order to continue beyond the subject property. Additionally, along the southern end of the property (towards Tuckerman Street) the site design proposes a private alley for the rear loaded townhomes. This alley is in direct alignment with the remainder of the Rhode Island Avenue Trolley Trail to the south. Users of the trail traveling northward from Tuckerman Street would need to negotiate and cross any traffic in the local alleyways. This could present an unsafe condition for users of the trail.

DPR is strongly opposed to this relocation of the Master Planned Trail as proposed by the applicant since the remainder of the Master Planned Trail was designed in a very linear fashion by utilizing the historic Trolley Trail Right-of-Way. DPR staff proposes the Mandatory Dedication of Parkland in order to maintain the integrity of the Master Planned Trail. (See attached Exhibit A). DPR recommends that a 50 foot wide dedication of land on the northern and southern section of the property so the concept and vision of the Trolley can be implemented. This 50 foot wide strip of land would be consistent with M-NCPPC efforts on implementing the Trail Corridor to the south. The area noted on Exhibit A measures 1.36 acres and is below the Mandatory Dedication requirement of 3.37 acres. The center portion of the Trolley Trail Right-Of Way should be in a 25 foot wide Public Use Easement as the Master Planned Trail would cross several Public Road Rights-of Way and the Village Green/ Center for the proposed development (approximately 0.26 acres). The remaining 2.01 acre

Mandatory Dedication requirement can be met by the use of Private Recreational Facilities. DPR believes that the Private Recreational Facilities should be provided and incorporated into the Trail. This concept would help identify, promote and celebrate this important trail in the local community. Provision of facilities along the trail could consists of playgrounds or play areas, fitness stations, and /or seating areas which would help meet the need for outdoor recreation for the residents of this development. This revision to the applicants' Private Recreation Facilities Package will meet the requirement of Section 24-134(b) of the Prince Georges County Subdivision Ordinance which states that Private Recreational Facilities may be provided to satisfy the Mandatory Dedication requirements, provided that the proposed facilities will be superior or equivalent to those that would have been provided under the provision of Mandatory Dedication.

DPR believes that if the applicant dedicates the land as shown on DPR Exhibit A along with a revised Private Recreation Facilities Package, Section 24-134 of the Prince George's County Subdivision Regulations will be met.

Recommendations:

In accordance with Section 24-134 of the Prince George's County Subdivision Regulations, The Park Planning and Development Division of the Department of Parks and Recreation recommends to the Planning Board that approval of the above-referenced Preliminary Plan be subject to the following conditions:

1. The conveyance to the M-NCPPC of 1.36 +/- acres (at a minimum) of parkland for the Master Planned Trail as shown as DPR Exhibit A.

2. The land shall be conveyed prior to the signature of the first record plat for the subdivision with the following conditions:

    a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division at M-NCPPC, along with the application of first record plat.

b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to application of the building permit.

c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.

d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC's development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.

e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in an acceptable condition for conveyance, prior to dedication.

f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.

g. No storm water management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.

3. The applicants, their successors, and/or assigns, shall design and construct the Master Planned Trolley Trail within the dedicated area.

a. Prior to the approval of the Detailed Site Plan, the applicant shall work with the DPR concerning the exact alignment of the master planned Trolley Trail The alignment shall be approved by DPR.

b. Prior to the signature of the first record plat for the subdivision, the applicant shall submit the Trail Construction Plans along with 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.

c. Prior to the start of any trail construction, the applicant shall have the location of the trail shall be staked in the field and approved by DPR.

d. Prior to the release of any building permits, the applicants 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.

e. As per Re-Zoning Amendment, A-10018, the ten foot master planned trail shall be completed and ready for use prior to the issuance of the 3rd building permit.

4. In accordance with Section 24-134(b) of the Prince Georges County Subdivision Regulations, Private Recreation Facilities shall be provided to address the shortfall in the Mandatory Dedication requirements provided:

a. At time of Detailed Site Plan review, the applicant shall submit a comprehensive Private Recreational Facilities Package for approval by the Urban Design Section. DPR will provide assistance as needed.

b. The private recreational facilities shall be designed and constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.

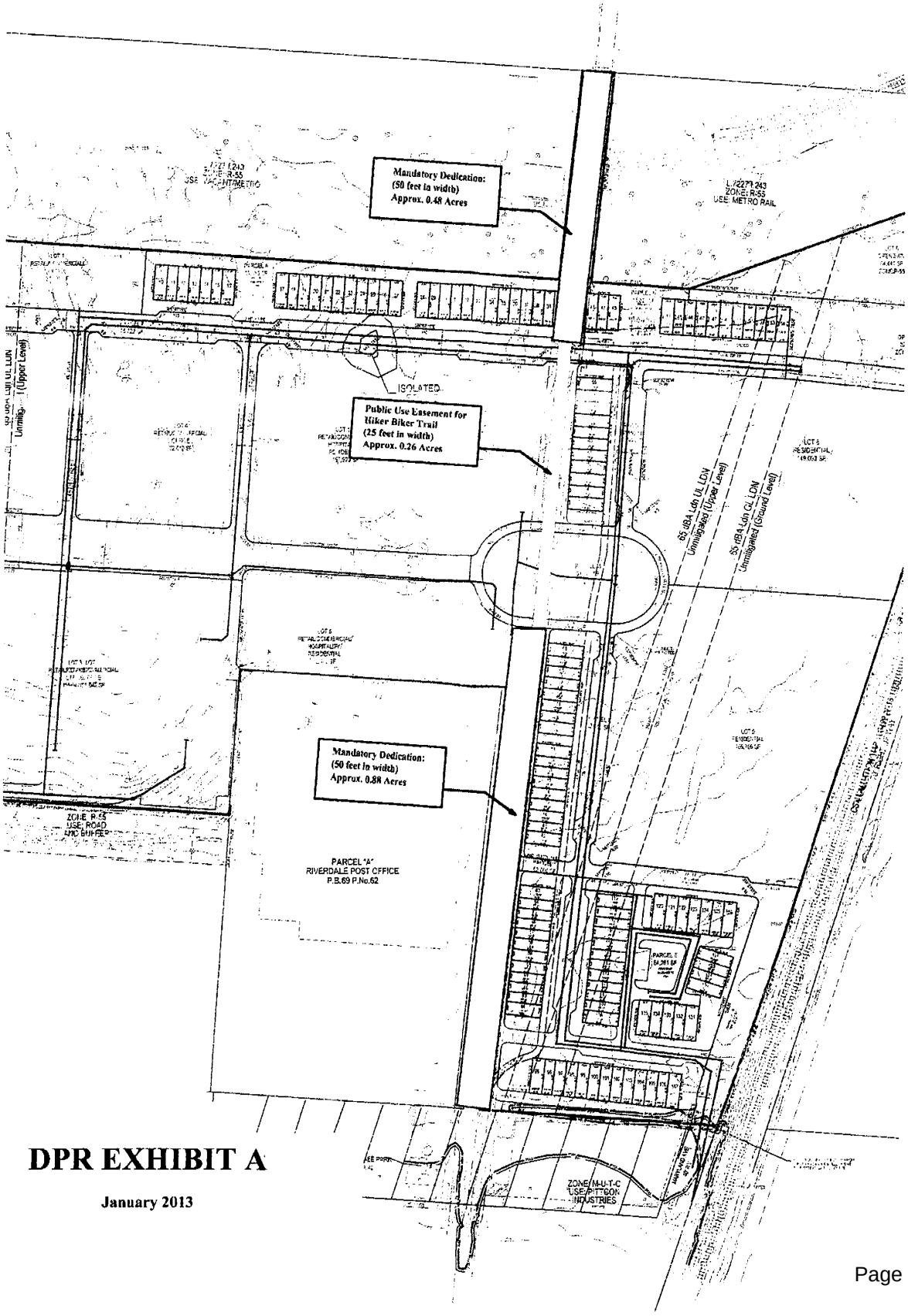
c. The developers, their successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.

CAFRITZ PROPERTY

DPR Exhibit A
Cafritz, 4-12004
Technical Staff Report

PRELIMINARY PLAN OF SUBDIVISION 4-12004

RIVERDALE (19th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND



DPR EXHIBIT A

January 2013

Loiederman
Soltesz Associates, Inc.

MD. NAT'L CAP. PK. & PL. COMM
PRINCE GEORGE'S COUNTY
RECEIVED
DEC 10 2012
COUNTYWIDE PLANNING DIVISION
ENVIRONMENTAL PLANNING SECTION

Memorandum

RECEIVED
DEC 10 2012
DEVELOPMENT REVIEW
DIVISION

To: Ms. Quynn Nguyen

From: **Timothy H. Davis**

Date: **December 06, 2012**

Re: **Cafritz Site Park Dedication Proposal**
LSA No.: 2411-01-00

This proposal to satisfy the parkland dedication requirement assumes that the land associated with retail and office development is excluded from the requirement. Additionally, it is anticipated that the multifamily buildings will provide sufficient amenities to the residents of those buildings. The construction of the hiker biker trail, and the corresponding out of pocket cost to the property owner associated therewith, will be used as a fee to satisfy the parkland dedication requirement for the townhome lots proposed.

A. Multifamily

The anticipated cumulative cost of the interior and exterior amenities of the 3 multifamily buildings is **$4,450,000**. This number is derived as follows:

Building 1, (Phase 1, 312,378sf, Lots 139 and Lot 5) Exterior amenities, at a cost of $650,000 and totaling 7,553 square feet of space, will include a swimming pool, barbeque and fire pit areas, shared gardens in an exterior courtyard. Interior amenities, at a cost of $1,000,000 and totaling 7,809 square feet, will include a fitness center building, club room, recreation room, fire place, media center, business center and Wi-Fi lounge.

Building 2, (Lot 8 future Phase, 219,222sf, Lot 8) Exterior amenities, at a cost of $400,000 and totaling 15,636 square feet of space, will include a swimming pool, barbeque and fire pit areas, shared gardens in an exterior courtyard, Interior amenities, at a cost of $1,000,000 and totaling 5,481sf, will include a fitness center, club room, recreation room, fire place, media center, business center and Wi-Fi lounge.

Building 3, (Lot 9 future Phase, 329,855sf, Lot 9) Exterior amenities, at a cost of $400,000 and totaling 15,636 square feet of space, will include a swimming pool, barbeque and fire pit areas, shared gardens in an exterior courtyard. Interior amenities, at a cost of $1,000,000 and totaling

8,246 square feet, will include a fitness center, club room, recreation room, fire place, media center, business center and Wi-Fi lounge.

B. Townhomes

The Cafritz project is proposed to have a total of 126 townhomes. The total land area of the townhome lots is 113,860 square feet or 2.614 acres. Based on a density exceeding 12 units per acre, the County code requirement for dedication for the Cafritz project is 15% of the townhome lot land area, i.e., 113,860sf x 15% = 17,053sf or 0.39 acres.

To satisfy this dedication requirement the owner intends to construct, at its cost, the hiker/ biker trail north-to-south across their property. The trail will be open to public through the site. The area of this trail is expected to be +/- 0.687 acres, and the construction cost is estimated to be **$225,000.**

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

December 28, 2012

MEMORANDUM

TO: Qyunn Nguyen, Development Review Division

FROM: Fred Shaffer, Transportation Planning Section, Countywide Planning Division

SUBJECT: Preliminary Plan Review for Master Plan Trail Compliance

The following detailed site plan was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* and/or the appropriate area Master Plan in order to provide the appropriate recommendations.

Preliminary Plan Number: 4-12004

Name: Cafritz Property

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	X	Public Use Trail Easement	
PG Co. R.O.W.*	X	Nature Trails	
SHA R.O.W.*	X	M-NCPPC – Parks	
HOA		Bicycle Parking	
Sidewalks	X	Trail Access	X

*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail.

The Transportation Planning Section has reviewed the preliminary plan application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements. Staff recommendations based on current or proposed conditions are also included in this memo.

The subject application is located on the east side of US 1 between Albion Road and Tuckerman Street. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (area master plan), and previously approved A-10018.

Review Comments (Master Plan Compliance and Prior Approvals)

Approved Basic Plan A-10018 included numerous conditions of approval related to bicycle and pedestrian facilities. Conditions related to bicycle and pedestrian facilities and the master plan trail along the Rhode Island Avenue Trolley corridor are copied below from the approved resolution (PGCPB No. 12-09). Only conditions or sub-conditions directly related to non-motorized access are included below.

2. Prior to signature approval of the Development Plan the following revisions shall be made:

   d. Revise the Development Plan to include streetscape details as indicated on Gateway Park and Street Sections for Baltimore Avenue (US 1) that provide for a safe and attractive pedestrian zone.

   e. Provide information and verify that the right-of-way extending north and south through Parcel 81 and the Washington Metropolitan Area Transit Authority (WMATA) property has, in fact, been abandoned and that the issue is settled and/or provide information of the disposition of that area of land, as appropriate.

3. Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:

   c. The applicant shall provide information and verify that the right-of-way extending north and south through parcel 81 has, in fact, been abandoned and/or provide information of the disposition of that area of land, as appropriate.

   d. Documents shall be provided so that the trail will be dedicated to public use within a maintenance easement or other suitable agreement.

   e. Provide one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.

   g. The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.

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

   a. Plans indicating that the signalized intersection at Van Buren Street and Baltimore Avenue (US 1) shall include highly-visible and attractive pedestrian crosswalks, pedestrian signals, and other pedestrian or warning signage as appropriate, subject to State Highway Administration (SHA) approval.

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

   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.

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.

17. At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.

CONSIDERATIONS:

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.

The *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 Transportation Planning Section (TPS) continues to recommend that the trail be located in the former trolley right-of-way. The section supports the conclusion of the Department of Parks and Recreation that the trail be designed as a key component and highlight of the development that is readily accessible to the community and is in an open and visible location within the Cafritz development. And, as a major north-south trail connection, a location within its own right-of-way is preferable to a wide sidewalk in front of residential lots. Consistent with the recommendations of the MPOT and the Department of Parks and Recreation, TPS recommends that the Trolley Trail be located within the former trolley r-o-w and appropriate conditions of approval are recommended below. The exact design of the trail and former trolley r-o-w can be evaluated in detail at the time of SDP to ensure compliance with CPTED principles. TPS also supports the recommendation of the Urban Design Section that open space and outdoor activities be planned along the trail corridor. This will open the trail corridor up to the surrounding uses, better integrate the trail with surrounding residential uses, enable the trail to be a main focal point within the community, and ensure there is good visibility along the trail.

TPS also supports the recommendation of the Urban Design Section that the traffic circle be redesigned/relocated so that the trolley trail only has to cross Van Buren Street once (as opposed to the two crossings currently shown at the circle.

US 1 Streetscape Improvements:

The development and design concepts included in the *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* recommend an enhanced streetscape for US 1. The town center streetscape width varies from a minimum of 15 feet to a maximum of 23 feet. Within this area the following is required:

Sidewalk - An unobstructed seven-foot-wide walkway that is located adjacent to the street wall that is formed by the buildings.

Landscaping/Pedestrian Amenity Strip - Includes street trees and landscaping, and space for the placement of amenities such as benches, post office boxes, and pedestrian-oriented lights.

Lastly, the MUTCD Plan recommends five-foot-wide bike lanes along most of US 1 in the town center to facilitate bicycle commuting to the University of Maryland and other communities along US 1 (MUTCD Plan, page 25). The sidewalk and streetscape along US 1 shall comply with the designs standards on pages 58-61 of the MUTCD Plan. Dedication along US 1 shall be sufficient to include all of the required streetscape elements.

