

Summary of Council Cafritz Discussion 9_19_2011

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Based on the notes of the Council's Recording Secretary, Jenny Glenn

- I. Traffic
 - a. Gekas: CSX Crossover or no go – constituents want WF, but not at the cost of significant increases in traffic
 - b. McPherson: (a) Van Buren entrance must be controlled/no crossover; (b) UP must address internal traffic patterns as a consequence; (c) there is a potential for Ward 3 to become isolated from the rest of Town and may make it very difficult for Ward 3 residents to easily enter and exit onto Route 1; (d) increased traffic volume a quality of life and potential access (to Ward 3) issue.
 - c. Carey: (a) Will oppose unless backdoor access is granted (Includes CSX crossover and Maryland Avenue access); (b) 4 communities should act together to leverage county and state officials to invest in infrastructure improvements to assure the success of development on the Cafritz property and ease the burden on the surrounding communities and their taxpayers; (c) commented on the Cafritz Traffic study noting a number of flaws including the lack of data on midday traffic, Saturday traffic, possible parking issues, as well as a failure to assess the validity and sensitivity of the assumptions and conclusions; (d) suggested the development of a circulator bus system weaving through RP/UP/CP/HY as a potential traffic mitigation technique.
 - d. Toscano: (a) Need to address traffic volume and level of service issues on Route 1; (b) CSX crossing necessary; (c) additional access required for safety (Maryland Avenue); (d) supported concept of a circulator bus; (e) 4 towns should facilitate necessary changes, i.e. act together.
 - e. Cron: (a) focused on necessity of a vehicular CSX crossover; (b) noted that while his ward was not impacted as much by traffic related to the Cafritz site, the diminishment of the Quality of Life on the eastern side of town would negatively impact the whole town and the whole region.
 - f. JBC: (a) A CSX crossover a necessity; (b) development must focus on traffic safety in general, and pedestrian safety in particularly pedestrians who might want to cross over Route 1 to reach the site.
 - g. Tabori (Summary of Proposed Conditions): (a) CSX vehicular crossover; (b) Van Buren egress and ingress must be light controlled, pedestrian friendly, and prevent through crossovers; (c) Public safety issues associated with access must be addressed (Maryland Avenue and pedestrian and biker crossovers); (d) TDM to be developed for the development with area of coverage to be determined; (e) possible pedestrian/bicycle pathways to be identified and created – Hiker biker trail plus links to Prince George's Plaza. [Comment: SHA is not engaged and not well informed about the Cafritz development, at least on the local level {District 3}. This situation needs to be remedied. In discussing the installation of an additional left-hand turning lane going N/W at RT 1 and EWH, the SHA traffic engineer indicated that it would not upgrade the LOS by a letter grade. Currently the intersection is E in the morning and F during the PM rush hour using a critical lane volume (CLV) method.
- II. Storm Water Management (SWM):
 - h. JBC: (a) additional information necessary to determine the effectiveness of the plans; (b) willing to defer to the RP demand in this case.

