

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.

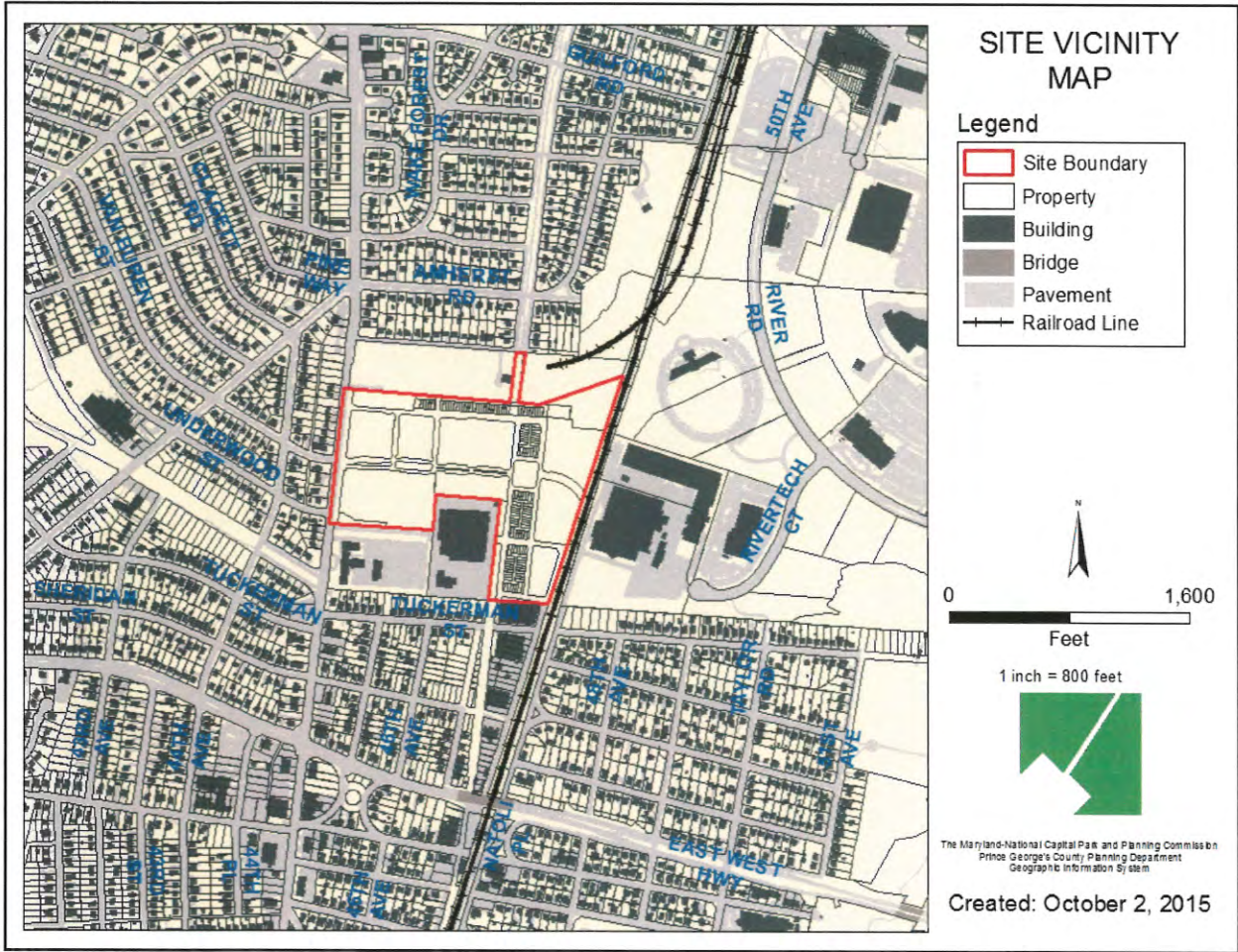
Special Exception

SE-4775

Application	General Data	
<p>Project Name: Hotel at Cafritz Property at Riverdale Park</p> <p>Location: East side of Baltimore Avenue (US 1), approximately 1,400 feet north of its intersection with East West Highway (MD 410).</p> <p>Applicant/Address: Calvert Tract Parcel H, LLC. 1828 L Street NW, Suite 703 Washington, DC 20036</p> <p>Property Owner: Same as applicant</p>	Planning Board Hearing Date:	04/14/16
	Staff Report Date:	03/30/16
	Date Accepted:	01/08/16
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.877
	Zone:	M-U-T-C
	Gross Floor Area:	87,407 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	68
	Council District:	03
	Election District:	19
	Municipality:	Riverdale
200-Scale Base Map:	208NE04	

Purpose of Application	Notice Dates	
<p>Special exception for a hotel in the M-U-T-C Zone.</p> <p>Variiances from Section 27-365(a)(1) and (2) of the Zoning Ordinance.</p>	Informational Mailing	11/03/15
	Acceptance Mailing:	01/05/16
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Jimi Jones Phone Number: 301-952-3411 E-mail: Jimi.Jones@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
The Prince George's County District Council

FROM: Jimi Jones, Supervisor, Zoning Review Section, Development Review Division

SUBJECT: **Special Exception Application No. SE-4775**
Hotel at Cafritz Property at Riverdale Park

REQUEST: **Special exception for a hotel in the M-U-T-C Zone.**
Variances from Section 27-365(a)(1) and (2) of the Zoning Ordinance.

RECOMMENDATION: **Approval with conditions**

NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of April 14, 2014. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

A. **Location and Field Inspection:** The subject property is located on the east side of Baltimore Avenue (US 1), approximately 1,400 feet from its intersection with East West Highway. It is the western half of a 1.75-acre rectangular-shaped parcel (Parcel F) at the southwest corner of the future intersection of Van Buren Street and Rhode Island Avenue. The 0.87-acre parcel is zoned Mixed Use Town Center (M-U-TC) and is presently cleared and graded.

B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	M-U-TC	M-U-TC
Use(s)	Vacant	Hotel (Six Story) w/ 120 Rooms, Restaurant & Lounge
Acreage	0.87	0.87
Lots	0	0
Parcels	Part of 1	Part of 1
Square Footage/GFA	0	87,407
Variances		Yes, Section 27-365(a)(1) and (2)

C. **History:** The subject property is a portion of the approved 35.71-acre Cafritz Property at Riverdale Park development. The Cafritz Property has a long history of development application activity, as follows:

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

February 2, 2012—The Prince George’s County Planning Board recommended approval of a request to amend the Town of Riverdale Park M-U-TC Zone Development Plan boundary by rezoning 35.71 acres of the Cafritz Property from the One-Family Detached Residential (R-55) Zone to the M-U-TC Zone through Primary Amendment A-10018, subject to 27 conditions (PGPB Resolution No. 12-09).

July 12, 2012—The District Council approved A-10018 (Zoning Ordinance No. 11-2012) subject to the 27 conditions recommended by the Planning Board. This action approved the 2012 *Cafritz Property at Riverdale Park Town Center Development Plan* (Cafritz Property Development Plan), of which the subject property is a part.

July 27, 2012—The applicant submitted Preliminary Plan of Subdivision 4-12004 for 116 lots and 3 parcels. The application was withdrawn prior to Planning Board action.

May 30, 2013—The Planning Board approved Preliminary Plan of Subdivision 4-13002 (PGPB Resolution No. 13-55) for 126 lots and 39 parcels, subject to 41 conditions.

June 6, 2013—The Planning Board approved Detailed Site Plan DSP-13009 (PGPB Resolution No. 13-63) for 855 multifamily units, 126 townhouses, and approximately 187,277 square feet of commercial space, subject to 13 conditions.

June 20, 2013—The Planning Board approved Special Permit SP-130002 (PGPB Resolution No. 13-64) for 126 townhouses and a single multifamily building consisting of 76 dwelling units. This approval was appealed to, and upheld by, the Circuit Court.

September 30, 2013—The District Council affirmed the Planning Board’s approval of Detailed Site Plan DSP-13009, subject to 16 conditions. Since that time, there have been six minor staff-level revisions to DSP-13009.

The District Council affirmed the Planning Board’s approval of Secondary Amendment SA-130001, which amended some of the design guidelines contained in the Development Plan. Since that time there has been one minor revision to SA-130001.

- D. **Master Plan Recommendation:** The subject property is located in the Established Communities area of the Prince George’s County Growth Policy Map in the *Plan Prince George’s 2035 Approved General Plan* (Plan Prince George’s 2035). The vision for Established Communities in Prince George’s County is to have context-sensitive infill and low- to medium-density development. The site is subject to the recommendations of the Town of Riverdale Park M-U-TC Zone Development Plan, as amended by the Cafritz Property Development Plan and the secondary amendment thereto (SA-130001). Each of these plans envisions the site as a part of a mixed-use development consisting of commercial, residential, and recreational uses.
- E. **Request:** The applicant is requesting a special exception for a 120-room “boutique” hotel within the Cafritz Property at Riverdale Park development. They are also requesting two variances from Section 27-365, specifically subsections (a)(1) and (2).
- F. **Neighborhood and Surrounding Uses:** The neighborhood is defined by the following boundaries:

- North**— Albion Road;
- East**— CSX railroad tracks;
- South**— Tuckerman Street; and
- West**— Baltimore Avenue (US 1).

The neighborhood contains a mix of uses. In addition to the commercial, residential, and recreational uses proposed for the Cafritz Property at Riverdale Park itself, the neighborhood also contains a U.S. Army Reserve Center and U.S. Postal Service mail processing center, both to the south of the site. To the north is an undeveloped parcel owned by the Washington Metropolitan Area Transit Authority (WMATA) where the Metro Green Line tracks emerge and join the at-grade CSX railroad track right-of-way. The neighborhood also contains the Trolley Trail, which links the Riverdale Park town center to the south with the City of College Park to the north. The applicant proposes a neighborhood which is made up of the Cafritz Property at Riverdale Park site, arguing that the mixed-use development is, by itself, a neighborhood. Staff disagrees, finding that a neighborhood for the purposes of a special exception must, at a minimum, include the environs surrounding the property. To do otherwise would ignore the

properties the subject property actually abuts. Staff believes this to be particularly true considering that the surrounding development, to this point, constitutes a single unfinished building in what is otherwise a sea of dirt.

The property is surrounded by cleared and graded land now developing with the Cafritz Property at Riverdale Park development. The approved development plan shows the following surrounding uses:

- North—** Across Van Buren Street is proposed Building 5 (231 multifamily units, 5,300 square feet of retail commercial, and an 833-space parking structure) in the M-U-TC Zone.
- East—** Proposed Building 6B (76 multifamily units) in the M-U-TC Zone.
- South—** An existing U.S. Postal Service mail processing facility in the R-55 Zone.
- West—** Building 3 (51,396 square feet of retail commercial and 10,000 square feet of office commercial), now under construction in the M-U-TC Zone. This building will contain, among other tenants, the Whole Foods Market.

G. **Specific Special Exception Requirements:** Section 27-365(a) of the Prince George’s County Zoning Ordinance sets forth the following criteria for approval of a hotel or motel in the M-U-TC Zone:

- (1) **The proposed use shall be located in an area which is or is to be developed with a concentration of industrial or office uses.**

Comment: The subject property is located in the midst of a mixed-use development, which includes some office space, but is not a concentration of industrial or office uses. The applicant is seeking a variance from this section of the Zoning Ordinance.

- (2) **The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least 70 feet.**

Comment: Van Buren Street, on which the property has frontage, is a dedicated street with a variable-width right-of-way, ranging from 40 feet to 60 feet in width. The applicant is seeking a variance from this section of the Zoning Ordinance.

- (3) **The proposed use may include any of the following accessory uses. All accessory uses, and their square footage, shall be shown on the approved site plan. Notwithstanding any other requirement of this Subtitle, these accessory uses shall be permitted without obtaining a separate Special Exception:**

- (a) **Cocktail lounge or night club**
- (b) **Gift shop**
- (c) **Beauty shop**
- (d) **Barber shop**
- (e) **Auditorium**
- (f) **Recreational uses**
- (g) **Sauna, public spa or steam room**
- (h) **Solarium**

- (i) **Valet shop**
- (j) **Similar retail stores and consumer service establishments**
- (k) **Restaurant**
- (l) **Meeting facilities**
- (m) **Lobby and registration area**

Comment: The proposed hotel will have a variety of accessory uses, including:

- A 675-square-foot fitness center
- An indoor pool with folding glass windows
- A 271-square-foot business center
- Over 1,000 square feet of meeting space
- A guest kitchen area
- A 71-seat bar/restaurant open to the public in the afternoon and evenings
- A small guest shop selling pre-packaged food items and necessities

While each of these falls within the list of permitted accessory uses, staff also notes further that a restaurant is also a permitted use in a hotel and, therefore, free from the need to be “incidental” to the primary use (hotel).

- (4) **In reviewing the application, the District Council shall pay particular attention to surrounding existing and proposed land uses and the compatibility of the hotel or motel and its accessory uses with the surrounding area.**

Comment: The proposed hotel use, and its accessory uses, are compatible with the adjacent uses proposed on the approved development plan and in the surrounding area. The site will contain ample parking and loading spaces to accommodate its patrons. The proposed hotel is located in close proximity to proposed retail along a major arterial highway (US 1). The applicant proposes a six-story structure that is consistent with the residential/commercial buildings proposed for adjacent parcels.

Variances to Specific Special Exception Requirements

As previously noted, the applicant seeks variances from several of the specific requirements of a special exception for a hotel in the M-U-TC Zone. The applicant seeks variances from:

- **Section 27-365(a)(1), Location within a concentration of industrial/office uses**
- **Section 27-365(a)(2), Frontage/access to 70-foot right-of-way**

Section 27-230(a) provides the following findings for approval of a variance:

- (1) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;**

Comment: Development of the Cafritz Property has been the subject of numerous applications, development plans, site plans, subdivisions, amendments, and hours of public hearings and debate. From the beginning and throughout these processes, a hotel has been shown as the proposed use for this portion of Parcel F. However, it has long been recognized that the hotel use would require approval of a special exception; this was why the detailed site plan could not “approve” the hotel, since the special exception site plan, if approved, would supersede any other. We believe that the District Council and Planning Board, pursuant to their previous actions, have given their tacit approval for (or at the very least their implied willingness to consider) a hotel at

this location, despite the fact that the site is neither located within a concentration of office/industrial uses nor fronting on a 70-foot right-of-way. The inclusion of the use as an integral part of the approved development scheme for the larger site constitutes an extraordinary situation, which is not of the applicant's making. This first criterion is met.

- (2) **The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and;**

Comment: As a use permitted by special exception, a hotel is generally considered compatible with other uses in the M-U-TC Zone. The requirements of the Zoning Ordinance calling for an office/industrial park location and frontage on a 70-foot right-of-way reflect a decades-old planning paradigm out of step with a more modern approach embracing the aesthetic created by the mixed-use zones and the M-U-TC guidelines. While not every site in the County is appropriate for this approach, it is clear that, in this case, a mixed-use community with walkable neighborhoods, which could include a hotel in combination with retail commercial and residential uses, is considered to be a desirable outcome. To require the strict application of these standards would force the complete redesign of the site. Doing so, given the District Council and Planning Board's previous actions approving the concept, would be nonsensical and would place a peculiar and unusual practical difficulty upon the applicant. The applicant also correctly points out their close proximity to the M Square office park, across the CSX tracks to the east, which will be accessible by car, bike, or foot via the bridge required as a condition of previous approvals for the development. The second criterion is met.

- (3) **The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

Comment: The variances will not substantially impair the intent, purpose, or integrity of the Town of Riverdale Park M-U-TC Zone Development Plan, as amended by the Cafritz Property Development Plan and the secondary amendment thereto (SA-130001). Each of these plans envisions the site as a part of a mixed-use development consisting of commercial, residential, and recreational uses. To the contrary, approval of the variances would act to **implement** the intent of those documents. The use is permitted by special exception in the M-U-TC Zone and is therefore presumed to be compatible with similarly-zoned surrounding permitted uses. This criterion is met.

Conclusion

The applicant has shown that each of the three criteria for approval of a variance has been met. Staff recommends approval of this variance request.

- H. **General Requirements for a Special Exception:** Section 27-317(a) of the Zoning Ordinance provides the following required findings for approval of a special exception:

- (a) **A Special Exception may be approved if:**

- (1) **The proposed use and site plan are in harmony with the purposes of this Subtitle;**

Comment: With the recommended conditions, the proposed use as a hotel with accessory uses, including a bar/restaurant, as well as the site plan, are in harmony with the purposes of this Subtitle.

- (2) **The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**

Comment: With the requested variances and the recommended conditions of approval, the proposed use will be in substantial conformance with all of the applicable requirements and regulations of this Subtitle. In 2004, the District Council approved Primary Amendment A-10018 which placed the subject property in the M-U-TC Zone. This amendment had several conditions of approval that are relevant to this application. The Urban Design Section, in a memorandum dated March 14, 2016, provides a detailed discussion of the issues and the related conditions of approval. Comments from the Urban Design Section are provided in Finding L of this report.

- (3) **The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;**

Comment: The proposed redevelopment of the property with a hotel use conforms to the land use designation in the Cafritz Property Development Plan, and the proposed use conforms to the Plan Prince George's 2035 vision. Therefore, the proposed use will not substantially impair the integrity of any validly approved master plan or functional master plan, or, in the absence of a master plan or functional master plan, the General Plan.

- (4) **The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;**

Comment: A boutique hotel at the center of a mixed-use development, accessible to nearby commercial and office uses and proximate to walkable neighborhoods and public transportation, will be a benefit to the County. Because of its compatibility with the proposed surrounding uses and as guided by the M-U-TC design guidelines, the use will not adversely affect the health, safety, or welfare of residents or workers in the area.

- (5) **The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

Comment: The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The placement of a hotel on this parcel will fulfill the long approved vision for the site.

- (6) **The proposed site plan is in conformance with an approved Tree Conservation Plan.**

Comment: The site has an approved Type 2 Tree Conservation Plan, TCP2010-132-02. The proposed hotel is located within an area previously approved to be cleared and is in conformance with the existing TCP2.