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 Woodbury Entry configuration. This appears to be adequate to accommodate

pedestrian movement through the site and to both US 1 and the Rhode Island Avenue Trolley Trail. Condition 3 e of A-10018 requires that an east-west trail/bicycle connection be provided through the site between US 1 and the trolley trail. This connection is being provided along Woodbury Street with the provision of standard or wide sidewalks and designated bike lanes along both sides. This location is preferable to Van Buren Street as Woodbury Street will serve as the road connection over the railroad tracks, thereby providing an east-west bicycle and pedestrian connection through the site and to adjoining properties to the east. The cross section provided for the proposed bridge over the railroad tracks includes designated bike lanes and standard sidewalks along both sides, consistent with the cross sections for the remainder of the road within the subject site. Van Buren Street includes seven-foot wide sidewalks along both sides of its entire length.

The TDM Plan has been amended to include a discussion of bicycle parking and a potential bikeshare station. The modification of the preliminary plan to incorporate a potential location for a bikeshare station is recommended.

The intersection of the Trolley Trail and Van Buren Street will be evaluated at the time of Detailed Site Plan and appropriate pedestrian safety modifications will be recommended at that time. Of primary importance will be getting trail users safely across this east-west road.

Major or outstanding issues (discussed at the time of SDRC or subsequent meetings):

- A preliminary review of the information provided by the applicant appears to confirm that the former trolley r-o-w has reverted to the Cafritz Property. Based on the ruling of the District Court referenced in the May 11 memorandum from Mr. Reed, Cafritz owns the property in fee simple.

- Revise the TDM plan to indicate the type of bicycle parking to be provided on the site. The exact number and location will be determined at DSP.

- Verify the ownership of the strip of land that crosses the WMATA property. If the land is owned by the applicant, the trail can be constructed to the existing trail in College Park. The proposed ownership/maintenance of this land needs to be indicated.

- Determine the ownership of the land for the Trolley Trail (municipal, M-NCPPC, or HOA with a public use easement). This ownership should be clearly marked and labeled along both Rhode Island Avenue and at the northern and southern ends of the subject site.

- Currently, all road cross sections proposed are labeled as private roads. However, it is probably preferable that the major roads on the subject site be maintained in public ownership. This is particularly important for Woodberry Street and Rhode Island Avenue. Woodberry Street is the east-west connection that will provide access to the communities to the east.

- The plans reflect the trolley trail along the roadway. TPS continues to recommend that the trail be relocated to the former trolley r-o-w, as discussed in more detail above and addressed in the recommended conditions of approval below.

- Right-of-way dedication along US 1 needs to be sufficient to accommodate all of the streetscape elements required in the MUTCD plan.

Conclusion

1. From the standpoint of non-motorized transportation, it is determined that this plan is acceptable, fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the finding required for a preliminary plan as required under Section 24-123 of the Prince George's County Code if the application were to be approved with the following conditions:
    a. Revise the Preliminary Plan to include a preliminary location for a future bikeshare station.
    b. Revise the Preliminary Plan to reflect the Trolley Trail within the former trolley r-o-w and to indicate the underlying ownership of the trail corridor.
    c. Provide a comprehensive bicycle and pedestrian map indicate the location and width of all trails, sidewalks, wide sidewalks, and on-road bicycle facilities. This plan shall reflect the east-west bicycle route along Van Buren Street.
    d. Provide additional information regarding the ownership, maintenance, and operation of the Trolley Trail. The plans shall be revised to clearly indicate the ownership of the trolley trail corridor. And, the entity responsible for the maintenance and operation of the trail should be identified, or a time table shall be provided indicating when and how this will be determined and finalized.
    e. The number, location and type of bicycle parking shall be indicated on the Detailed Site Plan, consistent with Condition 6c of A-10018.
    f. Amend the road cross sections to reflect the public right-of-way limits. Public and private roads should be clearly marked and labeled on a public/private road exhibit.
    g. The traffic circle should be redesigned or relocated so that the Trolley Trail only crosses Van Buren Street once. At the time of Detailed Site Plan, the intersection of the Trolley Trail and Van Buren Street will be evaluated and appropriate design or pedestrian safety modifications will be made in coordination with the appropriate road agency.
    h. Right-of-way dedication along US 1 shall accommodate the seven-foot wide walkway, the landscape/pedestrian amenity strip, and the designated bike lanes recommended in the MUTCD plan.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department **(301) 952-3680**
Countywide Planning Division, Transportation Planning Section **www.mncppc.org**

January 7, 2013

MEMORANDUM

TO: Quynn Nguyen, Subdivision Section, Development Review Division

FROM: Faramarz Mokhtari, Transportation Planning Section, Countywide Planning Division

VIA: Eric Foster, Transportation Planning Section, Countywide Planning Division

SUBJECT: 4-12004, Cafritz @ Riverdale Park, Transportation Findings and Recommended Conditions for Preliminary Plan

The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 37.55 acres of land, of which about 35.72 acres are in the M-U-T-C zone (Mixed-Use Town Center) and the remaining 1.63 acres are in the R-55 zone. The M-U-T-C zone for the subject property was approved by the District Council through approval of the zoning map amendment application (A-10018) on July 12, 2012. The property is located along the east side of Baltimore Avenue (US1), approximately 1,400 feet north of the intersection of US1 and East-West Highway (MD410) intersection, south of US1 and Albion Road, and west of the CSX railroad tracks.

The applicant proposes to re-subdivide the existing Parcel of land (Parcel 81) also known as Calvert Tract, LLC into 139 lots (1- 139) and 11 parcels (A-O, not including Parcel B). Lots 136, 137, and 138 are proposed as open space lots and all three lots are fronting US1.

Growth Policy - Service Level Standards

The subject property is located within the Developed Tier, and the US1 corridor as defined and designated in the *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The *Highway Capacity Manual* (Transportation Research Board) procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delays in all movement not exceeding 50.0 seconds are deemed to yield to an acceptable operating condition at unsignalized intersections.

Transit-Oriented Development (TOD): TOD is defined in the Guidelines as development that is pedestrian-oriented, and includes compact neighborhoods with moderate- to high density land uses. Any TOD development within centers and corridors, as designated in the General Plan or any successor document and as amended by other master or sector plans, would be eligible for trip reduction allowance of six percent for "Acceptable/ Marginal TOD" to as much as 30 percent reduction allowance for "Excellent TOD" of the total calculated number of site generated trips.

Proposed Development and Projected Traffic Impacts

The application is a preliminary plan of subdivision for a phased mixed-use development, with an anticipated total build-out of six years The proposed development as evaluated by the submitted traffic impact study, consists of approximately 982 residential multi-family units (606 multi-story non-aged multifamily units, 219 attached senior housing units, 30 faculty housing units, and 126 attached townhouse units), 22,000 gross square feet office space, a 120-room hotel and no more than 168,000 gross square feet of commercial retail. While the proposed development levels shown in the latest submitted plans might vary slightly from these figures, the adequacy determination incorporated herewith in this memo is based on the trips that would be generated by development levels stated above. The existing site at the present time does not contain any development.

While the required adequacy findings for transportation facilities for this preliminary plan of subdivision will be based on the projected number of AM and PM weekday, midday, or weekend (Saturday) peak hour vehicle trips calculated for the subject site in accordance with the procedures outlined in the *2012 edition of the approved Transportation Review Guidelines, Part one* (Guidelines) and the revised scoping agreement prepared as noted by Condition 14(c.) of the approved Zoning Ordinance No. 11-2012 (Case No. A-10018), the maximum allowable site generated new trips at any phase or at build-out must not exceed the levels stated in condition 22 of the approved Zoning Ordinance No. 11-2012.

With the anticipated build-out in six years, the proposed phasing as shown in the revised plans is not applicable for determination of adequacy for transportation. Per Subtitle 24 of the County Code (the Subdivision Regulations) and when the projected build-out is in six years, all impacted transportation facilities including the existing, permitted for and/or is under construction with 100 percent of construction funds allocated within either the adopted County Capital Improvement Program (CIP), or the current State Consolidated Transportation Program (CTP), incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) or otherwise fully bonded by the applicant and permitted for construction must be adequate to accommodate the total projected traffic. The total traffic in addition to including an appropriate annual growth rate of existing and observed trips must also include the traffic that will be generated by the proposed development, and any approved but not yet built development.

Using trip generation rates in the Guidelines and use-specific as well as the mid-day and Saturday peak generation rates contained in the latest edition of the *Trip Generation Manual* (Institute of Transportation Engineers), the net build-out peak hour vehicle trips for each required analysis period is presented in the table below:

Proposed Use	Peak Hour			
	Weekday		Mid-day	Saturday
	AM	PM		
Residential				
219 units senior housing	28	35	38	66
Less internal Capture(ITE)	-2	-7	-7	-8
Less -30% TDM, Transit, TOD (Guidelines)	-8	-8	-10	-17
New Trips	18	20	21	41
Other housing types				

30 units faculty housing 606 units multifamily housing 126 units of Townhouses	21 316 89	24 363 101	12 196 50	51 315 79
Less internal Capture(ITE)	-16	-89	-44	-53
Less- 30% TDM, Transit, TOD (Guidelines)	-123	-120	-64	-117
New Trips	287	279	150	275
Residential New Trips	*305*	*299*	*171*	*316*
Office				
22,000 sq. ft. general office	44	41	29	9
Less internal Capture(ITE)	-4	-11	-8	-3
Less -30% TDM, Transit, TOD (Guidelines)	-12	-9	-6	-2
Office New Trips	*28*	*21*	*15*	*4*
Hotel				
120-Room facility	78	96	60	86
Less internal Capture(ITE)	-4	-18	-11	-10
Less -30% TDM, Transit, TOD (Guidelines)	-24	-23	-15	-23
Hotel New Trips	*50*	*55*	*34*	*53*
Retail				
168,200 sq. ft. retail (shopping center)	214	1,076	1,024	1,202
Less internal Capture(ITE)	-25	-123	-69	-74
Less – 15% TDM, Transit, TOD (Guidelines)	-29	-143	-143	-169
Less Pass-by trips-50% (Guidelines)	18	20	21	41
Retail New Trips	*80*	*404*	*536*	*633*
Total Net New Trips	***463***	***779***	***756***	***1,006***

Notes:
The submitted traffic impact study includes a total peak hour reduction of 30% percent for the residential, office and hotel uses, and 15% for retail for existing bus and transit service, the proposed shuttle service, and the required TDM program.

The approved Transportation Review Guidelines-Part 1- 2012, allows for a 30% reduction for all uses contained in a development application if the proposed development meets certain TOD stated standards and combine TOD ranking score of 92 or more, as demonstrated by the attached work-sheets.

The proposed development is projected to generate 463 AM and 779 PM new weekday peak hour vehicle trips, respectively. While the generated AM and PM peak hour vehicle trips are less than the 548 AM, and 902 PM new peak hour vehicle trip caps stated by Condition 22 of the approved Zoning Ordinance No. 11-2012, nonetheless the stated levels are more than the required threshold (50) for submission of a traffic impact study as specified by the Guidelines. As a result, staff required submission of a traffic study detailing AM and PM weekday, midday and weekend peak hours analyses, as well as provision and full description and proposed financing of the required TDM program elements.

The applicant submitted for review two separate traffic impact studies. The first traffic impact study report, dated July 10, 2012 and conducted by Wells and Associates, was for the total build-out of the site as stated above, with a proposed build-out in 5 years, or by 2017. The second traffic impact study report, dated September 5, 2012 also conducted by Wells and Associates, and at the request by staff was for

analysis of the called, at that time, "the phase one" consisting of 120 townhouse units, and 100,000 sq. ft. of retail space. This phase of development was planned to proceed and be completed in less than two years, or in 2014 and well in advance of the required construction of the roadway with the CSX crossing and connection to Rivertech Road.

Following the preliminary review for sufficiency, both reports were found to be acceptable by the Transportation Section, and were referred for review and comments to the SHA, DPW&T, the City of College Park, The town of Riverdale Park, and the Town of University Park SHA. Staff sufficiency determination was made because both reports incorporated appropriate trip generation rates and procedures outlined and recommended by the Guidelines as well as including methodology and approach as well as all critical intersections and roadway segments required by Condition 14 (c) (1–8) of the approved Zoning Ordinance No. 11-2012.

Both of these reports included a transportation facilities mitigation plan by proffering to replace the existing single left turn lane along northbound US1 at this location with the provision of double- left turn lanes. Section 24-124 (a) (6) of the County Code authorizes the Planning Board to consider traffic mitigation procedures identified in a prepared Transportation Facilities Mitigation Plan (TFMP) in certain areas of the county experiencing unacceptable transportation service levels. Since mitigation represents a departure from the standard procedure, the use of mitigation is limited to certain areas and special circumstances outlined by the County Council Resolution (CR-29-1994) and the Guidelines. One of these special circumstances is that the proffered improvement included in the TFMP is not already fully funded in either the adopted County Capital Improvement Program (CIP), or the current State Consolidated Transportation Program (CTP), and must be funded in whole or in part (if in part, other commitments must be made) by the applicants, applicant's heirs, successors, and/or assignees. The Guidelines also requires approval of any proffered mitigation plan by the appropriate agency prior to consideration by the Planning Board.

This improvement, the provision of double left-turn lane along northbound US1 at its intersection with MD410 was included with full funding and construction schedule for the year 2013 in the previous CTP (FY 2012-2018). With the current limited funding at the State level for transportation projects, there was a possibility that this improvement may have less than 100% construction funds in the new CTP. But due to the important nature of this improvement, the current CTP (FY 2013-2019) re-appropriated full 100% funding and construction to begin in spring 2013. As result of this action, the applicant's traffic consultant was asked to revise the required analysis by including this improvement as part of the background condition. Since there are no other feasible improvements that can be constructed at this location, the consultant proposed to re-route some of the background traffic to the planned but not yet funded roadway connection that includes the proposed CSX crossing overpass to River Road.

The revised analysis and the prepared point –by-point response to each of the transportation related conditions contained in the approved Zoning Ordinance No. 11-2012 was submitted for review on December 10, 2012. Supplementing this revised analysis, another report, detailing the needed justification for the assumed vehicle trip generation reductions for the proposed development to account for proffered and required transit, Transportation Management Program (TMP) components, TOD, as well as the rerouting of a portion of the projected background, and future traffic from US1 to the new proposed CSX crossing and to Kenilworth by the way of River Road, was provided for review on December 13, 2012. For a development to be deemed as TOD, there are specific standards, identified in the Guidelines, which must be included for the staff review in the subsequent detailed site plans. Both of these supplemental documents were referred to SHA, DPW&T and the three municipalities of College Park, Riverdale Park, and University Park for their review and comments.

The findings and recommendations outlined below are based upon a review of submitted reports and written comments provided by the reviewing agencies and municipalities, and additional analyses conducted by staff, consistent with the Guidelines and the approved plans.

Traffic Study Review and Findings

Existing Conditions

Pursuant to the scoping agreement, the traffic impact study identified the following intersections as the critical intersections, with existing traffic conditions for each analysis period is summarized within the table below:

EXISTING TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**AM**	**PM**
US1 & Paint Branch Parkway / Campus Drive	B/1036	C/1213
US1 & Rossborough Lane	A/692	A/767
US1 & College Avenue/ Regents Drive	A/754	A/857
US1 & Knox Road	A/775	A/993
US1 & Calvert Road	A/572	A/768
US1 & Guilford Road	A/712	A/754
US1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/659	A/619
US1 & future Northern Access Road		
US1 & Van Buren Street*/ Future Main Access Road	(12.8) Seconds	(13.3) Seconds
US1 & Future Southern Access Road		
US1 & MD 410	E/1555	E/1590
US1 & Queensbury Road	A/934	A/941
Paint Branch Parkway & River Road	A/622	A/634
MD201 & River Road	A/999	A962
Rivertech Court and River Road*	(27.6) Seconds	(22.7) Seconds
Rhode Island Avenue & Queensbury Road *	(10.7) Seconds	(11.2) Seconds
Lafayette Avenue & Queensbury Road *	(8.6) Seconds	(12.9) Seconds
Natoli Place & Queensbury Road *	(8.8) Seconds	(9.5) Seconds

* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.