- i. Cron: (a) will defer to experts working on the issue on behalf of the town; (b) willing to support/defer to the RP demand in this case.
 - j. Toscano: (a) Wants more discussion on the issue; (b) wants Cafritz as a partner on the 9-ponds/wells run venture as they will impact on wells run from Rt1 east; (c) would like to see greater innovation in handling of SWM – i.e. techniques other than simply a SWM pond.
 - k. Carey: (a) would support and encourage Cafritz joining the 9-ponds consortium; (b) wants Cafritz’s SWM plan to follow the new development standard of controlling 2.6 inches of rain in 24 hours; (c) should adopt so-called “green” methods (rain gardens, green roofs, swales, etc) to control SW and ensure that percolation takes place to maintain underground streams and water table; (c) 80% of parking should be in garages in order to reduce the impermeable footprint; (d) avoid clear cutting and regrading where possible – noted that current plans call for the entire site to be clear cut and regraded; (e) if current parking and building placement is accepted, place a buffer strip of trees between Route 1 and the parking lot and building lines.
 - l. McPherson: (a) Nothing to add, but supports the comments of Toscano and Carey, and SWM condition of RP; (b) defers to expertise of SWM engineers and others working with UP.
 - m. Gekas: (a) Supports RP condition.
 - n. Tabori (Summary of Potential Conditions for Letter): (a) Support the SWM condition in Riverdale Parks proposed letter to Cafritz; (b) introduce and use a broader set of SWM tools than proposed in the current plan, including limiting clear cutting and regrading, and reducing the impermeable footprint; (c) consider creating a natural buffer strip between the site and Route 1.
- III. Zoning:
- o. Gekas: (a) Noted that the Cafritz property is currently zoned R-55 and would support the development of up to 240 single family homes on lots of 6,500 sq ft. (b) Noted that while this might not produce the profit levels associated with developing the property as a mixed use area, it would likely yield a reasonable profit; (c) therefore, given the fact that the development of the Cafritz site has the potential for imposing significantly greater external costs on neighboring communities, the burden of proof should fall on the Cafritz team as to why the County should allow a zoning change.
 - p. McPherson: (a) Also felt that the burden of proof for a zoning change should fall onto the Cafritz team; (b) concerned that without details, we do not know what we are getting even in Phase I and/or how the development would interact with the guidelines of the established zoning categories that have been discussed (MUI/MUTC); (c) asked about the possibility of phased zoning to match the Phase I & II approach of the development team. It was noted that phased zoning could be implemented, but that it would make it very difficult to plan for street layouts (Tabori) and SWM (Carey), both critical components in understanding the overall impact of development on the site.
 - q. Carey: (a) Noted that the MUTC zoning request would exclude participation of UP and the other impacted communities surrounding or in the vicinity of the development during the detailed site plan (DSP) review process unless a special set of rules were negotiated that would allow for the inclusion of non-Riverdale Park parties. (b) Noted that the MUTC review committee was often characterized by indecision; (c) In lieu of such a negotiated change to the MUTC review committee, Mr. Carey favored the original application for a MUI designation, as this would automatically allow for participation of the neighboring communities and residents during both the conceptual site (CSP) and detailed site plan (DSP) stages, leading to greater protection of general community interests and better

- oversight; (d) Noted that the MUTC supports higher density than might be desirable on the Cafritz site and suggested that density should be lowered and capped on the site. Using the MUI zone as opposed to the MUTC zone would make this easier.
- r. Toscano: (a) Categorically stated that the choice of this zone was inappropriate; (b) specifically argued on the basis of direct experience that the MUTC review committee as currently constituted lacked the expertise and experience to develop good policy and guidance for development project under its purview; (c) believed that in both the short and long run that Riverdale Park would not accept external members on the MUTC Review Committee.
 - s. Cron: (a) Whatever zoning type was chosen UP must be a part of it.
 - t. JBC: (a) Would support inter-municipal negotiation and agreement
 - u. Tabori (Summary of Potential Conditions to be in Letter): (a) Burden of proof to change the zoning should be on Cafritz property holders; (b) MUTC zone should not be supported unless Review Committee redesigned to include surrounding impacted communities and MUTC guidelines are restructured to fit the site; (c) the original MUI zone application is preferred as it allows for a more flexible approach and does not face the requirement to significantly change elements of it; (d) whether the site falls under a MUI or MUTC designation density should be capped at a lower level than is currently contemplated; (e) detailed design features must be made available prior to granting a rezoning; (f) reconsideration must be given to the concept of placing all the residential units in the back next to the railroad tracks as it has a potential for creating a “dead zone”