- (7) **The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Comment: There are no regulated environmental features on the subject property that would require preservation and/or restoration. The site has an approved Natural Resources Inventory (NRI-121-06-01). No additional information is needed with respect to the NRI. No stormwater management plan was received with this application; however, a previously approved concept is on file for the overall site (11589-2010-00). The concept plan on file expired May 3, 2013. The concept indicates the use of bioretention, extended detention, and filtration for the overall site. A valid stormwater approval will be required as part of the permit application.

- I. **Parking and Loading Regulations:** Based on the mix of uses proposed for the site, a total of 42 spaces are required, which is 50 percent of that ordinarily required pursuant to the M-U-TC design guidelines for the site. The applicant is providing 140 parking spaces in a structured parking facility. Although this far exceeds the 80 percent maximum prescribed by the design guidelines, parking provided in a structure is exempt from this maximum and can be increased.
- J. **2010 Prince George's County Landscape Manual Requirements:** The subject application is not subject to the 2010 *Prince George's County Landscape Manual*, as the Cafritz Property Design Standard Guidelines (page iv) states that "the design standards replace requirements that are set forth in the Zoning Ordinance and Landscape Manual."

Tree Canopy Coverage

Detailed Site Plan DSP-13009 was approved with a condition that, prior to signature approval, the plans should be revised to meet the ten percent tree canopy coverage requirements.

- K. **Zone Standards:** The design guideline standards, as amended, constitute the regulations to which development of the site must conform. These standards address:
- Buildings
 - Additions
 - Exterior renovations
 - New entrance and window treatments
 - Signs
 - Fencing

Discussion of the application's conformance with the design standards is discussed in Finding L below.

- L. **Conformance to Previous Approvals and Design Standards:** The Urban Design Section reviewed the site plan and submits the following comments:

Conformance with the Requirements of the Zoning Ordinance No. 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 following conditions from Zoning Ordinance No. 11-2012 apply to the review of SE-4775:

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 DSP review and approval concurrent with or after the approval of any special exception. It is anticipated that the applicant will submit a revision to the DSP to reflect the information and that the special exception has been reviewed and approved by the final authority.

- 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 special exception and staff finds the application to be consistent with the concept plans previously approved for the development, particularly in regard to 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, the 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, the decision on the zoning case recognized that specific requirements of the Prince George's County Code would be required to be analyzed as part of the review process of any application that was submitted as a special exception. It was anticipated throughout the review of the case that the hotel use was part of the overall vision of the development. The submittal of the variances from Section 27-365(a) of the Zoning Ordinance are appropriate in order to achieve the vision as it was set forth at the time of the rezoning of the property.

- 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.**

Comment: All DSP applications that are accepted for processing are sent to the Town of Riverdale Park for review by the M-U-TC Design Committee.

- 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.**

Comment: The application includes a MUTC Guidelines Compliance matrix as part of the application. In the matrix, the requirements for each of the development standards is addressed. The important aspect of this issue is that the matrix simply states whether the plan complies with a statement “see site plan.” The matrix should be revised to reflect the actual quantifiable aspect of the requirement. Once it is determined that the site plan actually complies with the specifications as needed, then the issue of a departure requirement can be determined. Therefore, the plans and matrix should be revised to reflect the specific issue of the development district requirement.

Relationship with the previously approved DSP-13009

On September 30, 2013, the District Council affirmed PGCPB Resolution No. 13-63, Detailed Site Plan DSP-13009, to approve with conditions a DSP for a mixed-use development including 855 multifamily units, 126 townhouses, and approximately 187,277 square feet of commercial space distributed on 37.73 acres of land known as the Cafritz Property at Riverdale Park, pursuant to the Town of Riverdale Park M-U-TC Zone Development Plan, 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, in the Town of Riverdale Park, Council District 3, Planning Area 68, subject to 16 conditions. It should be noted that the DSP did not include the subject site, as it was known at the time that a hotel was proposed for the site and that a special exception was required to be reviewed and approved for the development of part of Parcel F. The following conditions of approval of the DSP warrant discussion in the review of the special exception:

- 6. **The plans shall be revised to conform to the Cafritz Property at Riverdale Park Town Center Development Plan, as modified by any approved secondary amendments. The MU-TC Guidelines Compliance Matrix (“Matrix”), dated**

May 5, 2013, shall serve as the instrument to guide the revisions to the plans at either time of certification or prior to building permit, as determined by the Urban Design Section. The Matrix shall be revised upon review to identify which outstanding guidelines and standards should be addressed at the time of certification of the DSP, and which should be reviewed before the issuance of a building permit for a specific building or parcel.

Comment: At the time of the review of the DSP, it was determined that some of the development standards of the Town of Riverdale Park M-U-TC Zone Development Plan require such detail that the information was yet to be determined. At the time, the Town of Riverdale Park included the following recommendation:

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

Instead of adopting the recommendation of the Town above, Condition 6 was adopted by the Planning Board, as stated above. It is understood that all building permits must be reviewed by the M-U-TC Committee in the building permit process, per the Development Plan, Building Permit Application Process (page 65). It is during that process by which the M-U-TC Committee reviews the building permit plans for conformance to all relevant design recommendations and requirements of the Development Plan. Therefore, staff recommends that a similar process used in the review of the subject special exception application be adopted:

10. **Prior to certification of the detailed site plan, the applicant shall revise the plans as follows or provide the specified documentation:**
 - d. **Revise the plans to show the interim grading and landscaping proposed for Parcels K, L, M, and Parcel F. Landscaping for Parcel F shall include more significant features given its prominence in the subject property near the commercial activity.**

Comment: The condition above was fulfilled at the time of the review of the DSP for certification. Based on the fact that the hotel plans are moving forward, it is possible that the interim grading and landscaping may not be built. The construction of the temporary facility was anticipated in order to address a vacant parcel if market conditions were such that the hotel did not move forward. However, it appears this will not be the case and that construction of the hotel will commence in a timely fashion.

13. **Prior to signature approval, provide details and specifications of the proposed green roof technologies to be employed, at a minimum on buildings 4 and 6A, consistent with the approved stormwater concept plan.**

Comment: The applicant should submit a copy of the stormwater management concept approval for the subject site for reference. Further, the plans include Building 6A–Roof Plan as shown on Sheet A-101 of the application that indicates the proposal for a green roof.

CONCLUSION

A special exception use is considered compatible with uses permitted by-right within the zone, as long as specific criteria are met. Unless unique adverse impacts are identified, the special exception may be approved. The appropriate standard for determining whether the use would create an adverse impact upon surrounding properties is to show that the proposed use, **at the particular location proposed, would have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the zone.**

The applicant has met their burden of proof in this instance. Based on the preceding analysis and findings, staff recommends APPROVAL of Special Exception Application No. SE-4775, including variances, subject to the following conditions:

1. A revision to the detailed site plan shall be submitted to reflect the information shown on the approved special exception and reference the approval by the final authority.
2. Prior to approval of the special exception:
 - a. The plans and matrix shall be revised to reflect the details and specifications of each development district requirement, or a departure or secondary amendment should be submitted. Any modification that does not involve an increase in gross floor area or land covered by a structure shall not require a revision to the approved special exception site plan.
 - b. The approved stormwater management plan should be submitted and the green roof details shall reflect the same on Building 6A–Roof Plan, as shown on Sheet A-101.

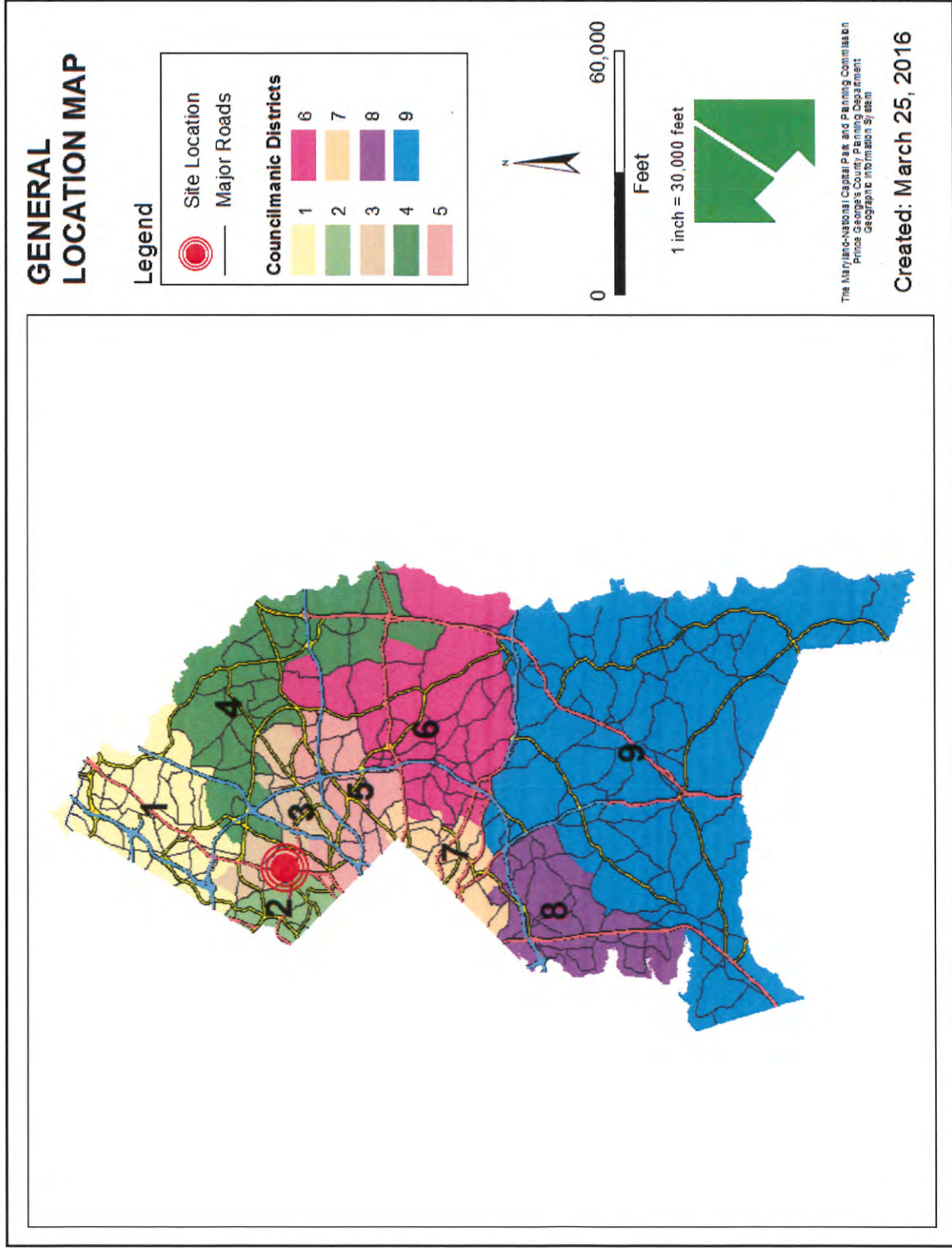
ITEM:

CASE: SE-4775

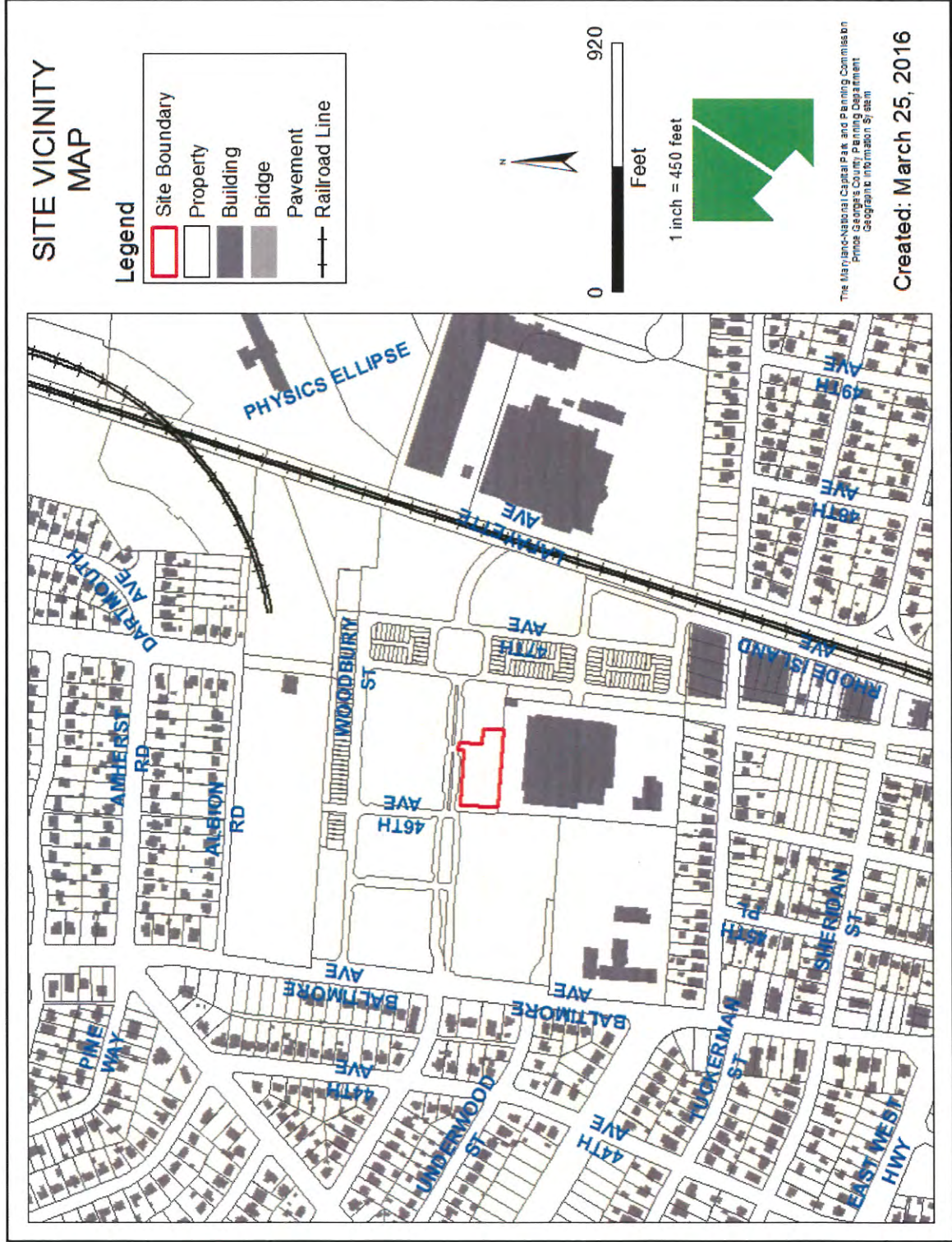
**HOTEL AT CAFRITZ PROPERTY
RIVERDALE PARK**