EXISTING TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**Mid-Day**	**SAT**
US1 & Paint Branch Parkway / Campus Drive	N/S**	C/1158
US1 & Rossborough Lane	N/S	A/893
US1 & College Avenue/ Regents Drive	A/684	A/759
US1 & Knox Road	N/S**	A/952
US1 & Calvert Road	N/S**	A/639
US1 & Guilford Road	N/S**	A/735
US1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/446	A/604
US1 & future Northern Access Road		

US1 & Van Buren Street*/ Future Main Access Road	(11.9) Seconds	(15.5) Seconds
US1 & Future Southern Access Road		
US1 & MD 410	C/1164	E/1496
US1 & Queensbury Road	A/722	A/989
Paint Branch Parkway & River Road	N/S**	A/270
MD201 & River Road	N/S**	A/606
Rivertech Court and River Road*	N/S**	(9.8) Seconds
Rhode Island Avenue & Queensbury Road *	(8.4) Seconds	(9.1) Seconds
Lafayette Avenue & Queensbury Road *	(9.0) Seconds	(9.3) Seconds
Natoli Place & Queensbury Road *	(9.1) Seconds	(9.2) Seconds

* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.
** N/S: Not required by the signed traffic study Scope.

Background Conditions

As required, the background condition evaluates the anticipated background traffic with existing and programmed transportation infrastructure and improvements that are 100% funded, or bonded and permitted for construction.

The background traffic combines growth in existing traffic volumes attributable to development outside the study area with traffic that would be generated by approved and unbuilt development s within the study area. A review of the historical SHA traffic volume maps indicates that US1 in the immediate vicinity of the site has experienced less than 0.1 percent growth per year over the last seven years. Therefore, staff concurs that the use of 0.5 % per year growth rate for US1 through 2017, the proposed build-out year, used in the analysis is appropriate. In addition, there are nine approved but not yet build development plans, including M square/ Riverside, Maryland Book Exchange, in the study area which would collectively contribute a total of 2,997 AM new weekday peak hour trips, 3,084 PM new weekday peak hour trips, 2,097 new mid-weekday peak hour trips, and 1,753 Saturday new peak hour trips to the area road network.

In addition to including the provision of a double left-turn lane along northbound US1 at its intersection with MD410, which is fully funded with construction scheduled for the year 2013 in the current CTP, the traffic study includes the following improvements, which are not built but are among the approval conditions of the M square and Riverside development plans, as part of the transportation system for the background condition:

1. Additional right turn lane on east bound approach of MD201 @ River Road
2. Additional left turn lane on north bound approach of MD201@ River Road
3. Signalization of the intersection of Rivertech Court with River Road.

The results of background analyses are shown within the following table:

BACKGROUND TRAFFIC CONDITIONS[1]		
	LOS/CLV (delay)*	
Intersection	**AM**	**PM**
US1 & Paint Branch Parkway / Campus Drive	C/1211	E/1511
US1 & Rossborough Lane	A/756	A/852

US1 & College Avenue/ Regents Drive	A/841	A/1049
US1 & Knox Road	A/841	A/1086
US1 & Calvert Road	A/638	A/844
US1 & Guilford Road	A/783	A/864
US1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/717	A/685
US1 & future Northern Access Road		
US1 & Van Buren Street*/ Future Main Access Road	(13.5) Seconds	(14.7) Seconds
US1 & Future Southern Access Road		
US1 & MD 410 W/ SHA funded improvement	**E/1515**	**E/1596**
US1 & Queensbury Road	A/992	A/91019
Paint Branch Parkway & River Road	A/691	A/801
MD201 & River Road w/ planned improvements	**D/1336**	**C/1177**
Rivertech Court and River Road w/ planned traffic signal	**A/926**	**B/1019**
Rhode Island Avenue & Queensbury Road *	(10.7) Seconds	(11.2) Seconds
Lafayette Avenue & Queensbury Road *	(8.6) Seconds	(12.9) Seconds
Natoli Place & Queensbury Road *	(8.8) Seconds	(9.5) Seconds

* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.

BACKGROUND TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**Mid-Day**	**SAT**
US1 & Paint Branch Parkway / Campus Drive	N/S**	D/1409
US1 & Rossborough Lane	N/S	A/983
US1 & College Avenue/ Regents Drive	A/843	A/974
US1 & Knox Road	N/S**	A/1017
US1 & Calvert Road	N/S**	A/705
US1 & Guilford Road	N/S**	A/816
US1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/501	A/664
US1 & future Northern Access Road		
US1 & Van Buren Street*/ Future Main Access Road	(12.6) Seconds	(16.9) Seconds
US1 & Future Southern Access Road		
US1 & MD 410 w/ SHA funded improvement	**C/1119**	**E/1464**
US1 & Queensbury Road	A/780	B/1052
Paint Branch Parkway & River Road	N/S**	A/327
MD201 & River Road w/ planned improvements	**N/S****	**A/655**
Rivertech Court and River Road w/ planned traffic signal	**N/S****	**A/210**
Rhode Island Avenue & Queensbury Road *	(8.4) Seconds	(9.1) Seconds
Lafayette Avenue & Queensbury Road *	(9.0) Seconds	(9.3) Seconds
Natoli Place & Queensbury Road *	(9.1) Seconds	(9.2) Seconds

* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.
** N/S: Not required by the signed traffic study Scope.

Future (Total) Conditions:

An analysis of the traffic data under "Total" conditions for the build-out of the proposed development represents a combination of background traffic and site-generated traffic, as presented above. The total traffic analysis conditions reported in the following tables are based the following additional concepts, assumptions, and proposed roadway improvements:

1. The total traffic conditions represent the full build-out of the project in six years, without additional analysis or findings for development phasing as included in the submitted plans.

2. Provides for vehicle reduction through the use of the proffered TMP components including the utilization of existing bus and rail service, on-site bike sharing and car sharing programs, utilization of the proposed shuttle and circular bus service required by the approved zoning Ordinance No. 11-2012. While the submitted TMP lacks the needed mode shift goals, the required financial committals and specifics as well as the necessary monitoring and implementation tools, the sum of all proposed reductions used in the prepared traffic impact study is almost equal to the level of reduction credits currently allowed by the Guidelines for an "Excellent TOD" designated development. The applicant has justified the proposed development as Excellent TOD, by completing the required checklist included in the Guidelines, with some of the stated specific standards need to be verified at the time of detailed site plan review.

3. Rerouting a portion of the existing background development generated traffic, such as M Square and Riverside, as well as the traffic along southbound lanes of US1 south of Van Buren Street and going through or making left turn at MD 410 via the e proposed CSX crossing and River Road to MD201, as well as rerouting a similar amount of northbound oriented traffic along US1 south of MD 410 to US1 north of the site via MD 201, river road and the proposed CSX crossing.

4. Conversion of outside through lane along NB US1 to thru/right lane at the proposed south and north access roadways.

5. Install traffic signal along with associated geometric improvements, as specified by the approved Zoning Ordinance No. 11-2012 including physical barriers to eliminate through movement between the existing Van Buren Street and mid access roadway.

TOTAL TRAFFIC CONDITIONS[1]		
	LOS/CLV (delay)*	
Intersection	**AM**	**PM**
US1 & Paint Branch Parkway / Campus Drive	C/1192	E/1489
US1 & Rossborough Lane	A/770	A/864
US1 & College Avenue/ Regents Drive	A/863	B/1074
US1 & Knox Road	A/860	B/1104
US1 & Calvert Road	A/652	A/871
US1 & Guilford Road	A/831	A/946
US1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/769	A/756
US1 & Site's north Access*	(10.6) Seconds	(13.9) Seconds
US1 & Van Buren Street/ Site's Main Access W/ Signal	**A/720**	**B/1132**
US1 & Site's South Access*	(10.9) Seconds	(14.3) Seconds
US1 & MD 410 W/ SHA funded improvement	**E/1516**	**E/1596**
US1 & Queensbury Road	A/992	A/91019

Paint Branch Parkway & River Road	A/691	A/801
MD201 & River Road w/ planned improvements	**D/1336**	**C/1177**
Rivertech Court and River Road w/ planned traffic signal	**A/926**	**B/1019**
Rhode Island Avenue & Queensbury Road *	(10.7) Seconds	(11.2) Seconds
Lafayette Avenue & Queensbury Road *	(8.6) Seconds	(12.9) Seconds
Natoli Place & Queensbury Road *	(8.8) Seconds	(9.5) Seconds

* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.

TOTAL TRAFFIC CONDITIONS		
	LOS/CLV (delay)*	
Intersection	**Mid-Day**	**SAT**
US1 & Paint Branch Parkway / Campus Drive	N/S**	D/1444
US1 & Rossborough Lane	N/S	B/1021
US1 & College Avenue/ Regents Drive	A/835	B/1029
US1 & Knox Road	N/S**	B/1079
US1 & Calvert Road	N/S**	A/767
US1 & Guilford Road	N/S**	A/918
US1 & Amherst Road/ Pine Way/ Queen's Chapel Road	A/501	A/769
US1 & future Northern Access Road	(11.5) Seconds	(12.7) Seconds
US1 & Van Buren Street/ Main Access w/ planned signal	**A/585**	**B/1009**
US1 & Future Southern Access Road	(11.9) Seconds	(13.0) Seconds
US1 & MD 410 w/ SHA funded improvement	**C/1121**	**E/1462**
US1 & Queensbury Road	A/826	B/1089
Paint Branch Parkway & River Road	N/S**	A/319
MD201 & River Road w/ planned improvements	**N/S****	**A/708**
Rivertech Court and River Road w/ planned traffic signal	**N/S****	**A/663**
Rhode Island Avenue & Queensbury Road *	(8.6) Seconds	(9.3 Seconds
Lafayette Avenue & Queensbury Road *	(9.1) Seconds	(9.4) Seconds
Natoli Place & Queensbury Road *	(9.3) Seconds	(9.3) Seconds

* In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably.
** N/S: Not required by the signed traffic study Scope.

The results shown in the tables above indicate that all studied intersections would operate acceptably under total traffic provided the noted improvements are either constructed or fully boned and permitted for construction. It is equally important to note that the resulting CLV findings noted above are based upon the projected peak hour vehicle trips resulting from the full build-out of the proposed plan for each studied period and the inclusion of CSX crossing and its connections from US1 to River Road as part of the background network. This in accordance with the Guidelines would mean the proposed CSX crossing and its connections to US1 and River Road must be constructed or deemed funded and permitted for construction in accordance with Section 24-124 (a) (6) of the County Code.

In addition to the above intersection levels of service analysis, and at staff request, a queuing analysis was done for the US1 SB left turns at the proposed signalized intersection of Van Buren Street and the Main access driveway using the total projected traffic. This queuing analysis indicates a maximum queue

length of 400 feet plus the required taper, per SHA standards, would be needed. Since this required length is significantly less than the existing 1200 feet from this location to the next signalized intersection to the north along US1, staff concurs with report findings that a single left turn lane at this location would be sufficient to accommodate the total build-out left turn traffic from US1.

Conformance to the approved Master Plans

The subject property is covered by the *2009 Approved Countywide Master Plan of Transportation* (MPOT), and the Approved *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan.* The submitted plan indicates that the existing Rights-of-Way (ROW) for US1 in the vicinity of subject site is 60 feet wide. The existing roadway consists of only two travel lanes on each side with a center left turning lane. While there are no sidewalks along the property frontage or along the WMATA property, there are sidewalks along US1 to the north and south of the site.

Both approved master plans envision and recommend US1 as a four lane divided Major Collector facility roadway with a 90 to 110 foot ROW along the subject property. Provision of at least 45 feet of ROW from existing centerline along US1 and along the proposed property frontage will allow for the needed landscaped median that will include a left turn lane, two travel lanes and on road bike lane on each side, landscaped strip and wide side walk along and adjacent to roadway. This minimum amount of needed ROW, does not however, provide for the exclusive right turn along NB US1 and at the proposed main access driveway, required by the SHA as part of their latest email referral received on January 3, 2012.

On-Site Circulation and Access Review and Findings

The subject property is adjacent to US1. As proposed, the subject site, and based on distribution of site generated traffic, will be served by three access driveways from US1, two of which are proposed to be stop-controlled and limited to right turns, a CSX railroad crossing that will extend to River Road, and a southern access driveway connection to Maryland Avenue. The main access driveway along US1 will be opposite of the existing Van Buren Street and is proposed as four lane divided gateway with extra wide median to be used as public gathering places and plazas, on road bike lanes, bus stops, potential bike share and car sharing stations, wide sidewalks transitioning to two lane divided roadway as it crosses the planned Rhode Island Avenue Regional Trail and intersect with other planned internal roadways that will provide access to existing Maryland Avenue, or the planned CSX crossing. While a portion of site traffic is assigned to Maryland Avenue, the proposed plan does not show the required extension, north of Tuckerman Street, which would be needed to gain access to Maryland Avenue.

Considering the level activities and projected multi-function of the proposed Van Buren Extension (main boulevard), staff concurs with the suggested changes proposed by Urban Design Section to eliminate the western most access driveway and shift the road alignment slightly to the north at this location to better accommodate the existing historical feature as well as the reconfiguration of the proposed ellipse and by shifting it further east, would provide for much safer environment for walking, biking as well as vehicular traffic. The proposed changes would eliminate several unintended conflict points and create much more desirable vehicular circulation and access to the proposed CSX crossing and to reach the College Park Metro Station, The planned M-Square Purple Line Station, the Riverside/ M-Square development, and MD201.

Review of Transportation Related Requirements of Prior Development Plans

As indicated in prior sections, there is an approved zoning Ordinance No. 11-2012 for the subject site (A-10018) with several transportation related conditions and considerations. Several of these require

review at, or prior to, approval of any preliminary plans. The status of these related transportation conditions and considerations are summarized below:

4. Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:

   e. one east-west bicycle route through the site either along Van Buren Street or Woodbury Street, in order to accommodate east-west bicycle movement through the site, to the trolley trail, to the planned bicycle facilities along Baltimore Avenue (US 1), and across the CSX crossing.

   This is done. The plan proposes on road bike lanes from US1 (the planned bike lane along US1) thru the site and along both Van Buren Street and Woodbury Street. But, the plan proposes both of these roadways as private streets, and not dedicated to public use. . The proposed Van Buren Street extension is main road for development and is proposed as a four lane divided gateway with extra wide median to be used as public gathering places and plazas, on road bike lanes, bus stops, potential bike share and car sharing stations, wide sidewalks transitioning to two lane divided roadway as it crosses the planned Rhode Island Avenue Regional Trail and intersect with other planned internal roadways that will provide access to existing Maryland Avenue, and the planned CSX crossing. To this end, the proposed redesign of Van Buren Street as proposed by Urban Design Section would create much better environment for all users including bikers by eliminating several unintended conflict points, as well as helping to establish much more desirable vehicular circulation and access to the proposed CSX crossing as a way to the College Park Metro Station, The Riverdale Park Marc Station and MD201.

   f. The proposed cross sections, roadbeds, streetscape dimensions, and the use of medians shall be fully incorporated into the application of the preliminary plan so that the width and configuration of the streets can be reduced, yet adequate in design to address the traffic patterns within the development and vehicular and emergency access. The use of public streets in accordance with the standards of the Department of Public Works and Transportation (DPW&T) shall also be considered to serve certain uses and to determine future maintenance of the transportation facilities, including a bridge over the CSX railroad.

   While the spirit of this condition is enforceable at the time of detailed site plan and building permit review, the preliminary plan needs to be revised to show all internal roadways except for the proposed alleyways will be dedicated to public use. All internal roadways provide access to various proposed uses as well as being used to reach US1 and the CSX crossing which provide convenient access to the College Park Metro, Riverdale Park Marc, and MD 201. Therefore a dedicated to public use roadway network is far superior to that is shown on the proposed plans which includes a complete set of private internal streets, because a dedicated street network ensures access would not be denied at any time and without proper justification. .