Tabori (Added Comment, not made in Council meeting): (a) In partial response to Jim Gekas’ comment that building 240 single family homes Cafritz could make a reasonable, but possibly lesser profit, Len Carey noted that residential development does not produce sufficient taxes to pay for the social service and public safety demands generated by the area. Recent studies suggest that this may not be true for single family home developments depending on the value of the homes, the density of the development, and the base property tax rate. Other, more recent studies question the viability, positive fiscal impact and long-term economic value of mixed use developments such as the Cafritz property, particularly if they are granted public supports or tax deferments. (b) While the RP MUTC shows great promise if properly executed, up to know it does not seem to have led to a commercial revival in Riverdale Park. It is unclear whether this is a consequence of very difficult fiscal crisis that the US has undergone over the past years, or is linked to what CM Toscano has noted is a difficult and unreliable review process, or possibly both. If the first, then the Cafritz willingness to invest in the property should be taken at face value and we should concentrate on making the plan a win-win situation; if the latter two, that is there is a flaw in the MUTC review process, we should insist that the Cafritz property not become a part of that process. We do not have the time to figure out what is wrong, if anything, with the MUTC review process, although in light of the poor outcomes that RP has experienced with development and commercial revival up to now, we must at least suspect that something is flawed in the process. I would appreciate Council putting their thinking caps on, as a rejection of the MUTC zone without strong, demonstrable reasons will not sit well with Riverdale Park. We will need to approach this subject with great caution. I have come to suspect that a major reason for Cafritz leaning toward the MUTC in spite of the same concerns about it that we have, is the potential that by doing so they can split Riverdale Park from their “partners,” CP, UP and Hyattsville. Whether this is deliberate, accidental, or

opportunistic, is unclear to me. Keep in mind that for all practical purposes CP has no bone in this fight any more making them a disinterested party. While Hyattsville certainly has an interest through the potential impact of Cafritz on the commercial success of EYA and the revival of UTC, its concerns will be tempered by the fact that it is having difficulty managing the complex issues that a failed UTC and the underestimation of public safety and parking services that both developments require. In both the short and the long run it is critical that we maintain a strong partnership with Riverdale Park in order to insure that both parties do not lose their shirts.

IV. Public Service and Public Goods Issues:

- v. JBC: Unclear whether the project, particularly at the end of Phase II, will generate sufficient funds to support the demands that the new residents will place on the local schools.
- w. Cron: Without a more detailed understanding of the design, it is difficult to plan for public safety needs, both as to quantity and cost.
- x. Toscano: The development of the site and the potential necessity for the Town to hire additional personnel, particularly police, may have significant infrastructure impacts on UP, including building out the Town Hall.
- y. Carey: There is a need to develop a plan to implement a circulator bus that serves the triangular area bounded by Cafritz, EYA and Prince George's Plaza.
- z. McPherson: Questioned why we should support a development that is likely to require UP to fund between 1 and 2 additional police officers with no additional revenue from the site to offset this necessity.
- aa. Gekas: Seconded JBC's point on schools and questioning whether the Cafritz development team clearly understood this issue.
- bb. Tabori (Summary of Potential Conditions to be in Letter): (a) A mechanism must be found to fund external costs imposed on University Park by the development of the site; (b) a significantly more detailed site plan is necessary in order for the impacted Towns and jurisdictions to determine what services are necessary and who will bear what costs.

V. Design and Density

- cc. Gekas: Noted that so far all we know about the design is Whole Foods & Stuff and to some degree the approximate placement of commercial and residential space. The design is too nebulous to identify specific problems.
- dd. McPherson: (a) Noted that it is Whole Foods, a Gym & Stuff, and thereafter nebulous; (b) expressed strong concern about the fact that the residential placement seemed to create a dead end neighborhood, which in the case of Whole Foods either not being built or failing would create a high potential for the area becoming a "slum" or "ghetto."
- ee. Carey: (a) there is insufficient detail at this time; (b) the proposed commercial and residential density is too high; density needs to be capped.
- ff. Toscano: Less concerned with the density level per se and more concerned to find a balance between density and the impact it might have on the Quality of Life in University Park and other surrounding neighborhoods.
- gg. Tabori (Summary of Potential Conditions to be in Letter): (a) Design detail is insufficient for us to judge the merits of it; (b) the current proposed density remains too high; and (c) we find the placement of the residential units to be inappropriate as it creates a high risk of an undesirable neighborhood developing and to which public safety units lack easy access.