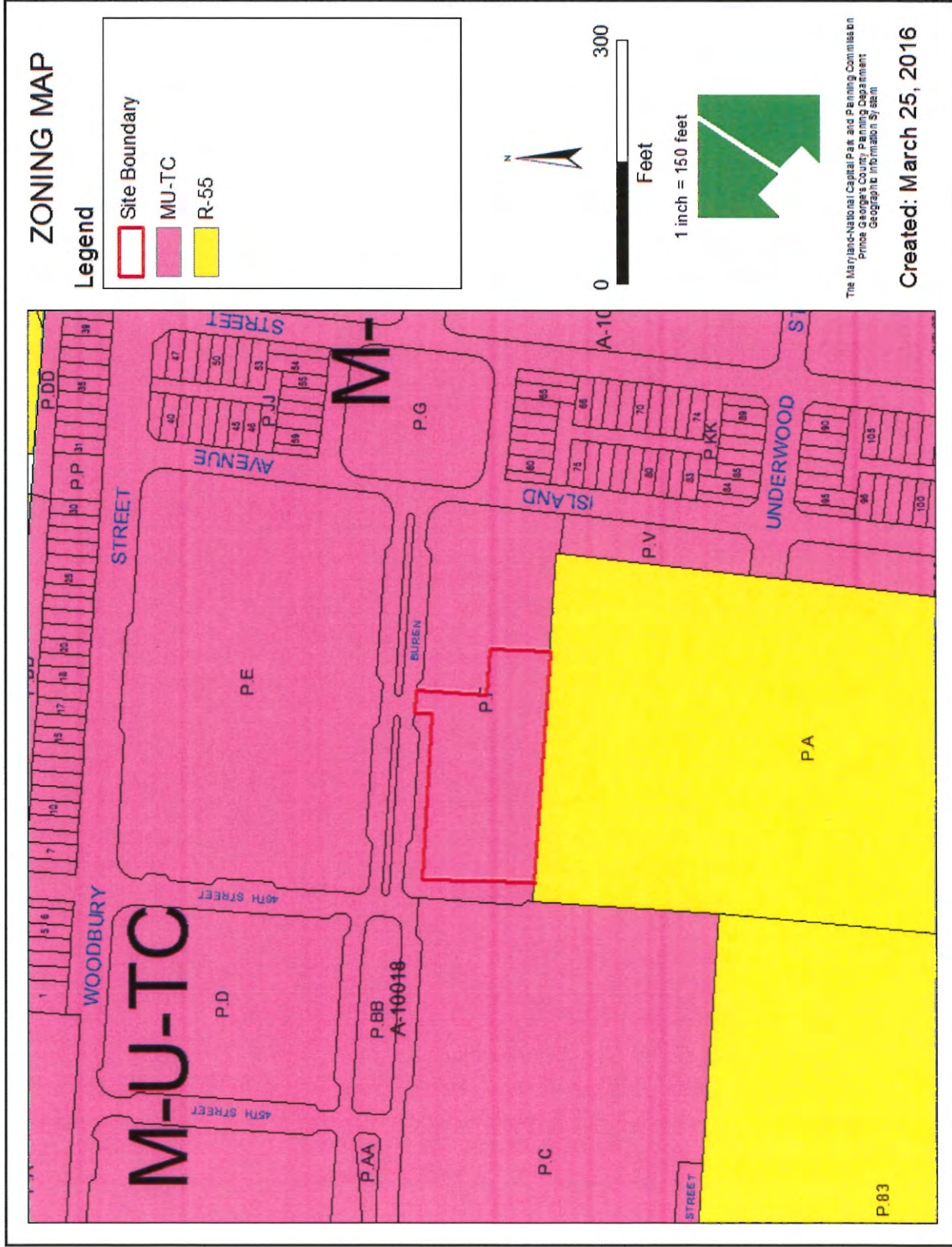
GENERAL LOCATION MAP



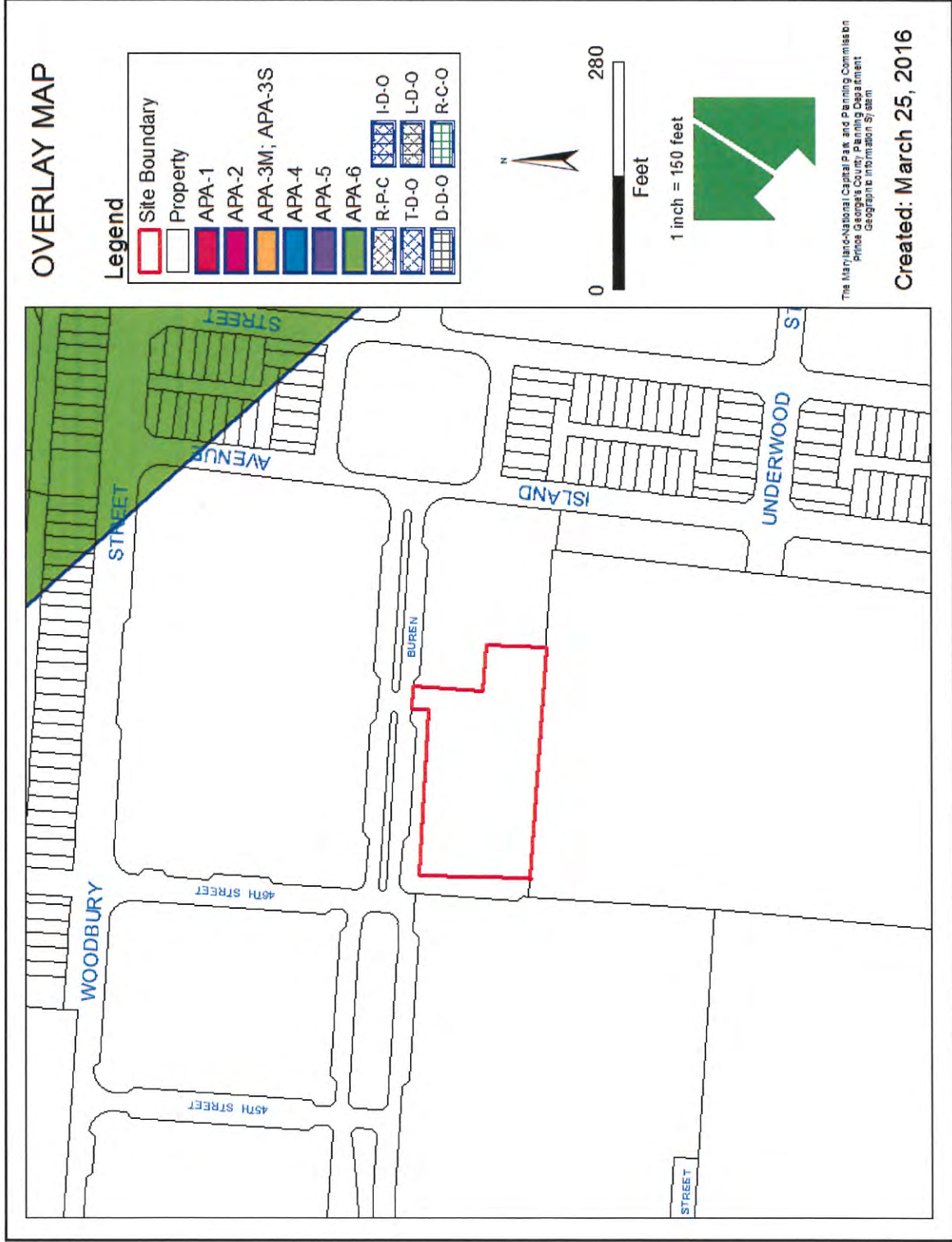
SITE VICINITY



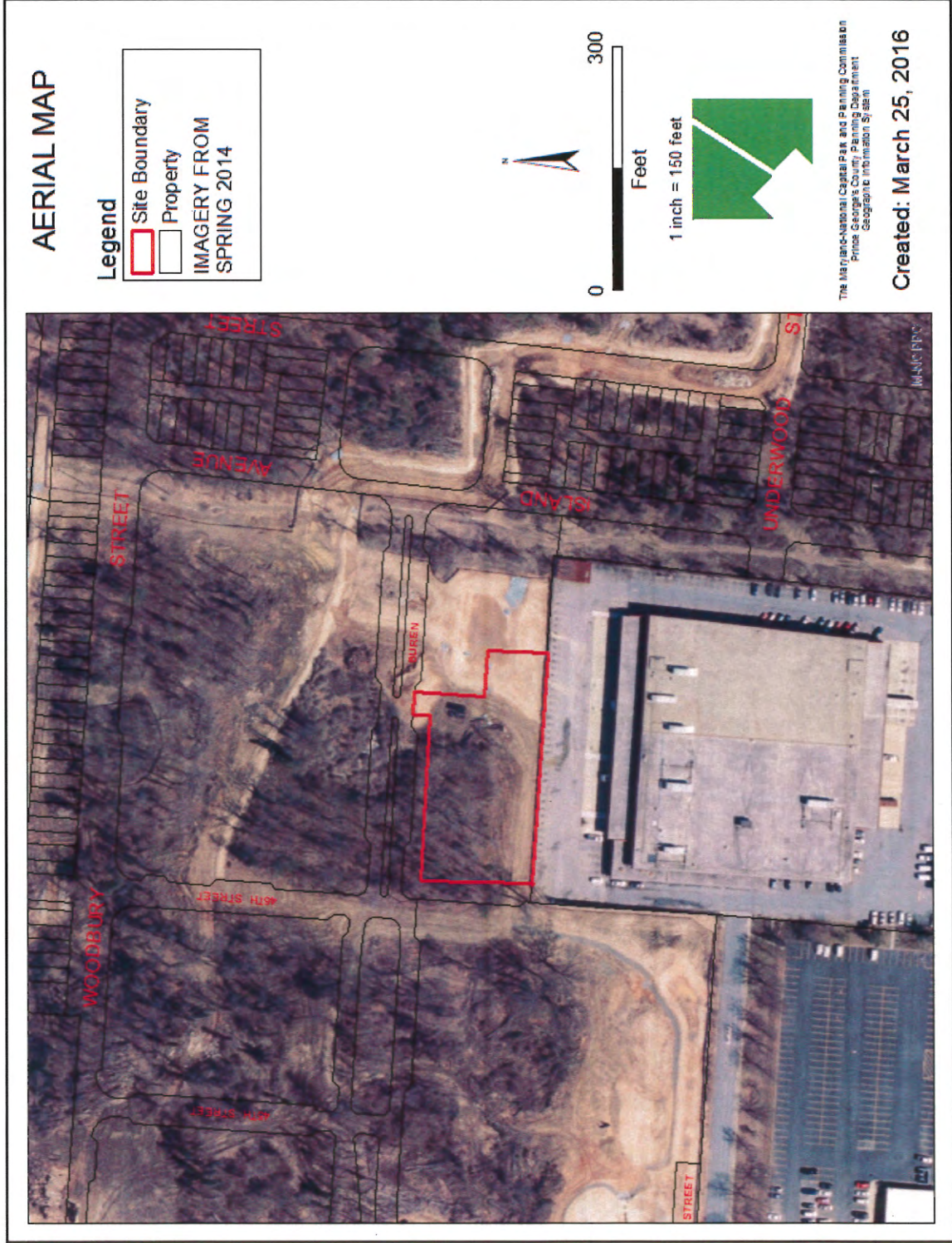
ZONING MAP



OVERLAY MAP

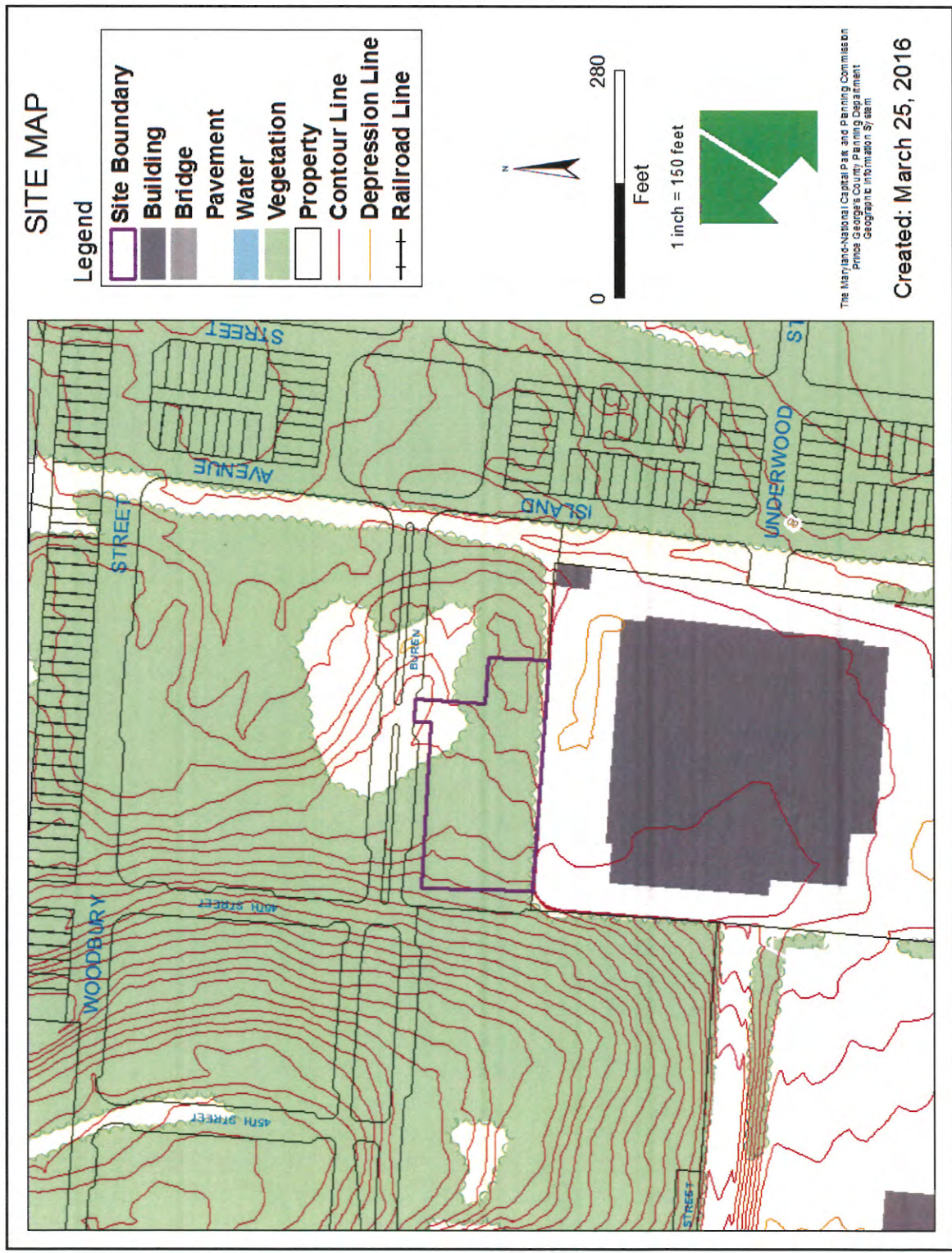


AERIAL MAP

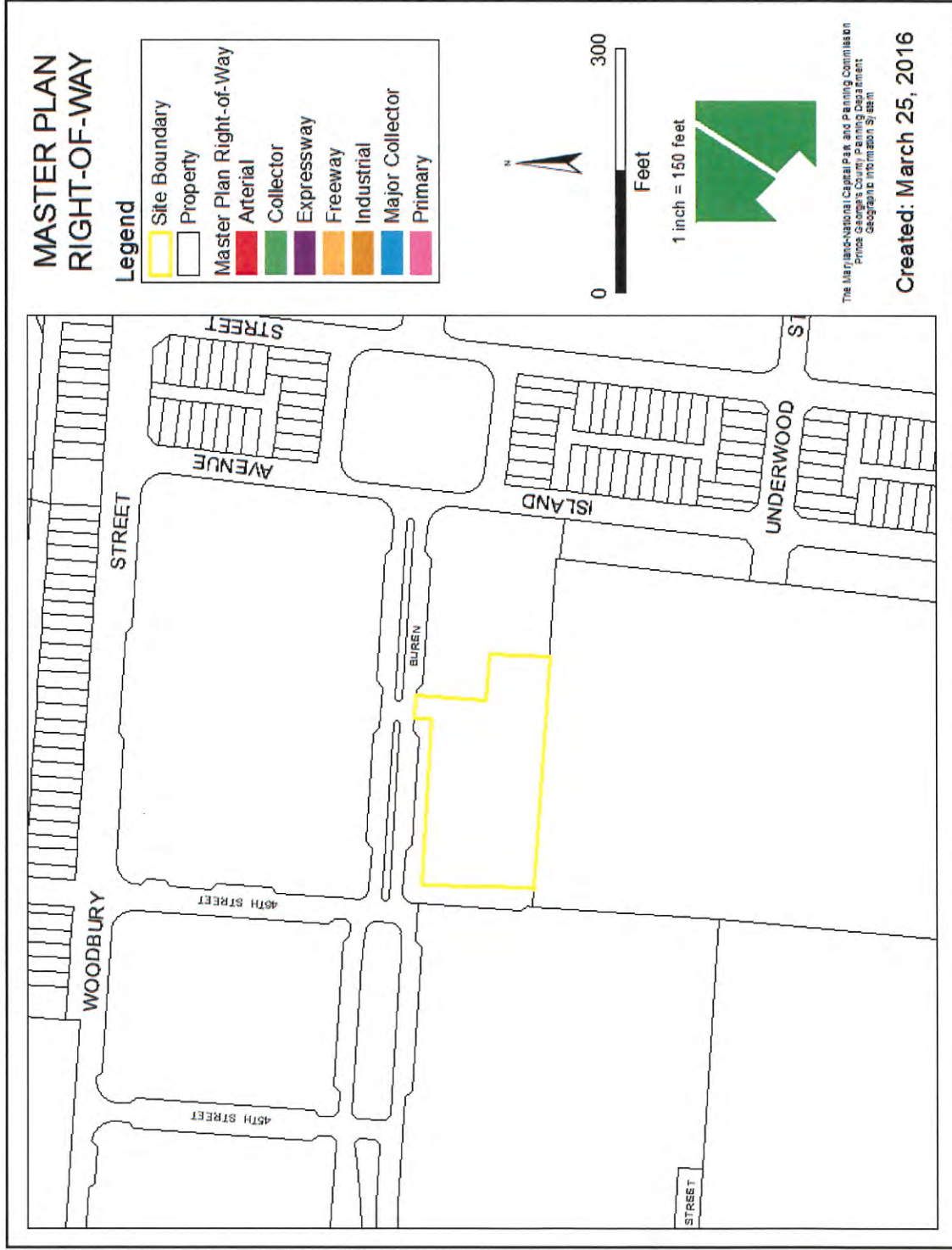




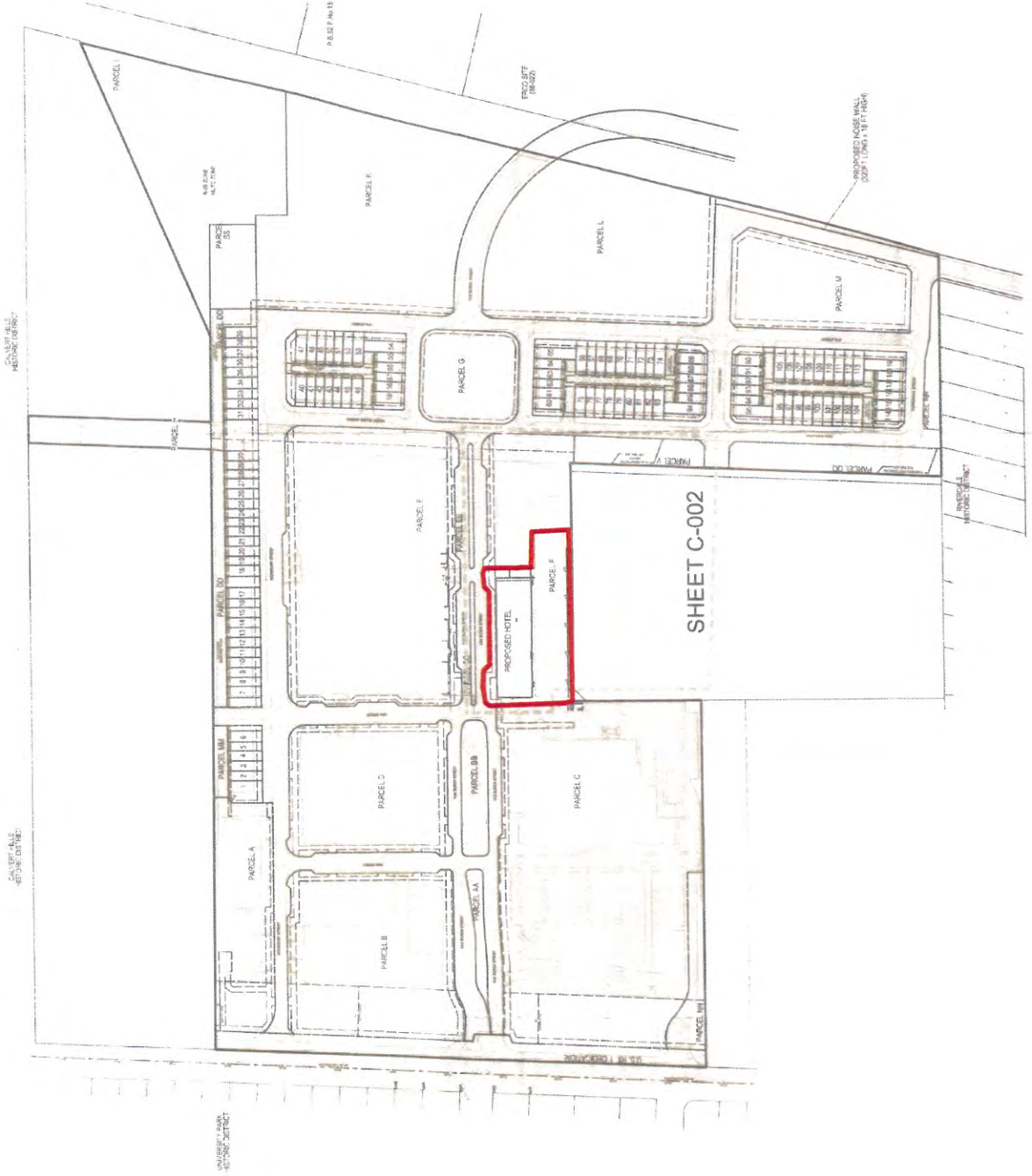
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