14-c A Revised Traffic scoping agreement and Impact Study that:

(1) Accurately reflects the development proposal and anticipated phasing;

(2) Eliminates corridor averaging for all intersections included in the Study;

(3) Analyzes midday and Saturday (10:00 a.m. – 6:00 p.m.) traffic impacts;

(4) Analyzes all proposed connections, including the proposed CSX Crossing and Maryland Avenue;

(5) Analyzes the impact of the development on the intersections as specified in the scoping agreement and those in the July 27, 2011 study, as well as the evaluation of the existing prevailing conditions and traffic impact of the development on Queensbury Road, existing Maryland Avenue, Rhode Island Avenue south of Town Center, Lafayette Avenue, Natoli Place, River Road, and other roads as appropriate;

(6) Provides for vehicle trip reduction through measures including but not limited to rideshare, Zipcar (or similar) programs, bike share, enhanced transit service such as a shuttle and/or circulator bus, and the CSX crossing;

(7) Considers all future development and its effects on the corridor and intersections as identified in (c)(5) above for any projects that have an approved detailed site plan or preliminary plan of subdivision within the study area to include at a minimum the eastern portion of the 2004 approved M-U-TC Zone area; and

(8) Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up Baltimore Avenue to the Cafritz Property.

This condition identifies specific analysis procedures that all its elements have been fully incorporated in the prepared traffic studies and here within the staff review memo.

15. After completion of construction and final inspection of on-site public roads, and upon request of the Town of Riverdale Park, such roads shall be dedicated and turned over to the Town, in such manner and subject to such reasonable terms and conditions as the Town may require, for public use. The determination as to which on-site roads will be public roads subject to dedication and turnover to the Town shall be determined at the time of Preliminary Plan of Subdivision.

While the spirit of this condition is enforceable at the time of building permit review, the preliminary plan needs to be revised to show all internal roadways except for the proposed alleyways that are or will be dedicated to public use. All internal roadways provide access to various proposed uses as well as being used to reach US1 and the CSX crossing which would provide convenient access to the College Park Metro, Riverdale Park Marc, and MD 201. Therefore a dedicated to public use roadway network is far superior to that is shown on the proposed plans which includes a complete set of private internal streets, because a dedicated street network ensures access would not be denied at any time and without proper justification. .

17. At the time of Preliminary Plan of Subdivision submission, the applicant shall submit a Transportation Management Plan ("TMP") for the entire development. The TMP shall include provisions to provide for the full funding of the TMP by the owners of the property. The TMP and funding obligations shall run with the land until such time as a Transportation Demand Management District ("TDMD") is established and includes the property. The TMP shall identify and establish a series of measures to achieve a maximally-efficient use of the adjacent transportation facilities. As the project is developed and occupied, modifications and additions to the TMP shall establish vehicle trip reduction goals with reporting and monitoring provisions subject to independent verification by DPW&T. Specifics of the TMP shall include the following elements referenced in the applicant's letter to Susan Lareuse dated November 15, 2011, pages 9-10, and car and bike share and residential and employee subsidies. The TMP shall also provide for a private shuttle to be provided as the applicant and the applicant's heirs, successors, and/or assignees' expense.

The applicant has submitted a prepared TMP for the entire development, identifying program actions that when and if funded and implemented would provide for some reduction and diversion of projected site's vehicle trips to other modes. The plan however, lacks the required funding obligations and staff is unable to determine specific trip reduction goals associated with various components of the proffered TMP. The prepared TMP also lacks the necessary reporting or monitoring provisions.

18. Prior to approval of a Preliminary Plan of Subdivision, the applicant shall provide a commitment to organize and achieve a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15-minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m., Monday through Friday. This requirement may be provided as part of the TMP and may be satisfied privately or by participating in one or a combination of existing or future adjacent public transportation services. Specifications and assurances for any shuttle service shall be provided prior to issuance of any use and occupancy permit. Service is to continue until there is a preferred alternative approved by the municipalities and the applicant may substitute an equivalent to the private shuttle service.

The TMP while identifying reductions in generated vehicle trips as a result of the existing and proposed circular and shuttle bus service, it lacks the required specifications and assurance of funding obligations. Furthermore, staff is unaware of any discussion or provision with any other entities as an acceptable mean which can be deemed satisfactory in assuring that the planned shuttle service will become operational as required prior to issuance of any use and occupancy permit.

19. Prior to approval of the Preliminary Plan, the applicant shall provide details of its commitment to participate in a circulator bus program, whether as part of a TDMD or other effort, and shall contribute funds for this purpose.

The applicant has not submitted any document to this item. One way to satisfy this condition and demonstrate the applicant's commitment and willingness would be for applicant to enter into a joint agreement and a signed funding obligation with any of the existing transit operating agencies in the area and/or DPW&T for provision of the required circular bus service that specifies the proposed route, potential stops, hours of operations, proposed headways and overall length and duration of service

22. Establish a trip cap of 548 AM new peak hour trips and 902 PM new peak hour trips for full build-out of the development that may be amended, but not increased at the time of Preliminary Plan. The trip cap will not include purely internal trips.

The proposed development with appropriate trip reductions noted in the study conforms to the required peak hour caps. It is important to note that the transportation adequacy finding for the submitted preliminary plan is based on different AM and PM new peak hour caps. The new caps, which are based on the analysis included in the applicant's submitted traffic stud, are less than those stated by this condition. As result, staff would propose new AM and PM vehicle trip caps to be included as part of the submitted preliminary plan approval conditions.

24. Prior to the approval of the Preliminary Plan of Subdivision, the applicant shall do the following, subject to the opportunity for review and comment by the Town of Riverdale Park and the Town of University Park:

a. The Preliminary Plan shall show a roadway connection from the first phase of the development on the property to existing Maryland Avenue at the southern boundary of the property (the "Van Buren Extension").

b. Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the property, an extension of Maryland Avenue from the southern boundary of the property to where the existing roadway ends north of Tuckerman Street (the "Maryland Avenue Extension"). Provided that right-of-way exists, construction of the Maryland Avenue Extension must be completed before Prince George's County issues the first use and occupancy permit for any retail, office or hotel use on the Property. No portion of any building on the Property may be used or occupied until construction of the Maryland Avenue Extension has been completed and opened for travel by public safety vehicles.

The proposed plan shows Maryland Avenue extension thru the site as a private street, with eventual connection, even though not direct to the proposed extension of Van Buren Street. The plan, however, does not show the required extension of existing Maryland Avenue from the property line south to its present terminus at Tuckerman Street in the Town of Riverdale Park. This off-site connection is critical, as the applicant's submitted traffic study have assigned some of the site projected traffic to Maryland Avenue. Without this connection, and based on the submitted study's assumptions, the required finding of adequacy cannot be made.
As mentioned as part of conditions 4 and 15 above, the full incorporation of the proposed layout modifications by the Urban Design Section to the site's internal circulation, as well as inclusion of an approval condition for the provision of Maryland Avenue extension to Tuckerman Street would greatly improve the access, safety and circulation for all users with the subject site.

25. Prior to the approval of a Preliminary Plan of Subdivision (the "Preliminary Plan"), the applicant shall do the following, subject to the opportunity for review and comment by Prince George's County, the Town of Riverdale Park, and the Town of University Park:

a. The Preliminary Plan shall show a crossing over the adjacent CSX railroad tracks (the "CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway, underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property with a connection to a public road.

b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan.

c. Provide letters from the CSX and University of Maryland (or the affected land owner), that recommend approval of the CSX Crossing as shown on the Preliminary Plan and identify the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University (or the affected land owner).

d. Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any.

Further, the applicant shall participate in the design, provision and acquisition of rights-of-way, permitting, funding and construction of the CSX Crossing, equal to half the complete costs, but not to exceed Five Million Dollars ($5,000,000). The applicant, its successors and assigns, shall make all reasonable efforts to obtain public funding (federal, state, county, municipal) as necessary in addition to its CSX contribution to construct the CSX Crossing. Public funding may include all or a portion supported by tax increment financing as may be authorized in accordance with state and local laws. 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.

The submitted plan shows the required CSX crossing, the alignment, cross section and how it is connected from the Van Buren Street to River Road via Rivertech Road. The Plan also shows a revised location as the preferred location for this crossing, and applicant has secured a general approval confirmation from CSX for the proposed location of this crossing. However, to this date, the applicant has not been able to furnish staff with an approval letter from the American Center for Physics (the affected property owner) where the eastern half of the access connection must be built. The applicant has not provided staff with any of the required cost estimates and financial calculations for design, ROW, and the construction. The applicant also has failed to provide or demonstrate that secure funding or financial assurance are or would be available to ensure for this APF required crossing and its connection to River Road as outlined by this condition and/or Section 24-124 of the County Code.

27. The applicant, the Town of Riverdale Park, and the Town of University Park will work together to petition the District Council to initiate and establish a Transportation Demand Management District ("TDMD") program under the Prince George's County Transportation Demand Management District Ordinance Subtitle 20A. Consideration should be given to establishing the boundaries of the TDMD to extend from Paint Branch Parkway to Queensbury Road. Once a TDMD is established, the applicant will provide financial support and the "TMP" will become part of the District and will be monitored by the Transportation Management Authority ("TMA"). The TDMD should provide for traffic reduction goals and periodic independent verification of monitoring whether the goals have been met, including restricting the maximum allowable density to a level that will generate average net additional daily vehicle trips on Baltimore Avenue that are not more than 20% above current levels, and net additional peak hour trips that are no more than 20% above current peak-hour vehicle trips at AM (06:00-09:00), mid-day (11:00-14:00), PM (16:00-19:00), and Saturday (10:00-18:00). These counts will be performed at a fixed location specified in the TDMD between East-West Highway and the southern entrance, and between Queens Chapel Road and the northern entrance, to the project and will be based upon traffic estimates that have been reviewed and determined to be reasonably accurate by the Transportation Planning Section of M-NCPPC. If the goals of the TDMD are not met, additional vehicle trip reduction measures to resolve the problem will be required pursuant to the requirements of Subtitle 20A.

As of this writing, staff is not aware that any such petition to initiate and establish a TDMD has been prepared or submitted for approval by the District Council.

CONSIDERATIONS:

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.

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 submitted plan shows for the provision of the Rhode Island Avenue Trolley Trail across the WMATA property, and connecting to the terminus of existing trail at Albion Street and south to Tuckerman Avenue. Staff recommend plan be revised to fully incorporate the Urban Design Sections proposed modifications to the proposed alignment of this trail within the subject site that greatly improve the access, safety and use of this trail within and thru the subject site.

Transportation Staff conclusions

In accordance with the above findings, the transportation planning staff has determined that adequate transportation facilities would exit to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code with the provision of several conditions as noted below. While this adequacy determination focus on the findings required by the code, it is important to note that there are several unsatisfied transportation related zoning approval conditions that have not fully been satisfied, or adequately addressed by the application, as stated above, despite the requirement that they must be addressed at or prior to approval of the any preliminary plan of subdivision.

Transportation Staff Recommendations:

The transportation staff recommends the following conditions to be included as part of any approval of the submitted preliminary plan of subdivision for the subject property:

1. The development subject site shall be limited to the mix of allowed uses and the intensity that will generate no more than 463 AM weekday, 779 PM weekday, 756 midday and 1,006 Saturday peak hour vehicle trips during any stage of development. Any development that is deemed to generate more peak hour vehicle trips than the levels stated above shall require an additional preliminary plan of subdivision with a new determination of adequacy for transportation facilities.

2. At the time of detailed site plan the applicant shall incorporate specific standards and as identified by the Guideline that when implemented the development is deemed as meeting the Guidelines designation as "excellent Transit Oriented development".

3. At the time of final plat approval:

    a. The applicant shall dedicate a minimum right-of-way along US1 of 45 feet measured from the center line of existing pavement, unless at detailed site plan review, SHA referral requires additional dedication as part of any of their review and approval of access permits, which should be in addition to the required 45 feet of right-of-way dedication.

    b. The applicant shall dedicate all internal roadways except alleyways to public use and fully incorporate the recommended Urban Design Section's reconfiguration and realignment of the proposed Van Buren Street extension, including the elimination of the proposed right-in access to the proposed surface parking lot south of this street, within the subject property which improves access, safety and circulation for all users. All internal roads shall be constructed per the Town of Riverdale Park Standards and specifications, or DPW&T standards if so deemed by the Town.

4. Prior to the issuance of any building permit on the subject property, the applicant shall obtain approval and have permitted for construction:

   a. The provision of two right-in/right- out access driveways, and the provision of divided main access driveway opposite of the existing Van Buren Street along with associated improvements that prohibits thru movements across US1 to and from both sides of Van Buren Street, as well as any other improvements deemed needed by SHA at these locations and along US1.

   b. The extension and construction of continuous sidewalk that extends from the existing sidewalk terminus north and south of the subject site including the entire site's frontage with US1 and along the existing WMATA property, located just to the north of the subject site.

5. Prior to the issuance of the first building permit for the development, the following road improvements shall (a) have been constructed, (b) fully funded and scheduled for construction in the adopted CIP or current CTP, (c) fully bonded and permitted for construction with agreed-upon time table for construction by the applicant, his heirs, successors, assignees and/or others, or otherwise is incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) and in accordance with Section 24-124 (a) (6) of the County Code:

   a. The proposed CSX crossing including its connections to River Road via Rivertech Court and associated improvements for the intersections of access road with Rivertech Court and Rivertech with River Road, consisting of at least two travel lanes, on road bike lanes and sidewalks and per DPW&T standards and specifications.

   b. Provision of an additional right turn lane on east bound approach of MD201 @ River Road, and an additional left turn lane on north bound approach of MD201@ River Road, Per SHA standards and specification and when deemed needed by SHA. SHA may modify or require additional improvements for this intersection as part of the ongoing planning studies for the purple line.

   c. Signalization of the intersection of Rivertech Court with River Road per DPW&T standards and specification.

   d. Signalization of the intersection of US1 with Van Buren Street as well any associated improvements and coordination of signals along US1 between MD 410 and Amherst Road, per the SHA specifications and standards.

   e. Extension of existing Maryland Avenue from its existing terminus at Tuckerman Street to southern edge of the subject property and thru the subject property on a recommend alignment suggested by the Urban Design Section to Van Buren Street per the Town of Riverdale Park Standards and specifications, or DPW&T standards if so deemed by the Town.

Rushern L. Baker, III
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT

DPW&T

Department of Public Works and Transportation
Office of Engineering

M-NCPPC
P.G. PLANNING DEPARTMENT
RECEIVED
NOV 13 2012
DEVELOPMENT REVIEW DIVISION

MEMORANDUM

November 9, 2012

TO: Quynn Nguyen, Subdivision Review Section
Development Review Division, M-NCPPC

FROM: Dawit Abraham, P.E., Associate Director
Office of Engineering, DPW&T

RE: Cafritz Property
Preliminary Plan No. 4-12004

CR: Rivertech Court, 2-6891

In response to the Preliminary Plan No. 4-12004 referral, the Department of Public Works and Transportation (DPW&T) offers the following:

- 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 US 1. US 1 is a State-maintained roadway; therefore, coordination with the Maryland State Highway Administration (SHA) is required.

- The site lies within the Town of Riverdale Park; therefore, the Town of Riverdale Park will determine rights-of-way dedication limits, determine roadway improvement requirements and issue all roadway permits unless a written agreement has been reached with the County to provide these services. All on-site roads are to be owned and maintained by the Town of Riverdale Park.

- The Traffic Impact Study (TIS) has been received and is under review by DPW&T Traffic Safety Division. A separate memorandum will follow once the review of the TIS is complete.

- The CSX crossing bridge and roadway connections shall be owned and maintained by the Town of Riverdale Park.

- 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.

- A revised Stormwater Concept Plan No. 11589-2010 has been submitted and is currently under review. Stormwater Concept Approval is required prior to approval of the preliminary plan.

- 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.

- The construction cost estimates of the proposed CSX crossing and the associated roadway connections shall be reviewed by DPW&T.

- Some of the standards regarding the bridge design will include the following: bridge is to be 36 feet road pavement and 6 foot sidewalks and 2 foot barriers.