SPECIAL EXCEPTION SITE PLAN



SPECIAL EXCEPTION SITE DETAIL SHEET



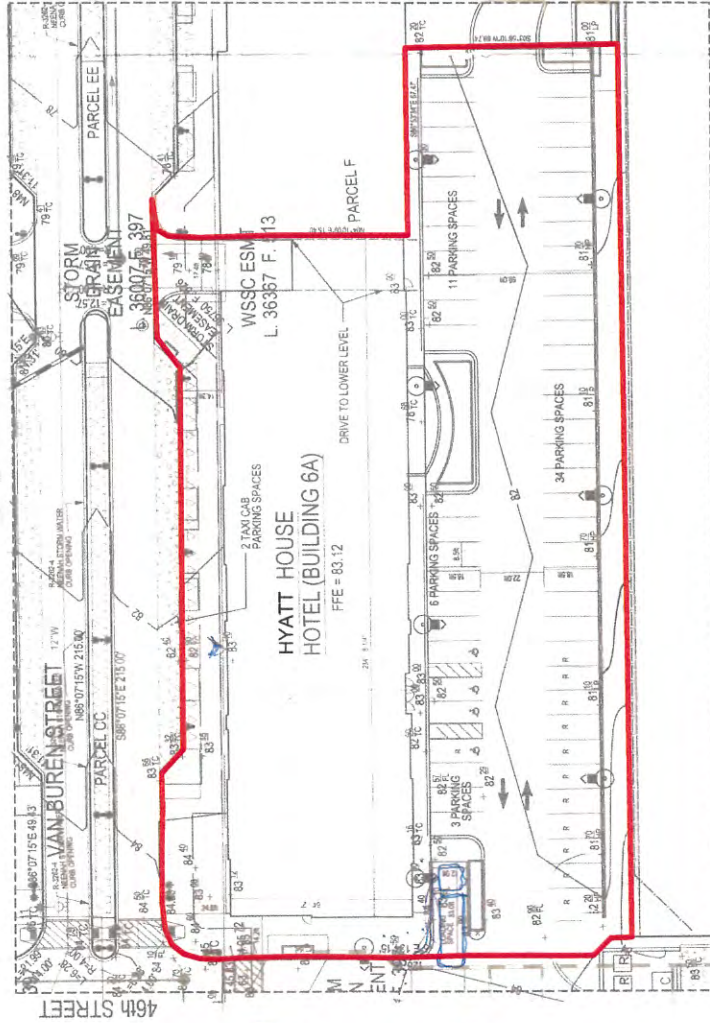
LOWER LEVEL PARKING PLAN
N.T.S.

NOTE:
1. PARKING SPACES SHOWN WITH AN 'H' ARE RESERVED FOR THE HOTEL. THERE ARE 30 TOTAL PARKING SPACES INCLUDING 2 HANDICAPPED SPACES.



SPECIAL EXCEPTION PLAN VIEW SHEET

DISTANCE TO
U.S. ROUTE 1
627'±



*SEE SHEET C.003 FOR
LOWER LEVEL PARKING
LAYOUT ACCESSED FROM
VAN BUREN STREET



STATEMENT OF JUSTIFICATION

SPECIAL EXCEPTION APPLICATION FOR SE-4775

OWNER/APPLICANT: Calvert Tract Parcel 6A, LLC
1828 L St., NW, #703
Washington, D.C. 20036

CORRESPONDENT: Lawrence N. Taub, Esq.
O'Malley, Miles, Nylen & Gilmore, P.A.
11785 Beltsville Dr.
Tenth Floor
Calverton, MD 20705
(P): 301-572-3274
(F): 301-572-6655
ltaub@omng.com

REQUEST: Special Exception for a hotel on part of Parcel F, as shown on Plat 3, Riverdale Park Station Subdivision, in accordance with Sections 27-317 and 27-365 of the Prince George's County Zoning Ordinance

A. Description of Property/Development Data

1. Address/Location: Building 6A, as depicted on the "SA-130001 Illustrative Plan", following page v. in the Development Plan entitled "Cafritz Property at Riverdale Park, based on the Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan, January, 2004", said Development Plan being approved through Zoning Ordinance No. 11-2012 for ZMA No. A-10018, dated July 12, 2012
2. Land Records Reference: Parcel F on Plat 3 of the Riverdale Park Station subdivision recorded in Plat Book MMB 239 at 96 and shown on Prince George's County Tax Map 42, Grid D2
3. Subdivision: Riverdale Park Station.

- 4. Owner: Calvert Tract Parcel 6A, LLC
- 5. Total S.E. Area: 0.877 acres.
- 6. Proposed Use: Hotel
- 7. Zoning: M·U·TC
- 8. Master Plan: 2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan, as amended by the Development Plan for Cafritz Property at Riverdale Park , approved by the Prince George's District Council through Zoning Ordinance No. 11-2012 for ZMA No. A-10018 ("Development Plan")
- 9. Planning Area: 68
- 10. Councilmanic District: 3
- 11. Municipality: Riverdale Park
- 12. 200-Scale Base Map: 208NE04
- 13. Street Frontage: Van Buren Street and 46th Street
- 14. Historic Sites: None

B. Proposed Use

This special exception application is for a proposed 120 – room hotel to be constructed on the property shown as Building 6A within the Development Plan, located in the southeast corner of the intersection of Van Buren Street and 46th Street, consisting of approximately .877 acres of land ("Subject Property"). The Subject Property is located within the 37.73 acre Cafritz Property, which is located on the east side of U.S. Route 1, approximately 1,400 feet from its intersection with East-West Highway in the municipality of Riverdale Park ("Cafritz Property").

Through the approval of Detailed Site Plan No. DSP-13009 (including Revisions 01-06)), Preliminary Plan of Subdivision No. 4-13002 (and subsequent record plats), Secondary Amendment No. SA-130001 (including Revision 01), and Special Permit No. SP-130002, the Cafritz Property has been approved for the following development: approximately 165,000 square feet of retail space; 22,600 square feet of office space; 119 townhouses; 855 multifamily dwelling units; and a 120-room hotel (subject to the approval of a special exception).

The Subject Property is bounded by:

- North: Proposed Building 5 of the Cafritz Property, also zoned M-U-TC Zone and located on the north side of Van Buren Street, consisting of 231 multifamily units, approximately 5,300 square feet of retail space and a parking structure with 833 parking spaces.
- East: Proposed Building 6B of the Cafritz Property, zoned M-U-TC, and approved for 76 multifamily units.
- South: Existing U.S. Postal Service facility in the R-55 Zone.
- West: Building 3 of the Cafritz Property, also zoned M-U-TC, located on the west side of 46th Street, south of Van Buren Street, and consisting of approximately 223,029 square feet of retail space and 10,000 square feet of office space. This building will include, among other tenants, a Whole Foods Market.

This application requests approval of a six (6) story, 120 - room hotel upon the Subject Property. The hotel will include a combination of apartment-style rooms, studios and suites. Every room will have a flat screen TV, WiFi, Plug-N-Play TV adaptors, and most will also include a kitchen area.

The hotel will include a variety of high-quality amenities, including: (1) a fitness center, to include aerobic fitness machines,, strength training machines, and free weights; (2) an indoor pool with folding glass windows that open up for natural light and air, allowing an indoor/outdoor experience; (3) a business center equipped

with computer workstations, USB ports, free internet access and printing capabilities; and (4) rooms for meetings and events.

A complimentary breakfast buffet will be offered to hotel guests, and a bar/restaurant area will be available for guests, as well as the general public, in the afternoon and evenings. There will also be a small area, open 24-hours, in which small, pre-packaged food items and necessities can be purchased.

Social seating, dining and lounge seating are all distributed strategically around the hotel's ground level area. Seating groups will be laid out in different combinations, depending on interaction and activity. The hotel will also include an area known as the Outdoor Commons, an extension of the indoor seating area for dining, socializing and lounging purposes. Folding glass window-wall systems are utilized to connect the hotel's interior space, providing an indoor-outdoor feel. An accent fireplace, usable year-round, will be a centralized focal point to provide interest. The folding glass window-wall system can also be closed to contain radiating heat within this living /dining/indoor-outdoor area.

C. Conformance with the Zoning Ordinance

Section 27-365. Hotel or motel: The proposed use of a hotel complies with the specific criteria set forth in Section 27-365, as demonstrated in greater detail below:

(a) A hotel or motel may be permitted (except those covered under Subsection (b), below), subject to the following:

(1) The proposed use shall be located in an area which is or is to be developed with a concentration of industrial or office uses;

RESPONSE: The subject property is located within a mixed-use development that has been approved for approximately 168,000 square feet of retail commercial space, 22,200 square feet of office space, 119 townhomes, 855 multifamily units, and the proposed 120-room hotel. Since this is arguably not an area with a

concentration of industrial and office uses, a request for a variance from this section has been submitted along with this application.

- (2) The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least seventy (70) feet;

RESPONSE: Van Buren Street in front of the proposed hotel has been approved for a right-of-way of only 61 feet. For this reason, a request for a variance from this section has also been submitted along with this application.

- (3) The proposed use may include any of the following accessory uses. All accessory uses, and their square footages, shall be shown on the approved site plan. Notwithstanding any other requirement of this Subtitle, these accessory uses shall be permitted without obtaining a separate Special Exception:
 - (A) Cocktail lounge or night club;
 - (B) Gift Shop;
 - (C) Beauty Shop;
 - (D) Barber Shop;
 - (E) Auditorium;
 - (F) Recreational uses;
 - (G) Sauna, public spa, or steam room;
 - (H) Solarium;
 - (I) Valet shop;
 - (J) Similar retail stores and consumer service establishments;
 - (K) Restaurant;
 - (L) Meeting facilities; and
 - (M) Lobby and registration area;

RESPONSE: The Subject Property includes a number of these amenities, as described above, and as demonstrated on the attached site plan.

Section 27-317. Required Findings. The proposed use complies with the criteria set forth in Section 27-317, as follows:

- (a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purposes of this Subtitle;

RESPONSE: This request is in harmony with the purposes of the Zoning Ordinance set forth in Section 27-102(a), as follows:

(a) The purposes of the Zoning Ordinance are:

(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;

RESPONSE: The hotel, which will, of course, be code-compliant, will serve the hospitality needs of not only the residents in this area of the County, but also of the nearby University of Maryland, as well as those working in the University's M-Square office and research park, that will be easily and directly accessed by the bridge over the CSX tracks to be constructed along with this mixed-use development. The Subject Property is conveniently located near a major north-south thoroughfare, Baltimore Avenue (U.S. Route 1), and a major east-west thoroughfare, East-West Highway (MD 410). The Subject Property is also located only several miles from the Baltimore-Washington Parkway, the District of Columbia line, and the Capital Beltway (I-495). For all of these reasons, the proposed hotel will promote the health, safety, comfort, convenience and welfare of the present and future inhabitants of the County.

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

RESPONSE: As mentioned previously, the operative Master Plan for the Subject Property is the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*, as amended by the 2012 *Cafritz Property at Riverdale Park Town Center Development Plan*. Since the proposed hotel is shown upon this Development Plan (which is the Master Plan approved by the District Council), the proposed hotel implements the relevant Master Plan Development Plan.

(3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;

RESPONSE: Through the Planning Board approval of Preliminary Plan of Subdivision No. 4-13002, the Board determined that there would be adequate public facilities for the development of the Cafritz Property, which included an assumed 120-room hotel in its calculations and evaluations. The services to be provided within the subject hotel, as well as restaurants, stores and other services to be located within the Cafritz Property, assure that this community will have more than adequate services for its residents and guests.

(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry and business;

RESPONSE: As this hotel was approved through the rezoning of the Cafritz Property as part of a vibrant, mixed-use community (as well as the subsequent subdivision, site plan and other zoning approvals), this proposed hotel is part of the orderly growth and development of the County. It will provide high-quality, overnight accommodations in a location that, as noted above, is convenient to the University of Maryland, its M-Square Research and Office Park, and visitors to this area of the County.

(5) To provide adequate light, air, and privacy;

RESPONSE: The exterior façade of the proposed hotel is comprised of windows that allow every hotel room to have access to natural light, and each room will, of course, have curtains on the windows for privacy. As described above, the lobby of the proposed hotel will include a folding glass window-wall system that will provide a great deal of light into this main area. Additionally, the hotel is proposed to be only six stories high, which will not be much taller (if at all) than any of the other buildings within the proximity of the Subject Property.

(6) To promote the beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;

RESPONSE: The proposed hotel was specifically approved upon the Subject Property within the Development Plan for the Cafritz Property, when this mixed-use property was rezoned to the M-U-TC zone by the District Council in 2012. It is located within a portion of the Cafritz Property that will include both commercial and mixed-use buildings, allowing for a vibrant community. The hotel will be bordered to the south by an existing postal facility, and the location of this proposed hotel will, therefore, promote the beneficial relationship between the uses of the land and buildings as shown upon the above-referenced land use approvals, and there is no reason to believe that the proposed hotel upon the Subject Property will have any adverse impact upon adjoining development.

(7) To protect the County from fire, flood, panic, and other dangers;

RESPONSE: The Subject Property is required to comply with all of the current regulations for fire protection and stormwater management, as well as all applicable building codes. The County will thus be protected from fire, flood, panic and other dangers.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within economic reach of all County residents;

RESPONSE: This is not applicable to the proposed use upon the Subject Property.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

RESPONSE: The proposed hotel will broaden the tax base by employing many individuals, in a broad spectrum of positions requiring differing skill sets and levels of experience. The economic impacts of this use on the local and regional economies will be both direct, in the form of new taxes and salaries, as well as indirect, due to the positive effect the proposed use will have on existing and proposed businesses in

the neighborhood, including, of course, the University of Maryland, the M-Square Research and Office Park, and the local community in general.

(10) To prevent the overcrowding of land;

RESPONSE: The proposed use upon the Subject Property is specifically located in accordance with the Development Plan for the Cafritz Property at Riverdale Park, approved through the rezoning of this property in 2012, , as well as the subsequent Detailed Site Plan approval for the Cafritz Property, and is designed so as not to overcrowd the land.

(11) To lessen the danger and congestion of traffic on the streets and to insure the continued usefulness of all elements of the transportation system for their planned functions;

RESPONSE: When Preliminary Plan of Subdivision No. 4-13002 was approved for the entirety of the Cafritz Property at Riverdale Park, the evaluation of the adequacy of transportation facilities assumed, among other things, the proposed 120-room hotel upon the Subject Property, and the street grid (including the specific rights-of-way) was created and approved; this issue was thus fully addressed.

(12) To insure the social and economic stability of all parts of the County;

RESPONSE: The proposed use responds to the needs of Prince George's County residents, businesses and institutions for high-quality hotels in this area of the County, which will consequently help to promote the social and economic stability of this portion of the County as well.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, and lands of natural beauty, dense forests, scenic vistas, and other similar features;

RESPONSE: The development of the entire Cafritz Property at Riverdale Park, including the Subject Property, has complied with, and will continue to comply

with, all applicable regulations pertaining to all of the noted environmental features.

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and

RESPONSE: A significant network of open space and recreational facilities has been provided upon the entire Cafritz Property at Riverdale Park development, through the various approvals for this development.

(15) To protect and conserve the agricultural industry and natural resources.

RESPONSE: This is not applicable to the Subject Property.

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

RESPONSE: With the exception of two conditions specific to a special exception for a hotel (frontage on a 70-foot right-of-way and location in a concentration of office and industrial uses), for which variances are being requested, the proposed hotel will, in all other respects, comply with all requirements and regulations of Subtitle 27 of the Zoning Ordinance.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

RESPONSE: As stated in the Planning Board resolution for Preliminary Plan of Subdivision No. 4-13002, legal counsel for M-NCPPC concluded that the prevailing master plan for the Cafritz Property is the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*. The proposed hotel is shown upon this plan, and is thus entirely consistent with this plan. .

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

RESPONSE: As discussed above, the proposed hotel upon the Subject Property is included within the Development Plan for the Cafritz Property at Riverdale Park, as approved by the District Council. The Development Plan proposes a mixed-use community, to include approximately 164,000 square feet of retail commercial uses, 22,200 square feet of office uses, 119 townhomes, 855 multifamily units, and the proposed 120-room hotel. The community was designed with Van Buren Street serving as the main thoroughfare, extending eastward from Baltimore Avenue (Route 1) to the bridge which is to be constructed over the CSX tracks to the M-Square research and office park. The Subject Property is located: (1) south of and across Van Buren Street from a mixed use building that will include 231 multifamily units over approximately 5,600 square feet of retail commercial uses on the first floor, along with a structured parking garage serving that building along with the commercial building to the west; (2) east of the commercial building that will include the Whole Foods Market; (3) north of the existing postal facility; and (4) west of a building proposed for 76 multifamily units. It is essentially a transitional location between the more purely commercial portions of the development to the west, and mixed use and more purely residential development and recreational areas to the east. Given the generally urban character of this development, we submit that both the nature of the proposed hotel and its location will not adversely affect the residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

RESPONSE: For the same reasons that the proposed hotel upon the Subject Property will not have an adverse impact upon the health, safety or welfare of the residents or workers in the area, the proposed hotel, as part of the planned community approved through the Development Plan, will also not be detrimental to the use or development of adjacent properties or the general neighborhood.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

RESPONSE: The Subject Property complies with TCP2-010-13-01, which was approved on May 13, 2013.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

RESPONSE: There are no regulated environmental features on the Subject Property.

(b) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted:

(1) Where the existing lot coverage in the CBCA exceeds that allowed by this Subtitle, or

(2) Where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.

RESPONSE: The Subject Property is not located within the Chesapeake Bay Critical Area Overlay Zone.

Section 27-546.09. M-U-TC Zone (Mixed-Use Town Center):

(a) The specific purposes of the M-U-TC Zone are:

(1) To create with the community a development framework that can capitalize on the existing fabric of the County's older commercial/mixed use centers and corridors.

RESPONSE: The Subject Property satisfies this criterion because the proposed use of a hotel on the Subject Property will serve not only the Cafritz Property, but also nearby older commercial/mixed use centers in the vicinity, as well as such nearby

north-south corridors as US Route 1 and the Baltimore-Washington Parkway, and the MD Route 410 east-west corridor .

- (2) To promote reinvestment in, and the appropriate redevelopment of, older commercial areas, to create attractive and distinctive community centers for shopping, socializing, entertaining, living, and to promote economic vitality.

RESPONSE: The Cafritz Property at Riverdale Park, including the proposed hotel upon the Subject Property, has been designed to be a very attractive and distinctive center for shopping, socializing, entertaining, and living, and will promote economic vitality.

- (3) To promote the preservation and adaptive reuse of selected buildings in older commercial areas.

RESPONSE: The anticipated activity upon the Cafritz Property will help to promote the preservation and reuse of buildings within the older portion of Riverdale Park.

- (4) To ensure a mix of compatible uses which compliments concentrations of retail and service uses, including institutional uses, encourages pedestrian activity, and promotes shared parking.

RESPONSE: The proposed use of a hotel on the Subject Property is part of a mix of compatible uses, and will complement the other proposed uses approved for development upon the Cafritz Property, said uses to include a Whole Foods Market, restaurants, other retail uses, office uses, and residences. By the preservation and improvement of the historic Trolley Trail through the Cafritz Property, pedestrian activity is encouraged, and shared parking has been approved and will be located throughout this development.

- (5) To provide a mix of commercial and residential uses which establish a safe and vibrant twenty-four hour environment.

RESPONSE: The Cafritz Property will include, as noted above, 119 townhomes, 855 multifamily units, and a number of restaurants and other retail establishments, as well as a vibrant recreational and open space network, along with the proposed hotel, that will collectively provide a safe and vibrant twenty-four hour environment.

- (6) To establish a flexible regulatory framework, based upon community input, to encourage compatible development and redevelopment, including shared parking facilities, that will enhance the Town Center.

RESPONSE: By the rezoning of the Subject Property as part of the entire Cafritz Property to the M-U-TC zone, there is now a flexible regulatory framework to encourage compatible development that includes shared parking facilities to enhance the Town Center.

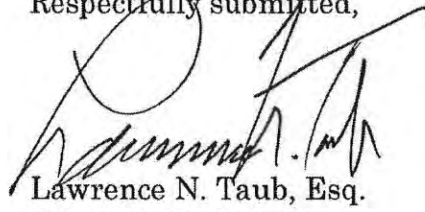
- (7) To preserve and promote those distinctive physical characteristics that are identified by the community as essential to the community's identity, including building character, special landmarks, small parks and other gathering places, and wide sidewalks.

RESPONSE: As noted above, the proposed hotel upon the Subject Property will be part of the entire Cafritz Property community, which, as approved, will include distinctive building character, special landmarks (Ice House, improved Trolley Trail, etc.), small parks and other gathering places, and wide sidewalks.

Conclusion:

For all of the above-stated reasons, the Applicant herein respectfully submits that this special exception application for a hotel upon the Subject Property satisfies the applicable requirements of the Zoning Ordinance for this use, and should be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence N. Taub". The signature is stylized with a large initial "L" and a long horizontal stroke.

Lawrence N. Taub, Esq.
Attorney for Applicant

STATEMENT OF JUSTIFICATION
FOR VARIANCES FROM SECTION 27-365 IN
CONJUNCTION WITH SPECIAL EXCEPTION NO. SE-4775

Calvert Tract Parcel 6A, LLC (“Applicant”) hereby requests two (2) variances from the strict application of Section 27-365, specifically subsections (a)(1) & (2), of the Prince George’s County Zoning Ordinance. This request has been filed in conjunction with a request for approval of a special exception for the use of a hotel within the Cafritz Property at Riverdale Park development (SE-4775).

1. DESCRIPTION

The Subject Property is shown as Building 6A in the Development Plan entitled *Cafritz Property at Riverdale Park, based on the Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan, January 2004* (“Development Plan”), approved by the Prince George’s District Council in its approval of the M-U-TC zone for the Cafritz Property at Riverdale Park (“Cafritz Property”), through Zoning Ordinance 11-2012 for ZMA No. A-10018 (“Subject Property”). The Subject Property consists of approximately 0.887 acres, and is located in the southeast corner of the intersection of Van Buren Street and 46th Street within the Cafritz Property.

2. REQUESTED VARIANCES

The Applicant has filed a special exception, SE-4775, (“Special Exception”) for the use of a hotel upon the Subject Property, and variances from the following two sections of the Prince George’s County Zoning Ordinance (“Zoning Ordinance”) are requested in conjunction with this Special Exception application:

- 1. Section 27-365(a)(1) – “The proposed use shall be located in an area which is or is to be developed with a concentration of industrial or office uses;”**

Compliance with Section 27-230:

(a)(1) “A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions.”

RESPONSE: The Development Plan, as referenced above, was approved by the District Council, and within that Plan, a hotel was shown to be located upon the Subject Property. By doing so, the Council clearly indicated its belief that a hotel would be appropriate at this location, subject to the approval of a special exception application, as required by the Zoning Ordinance. The Cafritz Property

is a mixed-use community, approved to include approximately 165,000 square feet of retail commercial uses, 22,600 square feet of office uses, 119 townhomes, 855 multifamily units, and the proposed 120-room hotel. While this community arguably cannot be characterized as one which includes “a concentration of office or industrial uses,” the inclusion of the hotel upon the Subject Property within the Development Plan approved by the District Council represents an extraordinary situation that would justify approval of the requested variance.

It is also significant that a bridge is proposed to be constructed over the CSX tracks for this development, and this bridge will provide easy vehicular/pedestrian/bike access to the University of Maryland’s M-Square Research Park, which, at full build-out, will encompass approximately 2,000,000 square feet, and employ approximately 6,500 people. While the hotel may not be located “in” an area with a concentration of office or industrial uses, I submit that the proximity of this major office park, and the ease of access to the proposed hotel from this office park, serves to further justify the requested variance.

(a)(2) “The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property;

RESPONSE: The location of the hotel as proposed upon the Subject Property is an integral element of the Cafritz Property mixed-use community, which, as indicated above, was approved (subject to special exception approval) by the District Council. The condition from which this variance is requested was adopted at a time when hotels were rarely, if ever, located in proximity to residential areas, and before the concept of a mixed use community was conceived and accepted as a desirable lifestyle by citizens and governments alike. If this variance request is rejected, and the special exception for the proposed hotel is thus denied, a new use upon the Subject Property would need to be evaluated and approved by the District Council, and this would require revisions, amendments, reconsiderations and/or other actions for the Detailed Site Plan, Secondary Amendments, and other approvals that have already been received. These are certainly “peculiar and unusual practical difficulties” which justify the requested variance.

(a)(3) “The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.”

RESPONSE: Since the applicable Master Plan for the Cafritz Property is the Development Plan for this property, as approved by the District Council through its approval of the M-U-TC zone for the Cafritz Property, and since the hotel upon the Subject Property is shown upon this plan, the requested variance will not substantially impair this Plan.

2. **Section 27-365(a)(2) – “The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least seventy (70) feet;”**

Compliance with Section 27-230:

(a)(1) “A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;”

RESPONSE: Van Buren Street, upon which the proposed hotel will front, is proposed as a 61-foot right-of-way at this location. As discussed above, the proposed hotel upon the Subject Property was approved by the District Council as part of the Development Plan for the Cafritz Property at Riverdale Park. In its subsequent approval of the Preliminary Plan of Subdivision, as well as the Detailed Site Plan for this property, the District Council knowingly approved the location and width of Van Buren Street in front of the Subject Property as a 61-foot right-of-way. Since the hotel was approved upon the Subject Property along with the above-referenced right-of-way, the District Council knowingly and intentionally approved the location of the proposed hotel fronting on a street of less than a 70-foot right-of-way. This is clearly an extraordinary situation that would justify this requested variance.

(a)(2) “The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property;”

RESPONSE: Strict compliance with the Zoning Ordinance would require an increase in the right-of-way width of Van Buren Street to at least seventy (70) feet, which is not only an undue burden upon the owner, but also a rejection of the purpose of this right-of-way at this location. The 61-foot right-of-way width at this location was intentionally designed to promote a walkable, human-scale town center. Seventy (70) foot rights-of-way are more generally associated with suburban developments, while the Cafritz Property is intended as a more urban-style development.

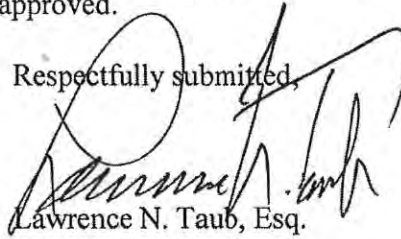
Additionally, the justification of this criterion for the variance from Section 27-365(a)(1) will apply equally to the justification for satisfaction of this criterion for this requested variance.

(a)(3) “The variance will not substantially impair the intent, purpose, or integrity of the General Plan or the Master Plan.”

RESPONSE: The justification for satisfaction of this criterion for the variance from Section 27-365(a) (1) will apply equally to the justification for satisfaction of this criterion for this requested variance.

For all the above-stated reasons, the Applicant respectfully submits that the requested variances for the proposed hotel on the Subject Property, in conjunction with SE-4775, are appropriate and justified, and should be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lawrence N. Taub', is written over the text 'Respectfully submitted,'.

Lawrence N. Taub, Esq.
Attorney for Applicant



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Prince George's County Planning Department
Countywide Planning Division**

**(301) 952-3650
www.mncppc.org**

January 18, 2016

MEMORANDUM

TO: Tom Lockard, Planner Coordinator, Zoning Section, Development Review Division

FROM: Jay Mangalvedhe, Senior Planner, Special Projects Section, Countywide Planning Division

SUBJECT: Project: Hotel at Cafritz Property at Riverdale Park: SE-4775

Special Exception for a hotel in the M-U-T-C.

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, 2014 (U.S. Census Bureau) county population estimate is 904,430. Using the 141 square feet per 1,000 residents, it calculates to 127,524 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.

Fire and Rescue Service

The Special Projects Section has reviewed this Specific Design 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.

Section 24-122.01(e) (1) (E) states that "A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month".

The proposed project is served by Riverdale Fire/EMS Co. 807, a first due response station (a maximum of seven (7) minutes travel time), is located at 4714 Queensbury Road.

Capital Improvement Program (CIP)

The Capital Improvement Program for Fiscal Years 2016-2021 provides funding to construct a new fire station that will allow consolidation of two existing stations.

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”.

School Facilities

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.

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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

March 29, 2016

MEMORANDUM

TO: Susan Lareuse, Urban Design Section, Development Review Division
FROM: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division
SUBJECT: Special Exception Review for Master Plan Trail Compliance

Special Exception Number: SE-4775

Name: Hotel at Cafritz Property at Riverdale Park

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	<u>X</u>	Public Use Trail Easement	_____
PG Co. R.O.W.*	_____	Nature Trails	_____
SHA R.O.W.*	_____	M-NCPPC – Parks	_____
HOA	_____	Bicycle Parking	<u>X</u>
Sidewalks	<u>X</u>	ADA Access	_____

*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 special exception application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) 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 a 0.88 acre site within the Cafritz Property at Riverdale Park at the southeast quadrant of the intersection of 46th Street and Van Buren Street, east of US 1 (Baltimore Avenue) and approximately 150 feet west of Rhode Island Avenue. The subject site is on currently undeveloped land that is zoned Mixed Use Town Center (MU-TC). The proposed use is a hotel and the applicant is requesting a variance to Section 27.365(a)(2), which requires hotels to be located on streets with at least 70 feet of right-of-way.

The application 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* (Area Plan) and the 2012 *Cafritz Property at Riverdale Park Design Guidelines* (Development Plan).

The submitted site plans show Van Buren Street with an approximate 85-foot building-to-building width,

and a curb-to-curb width ranging between approximately 40 and 56 feet.

Review Comments (Master Plan Compliance and Prior Approvals)

Master Plan Compliance

There are no MPOT planned trail or bicycle facilities that directly impact the subject site. There are three MPOT planned trail or bicycle facilities that are located in the vicinity of the subject site:

- 1) A hard surface trail along Rhode Island Avenue, an extension to the Historic Trolley Trail;
- 2) A sidepath along US 1 (Baltimore Avenue)
- 3) Bicycle lanes along US 1 (Baltimore Avenue)

Although these three recommendations do not directly impact the subject site, they will provide additional pedestrian and bicycle access for people traveling to and from the subject site.

Area and Development Plan

The subject site is governed by the 2004 *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* (Area Plan). Although the subject site is not within the initial bounds of the area plan, the zoning amendment A-10018 amended Cafritz area, including the subject site, to the plan boundary. The zoning amendment included the *Cafritz Property at Riverdale Park Design Guidelines* (Development Plan) was approved in October 2012.

Access and Circulation Standards (Development Plan, page 7):

7. A minimum four-foot-wide sidewalk shall provide access from parking lots to the rear entrance and other public on-site access areas, such as outside seating.

Comment: The submitted site plan shows a walkway in between the rear parking lot and the proposed building. This area appears to connect with the sidewalk along 46th Street.

Parking and Loading Standards (Development Plan, page 10):

10. Curb radii and driveway widths should be minimized for ease of pedestrian crossing and safety.

Comment: The submitted site plans show curb extensions and a center median along Van Buren Street at the intersection with 46th Street. These facilities contribute to minimizing the crossing distance.

Streetscape Standards (Development Plan, page 17):

1. The required width of the streetscape for specific properties shall be found on Map 3: Street Configurations and Table 3: Proposed Roadbed and Streetscape Dimensions. The streetscape shall be located between the face-of-curb and the build-to line, residential fence line, or institutional use/large building park and plaza forecourt.

Comment: The Development Plan shows a cross section for Van Buren Street on Map 3. The potential building-to-building width is at least 73 feet. The submitted site plan depicts a building-to-building width of approximately 85 feet with a 12-20 foot streetscape width along Van Buren Street. The submitted plans do not include an updated street cross section for Van Buren Street.

Sidewalk Standards (Development Plan, page 17)

1. The sidewalk shall be constructed between the landscaping/pedestrian amenity strip and the build-to line. A seven-foot pedestrian zone shall be preserved unobstructed in commercial configurations and a five-foot pedestrian zone shall be preserved unobstructed in residential configurations and on

secondary commercial streets (See Map 3: Street Configurations for configuration locations). The remainder of the sidewalk may contain street furniture.

2. The minimum seven-foot-wide walkway shall be located a maximum of three feet from the build-to line. The three-foot area adjacent to storefronts may be used for street furniture and retail product displays. Street furniture includes café seating, flowerpots, water elements, benches, sidewalk sales, and product displays for merchandise such as flowers, clothing, fruit, and vegetables. (See Map 3: Street Configurations for configuration locations)
3. The pattern, material, and slope of the sidewalk shall continue across driveways and alleys to signal that pedestrians and bicyclists may be present in the crosswalk and shall have priority.

Comment: The submitted plans show a wide sidewalk, including a pedestrian amenity and pedestrian zone space. The sidewalk is labeled as a combination of precast concrete pavers and concrete paving. The submitted plans follow the standards set forth in the Development Plan.

Prior Approvals

The Cafritz Property has many prior approvals that impact the subject site. The following cases and conditions of approval impact active transportation and the subject site. They are listed in chronological order:

A-10018 (PGCPB No. 12-09)

3. Prior to acceptance of any application for a Preliminary Plan of Subdivision, the following information shall be provided:
 - 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: The site plans submitted 3/3/2016 indicate bicycle lanes along Van Buren Street in both directions.

6. Prior to approval of any detailed site plan, the following shall be provided:
 - a. The plans shall indicate that crosswalks provided appropriate pedestrian safety features are provided throughout the site.
 - b. 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 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.

Comment: The submitted plans indicate striped crosswalks crossing all legs of Van Buren Street and 46th Street. Concrete paving is shown to continue across the garage driveway entrance along Van Buren Street. Four bicycle parking racks are depicted on the submitted landscape plan at the intersection of Van Buren Street and 46th Street.

4-13002 (PGCPB No. 13-55)

1. Prior to signature of approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:
 - i. Revise the PPS and tree conservation plan to show designated bike lanes (the east-west

bicycle route) on Van Buren Street, Parcel CC.

- v. Revise Cross Sections EE, GG, HH, JJ, MM, PP, and RR to include on-road bike lanes, wide sidewalks, and curb-to-curb pavement width dimensions. Add notes to indicate that the turning radii at intersections will be per Department of Public Works and Transportation (DPW&T) standards in order to accommodate transit and school buses, service, and emergency vehicles, unless modified by the approval of the Secondary Amendment SA-130001.

Comment: Bicycle lanes, wide sidewalks with pedestrian amenity zones, and pavement width dimensions are depicted in the site plan submitted on 3/3/2016.