- A soil investigation report, which includes subsurface exploration and geotechnical engineering evaluation for the proposed buildings, may be required.

If you have any questions or need additional information, please contact Mr. Russell Carroll, P.E., District Engineer for the area, at (301) 883-5710.

DA:IKN:dar

cc: Russell Carroll, District Engineer, EISD, OE, DPW&T
Armen Abrahamian, Chief, Traffic Safty Division, OE, DPWT
Ikem Nwolisa, Engineer, EISD, OE, DPW&T
Brian Winterwerp, Engineering Technician, EISD, OE, DPWT
Calvert Tract, LLC, 1666 Connecticut Avenue NW, Suite 250, Washington, DC 20009
Loiderman Soltesz Associates Inc., 4300 Forbes Boulevard, Suite 230, Lanham, Maryland 20706

MD. NATL. CAP. PK. & PL. COMM
PRINCE GEORGE'S COUNTY
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PLANNING DEPARTMENT
COUNTYWIDE PLANNING DIVISION

Martin O'Malley, *Governor*
Anthony G. Brown, Lt. *Governor*

SHA
State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

Darrell B. Mobley, *Acting Secretary*
Melinda B. Peters, *Administrator*

October 26, 2012

Re: Prince George's County
US 1
Cafritz Property – Phase I
SHA Tracking #11APPG044

Mr. Tom Masog
Transportation & Facilities Planning
M-NCPPC
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Dear Mr. Masog:

Thank you for the opportunity to review the updated Traffic Impact Study Report prepared by Wells & Associates, Inc., dated September 5, 2012 (received on September 28, 2012) for the proposed Cafritz Property Phase I mixed-use development in Prince George's County, Maryland. The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the Phase I development that includes 120 Townhomes and 100,000 square feet of Retail Space is proposed from one (1) full movement site access driveway and two (2) right-in/right-out site access driveways on US 1.

- The report determined that the proposed development would negatively impact the US 1 at MD 410 intersection. Therefore, the report proposed to widen the northbound US 1 approach to provide a second exclusive left turn lane.

- A Traffic Signal Warrant Study was conducted at the US 1 at Site Access Drive/Van Buren Street intersection with the proposed Phase I development. The results of the study revealed that the following traffic signal warrants would be met:

  - Warrant #1A (Minimum Vehicular Volume)
  - Warrant #1B (Interruption of Continuous Traffic)
  - Warrant #2 (Four Hour Volume)

- In order to enhance the opportunity for mass transit usage, the applicant has proposed the following measures:

  - Provide sidewalk along the entire site frontage to connect with existing sidewalks to the north and south (including the WMATA property).
  - Expand existing shuttle systems to include the Cafritz Property as a stop.
  - Extend bicycle trails through the site to connect with existing trails to the north and south.
  - Work with CSX to provide a pedestrian/bicycle crossing of the CSX rail line providing direct pedestrian access to the proposed Purple Line Light Rail Station.

The SHA concurs that the proposed improvement at the US 1 intersection with MD 410 would be sufficient to mitigate the site traffic impact; however, it is not sufficient to meet the congestion standard for the Developed Tier Section in Prince George's County. The developer has indicated that the proposed second northbound US 1 left turn lane on US 1 at MD 410 is a SHA project. The SHA project is anticipated to be under construction in 2013. While the developer proposes that the SHA project might mitigate the site traffic impact, additional improvements above and beyond the second northbound US 1 left turn lane are necessary to mitigate the site traffic impact at the US 1 intersection with MD 410. Therefore, SHA recommends that the M-NCPPC condition the applicant that Phase 1 of the development not generate site traffic until the SHA project construction is complete. In addition, SHA recommends that M-NCPPC require the applicant to provide additional roadway improvements to mitigate the site traffic impact. Once all improvements are determined, roadway plans and supporting documents must be provided to SHA for review and comment during the pre-permit engineering plan review phase.

Although SHA concurs that the projected traffic volumes are sufficient to meet MUTCD warrants at the US1 intersection with the Site Access Drive/Van Buren Street intersection, SHA will require a Synchro analyses along the US 1 corridor that include upstream and downstream traffic signals to assess the implications of a potential new traffic signal on US 1. This comment was provided in SHA's previous letter, dated November 22, 2011, to the developer team.

Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments. If you have any questions or comments regarding the enclosed traffic report comments, please contact Mr. Larry Green at 410-995-0090 extension 20.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/lg/cnd

cc: Ms. Mary Deitz, SHA RIPD
Mr. Nick Driban, SHA Access Management Division
Mr. Eric Foster, M-NCPPC
Mr. Bob French, SHA Office of Traffic & Safety
Mr. Larry Green, Daniel Consultants, Inc.
Mr. Joseph Katzenberger, SHA Access Management Division
Mr. Vaughn Lewis, SHA RIPD
Mr. Subrat Mahaptra, SHA Travel Forecasting & Analysis Division
Ms. L'Kiesha Markley, SHA RIPD
Mr. Venu Nemani, SHA District 3 Traffic Engineering
Ms. Shaneka Owens, SHA District 3 Office
Mr. Johnson Owusu-Amoako, SHA Office of Traffic & Safety
Mr. Saed Rahwanji, SHA Traffic Development & Support Division
Mr. David Rodgers, SHA RIPD
Mr. Errol Stoute, SHA Traffic Development & Support Division
Mr. Morteza Tadayon, SHA Travel Forecasting & Analysis Division
Mr. Connie Yarborough, SHA Travel Forecasting & Analysis Division

Mokhtari, Faramarz

Subject: FW: Cafritz ROW dedication

From: Foster, Eric
Sent: Friday, January 04, 2013 9:47 AM
To: Mokhtari, Faramarz
Subject: RE: Cafritz ROW dedication

I think that would be consistent with Whitney's response to this e-mail, which I understood to mean that we should request the prospective maximum dedication (based on what is known) at prelim, but allow for possible subsequent reduction in the dedication at DSP depending on the comments from SHA.

From: Steve Foster [mailto:SFoster1@sha.state.md.us]
Sent: Thursday, January 03, 2013 4:40 PM
To: Chellis, Whitney
Cc: Mokhtari, Faramarz; Foster, Eric; Nguyen, Quynn; Joseph Katzenberger
Subject: RE: Cafritz ROW dedication

Whitney,

Thank you for the additional information and regulatory clarity. The extent of right of way for dedication and deeding to SHA may be required as part of the access permit process. This is necessary to ensure that traffic is placed on roadways that are within the right of way (including supporting amenities). Let me explain about my comment that it is premature to establish the right of way. The right of way for improvements must be dedicated and deeded to SHA as a condition of the access permit. The limits of right of way that are required for the actual roadway improvements, roadside grading, drainage, sidewalks, etc., are based upon the approve traffic impact study and required improvements. The extent of roadway improvements remain in question at this time. Yes, SHA stated that deceleration and acceleration lanes will be required and we understand that the developer would like additional discussion on that requirement (which will occur this month). Once those discussions resolve the traffic impacts, mitigation, and the design footprint is defined, the right of way can be dedicated and deeded to SHA via SHA format right of way plats. As for the accel/decel lane requirements, this is not a new comment. I personally raised the topic when the agencies met with the developer team over a year ago. While the accel lane may not be necessary in the end, the deceleration lane is necessary due to this high-traffic demand generator.

Steve

NOTICE: This email may contain sensitive information intended only for the recipients. No official or public statement is made or implied. Please use discretion in any further distribution of this communication.

Steven D. Foster, Chief,
Access Management Division
Office of Highway Development
Maryland State Highway Administration
707 N. Calvert Street, Mailstop C-302
Baltimore, Maryland 21202
Voice: 410-545-5601, Fax: 410-209-5026, **email:** sfoster1@sha.state.md.us

CSX
TRANSPORTATION

Benjamin P. Biesterveld
Project Manager II – Public Projects
1610 Forest Avenue, Suite 120
Richmond, VA 23229
804-226-7718
Benjamin_Biesterveld@csx.com

PRINCE GEORGE'S COUNTY PLANNING BOARD
OFFICE OF THE CHAIRMAN
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December 18, 2012

Prince George's County Planning Department
Rec'd DEC 27 2012 same
Distribution FP, AH, SL, Log
Original to DRD

Ms. Elizabeth Hewlett, Chairwoman
Prince George's County Planning Board
Maryland-National Capital Park & Planning Commission
14741 Governor Oden Bowie Drive
County Administration Building
Upper Marlboro, Maryland 20772

Re: CSX Transportation, Inc. ("CSXT) recommendation of approval of the proposed location in Riverdale Park, MD of a new highway bridge and its related roadway approaches crossing over CSXT railroad tracks on the eastern boundary of the Cafritz Property (the "Crossing").

Dear Chairwoman Hewlett:

Please reference the March 30, 2012 letter from Carey Seavy (attached) acknowledging the recommendation of approval of the location. CSXT understands that the new proposed bridge crossing location has moved a few hundred feet to the north. Please let this letter confirm CSXT acknowledgement of the approval of the Crossing location shown in the attached map.

Please understand that all other qualifications referenced in the March 30, 2012 letter still apply. In addition, CSXT requires that the appropriate horizontal and vertical clearances be maintained. You must maintain a vertical clearance of at least 23 feet from the top of the rail to the lowest point of your structures. For horizontal clearances, you must span the entire CSX right-of-way.

For more information on working with CSXT on a public project such as this, please visit the CSXT website at www.csx.com, click on the "Community" tab, click on the "Property and Projects" link, and download the "Public Project Manual". This will give you more details on the entire process.

CSXT looks forward to working with you on your project. Please feel free to contact me with any questions.

Sincerely,

Benjamin P. Biesterveld
Project Manager II – Public Projects

CSX
TRANSPORTATION

Carey R. Scavy
Project Manager - Public Project
1610 Forest Avenue, Suite 120
Richmond, VA 23229
804-226-7718
Carey_Scavy@csx.com

March 30, 2012

Ms. Elizabeth Hewlett, Chairwoman
Prince George's County Planning Board
Maryland-National Capital Park & Planning Commission
14741 Governor Oden Bowie Drive
County Administration Building
Upper Marlboro, Maryland 20772

Re: CSX Transportation, Inc. ("CSXT") recommendation of approval of the proposed location in Riverdale Park, Maryland of a new highway bridge and its related roadway approaches crossing over the CSXT railroad tracks on the eastern boundary of the Cafritz Property (the "Crossing").

Dear Chairwoman Hewlett:

In connection with the proposal made by Calvert Tract, LLC., the owner of the subject property (the "**Owner**"), CSXT is submitting this letter to you as an acknowledgement of our recommendation of approval of the Crossing location, as shown in Exhibit A enclosed herewith, all subject to the qualifications set forth herein.

Specifically, our recommendation of approval of the Crossing is subject to the following qualifications:

1) CSXT shall have on going rights throughout the schematic and design drawings phases of the Crossing's development, as well as during the actual construction of the Crossing, to review and approve the Crossing's precise location, design and construction schedule, all as more particularly set forth in that certain Preliminary Engineering Agreement between Owner and CSXT enclosed herewith as Exhibit B, the CSX Transportation Criteria for Overhead Bridges enclosed herewith as Exhibit C, and such other agreements that Owner and CSX may enter into from time-to-time, it being understood that the final design and location of the Crossing shall be in substantial conformance with what is shown in Exhibit A and the Application, and that the anticipated start date of the Crossing's construction is January 1, 2015;

2) CSXT shall make no financial contribution towards any aspect of the Crossing whatsoever including, without limitation, its design, permitting, construction, and post-construction maintenance;

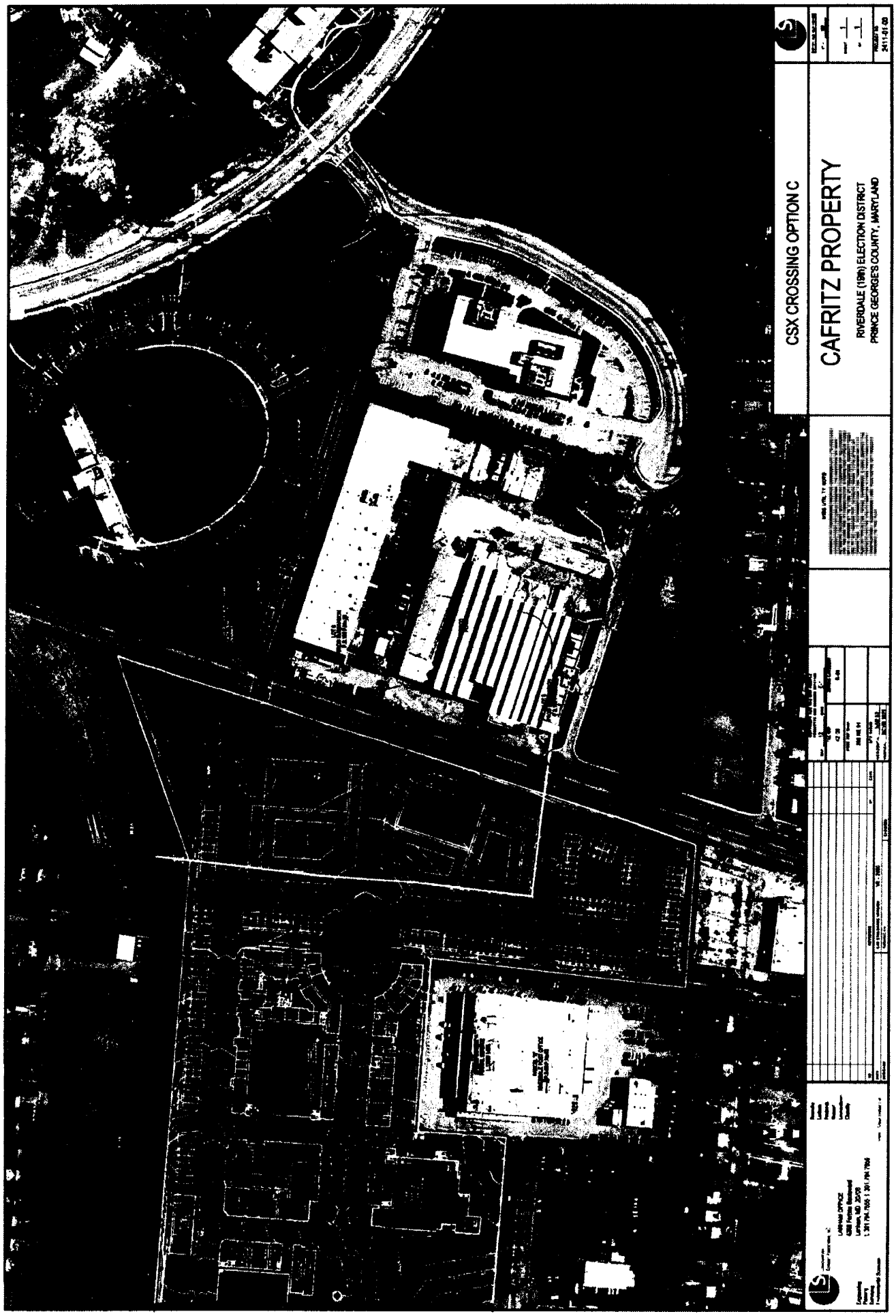
3) A Construction Agreement covering the new overhead bridge crossing over CSXT is also required to be fully executed between the parties and the bridge owner shall have maintenance responsibility upon completion of the bridge.

In summary, this letter is only an acknowledgement of the proposed location of the highway bridge. Further formal review of plans with satisfactory resolution of all the details will be necessary along with the execution of the necessary agreements. A preliminary engineering agreement has been drafted and is in the process of being signed by the Owner and CSXT. Thank you for the opportunity to review and comment on this Proposal. Please feel free to contact me, at 804-226-7718, with any questions.