1. Prior to certification of the SP, the applicant shall revise the plans as follows or provide the specified documentation:
 - a. Revise the special permit plan as follows:
 7. Provide for bicycle parking showing the location, number, and type of bicycle parking spaces consistent with the LEED-ND Bicycle Network and Storage Credit to be approved by the Transportation Planning Section.
 8. Revise the plan to include Americans with Disabilities Act (ADA) curb cuts, ramps, and special paving for crosswalks at all locations where sidewalks or trails intersect with on-site roadways. Details and specifications shall be added to the plans, unless modified by DPW&T.

Comment: Four bicycle parking racks are shown at the corner of Van Buren Street and 46th Street. Curb ramps that would meet ADA guidelines are shown at the intersection of Van Buren Street and 46th Street. The crossing at the garage entrance is level to the sidewalk.

SA-130001 (PGCPB No. 13-57)

- A. Approve the amendment to street configurations subject to showing two four-foot-wide bike lanes within Van Buren Street spanning the distance between Baltimore Avenue (US 1) and the CSX Crossing.
- B. Approve the amendment to reduce the parallel parking width to a minimum of seven feet (from a minimum of eight feet) when parking is not directly adjacent to a bike lane; when adjacent to a bike lane, a minimum of eight feet is required, throughout the site.

Comment: The site plans submitted 3/3/2016 depict bicycle lanes on Van Buren Street. The submitted site plans do not specifically list the width of the parking lane, but they are measured to be approximately eight feet. The cross sections submitted for SP-130002 (PGCPB No. 13-64) indicate eight-foot-wide parking lanes.

DSP-13009 (PGCPB No. 13-63)

1. Prior to certification of the DSP, the applicant shall revise the plan as follows or provide the specified documentation:
 - a. Revise the detailed site plan as follows:
 - x. Provide for bicycle parking showing the location, number, and type of bicycle parking spaces consistent with the LEED-ND Bicycle Network and Storage Credit to be approved by the Transportation Planning Section.
 - xi. Revise the plan to include Americans with Disabilities Act (ADA) curb cuts, ramps and special paving for crosswalks at all locations where sidewalks or trails intersect

with on-site roadways. Details and specifications shall be added to the plans, unless modified by DPW&T.

Comment: Four bicycle parking racks are shown on submitted landscape plans at the intersection of Van Buren Street and 46th Street. ADA curb ramps are shown at all legs of the intersection of Van Buren Street and 46th Street.

The detailed site plans, DSP-13009-05, were approved March 2, 2015 and show a lawn/flowering meadow at the subject site instead of a hotel. The plans also depict Van Buren Street along the frontage of the subject site, the plans (DSP-13009-05) depict a building-to-building width of approximately 82 feet wide, and a curb-to-curb width ranging between approximately 39- and 55-feet wide. This plan also depicts two bike lanes, each approximately four-feet wide.

SP-130002 (PGCPB No. 13-64)

7. The Trolley Trail shall be raised where it crosses the following: Van Buren Street; Woodberry Street; the alley north of Woodberry Street; and the driveway south of building 6B; unless modified by DPW&T.
8. Provide for bicycle parking showing the location, number, and type of bicycle parking spaces consistent with the LEED-ND Bicycle Network and Storage Credit to be approved by the Transportation Planning Section.
9. Revise the plan to include Americans with Disabilities Act (ADA) curb cuts, ramps and special paving for crosswalks at all locations where sidewalks or trails intersect with on-site roadways. Details and specifications shall be added to the plans, unless modified by DPW&T.

Comment: The Trolley Trail is beyond the extents of the subject site. Four bicycle parking racks are shown on submitted site plans at the intersection of Van Buren Street and 46th Street. ADA curb ramps are shown at all legs of the intersection of Van Buren Street and 46th Street.

Statement of Justification

The applicant submitted Statement of Justification (SOJ) for the special exception application and SOJ for variances from Section 27-365 in conjunction with the special exception. The following statements from the SOJs relate to pedestrian and bicyclist transportation issues.

Statement of Justification for special exception SE-4775

2. The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least seventy (70) feet;

Response: Van Buren Street in front of the proposed hotel has been approved for a right-of-way of only 61 feet. For this reason, a request for a variance from this section has also been submitted along with this application.

Comment: See comments for # 2 under SOJ for variance from Section 27-365, below.

Statement of Justification for variances from Section 27-365

2. Section 27-365(a)(2) – “The proposed use shall have frontage on, and direct vehicular access to, a street with a right-of-way width of at least seventy (70) feet;”

Compliance with Section 27-230:

(a)(1) “A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;”

Response: Van Buren Street, upon which the proposed hotel will front, is proposed as a 61-foot right-of-way at this location. As discussed above, the proposed hotel upon the Subject Property was approved by the District Council as part of the Development Plan for the Cafritz Property at Riverdale Park. In its subsequent approval of the Preliminary Plan of Subdivision, as well as the Detailed Site Plan for this property, the District Council knowingly approved the location and width of Van Buren Street in front of the Subject Property as a 61-foot right-of-way. Since the hotel was approved upon the Subject Property along with the above-referenced right-of-way, the District Council knowingly and intentionally approved the location of the proposed hotel fronting on a street less than a 70-foot right-of-way. This is clearly an extraordinary situation that would justify this request variance.

Comment: Discussion with the applicant during a February 12, 2016 meeting has indicated that the right-of-way width along Van Buren Street does not include the sidewalks, which will be constructed and maintained privately. From an active transportation perspective, the sidewalk, bike lane, and roadway sections depicted in the site plans submitted 3/3/2016 meet the intent of the governing plans and will provide enough space for walking and bicycling along the frontage of the subject site. Expanding the right-way-width to meet Section 27-365(a)(2) requirements will increase the crossing distance of Van Buren Street, which can reduce the walkability in the area.

Conclusion

The Transportation Planning Section finds that the proposal meets the requirements of Subtitle 27 for the approval of a Special Exception and that the applicant be granted a variance from Section 27-365(a)(2).

Jones, Jimi

From: Mokhtari, Faramarz
Sent: Friday, March 18, 2016 2:07 PM
To: Jones, Jimi
Cc: Masog, Tom
Subject: FW: SE-4775, Hotel @ Cafritz

From: Mokhtari, Faramarz
Sent: Friday, February 26, 2016 4:25 PM
To: Lockard, Thomas <Thomas.Lockard@ppd.mncppc.org>
Cc: Masog, Tom <Tom.Masog@ppd.mncppc.org>
Subject: SE-4775, Hotel @ Cafritz

This is to inform you that we are still waiting to review the revisions the applicant agreed to make to the submitted site plan with regard to loading facility location that was discussed in detail at a staff-applicant meeting early last week. It is also important to note that with suggested revision to loading facility location, Transportation Section has no additional comments to offer, since all prior transportation findings and analysis for prior plan approvals by the District Council and Planning Board included the impact of the proposed hotel.

In summary and based on the above findings, the Transportation Planning Section finds that the proposed hotel use will not adversely affect the health, safety, or welfare of residents or workers in the area.


Thank you for the opportunity to review the above referenced Special Exception Application.

Faramarz Mokhtari

February 26, 2016

MEMORANDUM

TO: Tom Lockard, Zoning Section

FROM: Whitney Chellis, Subdivision Section 

SUBJECT: SE-4775 Hotel at Cafritz

The property is the subject of Preliminary Plan of Subdivision (PPS) 4-13002, approved by the Planning Board, the resolution adopted on May 30, 2013, and is valid until December 31, 2017. The PPS was signature approved on December 11, 2013. The PPS was approved on 37.73 acres with the following land uses as reflected in the Planning Board’s resolution of approval:

Development Data Summary—The following information relates to the subject preliminary plan of subdivision (PPS) application and the proposed development.

	EXISTING	APPROVED
Zone	M-U-TC (35.71 ac) R-55 (2.02 ac)	M-U-TC (35.71 ac) R-55 (2.02 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	37.73	37.73
Lots	0	126
Outlots	0	0
Parcels	1	39
Dwelling Units	0	981 (126 TH; 855 Multifamily)

The SE is proposed on part of Parcel F. Parcel F is 1.75 acres and was recorded in land records in plat book MMB 239-96 on February 21, 2014. The limit of the SE is on part of Parcel F, and based on the DAMS database is approximately on .88 acres of Parcel F. However, the general notes on the SE indicate that it is for the entire 1.75 acres, which should be clarified.

The resolution of approval of the PPS (PGCPB Resolution No. 13-55) contains 41 conditions, and 24 findings. The following conditions and findings relate to the review of this Special Exception application:

5. **Development of this site shall be in conformance with approved Stormwater Management Concept Plan 11589-2010-01, or as amended.**

Development of the SE shall be in conformance with the approved SWM plan and any subsequent revisions.

6. **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.”

7. **Prior to certification of the detailed site plan, the following shall be addressed on the Type 2 tree conservation plan (TCP2):**
 - a. **All specimen trees shall be survey located and accurately reflected on all plans.**
 - b. **Specimen Trees 255, 281, 262, and 265 shall be evaluated by a certified arborist for construction tolerance based on the final site conditions, and include 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. Details of all required treatments and protective devices shall be provided on the TCP2.**
8. **Prior to approval of the first grading permit, the applicant and the applicant’s heirs, successors, and/or assignees shall submit evidence that all pretreatment and protective devices for Specimen Trees 255, 281, 262, and 265 have been implemented.**

Conformance to conditions 6-8 should be determined by the Environmental Planning Section.

20. **All future plans of development for the subject property shall include the identification and boundaries of the Engineering Research Corporation (ERCO) Historic Site (68-022) and the Riverdale Park (68-022), University Park (66-029), and Calvert Hills (66-037) National Register historic districts.**

Conformance to this condition should be determined by the Historic Preservation Section.

29. **Prior to approval of the first final plat that includes a buildable parcel, the applicant and the applicant’s heirs, successors, and or assignees shall submit a covenant or a transportation management agreement for approval by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and the Department of Public Works and Transportation (DPW&T) for approval that will run with the land that shall provide the details and contribution funding by the applicant for the circulator bus program and be**

fully executed prior to approval of the final plat. The applicant shall record the covenant or transportation management agreement in land records of Prince George's County and the liber and folio of that document will be reflected on the final plat prior to recordation.

Plat note (MMB 239-96) provides reference to the recorded transportation management plan recorded in land records in Liber 35475 folio 41.

- 31. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate the rights-of-way to public use, as shown on the approved preliminary plan.**

Parcel F fronts on 46th street a dedicated public street. All public rights-of-way in the subdivision were to be permitted and under the jurisdiction of the municipality of Riverdale Park. Direct access to 46th street was not anticipated with the approval of the PPS mid-block as proposed with this SE, access was intended to the north and south at the rear of the parcel to limit conflicts between pedestrian and vehicles. Because the limit of this SE does not divide the property the permit plans shall demonstrate Parcel F in its entirety.

- 34. The development on the subject site shall be limited to the mix of allowed uses and the intensity that will generate no more than 482 AM, 794 PM weekday, 767 midday, and 1,019 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.**

Conformance to the limit on development should be determined by the Transportation Planning Section.

- 36. Prior to approval of any detailed site plan for the property:**

- a. The applicant must demonstrate that all specific standards identified in the applicant's completed Guidelines TOD checklist (which is included in the submitted traffic impact study dated March 5, 2013) have been incorporated in the plan as justification for meeting the 2012 *Transportation Review Guidelines, Part 1* designation as "excellent" transit oriented development.**
- b. The applicant shall demonstrate that the approved funding mechanism committed by the applicant as part of Condition 25 (A-10018), stated above, has been fully established and has been authorized by the county and/or other governmental bodies.**

Conformance to this condition should be determined by the Transportation Planning Section.

- 37. Prior to the approval of a building permit within the subject property the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following improvements (a) have been constructed, (b) fully bonded and permitted for construction with an agreed-upon time table for construction by the applicant and the applicant's heirs, successors, assignees, and/or others, (c) otherwise incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) of the Zoning Ordinance and in accordance with Section 24-124(a)(6) of the Subdivision Regulations, and per applicable Maryland State Highway Administration (SHA), Department of Public Works and Transportation (DPW&T), Washington Metropolitan Area Transit Authority (WMATA), CSX Transportation Inc., and/or applicable municipalities' standards and**

requirements with jurisdiction over the said improvement(s) or (d) there is a proposal for such roads on an adopted and approved master plan and construction scheduled with one hundred percent (100%) of the construction funds allocated within the adopted County Capital Improvement Program, or within the current State Consolidated Transportation Program:

- a. Provision of a right-in-only driveway from Baltimore Avenue (US 1) northbound at the southern end of the property.
- b. Provision of a divided main access driveway opposite existing Van Buren Street along with associated improvements that prohibit through movements across Baltimore Avenue (US 1) to and from existing Van Buren Street in either direction.
- c. Provision of a right-in and right-out-only driveway to Baltimore Avenue (US 1) northbound at the northern end of property.
- d. Reconstruction of Baltimore Avenue (US 1) along the property frontage, and within the dedicated right-of-way to include, at a minimum, reconstruction of Baltimore Avenue (US 1) along the property frontage, and within the dedicated right-of-way to include, a minimum of 2 standard travel lanes in each direction (north/south), one standard center left-turn lane, on road bike land accommodation and a continuous side walk along the property frontage, per SHA standards and specifications.
- e. The construction of the proposed CSX crossing with at least 36 feet of road pavement to accommodate on-road bike lanes, six-foot-wide sidewalks, and two-foot barriers, as well as the bridge extension to Rivertech Court and associated improvements at the Rivertech Court intersection, and as required by DPW&T and per DPW&T and CSX standards and specifications.
- f. Signalization of the intersection of Baltimore Avenue (US 1) with Van Buren Street, as well as any associated improvements and coordination of signals along US 1 between East-West Highway (MD 410) and Amherst Road, per SHA specifications and standards.

Conformance to this conditions will be determined by the Transportation Planning Section at the time of building permit.

Proposed Site Plan Comments and Conditions:

1. Prior to approval of the SE the general notes should be revised to indicate that the limit of the SE is approximately .88 acres of Parcel F (1.75 acres). The applicant should note that building permit plans must reflect Parcel F in its entirety, and must include the trail easement on the eastern portion of the site (Liber 35503 Folio 344). The applicant may reflect this information in an inset or coversheet on the plan. The bearings and distances, and lot size must be reflected on all permit plans. If this information is not provided permits will be placed on hold until the plans are corrected.
2. Direct access to 46th Avenue was not anticipated with the approval of the PPS to reduce to the extent possible further pedestrian and vehicular traffic. Parcel F is proposed with access to the north and south at the rear of the property. Conformance to the layout reflected on the PPS should be evaluated by the Transportation Planning Section and Riverdale Park, the permitting authority

for direct access to the dedicated public street.

The SE is in substantial conformance with the approved PPS if the above items are addressed. All plans shall reflect Parcel F in its entirety including bearings and distances and parcel size or permit plans shall be placed on hold until the plans are corrected.

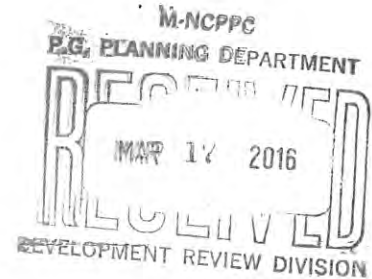


Town of Riverdale Park

5008 Queensbury Road
Riverdale Park, Maryland 20737

March 8, 2016

Mr. Tom Lockard
Planner Coordinator, Zoning Section
Development Review Division
Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772



Re: SE-4775, Hotel at Cafritz Property

Dear Mr. Lockard:

On behalf of the Riverdale Park Town Council, I, and the Town of Riverdale Park, respectfully request to become parties of record for project SE-4775, Hotel at Cafritz Property.

The subject property is located within the municipal boundaries of the Town of Riverdale Park. The applicant appeared before the Town Council to provide a full explanation of the project and associated plans. At a regular legislative meeting on March 7, 2016, the Town Council voted to recommend approval of SE-4775 without conditions.

Please do not hesitate to contact me at simhulse@riverdaleparkmd.gov if you have any questions or need additional information.

Sincerely,

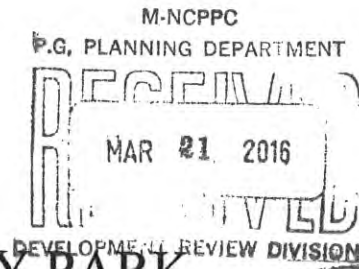
Sara Imhulse
Town Administrator



cc:
Office of the Zoning Hearing Examiner
Larry Taub, O'Malley, Miles, Nylan & Gilmore, P.A.
People's Counsel



TOWN OF UNIVERSITY PARK



MAYOR
Lenford C. Carey

COMMON COUNCIL
Joe Thompson
James C. Gekas
Bradlee W. Hess
Linda Verrill
David Caskey
Michael B. Cron
Roy D. Alvarez

March 16, 2016

Ms. Betty Hewlett, Chairman
Prince George's County Planning Board
Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: SE-4775, Hotel at Riverdale Park Station

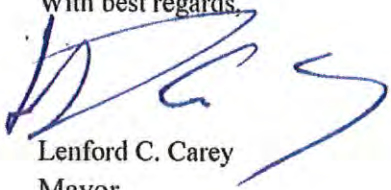
Dear Chairman Hewlett:

On behalf of the Mayor and Common Council of the Town of University Park, I write in regard to project SE-4775, the Hotel at Riverdale Park Station. The subject property is located across Baltimore Avenue (Route 1) from University Park, and the development underway there has been of continuing interest to us.

The University Park Mayor and Council met on February 22, 2016 and voted unanimously to support the special exception for a hotel at the Riverdale Park Station, provided the Town of Riverdale Park was in support. We have received confirmation from Riverdale Park that their Council has voted to recommend approval of SE-4775 without conditions. The Town of University Park supports that position, and recommends approval of SE-4775 without conditions.

Please feel free to contact me if you have any questions.

With best regards,


Lenford C. Carey
Mayor

Cc: Tom Lockard, Planner Coordinator, Zoning Section

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
 www.mncppc.org/pgco

March 14, 2016

MEMORANDUM

TO: Jimi Jones, Zoning section

FROM: Susan Lareuse, Master Planner, Urban Design Section *SL*

SUBJECT: SE-4775, Hotel at Cafritz Property

The subject Special Exception proposes to develop a 120 room hotel on Parcel F of the overall development known as the Cafritz Property at Riverdale Park. Based on the Urban Design Section’s review of the above, we offer the following 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 following conditions from Zoning Ordinance 11-2012 apply to the review of SE-4775:

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 (DSP) review and approval concurrent with or after the approval of any Special Exception (SE). It is anticipated that the applicant will submit a revision to the DSP to reflect the information and that the SE has been reviewed and approved by the final authority.

- 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 SE and staff finds the application to be consistent with the Concept Plans previously approved for the development, 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 specific requirements of the code would be required to be analyzed as part of the review process of any application that was submitted as a Special Exception. It was anticipated throughout the review of the case, that the hotel use was part of the overall vision of the development. The submittal of the variances from Section 27-365(a) of the Zoning Ordinance are appropriate in order to achieve the vision as it was set forth at the time of the re-zoning of the property.

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.

Comment: All DSP applications that are accepted for processing are sent to the Town of Riverdale Park for review by the M-U-TC Design Committee.

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.**

Comment: The application includes a MUTC Guidelines Compliance matrix as part of the application. In the matrix, the requirements for each of the development standards is addressed. The important aspect of this issue is that the matrix simply states whether the plan complies with a statement “see site plan” The matrix should be revised to reflect the actual quantifiable aspect of the requirement. Once it is determined that the site plan actually complies, with the specifications as needed, then the issue of a departure requirement can be determined. Therefore, the plans and matrix should be revised to reflect the specific issue of the development district requirement.

Relationship with the previously approved DSP-13009

On September 30, 2013, the District Council affirmed PGCPB Resolution No. 13-63, Detailed Site Plan DSP-13009, to approve with conditions a detailed site plan for a mixed-use development including 855 multifamily units, 126 townhouses, and approximately 187,277 square feet of commercial space distributed on 37.73 acres of land known as the Cafritz Property at Riverdale Park, pursuant to the Town Center Development Plan, 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, in the Town of Riverdale Park, Council District 3, Planning Area 68, subject to 16 conditions. It should be noted that the DSP did not include the subject site, as it was known at the time that a hotel was proposed for the site and that a special Exception was required to be reviewed and approved for the development of Part of parcel F. The following conditions of approval of the DSP warrant discussion in the review of the SE:

6. The plans shall be revised to conform to the Cafritz Property at Riverdale Park Town Center Development Plan, as modified by any approved secondary amendments. The MU-TC Guidelines Compliance Matrix (“Matrix”), dated May 5, 2013, shall serve as the instrument to guide the revisions to the plans at either time of certification or prior to building permit, as determined by the Urban Design Section. The Matrix shall be revised upon review to identify which outstanding guidelines and standards should be addressed at the time of certification of the DSP, and which should be reviewed before the issuance of a building permit for a specific building or parcel.

Comment: At the time of the review of the DSP it was determined that some of the development standards of the Town Center Development Plan require such detail that the information was yet to be determined. At the time, the Town of Riverdale Park included the following recommendation:

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

Instead of adopting the recommendation of the Town above, Condition 6 was adopted by the Planning Board as stated above. It is understood that all building permits must be reviewed by the MUTC Committee in the building permit process, per the Town of Riverdale Park Mixed-use Town Center Zone Development Plan dated January 2004, Building Permit Application Process (page 65). It is during that process by which the MUTC Committee reviews the building permit plans for conformance to all relevant design recommendations and requirements of the Riverdale

Park MUTC zone development plan. Therefore, the staff recommends that a similar process be used in the review of the subject SE application be adopted:

10. Prior to certification of the detailed site plan, the applicant shall revise the plans as follows or provide the specified documentation:

- d. Revise the plans to show the interim grading and landscaping proposed for Parcels K, L, M, and Parcel F. Landscaping for Parcel F shall include more significant features given its prominence in the subject property near the commercial activity.**

Comment: The condition above was fulfilled at the time of the review of the DSP for certification. Based on the fact that the hotel plans are moving forward, it is possible that the interim grading and landscaping may not be built. The construction of the temporary facility was anticipated in order to address a vacant parcel if market conditions were such that the hotel did not move forward. However, it appears this will not be the case, and that construction of the hotel will commence in a timely fashion. .

13. Prior to signature approval, provide details and specifications of the proposed green roof technologies to be employed, at a minimum on buildings 4 and 6A, consistent with the approved stormwater concept plan.

Comment: The applicant should submit a copy of the stormwater management concept approval for the subject site for reference. Further the plans include Building 6A - Roof Plan as shown on Sheet A-101 of the application that indicates the proposal for a green roof.

Recommendation

The Urban design section has reviewed the application for conformance to previous approvals and in regard to the previously approved Detailed Site Plan and recommends the following conditions:

1. A revision to the DSP shall be submitted to reflect the information shown on the approved SE and reference the approval by the final authority.
2. Prior to the approval of the SE:
 - a.) The plans and matrix shall be revised to reflect the details and specifications of each development district requirement or a departure or secondary amendment should be submitted.
 - b.) The approved SWM plan should be submitted and the green roof details shall reflect the same on Building 6A - Roof Plan as shown on Sheet A-10. ?

A100.

February 12, 2016

MEMORANDUM

TO: Tom Lockard, Planner Coordinator, Zoning Section

FROM: John Ferrante, Acting Planner Coordinator, Permit Review Section *996*

SUBJECT: Referral Comments for SE-4775, Hotel at Cafritz Property Riverdale Park

The Permit Review Section has reviewed the submitted plans and offers the following comments for your consideration:

1. The parking schedule on Sheet C-001 of the submitted plans should be revised to demonstrate that one van accessible parking space is required for every six standard parking spaces provided for the physically handicapped.
2. Although the building schedule on Sheet C-001 of the submitted plans does include the number of rooms that are proposed in the hotel, the parking schedule should also include the total room count. There is a minor discrepancy on the plans concerning the total room count. General Note 4 states that 119 rooms are proposed, while the building schedule states that 120 rooms are proposed.
3. The applicant's Statement of Justification indicates that the proposed use is not in compliance with the specific special exception requirements for a hotel contained in Sections 27-365(a)(1) and (a)(2) of the Zoning Ordinance. Variances have been requested from these requirements.
4. The parking schedule should be revised to show the number of required parking spaces for each use as required by Part 11 of the Zoning Ordinance, and then further show any parking reduction that is permitted thru the approved M-U-TC Guidelines Compliance Matrix for the Cafritz Property at Riverdale Park Town Center. The plans should be clear as to how the total parking requirement was determined for this application.
5. The parking schedule is somewhat confusing the way it is currently shown on the plan as the parking schedules for the hotel and restaurant are separated with each one providing a required and provided parking count. The van accessible parking space for the physically handicapped is being counted towards the total parking requirement in the parking schedule provided for the restaurant, but it's not being counted in the parking schedule provided for the hotel. If these two uses are utilizing the same parking garage and/or compound, which it appears they are, the Permit Review Section would recommend that one parking schedule be provided that provides the required parking ratios and

requirements for both uses and the total number of parking spaces that are proposed to be provided on the site to serve both uses.

6. The loading schedule should show the number of required loading spaces for each use as required by Part 11 of the Zoning Ordinance, and then further show any loading reduction that is permitted through the approved M-U-TC Guidelines Compliance Matrix for the Cafritz Property at Riverdale Park Town Center.
7. The parking schedule contains a symbol at the handicap space requirements that refers you to the following note; "The parking count is in accordance with the Cafritz Property Design Standard Guidelines Page 8, Number 2". This symbol should be removed from the handicap space requirements, as the required number of parking spaces for the physically handicapped is determined by federal requirements.
8. The notes provided under the parking schedule concerning the Cafritz Property Design Standard Guidelines refer to page and item numbers that do not match the M-U-TC Guidelines Compliance Matrix that was certified on December 13, 2013 for DSP-13009 & SP-130002. Has the matrix been revised and recertified by the Urban Design Section as a part of a subsequent detailed site plan revision?



PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION

County Administration Building • 14741 Governor Oden Bowie Drive, 4th Floor, Upper Marlboro, Maryland 20772
pgplanning.org/HPC.htm • 301-952-3680

February 17, 2016

MEMORANDUM

TO: Tom Lockard, Planner Coordinator
Zoning Section
Development Review Division

VIA: Howard Berger, Supervisor *HSB*
Jennifer Stabler, Archeology Planner Coordinator *JAS*
Historic Preservation Section
Countywide Planning Division

FROM: Historic Preservation Commission

RE: **SE-4775, Hotel at Cafritz Property, Riverdale Park**
[adjacent to Riverdale Park (68-004); University Park (66-029); Calvert Hills (66-037)
National Register historic districts]

The Prince George's County Historic Preservation Commission reviewed the subject special exception plan application at its February 16, 2016 meeting and would like to forward the following findings, conclusions and recommendations to the Planning Board. The Historic Preservation Commission voted 7-0-1 in favor of the enclosed recommendations.

Background

The subject property comprises approximately 0.88 acres, is located within the Cafritz Property at Riverdale Park. The Cafritz Property 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 special exception for a six-story hotel in the M-U-TC Zone.

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 increase 2012) 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.

Findings

1. Condition 5 of zoning case A-10018, Cafritz Property, requires that the Historic Preservation Commission review the preliminary plan of subdivision and any subsequent plans of development for their impact on identified archeological features, the impact of a potential vehicular access road on the Engineering Research Corporation (ERCO) Historic Site (#68-022), and the impact of proposed buildings visible from the ERCO historic site and the adjacent National Register historic districts, including recommendations as to the proposed location and options with respect to the bridge over the CSX railroad.

The subject special exception application proposes the development of a six-story, 120-room hotel located in the southeast corner of the intersection of Van Buren Street and 46th Street within the M-U-TC (Mixed-Use Town Center) zone and based on a set of site-specific design guidelines. The hotel is located east of the Whole Foods store and fronts on Van Buren Street on Parcel F, facing north. Parking is provided on a level below the first floor and to the rear, south side of the building.

2. The HPC reviewed DSP-13009 at its April 16, 2013 meeting. Detailed architectural renderings were provided for all of the proposed buildings within the Cafritz development, except for the hotel, which required a special exception application.
3. The illustrative plans for the proposed development propose a six-story Hyatt House hotel with a façade clad in brick and cast stone with an aluminum glazing system. It will include a combination of apartment-style rooms, studios and suites, a fitness center, an indoor pool with folding glass windows, a business center, and rooms for meetings and events. In addition, there will be a bar/restaurant area available to guests and the general public in the afternoon and evenings and a 24-hour area where small, pre-packaged food items and other necessities can be purchased. Folding glass window-wall systems will be used to provide an indoor/outdoor feel. Two building sign measuring 23' 6" by 3' will be placed at the top of the hotel on the north and south elevations and with white LED illumination.

Conclusions

1. The architecture of the proposed hotel on the subject property and its signage are consistent with and complement the overall architectural scheme reviewed by the HPC and approved by the Planning Board and District Council for DSP-13009 for the Cafritz property.
2. In its review of DSP-13009, the HPC concluded that the applicant proposes the use of traditional, and historicist design elements, materials, and details throughout much of the development. As such, to the extent that the taller buildings within the developing property may be visible from the adjacent National Register historic districts which are low-rise and residential in nature, the new development should have no negative visual impact on the historic districts

Recommendations

The Historic Preservation Commission recommends that the Planning Board approve SE-4775 Hotel at Cafritz Property, Riverdale Park, with no conditions.

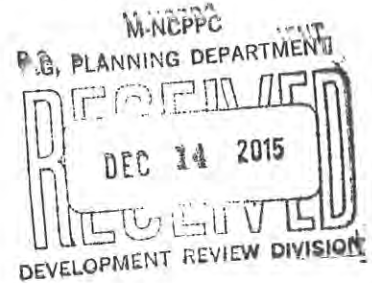


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Catherine Adkins
Regional Manager

December 8, 2015

Development Review Division of the M-NCPPC
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772



RE: Cafritz Property at Riverdale Park
Pre-Application No: SE-4775

Gentlemen:

We are in receipt of the notice regarding the Special Exception application for the above referenced project which will be submitted for review to the Development Review Division of the Maryland-National Capital Park and Planning Commission as shown on the enclosed letter from O'Malley, Miles, Nysten & Gilmore, P.A. The subject property is located on the east side of U.S. Route 1, approximately 1,400 feet north of the intersection of Route 1 and East-West Highway and the nature of the review is a Special Exception for a hotel.

Attached hereto is an aerial photograph which indicates that this area is adjacent to our existing railroad right of way. We have concerns regarding approval of any type of hotel development to be located next to our operating right of way. Safety is CSX's number one priority and the addition of a hotel development adjacent to active railroad tracks raises cause for concern.

Additionally, it has been CSX's experience that persons/businesses located near active railroad tracks are often unaccustomed to and dissatisfied with the inherent sound level of freight train movements. Trains may use the tracks 24 hours a day, and the number and schedule of trains can change at any time due to customer needs and many other factors. Furthermore, the requirement by federal law that trains sound their horns at all highway at-grade rail crossings, as well as the inherent vibration and noise from passing trains, are all existing conditions that should be taken into account regarding any residential dwelling.

Should the Development Review Division of the Maryland-National Capital Park and Planning Commission approve this development plan for a hotel despite our concerns, we ask that you consider placing a buffer of 50' or more between any development and the rail right of way in addition to requiring the owner to place fencing and/or a berm along the common property line between the operating track and any dwelling. These requirements should be used together to improve the pairing of inherently dissimilar land uses: setbacks minimize the potential impact of a railway incident as well as noise and vibration through distance separation. An earthen berm and/or fencing can protect against physical components of a derailment (in conjunction with a setback) and provides mitigation of wheel and rail noise and can help reduce trespassing.

We appreciate the opportunity to express our objections and concerns and request that you enter our comments into the public record.

Sincerely,

Cat Adkins

Attachment

BAA 32 24-033-0008

O'MALLEY, MILES, NYLEN & GILMORE, P.A.
Attorneys & Counselors at Law

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Peter F. O'Malley
(1989-2011)

Edward W. Nylan
(1922-2010)

John D. Gilmore, Jr.
(1921-1999)

November 3, 2015

**Re: Cafritz Property at Riverdale Park
Pre-Application No: SE-4775**

Dear Adjoining Property Owner, Municipality, Previous Party of Record, and/or Registered Association:

A Special Exception application for the above-referenced project will be submitted for review to the Development Review Division of the Maryland-National Capital Park and Planning Commission (M-NCPPC). The subject property is located on the east side of U.S. Route 1, approximately 1,400 feet north of the intersection of Route 1 and East-West Highway. The nature of the review is a Special Exception for a hotel as proposed in Prince George's County Zoning Ordinance No. 11-2012, being Case No. A-10018, and the Development Plan for the Cafritz Property at Riverdale Park approved through that Ordinance.

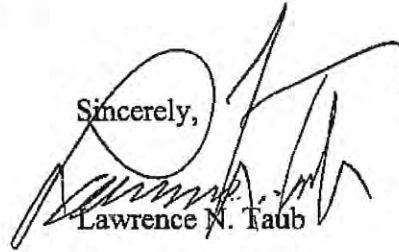
If you wish to become a Person of Record to this Application, you may submit your request online at www.pgplanning.org or by written request to the Development Review Division of the M-NCPPC, 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772. Please reference the Pre-Application Number and the Name of Project in your request. At this time *no government agency has reviewed* the Application. *After* the Application has been filed, you may contact the M-NCPPC at 301-952-3530.

IMPORTANT: This notice is your opportunity to interact with the Applicant prior to the acceptance of the subject Application. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the Applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the Applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant's failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same mailing address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.

November 3, 2015
Page 2

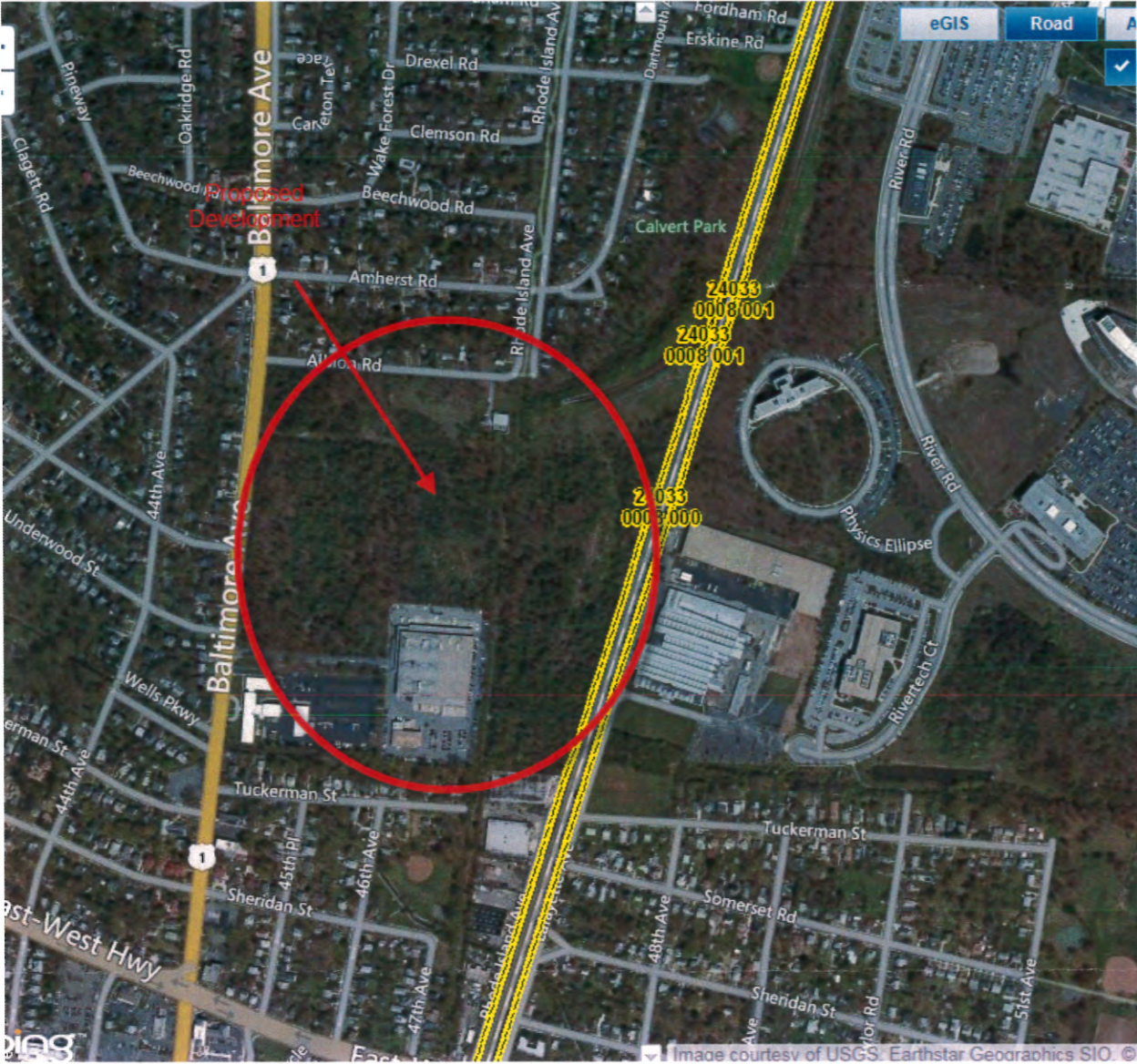
If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Lawrence N. Taub, Esq. at (301) 572-3274, or at ltaub@omng.com.