Sincerely,

Carey Seavy

Carey R. Seavy
CSX Transportation


CSX CROSSING OPTION C
CAFRITZ PROPERTY
RIVERDALE (19th) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
2411-01-03

Nguyen, Quynn

From: Johnson, George
Sent: Monday, January 07, 2013 4:32 PM
To: Nguyen, Quynn
Cc: Chellis, Whitney; Borden, Debra
Subject: FW: Letter with Attachments
Attachments: 20121218 Biesterveld letter to E. Hewlett .pdf

Quynn:

I'm forwarding this 12/18/12 letter, from CSX project manager Benjamin Biesterveld to Planning Board Chair Elizabeth Hewlett, which includes an "attached map" (referenced in the letter's first paragraph).

At my request, Mr. Biesterveld e-mailed this copy to me today (1/7/13).

George Johnson
Associate General Counsel

From: Biesterveld, Benjamin [Benjamin_Biesterveld@CSX.com]
Sent: Monday, January 07, 2013 4:10 PM
To: Johnson, George
Subject: Letter with Attachments

Ben Biesterveld
Project Manager II - Public Projects
1610 Forest Ave, Suite 120
Richmond, VA 23229
Office: (804) 226-7718
Fax to Email: (904) 245-3857

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Nguyen, Quynn

From: Johnson, George
Sent: Monday, January 07, 2013 4:44 PM
To: Nguyen, Quynn
Cc: Chellis, Whitney; Borden, Debra
Subject: Cafritz Property (Exhibits B and C of 3/30/12 CSX Transportation letter)
Attachments: Fully Exec Agreemt OP 415378.pdf; CSX Overhead Bridge Criteria.pdf

Quynn:

CSX Transportation project manager Ben Biesterveld sent Planning Board Chair Elizabeth Hewlett a 12/18/12 letter regarding CSX's consent of a proposed crossing over CSX tracks within the Cafritz Property. That letter, in turn, included a 3/30/12 letter from CSX representative Carey R. Seavy to Ms. Hewlett.

The 3/30/12 letter references Exhibits A, B, and C.

Attached here are Exhibits B and C. At my request, Mr. Biesterveld e-mailed these to me today (1/7/13).

(Exhibit A is now outdated because it refers to a formerly proposed location for the rail crossing.)

George Johnson
Associate General Counsel
The Maryland-National Capital Park and Planning Commission

From: Biesterveld, Benjamin [Benjamin_Biesterveld@CSX.com]
Sent: Monday, January 07, 2013 4:17 PM
To: Johnson, George
Subject: Cafritz Property

George,
Per our conversation, from the March 30, 2012 letter, Exhibit B is the attached fully executed agreement. Exhibit C is the attached CSX overhead bridge criteria.
Exhibit A was the original map, which is no longer relevant, since the location changed. Now the attached map you already have in your possession would be the new and up to date Exhibit A.
Thanks,

Ben Biesterveld
Project Manager II - Public Projects
1610 Forest Ave, Suite 120
Richmond, VA 23229
Office: (804) 226-7718
Fax to Email: (904) 245-3857

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Table 7: Transit-Oriented Development Checklist, Design, Density, and Diversity Elements

For Use in Centers and Corridors Only

Transit-Oriented Development Checklist 4D (Density, Diversity, Design, Destinations) Elements				
Major Elements	**Yes**	**To Some Degree**	**No**	**Measure**
Development Design	✓			Do windows and doors of proposed buildings face the street and/or public parks and plazas?
	✓			Does structure placement result in a maximum 25 percent diversion from an idealized walking distance between the site and key destinations within one-half mile of the site?
	✓			Do buildings come all the way to the street or build-to line?
	✓			Are street patterns based on a grid/interconnected system? Is the average block length 600 feet or less?
				The Transportation Planning staff shall compute an intersection density (intersections per square mile) as a part of this review and report the result to the Planning Board. The statistic shall not be part of the scoping but is computed for informational purposes only.
Land Use and Density	✓			Are retail, restaurant, and/or service uses arranged with an average 80 feet or less between main entrances? Where such uses are surrounded by parking and/or drive aisles, do quality pedestrian connections correlate such uses to other similar uses?
	✓			Are drive-in or drive-up facilities not provided?
	✓			Are densities at or within 10 percent of the maximum permitted density (if a Euclidean zone) at the density recommended by a master or sector plan or a general plan designation?
	✓			Is structured parking utilized for more than 75 percent of the on-site parking?
Diversity of Uses	✓			Will the planned mix of uses attract people around the clock?
	✓			Will the planned mix of uses attract people throughout the week?
	✓			Are uses included that would be conveniences for surrounding residents, commercial tenants, and transit patrons? (For example, newsstands, coffee shops, daycare, and dry cleaners.) Are such uses within walking distance?
	✓			Is vertical mixed-use incorporated into the development?
	==========			
	12			Sum of Checks in Column (carry result onto second page)

7

Table 8: Transit-Oriented Development Checklist, Pedestrian Elements, Scoring, and Definitions

For Use in Centers and Corridors Only

Transit-Oriented Development Checklist 4D (Density, Diversity, Design, Destinations) Elements				
Major Elements	**Yes**	**To Some Degree**	**No**	**Measure**
Internal Pedestrian Connections	✓			Are on-site pedestrian pathways continuous with off-site pedestrian facilities?
	✓			Is some shade available for pedestrian walkways? How about at the on-site transit stop (if applicable)?
	✓			Are there protected places to walk if it is cold, rainy, or snowy? How about at the on-site transit stop (if applicable)?
	✓			Do walkways and any on-site transit stops have additional lighting beyond County standards?
	✓			Are quality pedestrian connections provided along and between buildings?
Scoring	==========			
	5			Sum of Checks in Column (this page)
	12			Sum of Checks on Table 7 (carried from Table 7)
	==========			
	17			Grand Total of Both Pages (sum of previous two lines)
	2	1	0	Multiply by these Factors
	==========			
	34			Sum of Three Columns Times 2.5 = 34 x 2.5 = 85
				Carry Above Number onto Table 9.
Definitions	Blockered Walking Distance—The length of the most logical walking path between an origin and a destination, taking into account availability of access, natural features, and blockages.			
	Key Destinations—Any of the following uses: transit stations or stops; public facilities (e.g., schools, libraries, parks, or post offices); recreational, community, or cultural facilities; retail centers encompassing more than 20,000 square feet of GFA; employment centers encompassing more than 40,000 square feet of GFA.			
	Pedestrian Amenity—An enhancement to the pedestrian environment, including but not limited to the following: benches/seating, goods, fountains, and public art.			
	Quality Pedestrian Connection—A sidewalk or pedestrian way at least six feet in width and ADA accessible, which incorporates at least two of the following elements: pavers, special lighting, plantings, pedestrian amenities, or shade over a minimum of 50 percent of its length.			
	Structured Parking—Any underground or above-ground parking that is contained within a building that also contains other levels of parking, and/or residential, and/or commercial use. This definition is provided strictly for the purposes of these guidelines.			
	Vertical Mixed Use—A circumstance where two or more different uses occupy the same building, usually on different floors. An example would be retail on the ground floor and office and/or residential uses on the second and/or third floors. Accessory uses shall not be considered a component of vertical mixed use.			

Table 9: Transit-Oriented Development Checklist, Parking/TDM Elements and Final Scoring

For Use in Centers and Corridors Only

Parking and TDM Elements					
Major Elements	**Yes**	**To Some Degree**	**No**	**N/A**	**Measure**
On-Site Parking	✓				Are parking requirements reduced in comparison to strict compliance with Subtitle 27?
		✓			Is parking screened from the street (e.g., a structured lot "wrapped" by residential or commercial space or a surface lot behind the building it serves)?
	✓				If multifamily housing is included, is bicycle parking provided at a rate of one space per five residences (with a minimum of 2 spaces and a maximum of 25 spaces)?
	✓				If commercial space exceeds 10,000 square feet, is bicycle parking provided at a rate of 1 space per 10,000 square feet (with a minimum of 2 spaces and a maximum of 25 spaces)?
					Is a pricing strategy used to control parking demand?
	✓				Are different uses sharing the same parking supply at different times of the day?
Scoring	Score 2 points for each check under "Yes." 8 Score 1 point for each check under "To Some Degree." 1 Add the first two lines. 9 If no boxes are checked under "N/A," multiply result by 1.33 to obtain parking points. 9 x 1.33 = 11.97 If one box is checked under "N/A," multiply result by 2.00 to obtain parking points. If two boxes are checked under "N/A," multiply result by 2.50 to obtain parking points.				

85	Insert 4D points from Tables 7 and 8.
+	
11.9	Insert parking points from Table 9.
=====	
96.97	Add above two boxes for TOD points. Compare with table in Section 4.

WELLS + ASSOCIATES

December 13, 2012

Faramarz Mokhtari, PhD
Maryland-National Capital Park & Planning Commission (M-NCPPC)
Transportation Planning Section
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Subject: Supporting Transportation Document
Preliminary Plan Cafritz Property
Prince George's County, Maryland

Dear Dr. Mokhtari:

The purpose of this letter is to provide supporting transportation documentation for the CSX crossing and transit reductions noted in our letter dated December 6, 2012 updating the analysis for the intersection of US1/MD 410. On December 7th, 2012 in an email, you requested supporting transportation documents. Below please find the supporting documents requested in items 1a, b, and c of your email.

Items a and b. – Additional transit reductions-

As indicated in our original study, the transit reductions taken were based on the WMATA 2005 Development- Related Ridership Survey standard transit ridership reduction formulas for residential, office, hotel, and retail uses due to the proximity to the existing transit services (8 bus routes on US 1, the Marc Station, and the College Park Metro Station). The WMATA transit ridership survey is based on data collected at developments near Metro Stations (inside and outside the beltway) to determine the expected ridership generated by a development due to its proximity to the Metro Station. The survey also included other mode share data including other forms of transit ridership, walking, and auto.

The WMATA based transit reductions contained in the July 10, 2012 report did not consider the expected increase in transit ridership due to the TDM program or the other measures as outlined in the Cafritz Property TDM program that will reduce the Single Occupant Vehicle (SOV) usage from this site. As noted in our report we did not take into consideration the TDM plan including the Site Shuttle, bike share programs, the new bike trails that will connect the Marc Station, the future Purple Line and the College Park Metro station, as well as pedestrian sidewalk connections to transit services along US 1. Also not considered in the

170 Jennifer Road, Suite 260 • Annapolis, Maryland 21401 • 410 /266-5723 • Fax: 410 /266-9189

analysis were the other measures including carpool, vanpool programs, and rideshare programs that will further reduce the SOV's from the site. The TDM program as provided in the July 10, 2012 report outlines in detail the extensive TDM program proposed and the variety of means available to increase transit ridership and reduce SOV's from the site. A copy of the TDM program is attached in Appendix A. The additional reductions taken for the TDM program results in a total reduction (transit and TDM combined) of 30 percent for the residential, office and hotel uses, and a 15 percent for the retail uses.

In my opinion, these reductions are reasonable, especially given the MNCPPC Transportation Review Guidelines Part 1 2012 that were recently adopted by the Planning Commission on October 11, 2012. These Guidelines allow for a reduction of site trips of 30 percent for transit oriented development that meet certain standards of design. Based on the Transit Oriented Development (TOD) Checklist, Cafritz at Riverdale Park would be eligible for the 30 percent transit reduction scoring over the 92 points needed for an excellent rating. A copy of the TOD check list is contained in Appendix B.

Item c. CSX Reductions-

On US 1, between the University of Maryland at Paint Branch Parkway and Port Towns in the Bladensburg area (a distance of 3.5 miles) MD 410 is the only major east/west connection between US 1 and MD 201 that crosses the CSX and the Anacostia Northeast Branch. There are two minor local street connections south on MD 410 that provide an east west connection across the CSX and/or the Northeast Branch – (1) Riverdale Road/Queenstown Road an indirect route through the town of Riverdale Park and (2) Decatur Street. On US 1 between Paint Branch Parkway and MD410 (a distance of 1.7 miles) there are no east-west connections. Providing another local east-west connection will provide opportunity for the existing local traffic to travel to and from the east via the new connection.

On July 4th, 2008 ICF International issued a report, which is available on the City of College Park website, titled "Transportation Study of the US Route 1 College Park Corridor" that indicates the traffic on US 1 along the College Park corridor is approximately 85 percent local traffic. A copy of the reference pages of this report is contained in Appendix C. There are approximately 300 homes in Calvert Hills, 900 homes in University Park (both located south of the University), and a portion of the 50,000 students and faculty that live in the area that would use the new local east west connection between US 1 and MD 201. The residents and local businesses on the southern end of College Park will have an opportunity and will have local knowledge to use the new CSX crossing to gain access to the east side of the CSX tracks to MD 201rather than travel through the intersection of MD US 1/MD 410.

The reductions/reassignments for the specific volume to and from US 1 at MD 410 are as follows:

1. 15 percent of the existing northbound and southbound US 1 through volume;
2. 15 percent of the existing southbound US 1 left turn volume left turn; and
3. 15 percent of the westbound to northbound right turn movement only.

The resulting reassigned volumes that were included in my letter dated December 6, 2012 are contained in Appendix D.

If you have any questions or require any additional information please contact me at (410)266-5723.

Sincerely,

Nancy Randall
Principal Associate

CC: Eric Foster
Jane Cafritz
Chip Reed
Chris Hatcher

WELLS + ASSOCIATES

December 6, 2012

Faramarz Mokhtari, PhD
Maryland-National Capital Park & Planning Commission (M-NCPPC)
Transportation Planning Section
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Subject: Response Regarding Traffic Impact Study July 10, 2012
Preliminary Plan Cafritz Property
Prince George's County, Maryland

Dear Dr. Mokhtari:

In response to your comments regarding the traffic impact study conducted for the Cafritz at Riverdale project, we have provided the corrected analysis as well as addressing all of the items in Condition 14 of the Council Resolution. MD 410/US intersection analysis was revised to take into consideration the MD SHA improvement (northbound double left-turn lanes) under background conditions. In addition, condition 14 C (6) of the Council Resolution was also included in the analysis. To assist in the review, I have also included information on how we address each of the conditions set forth in Condition 14 C (1) through (8).

Condition 14 C – Revised scoping agreement and traffic impact study that:

(1)- Reflects development proposal and phasing. The project has an anticipated build-out of six years. Both the TDM and CSX will be funded in accordance with Council Resolution Condition 17 and 25.

(2)- Eliminates corridor averaging for all intersections. Corridor averaging was not used in the July 10, 2012 report.

(3)- Analyzes Mid-day and Saturday. As specified in the approved revised Scoping Agreement contained in the report, Mid-day and Saturday peak hours were also included in the report.

(4)- Analyzes all proposed connections including the proposed CSX crossing and Maryland Avenue. All access points, as noted in the approved revised scoping agreement, including the CSX Crossing and the Maryland Avenue connection have been included.

(5)- Analysis of the impact on the intersections as specified in the scoping agreement. All required intersections as stated in the approved revised scoping agreement have been included in the analysis.

(6)- Provides for vehicle trip reduction through the use of transportation demand management techniques including enhanced transit service, bike share and rideshare programs and a shuttle or circulator bus, and the CSX crossing. The site trip generation with the TDM reductions is shown in the attached Table 1. The existing US 1 traffic volumes that were assigned to the CSX Crossing for AM and PM, and for Saturday and Mid-day peak hours, are shown in Figures 1 and 2, respectively.

(7)- Considers all future development. All approved development, as specified by MNCPPC staff and as noted in the approved revised scoping agreement, were included in the analysis.

(8)- Does not take a discount by redirecting existing traffic on East-West Highway that would not otherwise travel up US 1. No discount was taken by redirecting such existing traffic on East-West Highway.

Taking the proposed MD SHA MD 410/US 1 intersection improvement into consideration under the background conditions results in a LOS E or better for AM, PM, Mid-day, and Saturday peak hours, as shown in the attached revised Tables 2 and 3. Taking TDM trip reductions, the CSX crossing, and the MD 410/US 1 improvement into consideration under the total future conditions results in the intersection of MD 410 /US 1 operating at LOS E or better for all peak periods as shown in Tables 2 and 3. The revised site trip generation table, revised traffic forecast sheets, background and total future CLV worksheets for all affected intersections are included in Appendix B.

Based on the revised analysis as requested, the build-out of Cafritz at Riverdale Park meets the MNCPPC standards set forth in the Guidelines.

If you have any questions or require any additional information please contact me at (410)266-5723.

Sincerely,

Nancy Randall
Principal Associate

CC: Jane Cafritz
Chip Reed
Eric Foster

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department **(301) 952-3650**
Countywide Planning Division **www.mncppc.org**

January 4, 2013

MEMORANDUM

TO: Quynn Nguyen, Senior Planner, Subdivision Section, Development Review Division

VIA: Christine Osei, Planner Coordinator, Special Projects Section, Countywide Planning Division

FROM: Jay Mangalvedhe, Senior Planner, Special Projects Section, Countywide Planning Division

SUBJECT: Preliminary Plan Number: 4-12004
Project: Cafritz Property

This application is for residential, commercial, hotel and office.

MIXED USE

Residential

Police Facilities

The subject property is located in Police District I, Hyattsville. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on 7/27/2012.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 7/27/2012	7/2011-6/2012	5 minutes	8 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls were met on 12/14/2012.

The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01 (e)(1)(A) and (B) regarding sworn police personnel staffing levels.

Fire and Rescue

The Special Projects Section has reviewed this preliminary plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

The proposed development is within the 7-minute required response time for the first due fire station using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

First Due Fire/EMS Company #	Fire/EMS Station	Address
7	Riverdale	4714 Queensbury Road

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01 (e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in CB-56-2005.

Capital Improvement Program (CIP)

The Capital Improvement Program for Fiscal Years 2012-2017 proposes replacing the existing Hyattsville Fire/EMS station with a new 4-bay Fire/EMS station.

The above findings are in conformance with the 2008 *Adopted and Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure".

Schools

The Special Projects Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters
Attached Single Family Units

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	126	126	126
Pupil Yield Factor	0.140	0.113	0.108
Subdivision Enrollment	18	14	14
Actual Enrollment	32,692	9,421	14,494
Total Enrollment	32,710	9,435	14,508
State Rated Capacity	36,567	11,807	16,740
Percent Capacity	89%	80%	87%

Multi-Family Units

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	855	855	855
Pupil Yield Factor	0.042	0.039	0.033
Subdivision Enrollment	36	33	28
Actual Enrollment	32,692	9,421	14,494
Total Enrollment	32,728	9,454	14,522
State Rated Capacity	36,567	11,807	16,740
Percent Capacity	90%	80%	87%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

County Council bill CB-31-2003 established a school facilities surcharge in the amounts of: $7,000 per dwelling if a building is located between Interstate 495 and the District of Columbia; $7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or $12,000 per dwelling for all other buildings. CB-31-

2003 allows for these surcharges to be adjusted for inflation and the current amounts are $8,762 and $ 15,020 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

Non-Residential

Police Facilities

The proposed development is within the service area of Police District I, Hyattsville. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the July 1, 2011 (U.S. Census Bureau) county population estimate is 871,233. Using the 141 square feet per 1,000 residents, it calculates to 122,843 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.

Fire and Rescue

The subdivision has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Ordinance.

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
7	Riverdale	Engine	4714 Queensbury Road	1.19	3.25	Within
1	Hyattsville	Ladder Truck	6200 Belcrest Road	1.43	4.25	Within
12	College Park	Paramedic	8115 Baltimore Avenue	2.19	4.25	Within
7	Riverdale	Ambulance	4714 Queensbury Road	1.19	7.25	Within

The Special Projects Section has reviewed this plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

Schools

The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for*

Schools (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.

Water and Sewerage Findings

Section 24-122.01(b)(1) states that "the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval."

The 2008 *Water and Sewer Plan* placed this property in Water and Sewer Category 3, Community System Adequate for Development Planning.

I:\PFS\Decelopment Review\Preliminaries\4-12004 Mixed Use JM.sp
G:\Referrals_DRD\4-12004 Mixed Use JM.sp

The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772 301-952-3530
Development Review Division – 301-952-3749 (fax)

****REFERRAL REQUEST****

M-NCPPC
P.G. PLANNING DEPARTMENT
RECEIVED
AUG 15 2012
DEVELOPMENT REVIEW DIVISION

From:
To:

Date: July 27, 2012

~~To:~~ Frank Lamb - Board of Education

~~From:~~ Quynn Nguyen, Subdivision quynn.nguyen@ppd.mncpp.org

Subject: CAFRITZ PROPERTY 4-12004

Return To: Quynn Nguyen, Subdivision quynn.nguyen@ppd.mncpp.org

IDENTIFICATION OF MAJOR ISSUES DUE DATE*: Aug. 10

***Note: E-mail any major issues/problems to the reviewer by the above date.**

S R C DATE: Aug. 17

REFERRAL DUE DATE: Aug. 24

X Full Review of New Plan ☐ Revision of Previously Approved Plan

☐ Limited or Special Review ☐ Plans/Documents Returned for Second Review Following Revision by Applicant

NOTE: This case is being reviewed at: X Planning Board level OR ☐ Planning Director level

COMMENTS:

Related Cases: A-10018

REFERRAL REPLY COMMENTS:

No Comment

AUG 1 12:12PM

NOTE: IF YOU HAVE NO COMMENTS, PLEASE INDICATE ABOVE AND FORWARD OR FAX TO THE REVIEWER'S ATTENTION.

I:\Subdivision\SUBDIVISION FORMS\Referral Checklists\Referral RequestMergeto.doc

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Department of Environmental Resources

Environmental Services Division

Samuel E. Wynkoop, Jr.
Director

August 14, 2012

TO: Whitney Chellis, Acting Planning Supervisor, Subdivision Section
Maryland-National Capital Park & Planning Commission

FROM: Shirley Anthony Branch, Water and Sewer Plan Coordinator
WSU, PSS, SSD, DER

RE: Subdivision and Development Review Committee

Below are our comments on preliminary plans scheduled for the **August 17, 2012** Subdivision and Development Review Committee meeting. Should you have any questions regarding the attached information, please feel free to call me at (301) 883-5108. In my absence, you may contact any member of the Water and Sewer Unit.

4-12004 **Cafritz Property**
Tax Map 42 D-2 **Parcel: 81** **35.83 acres** **Zoning: M-U-TC**
WSSC Grid: 208NE04

1. The 2008 Water and Sewer Plan designates this property in a "**Dormant**" Water and Sewer Category 3, inside the Sewer Envelope, and within the Developed Tier.

2. An active Category 3, obtained through the Administrative Amendment procedure, must be approved before recordation of a final plat. Please contact the Water and Sewer Unit, DER for more information.

3. Water and sewer lines in Baltimore Avenue (US Route 1) abut the property. Water and sewer line extensions and/or an on-site system may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission before recordation of a final plat.

4. Please combine and modify notes 18 and 19 to reflect "**Dormant** Water and Sewer Category 3" on the preliminary plan.

The Department of Environmental Resources (DER) determines the validity in category designations of the Prince George's County Water and Sewer Category Maps. Information reflects the category designated by the 2008 Water and Sewer Plan and its amendments deemed accurate as of ***June 14, 2012.*** *Any dispute of the designated category may be addressed to the Program Support Section, Water and Sewer Unit, at (301) 883-5108.*

cc: Michael Bashore, Water and Sewer Unit
(301) 883-5904
Mojisola Banjoko, Water and Sewer Unit
(301) 883-5802

9400 Peppercorn Place, Suite 610, Largo, Maryland 20774

HEALTH
DEPARTMENT
Prince George's County

Division of Environmental Health

Date: August 17, 2012

To: Whitney Chellis, Supervisor, Subdivision Section, Development Review Division, M-NCPPC

From: Frank L. Wise, Subdivision Review Specialist, Environmental Engineering Program

Re: 4-12004 Cafritz Property
Tax Map 42, Grid D-2
Proposed lots 1-9, Proposed parcels A-E

The Environmental Engineering Program has reviewed the preliminary plan for Cafritz Property and has the following comment:

1. Historical documents reference the presence of a 70 foot deep well and subsequent (unspecified) replacement well on the property, in the vicinity of the original "MacAlpine" house, a structure which also served as the administration building during the Calvert Homes period of the property. If these wells are encountered during future grading or other construction activities on the property, they must be backfilled and sealed in accordance with the requirements of COMAR 26.04.04, by a licensed well driller or as witnesses by a representative of the Health Department.

If you have any questions or need additional information, please contact me at 301-883-7651 or flwise@co.pg.md.us

cc- Loiderman Soltesz Associates

Rushern L. Baker, III
County Executive

Environmental Engineering Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, *Fax* 301-883-7266, *TTY/STS* Dial 711
www.princegeorgescountymd.gov/health

Historic Preservation Commission

Prince George's County, Maryland

COUNTY ADMINISTRATION BUILDING • UPPER MARLBORO, MD. 20772 • 301 952-3520

DATE: January 9, 2013

TO: Quynn Nguyen, Senior Planner
Subdivision Review Section
Development Review Division

VIA: Frederick Stachura, HPC Coordinator
Historic Preservation Section
Countywide Planning Division

Howard Berger, Supervisor HSB
Jennifer Stabler, Archeology Planner Coordinator JAS
Historic Preservation Section
Countywide Planning Division

FROM: Historic Preservation Commission

RE: **4-12004 Cafritz Property**
[contains Archeological Site 18PR259; adjacent to ERCO Historic Site (68-022); Riverdale Park (68-004); University Park (66-029); Calvert Hills (66-037) National Register historic districts]

The Historic Preservation Commission reviewed the subject application at its December 18, 2012 meeting and voted 8-0-1 (the Chairman voted "present") to forward the following findings, conclusions, and recommendations to the Planning Board for its review of Preliminary Plan 4-12004 Cafritz Property:

The HPC recommends to the Planning Board approval of preliminary plan 4-12004, Cafritz Property, with the following conditions:

1. All current plans shall be revised and all future plans for the subject property shall include the identification and boundaries of the ERCO Historic Site (68-022); the Riverdale Park (68-022); University Park (66-029); and Calvert Hills (66-037) National Register historic districts. Note 23 on the cover sheet of the Preliminary Plan shall read: "The ERCO Historic Site (68-002) is adjacent to the subject property. The Calvert Hills (66-037), Riverdale Park (68-002), University Park (66-029) National Register Historic Districts are adjacent to the subject property."

2. The Historic Preservation Commission shall review all subsequent plans of development for their impact on identified archeological features, and the impact of a potential vehicular access road and proposed buildings visible from the adjacent National Register historic districts.

3. Prior to Planning Board approval of the detailed site plan, the applicant shall provide a plan, subject to review and approval by the M-NCPPC staff archeologist for:

   a) interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations); the interpretive measures should also address the significance of the ERCO factory and the Calvert Homes development;

   b) avoiding and preserving the ice house feature within archeological site 18PR259 in place, or

   c) investigating the significant portions of archeological site 18PR259 at the Phase III level.

4. Prior to any ground disturbance or the approval of any grading permits, if Phase III archeological data recovery is proposed, the applicant shall

   a) provide a final report detailing the Phase II and Phase III investigations, and

   b) ensure that all artifacts are curated at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland.

Background

The subject property comprises approximately 35.83 acres, is bordered on the west by Baltimore Avenue and on the east by the CSX railroad tracks, and is located north of Tuckerman Street and south of Albion Road in Riverdale Park, Maryland. The subject application proposes a residential, commercial, hotel, and office development. Portions of archeological site 18PR259 are located on proposed lots 2 and 3.

The Engineering Research Corporation (ERCO) building (68-022), a Prince George's County Historic Site, is adjacent to the southeast portion of the subject property. Built in 1939, the ERCO building is a two-story industrial structure with a large administrative block finished in the Moderne style and a larger rear factory that is without ornamentation. This industrial building mimicked the design of contemporary transportation machinery such as ships, airplanes, and automobiles, and industrial and consumer products, such as bicycles, toasters, radios, and vacuum cleaners. Built by Henry Berliner, the ERCO plant is representative of the significant developments in aviation that took place in the county; the factory produced the Ercoupe (the first tricycle aircraft that was touted as characteristically incapable of spinning) and was later adapted to meet defense needs during World War II.

Also adjacent to the subject property are the Riverdale Park (68-004), University Park (66-029), and Calvert Hills (66-037) National Register historic districts to the south, west, and north respectively. The Riverdale Park National Register Historic District (listed December 2002) is significant as a late-nineteenth and early-twentieth-century railroad and streetcar suburb that surrounds the Calvert Family's Riversdale plantation house (a National Historic Landmark completed in 1807). The suburb of Riverdale Park began in earnest around 1890 and includes a range of houses that reflect late-nineteenth and early twentieth-century residential architectural preferences. The University Park Historic District (listed in October 1996; boundary expansion pending) is an early twentieth-century automobile suburb begun in 1920 that reflects middle-class residential architectural styles through World War II, and in the post-war period until 1960). The Calvert Hills National Register Historic District (listed in December 2002), formerly a part of the Calvert family's Riversdale Plantation is significant as a late-nineteenth and early-twentieth-century streetcar and automobile suburb. The earliest houses in Calvert Hills are from the

1890s, although the majority date from the 1920s and 1930s, and reflect the architectural taste of the pre-World War II period. The National Register historic districts are not regulated by Subtitle 29, the Prince George's County Historic Preservation Ordinance.

The developing property was once part of Charles Benedict Calvert's Riversdale plantation. Charles Calvert donated land for and was the founder of the Maryland Agricultural College, now the University of Maryland. In addition, he served one term in the United States Congress from 1861 to 1863, representing the Sixth District of Maryland. After the death of Charles Calvert in 1864, his estate was divided among his wife and children. His son, Charles Baltimore Calvert, was allotted a tract comprising 203.5 acres that was approximately 600 yards wide and stretched from Baltimore Avenue on the west, across the Baltimore and Ohio railroad tracks to Paint Branch and Edmonston Road on the east. Calvert built a residence, known as MacAlpine, and developed a farm on his property around 1868. Calvert designed and supervised the construction of the house and the various outbuildings that included a brick cow barn, a brick icehouse, a brick carriage barn, a meat house, a smokehouse, and a wooden corn shed/wagon shed. MacAlpine was built on the site of an earlier structure, occupied by a foreman of the Riversdale estate that was destroyed by fire. An old well from the earlier structure served MacAlpine until it ran dry. A new well, pump house, and water tower were placed directly behind the house and served as the water supply until public water utilities were installed in the twentieth century.

Historic photographs of MacAlpine show that the structure was a Georgian-style brick residence with a full-length porch on the front with a central stairway and a low balustrade. The farm produced about 200 barrels of corn per year, as well as a substantial quantity of dairy products. Charles Baltimore Calvert died in 1906 and his family continued to reside at the MacAlpine estate until 1910. Between 1910 and 1917, MacAlpine was used as the Calvert family's summer residence. Charlotte Calvert Spence (a daughter of Charles Baltimore and Eleanor Calvert) and her husband, Thomas H. Spence, a Dean of the University of Maryland, moved into MacAlpine in 1917. Eleanor Calvert died in 1932 and Charlotte and Thomas Spence moved from MacAlpine in 1934. The Calvert family eventually rented the MacAlpine estate to the Longfellow School for Boys in 1934 and subsequent years.

The subject property was acquired by the federal government in 1942 and a housing development, known as Calvert Homes, was built for the defense workers in the nearby ERCO plant. All of the houses were built on concrete pads, some units containing two bedrooms and others just one. The Calvert Homes housing development was closed in 1954 and was subsequently demolished.

In 1948, the Prince George's County Board of Education purchased a 1.4-acre tract adjacent to the MacAlpine house for use as a school for the residents of Calvert Homes. After the demolition of the Calvert Homes development, the school continued to be used to educate physically handicapped children. Morris Cafritz acquired the subject property in 1960 and the property remains in the possession of the Cafritz family. The MacAlpine house was subsequently demolished and there are no remaining buildings on the subject property.