Sincerely,

A handwritten signature in black ink, appearing to be 'Lawrence N. Taub', written over the printed name.

Lawrence N. Taub

Cafritz Property at Riverdale Park, Maryland



RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 6, 2014, regarding Detailed Site Plan DSP-13009-03 for Cafritz Property at Riverdale Park, Parcels B and C, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP-13009-03) application requests approval of three freestanding signs located on Parcel B (one sign on the north side of Van Buren Street) and Parcel C (two signs, one on the south side of Van Buren Street and one on the north side of Underwood Street). Companion to this case is SA-130001-01, of which the Planning Board incorporated all the testimony into the subject record.
2. **Development Data Summary:** The following information relates to the overall plan encompassing the DSP:

	APPROVED
Zone	M-U-TC (35.71 acres) R-55 (2.02 acres)
Use(s)	Commercial
Acreage	37.73
Parcels	2 (B and C)

3. **Location:** The property is located approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410), on the east side of Baltimore Avenue. The property is mostly located in the Town of Riverdale Park, Council District 3, Planning Area 68. A small portion (2.02 acres) in the northeast lies in the One-Family Detached Residential (R-55) Zone within the City of College Park. This application pertains to Parcels B and C for the purpose of incorporating freestanding signage on those parcels, which are wholly within the M-U-TC Zone.

4. **Overall Surrounding Uses:**

North—	Vacant property owned by the Washington Metropolitan Area Transit Authority (WMATA) in the R-55 Zone.
East—	CSX railroad tracks. Beyond the railroad tracks to the east is the Engineering Research Corporation (ERCO) Historic Site (68-022) located on land owned by the University of Maryland.

South— A U.S. Postal Service facility in the R-55 Zone and the Riverdale Park town center in the M-U-TC Zone (of which this property is an extension).

West— Baltimore Avenue (US 1), and beyond to the west are single-family detached dwellings in the R-55 Zone within the Town of University Park.

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

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 from R-55 to M-U-TC zoning and amended the Town of Riverdale Park M-U-TC Zone Development Plan (2004) boundary to include the site. The District Council approved Primary Amendment A-10018 (Zoning Ordinance No. 11-2012) subject to the 27 conditions approved by the Planning Board.

On September 30, 2013, the District Council affirmed PGCPB Resolution No. 13-63, Detailed Site Plan DSP-13009, to approve with conditions a detailed site plan for a mixed-use development including 855 multifamily units, 126 townhouses, and approximately 187,277 square feet of commercial space distributed on 37.73 acres of land known as the Cafritz Property at Riverdale Park, pursuant to the Town Center Development Plan, 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, in the Town of Riverdale Park, Council District 3, Planning Area 68, subject to 16 conditions of which the following pertains to signage:

16. **Monument signs as described in the Detailed Site Plan submittal require a secondary amendment. Signage is governed by the 2012 Cafritz Property at Riverdale Park Town Center Development Plan, *Design Standards / Site Design*, "Signage," Paragraph 5, which states, in pertinent part, that "[u]nique neon signs, internally lit signs, and signs with moving parts or blinking lights may only approved for creative value that enhances the town center in areas outside of the historic core." Because the applicant's proposed signage was submitted as part of DSP-13009, and not through a secondary amendment as contemplated by the Development Plan, we reverse, and deny the Planning Board's approval of monument signs as part of DSP-13009. All monument signs must follow the Development Plan guidelines or seek a secondary amendment.**

Secondary Amendment SA-130001-01 is companion to this case and was approved by the Planning Board prior to the approval of this DSP.

6. **Parcel-By-Parcel Description:** The following is a parcel-by-parcel description of the development as approved under the original detailed site plan.

a. **PARCEL B: Building 2A and 2B**

Parcel B: Parcel B is located in the central western portion of the site and has frontage on Baltimore Avenue (US 1), proposed Woodberry Street, 45th Street, and Van Buren Street. The front of the parcel is part of the gateway entrance feature along US 1. To the north is Woodberry Street and beyond is Parcel A with proposed Building 1. The DSP for Parcel B was approved with development of 7,402 square feet of retail space within Building 2A and 22,600 square feet of retail/office space within Building 2B. Both buildings (2A and 2B) will contain multiple tenants. Associated with this development is a parking garage which is partially buried on the west and northwest, surrounded on the east by proposed Building 2B, and partially screened by proposed Building 2A on the south side. In addition, a plaza is proposed along Van Buren Street, flanked on the east by Building 2A, on the north by the parking garage, and on the west by a retaining wall. The plaza will contain bicycle racks and perhaps a bikeshare station. The plaza provides a connection to Van Buren Street from both levels of the parking garage.

Signage: Signage on Parcel B is located on the north side of the intersection of Van Buren and Baltimore Avenue (US 1), outside of the public utility easement (PUE), and is proposed to be built into an entrance feature. A cast-stone sign panel with pin-mounted lettering is part of an entrance wall that is proposed as a brick feature embellished with wrought-iron-like fencing and a steel trellis structure. The commercial sign is proposed to be set into the structure, is double sided and shown as eight feet by six feet in size. This advertising sign sits approximately two and one-half to three feet above grade, upon a brick wall and surrounded by brick piers.

The sign indicates that the lettering will be contained within the upper half of the sign board and three tenants will be advertised below in horizontal bands. In addition to the advertising sign, the entrance feature also incorporates a community identification sign at its base as a single panel stating "Riverdale Park Station." Lighting is proposed to up-light the sign from the base of the brick feature from a single point.

b. **PARCEL C: Building 3**

Parcel C: Parcel C is located in the southwestern portion of the site and has frontage on Baltimore Avenue (US 1) and Van Buren Street. Parcel C is nearly square in shape. The front of the parcel is part of the gateway entrance feature along US 1. To the north is Van Buren Street and beyond is Parcel B with proposed Buildings 2A and 2B. To the east are the future hotel site and the existing U.S. Postal Service distribution center. To the south is the U.S. Armory site. A right-turn only entrance with appropriate traffic control and design features (per the Maryland State Highway Administration (SHA)) into Parcel C from US 1 northbound will accommodate access for both large trucks and passenger

vehicles. Parcel C was approved with development of 61,396 square feet of retail/office space within Building C. This multi-tenant building includes a grocery store as the main anchor (Whole Foods), a drive-through bank, and additional retail/office located on the second floor area.

Signage: Signage proposed on Parcel C includes a community identification sign (directional) located on the south side of the intersection of Van Buren and Baltimore Avenue (US 1), within the public utility easement (PUE), and is proposed to be built as an entrance feature. The feature is part of an entrance wall that is proposed as a brick feature and wrought-iron-like fencing with a steel trellis structure, very similar to the feature across Van Buren. This sign incorporates the community identification sign at the base as a single panel stating "Riverdale Park Station." This community identification sign is proposed to be fourteen feet in length and two feet in height.

At the Planning Board hearing the applicant proposed that the Planning Board adopt a condition relating to the adjustment of the final plat so that the public utility easement could be changed so that the footing of the proposed entrance feature would be outside of the public utility easement. The proposed wording of the condition proposed by the applicant is as follows:

"Prior to signature approval, the applicant shall demonstrate to the Planning Board or its designee either that the Public Utility Easement has been adjusted such that the sign to be located on the south side of Van Buren Street will be located entirely outside of the PUE, or that it has obtained the approval of all affected utilities to locate said sign within the PUE."

A second commercial sign is located on the north side of the intersection of Baltimore Avenue (US 1) and Underwood Street outside of the public utility easement (PUE). A cast-stone sign panel with pin-mounted lettering is proposed to be set into the structure, is single-sided, and is shown as ten feet wide by four feet three inches in height, placed within a brick base. This sign sits approximately one and one-half to two feet above grade. The overall dimensions of the structure and sign are 14 feet wide and six feet high. The sign indicates that the lettering will be contained within the upper half of the sign board and three tenants will be advertised beside that signage in horizontal bands. Lighting is proposed to up-light the sign from the base of the brick feature from a single point.

7. **Zoning Ordinance No. 11-2012:** On July 12, 2012, the District Council approved an ordinance to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, by approving a Primary Amendment to the 2004 Town of Riverdale Park M-U-TC Zone Development Plan, subject to 27 conditions and 5 considerations. Of the conditions and considerations attached to the rezoning, none pertain to the development of freestanding signage, but the following warrant discussion:

1. The Design Review Process set forth at pages 65-66 of the January 2004 approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan applies to the Cafritz Property with the following modifications:

- a. Detailed site plan (DSP) approval, in accordance with Part 3, Division 9 of the Zoning Ordinance, shall be required prior to the approval of a special permit, final subdivision plat, the issuance of any permit, and concurrently with or after the approval of a special exception, for all new development and redevelopment on the property. Each application for a special permit, final subdivision plat, or other permit must be consistent with an approved detailed site plan for the site.**

This application for the DSP revision is being reviewed in accordance with Part 3, Division 9, of the Prince George's County Zoning Ordinance for signage prior to the approval of signs.

- 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.**

The plans were sent to the Town of Riverdale Park for review by the M-U-TC Design Committee. The Town of Riverdale Park provided a recommendation to their Town Council, who testified at the Planning Board hearing as outlined in Finding No. 10(d).

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

The applicant has not submitted any request for departure from the strict application of the Development Plan Guidelines. The Secondary Amendment is the appropriate mechanism to allow free standing signage, as required under Condition 16 of Detailed Site Plan DSP-13009, a companion case to this case Secondary Amendment SA-130001-01. The departure findings cannot be applied, since the project is the subject of plans that created the parcels of land and clearly were not designed such that they exhibit any extraordinary situation or condition, nor do they have exceptional topographic conditions.

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 revision to the DSP for freestanding signage has incorporated some of the signage into the freestanding wall system on the plans, and does not impact the width of the buffer.

8. **2004 Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan:** The applicant has asked for an amendment to the approved Town Center Development Plan in order to allow freestanding signage. That application is companion to this case and is scheduled to be heard on the same day, November 6, 2014. The recommendation for approval of this DSP is contingent on the approval of the Secondary Amendment request, SA-130001-01.
9. **Zoning Ordinance:** The DSP application for signage on Parcels B and C has been reviewed and is found to be in compliance with the requirements of the M-U-TC Zone and Airport Compatibility, Part 10B, of the Zoning Ordinance.
10. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The comments are summarized as follows:
 - a. **Community Planning**—The Planning Board considered the following analysis and summarized comments for the application:

This application is located within the county's innovation corridor and is within a designated employment area. Employment areas are described as “areas commanding the highest concentrations of economic activity in four targeted industry clusters—healthcare and life sciences; business services; information,

communication, and electronics; and the Federal Government.” The innovation corridor is a prioritized employment area described by *Plan Prince George's 2035 Approved General Plan* as follows:

Innovation Corridor: The second transformative Plan Prince George’s 2035 recommendation is designating parts of the City of College Park, the City of Greenbelt, the Town of Riverdale Park, the Town of Edmonston, the Town of Berwyn Heights, and areas along the US 1 Corridor and around the University of Maryland, College Park and the Beltsville Agricultural Research Center (BARC) as the Innovation Corridor.

This area has the highest concentrations of economic activity in our four targeted industry clusters and has the greatest potential to catalyze future job growth, research, and innovation in the near- to mid-term. This area is well positioned to capitalize on the synergies that derive from businesses, research institutions, and incubators locating in close proximity to one another and on existing and planned transportation investment, such as the Purple Line.

The development program approved for the site consists of a mix of retail, office, residential, and recreational land uses and is in conformance with the overall vision, goals, policies, and strategies of both the county's *Plan Prince George's 2035 Approved General Plan* and the Riverdale Park Mixed-Use Town Center Development Plan. There are no general plan or master plan issues with this application.

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 of the Zoning Ordinance 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; however, none of the free standing signs are over 50 feet in height.

- b. **Prince George’s County Police Department**—The Police Department provided comment on the subject application indicating that there are not CPTED related issues.
- c. **Prince George’s County Health Department**—The Health Department was sent a referral but has not offered comments on the subject application.

- d. **Town of Riverdale Park**—In letter dated November 5, 2014 to Elizabeth M. Hewlett, Chairman of the Prince George’s Planning Board from Sara Imhulse, Town Administrator of Riverdale Park, the Town provided the following comments:

“The Riverdale Park Town Council voted at a legislative meeting on Monday, November 3, 2014, to provide the Planning Board with the following comments on DSP-13009-03 and SA-130001-01:

“The Town is concerned about the broad nature of the proposed secondary amendment and recommends that it be amended to limit freestanding signs and signage in Riverdale Park Station in the following ways:

- “1. Freestanding signs shall only be allowed in the parcels along Baltimore Avenue.
- “2. The total number of signs in the parcels along Baltimore Avenue shall be limited to one commercially-oriented sign per parcel abutting Baltimore Avenue; non-commercial community entrance feature signs should not be limited in the same way.
- “3. The allowed freestanding signs shall be limited to twelve feet in height above ground.
- “4. Only externally-lit freestanding signs shall be allowed, with standards similar to those in Standards 5 and 9 for lighting, on Page 11 of the existing Cafritz Property Design Standard Guidelines.
- “5. Each freestanding sign panel shall not exceed fifty square feet in area.
- “6. Pole-mounted freestanding signs shall remain prohibited throughout the zone.
- “7. All freestanding signs in the parcels along Baltimore Avenue shall be monument signs and have a similar set of materials, scale, and character to those presented in DSP 13009-03, so as to present a cohesive whole.

“The Town fully expects the site and signs to be well-maintained as provided through the original Detailed Site Plan and Secondary Amendment process.”

The Planning Board considered the Town of Riverdale Park’s recommendation and adopted their recommendations.

- e. **Town of University Park**— In letter dated November 5, 2014 to Elizabeth M. Hewlett, Chairman of the Prince George’s Planning Board from Lenford C. Carey, Mayor, the Town provided the following comments relating to the DSP:

“This letter is sent on behalf of the Town of University Park to present its formal position concerning the application of Calvert Tract, LLC, for Secondary Amendment SA-130001-01 and DSP-13009-03, for the Cafritz Property at Riverdale Park. The Town Council voted on November 3, 2014 to support the SA-130001-01 with conditions and DSP-13009-03 with conditions. Specifically, the Council voted to support the following:

“The Council supports the secondary amendment of the Cafritz Property at Riverdale Park Town Center Development Plan (“Plan”) under Section 25-546.14 of the County Zoning Code, provided certain conditions are included. These are:

“DSP-13009-03

“The proposed revision includes installation of three freestanding signs, one a commercial sign in Parcel B on the north side of Van Buren Street at the intersection with Route 1, the second a community identification sign in Parcel C on the south side of Van Buren at this intersection, and the third a commercial sign in Parcel C on the north side of Underwood at its intersection with Route 1. The Council supports DSP-13009-03 with conditions. Specifically, the Council voted to support the following:

“The two commercial and one directional information signs approved in the DSP shall be consistent with the dimensions, elevation, placement, and entryway renderings contained in the document labeled Planning Department, Cafritz Property, Parcels B and C, dated October 24, 2014, which is part of the staff recommended approval. The brick color to be used should be off-white with a matte surface.”

The Planning Board considered the Town of University Park’s recommendations in conjunction with the Town of Riverdale Park and adopted the recommendations relating to the detailed site plan.

- f. **City of College Park**—The City of College Park responded that they had no comment on the application.
 - g. **City of Hyattsville**—The City of Hyattsville did not offer comments on the subject application.
 - h. **Town of Edmonston**—The Town of Edmonston did not offer comments on the subject application.
11. The Planning Board’s approval of the Detailed Site Plan for signage on Parcels B and C represent a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
 12. The Planning Board’s approval of the Detailed Site Plan for signage on Parcels B and C no effect on the previous finding that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5) of the County Code.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-13009-03, subject to the following conditions:

1. Prior to signature approval, the applicant shall demonstrate to the Planning Board or its designee either that the Public Utility Easement (PUE) has been adjusted such that the sign to be located on the south side of Van Buren Street will be located entirely outside of the PUE, or that it has obtained the approval of all affected utilities to locate said sign within the PUE.
2. All freestanding signs in the parcels along Baltimore Avenue shall be monument signs and have a similar set of materials, scale, and character to those presented in DSP 13009-03, so as to present a cohesive whole.
3. The two commercial and one directional information signs approved in the DSP shall be consistent with the dimensions, elevation, placement, and entryway renderings labelled and set forth in the Powerpoint Presentation shown at the Planning Board hearing on November 6, 2014. The brick color to be used should be off-white with a matte surface, and not painted.
4. All future revisions to the Detailed Site Plan with respect to non-directional freestanding signage shall be referred for comment to the Town of University Park.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Shoaff, with Commissioners Geraldo, Shoaff, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, November 6, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of December 2014.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:SL:arj