Findings

1. A Phase I archeological survey was completed on the subject property in March 2008. Two historic archeological sites were previously recorded on the property in 1984: 18PR259, the MacAlpine Mansion, and 18PR260, the Calvert Homes housing development. The Phase I investigations in 2008 combined the two sites into one site, 18PR259, that included the MacAlpine Mansion and the Calvert Homes development. Pedestrian survey identified numerous concrete pads associated with the Calvert Homes development. Several features related to the MacAlpine Mansion were also noted, including a concrete-lined cellar, a pile of bricks where a

barn is thought to have been located, and an ice house. The ice house at MacAlpine is one of only three surviving examples of the form in the county. The Riversdale Plantation was known to include several ice houses, all of which are no longer extant. Phase II investigations were recommended on the four features associated with the MacAlpine estate: the MacAlpine foundation, the ice house, the meat house and the brick barn foundation. Very little cultural material was found in association with the Calvert Homes development. Therefore, no further work was recommended in the areas associated with the 1940s housing development.

2. Phase II archeological investigations were conducted on the Cafritz property in March 2012. Portions of the MacAlpine house foundation were exposed and several 3-x-3 foot test units were excavated on the interior and exterior to determine whether earlier intact archeological deposits remained and to identify the construction techniques used for the house. The concrete cellar identified in the Phase I survey was found to be a 1940s addition to the building when it was used as an administrative office for the Calvert Homes development under the ownership of the federal government. A chimney was added to the rear of the house in the 1940s to provide additional heating and remains of the chimney flue were identified in the Phase II investigations. The areas inside and outside the foundation walls of MacAlpine were heavily disturbed by the mid-twentieth century additions and uses. In addition, one of the granite monuments marking the outlines of various tracts comprising the Riversdale plantation was found to the south of the house foundation.

   Phase II excavations around the ice house consisted of three exploratory trenches inside the structure to determine its size and its state of preservation. The upper portions of the brick-lined ice house were robbed and the opening was used as a trash dump through the 1940s and 1950s. The nature of the rubble deposit inside the ice house prevented further excavation and the base was not reached.

   The area of what was identified as the bank barn in the Phase I survey was investigated with close-interval shovel testing and two test units. The west wall of a building was identified and two test units were excavated, one on the interior and one on the exterior of the building. Test unit 1, located on the exterior of the building, revealed a thick layer of demolition debris overlying the original ground surface with a 21-22 percent slope. Test unit 2 on the interior of the structure revealed a two-foot thick layer of demolition debris overlying a 0.30-foot thick ash layer. The building had a beaten earth floor. The east wall of the building was found in one of the shovel test pits. The east-west dimensions of the building were estimated to be 25 feet in width. Therefore, the building was interpreted as the carriage barn and not the bank barn.

3. The Preliminary Plan, Natural Resource Inventory and Type I Tree Conservation Plan do not show the ERCO Historic Site (68-022), the foundations related to the MacAlpine house, outbuildings and ice house, or the adjacent National Register historic districts.

4. The University of Maryland is the owner of the ERCO Historic Site (68-022), which is adjacent to the subject property. The University signed a Memorandum of Agreement with the Maryland Historical Trust in November 2012 to provide for the demolition of the ERCO building due to its deteriorated condition and to provide mitigation measures for the loss of the site. Because of the anticipated demolition of the ERCO Building and the implementation of proposed mitigation measures, the proposed development will have no effect on the ERCO Historic Site.

5. The preliminary plan shows the location of a bridge across the CSX tracks at the northeast corner of the property to the American Center for Physics to the east. Details of the bridge will be

provided at the time of detailed site plan. Therefore, the Historic Preservation Commission should review the effects of this bridge on the adjacent National Register historic districts at the time of detailed site plan.

6. Tree conservation and other illustrative plans for the application indicate several potential impacts on the property: (1) substantial grading that would remove all of the trees and seemingly all of the archeological features currently identified on proposed Lots 2 and 3; (2) a vehicular connection between the subject property and the American Center for Physics property to the east by means of a flyover across the railroad right-of-way; (3) the illustrative plans for the proposed development indicate the possibility of multi-story buildings on the property that may have a visual impact on the adjacent National Register historic districts.

7. A condition of the zoning case requires the review of the preliminary plan by the Historic Preservation Commission for its 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 building 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.

8. At its December 18, 2012 meeting the Historic Preservation Commission reviewed the subject preliminary plan. The HPC agreed that the ice house was a significant feature and noted that it was located on the edge of a proposed parking lot. The HPC felt that the applicant had not explored all of their options to try to preserve this significant feature in place. Historic Preservation staff noted that there was insufficient information to determine the exact location of the ice house feature within the developing property, the depth of the feature or its physical character. In addition, there is insufficient information on the extent and integrity of the brick carriage barn. The applicant also has not presented alternative designs to try to avoid the ice house. The HPC wanted to retain the recommendation of Phase III preservation-in-place or data recovery for the ice house and brick carriage barn features so that with additional information available at the time of detailed site plan, an informed decision could be made. The HPC agreed that staff's proposed condition 3 appropriately allows for additional investigations and provides enough flexibility to allow for either preservation-in-place or removal of the resource based on more detailed information.

9. After the HPC meeting, Urban Design staff developed an alternative layout to avoid the ice house feature to address the concerns of the HPC regarding its potential for preservation-in-place. The applicant should explore the possibility of implementing staff's proposed concept plan as part of an alternative design analysis.

Conclusions

1. Phase II archeological investigations on the subject property revealed extensive disturbance to the MacAlpine House foundations, the ice house and the outbuilding to the south. The floor plans of the MacAlpine House have been sufficiently documented through historic sources and the archeological investigations. Additional excavation within and around the foundation will not provide further significant information on the operations of the farm or its period of significance. No further work is recommended on the MacAlpine house foundations.

   Because of the rarity of the ice house as a structure type in Prince George's County, every effort should be made to preserve this feature in place and interpret it for the public, even though the

upper portions of the brick lining were robbed. The applicant should explore the possibility of removing the debris from the interior of the ice house and reconstructing the feature to interpret to the public. At the time of detailed site plan, the applicant should provide a plan for preserving the ice house feature in place or provide justification for why the feature cannot be avoided by proposed construction. The ice house feature meets criteria A (rarity – there are only two other examples of extant ice houses in the county), B (public value - the feature was built for Charles Baltimore Calvert, whose family was instrumental in the establishment of the University of Maryland and the Baltimore & Ohio Railroad), C (research value – the ice house could provide information on food preservation practices in the late 1800s and early 1900s), D (site integrity – the lower portions of the structure appear to remain intact), and E (interpretive value in place – the ice house could be used to demonstrate food preservation practices in the late 1800s and early 1900s). A plan for additional Phase II archeological investigations on the ice house should be submitted to Historic Preservation staff prior to submission of the detailed site plan.

The contents of the ash destruction layer within the outbuilding ruins should also be further examined to identify the contents of the building at the time of its destruction. The brick outbuilding meets criteria A (rarity – there are few all brick barns in Prince George's County) and C (research value – the ash layer within the outbuilding could provide information on farming activities on the MacAlpine farm in the 1930s). A plan for additional Phase II archeological investigations on this structure should be submitted to Historic Preservation staff prior to submission of the detailed site plan.

2. A plan for interpretive signage and other public outreach measures focused on the history and significance of the MacAlpine property and the Calvert Homes development should be developed at the time of detailed site plan.

3. The preliminary plan, Type I tree conservation plan, and Natural Resource Inventory should be revised to identify the ERCO Historic Site (68-022) adjacent to the southeast portion of the subject property, the features comprising archeological site 18PR259 on the subject property, and the adjacent National Register historic districts.

4. The HPC agreed that additional information is necessary on the extent, physical character and integrity of the ice house and brick carriage barn features. This information should take the form of additional Phase II work, which will inform Phase III investigations that could result in either the preservation-in-place of the ice house or its removal.

5. The applicant should submit an alternative design analysis to Historic Preservation staff at the time of detailed site plan to evaluate the possibility of preserving-in-place the ice house feature.

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TOWN OF UNIVERSITY PARK

M-NCPPC
P.G. PLANNING DEPARTMENT
RECEIVED
DEC 21 2012
DEVELOPMENT REVIEW DIVISION

John Rogard Tabori
Mayor

COMMON COUNCIL
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James C. Gekas
Arlene J. Christiansen
Len Carey
Heidi A. Sorensen
Michael B. Cron
Roy D. Alvarez

MEMORANDUM

Date: December 19, 2012

To: Quynn Nguyen, Senior Planner, Development Review Division

From: Mayor John Rogard Tabori on behalf of the Town University Park

This Memorandum is provided as an interim communication from the Mayor and Council of University Park with respect to its concerns about the current status of the Preliminary Plan of Subdivision Application for the Cafritz Property. The Town did receive most of the documents listed in your email of December 10 from the Applicant between the beginning of December and December 14. As a result of this timing, these comments are very preliminary.

We have prepared an Executive Summary of the condition requirements that were contained in the District Council Order and of particular interest to the Town. Except where otherwise noted, the reference is to the Condition in the Order.

1. Mitigation of surface parking lots – shall include creation of pedestrian oasis in the middle of Van Buren Street from Baltimore Avenue to 46th Street, consistent with Riverdale Park Gateway Park concept from January 7, 2012. (Condition 2).
2. Hiker-Biker trail – requires construction concurrently with first three commercial buildings, verification of the north-south right of way and dedication to the public use. (Conditions 2 and 3).
3. Baltimore Avenue buffer – Must provide a 30-40 yard deep buffer along the entire length of the property frontage on Baltimore Avenue, to incorporate retention of existing trees to the maximum extent possible. Buffer can be reduced under certain circumstances only with approval of University Park. In no event can buffer be less than 20 yards deep. (Condition 13).
4. Phase 1 noise and vibration study to determine location of 65 dBA Ldn noise contour for CSX. (including railroad noise and whistle blower). (Condition 10).
5. Revised Stormwater Management Concept Plan – compliant with CB 15-2011. Developer must provide Town with copies of all SWM submittals 30 days prior to filing with DPWT. (Condition 14).
6. Revised Traffic Impact Study (Condition 14).

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7. Valid approved natural resources inventory (Condition 10).
8. Report detailing the Developer's Phase II archeology investigations (Par 6(e)).
9. Proposed grading plan and construction phasing plan and timetable (Par 6(f)).
10. Plan for roads to be turned over to Riverdale Park as public rights of way. (Condition 15).
11. Environmental Design – Developer must submit an application to the U.S. Green Building Council under LEED-ND for a Smart Location and Linkage prerequisite review and provide the results for review prior to approval of the PPS. (Condition 16).
12. Transportation Management Plan. TMP must provide for full funding by Developer. TMP must establish measures to achieve a maximally efficient use of the adjacent transportation facilities and must establish trip reduction goals. Car, bike share, residential and employee subsidies. (Par 17).
13. Private Shuttle Service. The Developer shall provide a private shuttle vehicle to and from the Prince George's Plaza Metro station and the College Park Metro station as necessary to achieve a 15 minute headway between 6:30 a.m. to 9:00 a.m. and 4:30 p.m. to 7:00 p.m. Monday through Friday.(Condition 18)
14. Circulator Bus. The Developer shall make provision at the time of Preliminary Plan of Subdivision that it will participate in a circulator bus program whether operating as part of a TDMD or other effort, and shall contribute funds for this purpose as may be required as part of approval of a Preliminary Plan of Subdivision for the Property. (Condition 19).
15. Tree Conservation. At the time of Preliminary Plan of Subdivision, the Developer shall submit a Type I tree conservation plan that demonstrates that the Prince George's County woodland conservation threshold has been met on-site to the fullest extent practicable. At a minimum, preservation shall be focused on the highest priority areas on the Property. (Forest Stands 1 and 3). Submission of a condition analysis for specimen trees within Stands 1 and 3, plan must be consistent with a10% tree canopy coverage. (Condition 10).
16. Trip Cap. The Developer may not develop any uses on the Property that individually or collectively will result in vehicular traffic that will generate more than 548 AM new peak hour trips and 902 PM new peak hour trips for full build out of the development, except that the maximum number of AM new peak hour trips and PM new peak hour trips may be amended, but not increased. (Condition 22).
17. Maryland Avenue Extension. Applicant shall make provisions at Preliminary Plan of Subdivision to construct, to at least a similar standard as the existing Maryland Avenue roadway to the immediate south of the Property, an extension of Maryland Avenue from the southern boundary of the Property to where the existing roadway ends north of Tuckerman Street. (Condition 24).
18. CSX Crossing. Prior to the approval of a preliminary plan of subdivision, the Developer shall do the following, all in a manner acceptable to Prince George's County and the Town of Riverdale Park:

a. On the Preliminary Plan show a crossing over the adjacent CSX railroad tracks (the "CSX Crossing"). The "CSX Crossing" shall mean a bridge, raised roadway,

underpass or any other type of way, including on-site and off-site approaches, for vehicles, bicycles and pedestrians to pass across the railroad right-of-way to travel between the subject property and lands to the east of the property. (Condition 25).

b. Establish a funding mechanism using a combination of public and private funds, subject to any required governmental approval, which must be obtained prior to the first detailed site plan; establish a system of financial assurances, performance bonds or other security to ensure completion of construction and establish a timetable for construction, of the CSX Crossing in accordance with the Preliminary Plan. (Condition 25).

c. Provide a letter from the University of Maryland that recommends approval of the CSX Crossing as shown on the Preliminary Plan and identifies the land or right-of-way acquisition cost, if any, necessary for the construction of the CSX Crossing on land owned by the University. (Condition 25).

d. Provide cost estimates for the design, permitting and construction of the CSX Crossing, including off-site land or right-of-way acquisition costs, if any. (Condition 25).

19. University Park Traffic Study. Before submitting a Preliminary Plan of Subdivision, Developer shall commission and submit to the Town a traffic study ("traffic study") prepared by a traffic engineer acceptable to the Town. (Par. 22 of the Declaration of Covenants).

FURTHER CONCERNS:

1. Condition 3 of the Order requires a hiker/biker trail dedicated to the public use. The letter to Quynn Nguyen dated December 6, 2012, from Tim Davis indicates that the trail will be a private facility. This is of concern to the Town, as well as Mr. Davis' claim that the Town has already approved the alignment currently proposed. Both of these items differ from what was discussed at Subdivision Review meetings. No assurances with respect to WMATA property have been received.
2. The Revised Recommendation filed by the Applicant with respect to the archaeological features is minimal. The Town has supported Jennifer Stabler's report to the Historic Preservation Commission and the preservation of the ice house.
3. Plans provided to date with respect to public roads subject to dedication (Condition 15) are not complete.
4. The Town has commissioned an independent traffic study to determine whether Conditions 17 and 19, as well as 14(c) have been met. When this information is available it will be provided.
5. The Town is underwhelmed with the tree save plan and has concerns with the request for a variance.
6. The current design for a stormwater management pond on a "temporary" basis that could last a decade or be permanent is of concern.
7. Provision of public spaces, such as pocket parks and small outdoor spaces, is of concern.

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8. What is the plan for grading, what will the mitigation be? The Town is concerned that the entire site will be graded, a large part for development that will not take place for many years. What will this look like and how can the effects be lessened?
9. The buffer at Route 1 is critical and should be described fully now by commitment from the Applicant and landscaped in its entirety as part of the first detailed site plan.

The Town greatly appreciated the ability to participate with M-NCPPC staff at Subdivision Review meetings. This increased the knowledge and understanding of Town participants and made the process much clearer. Now that M-NCPPC staff has received revised plans and other responses to prior referral requests, we would appreciate a follow up meeting to more fully understand how the submissions by the Applicant have responded, or not responded, to the requirements of the Order and the PPS law. We are requesting that such a meeting occur as soon as possible.

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