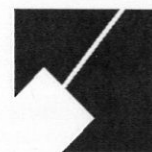


The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530



Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>.

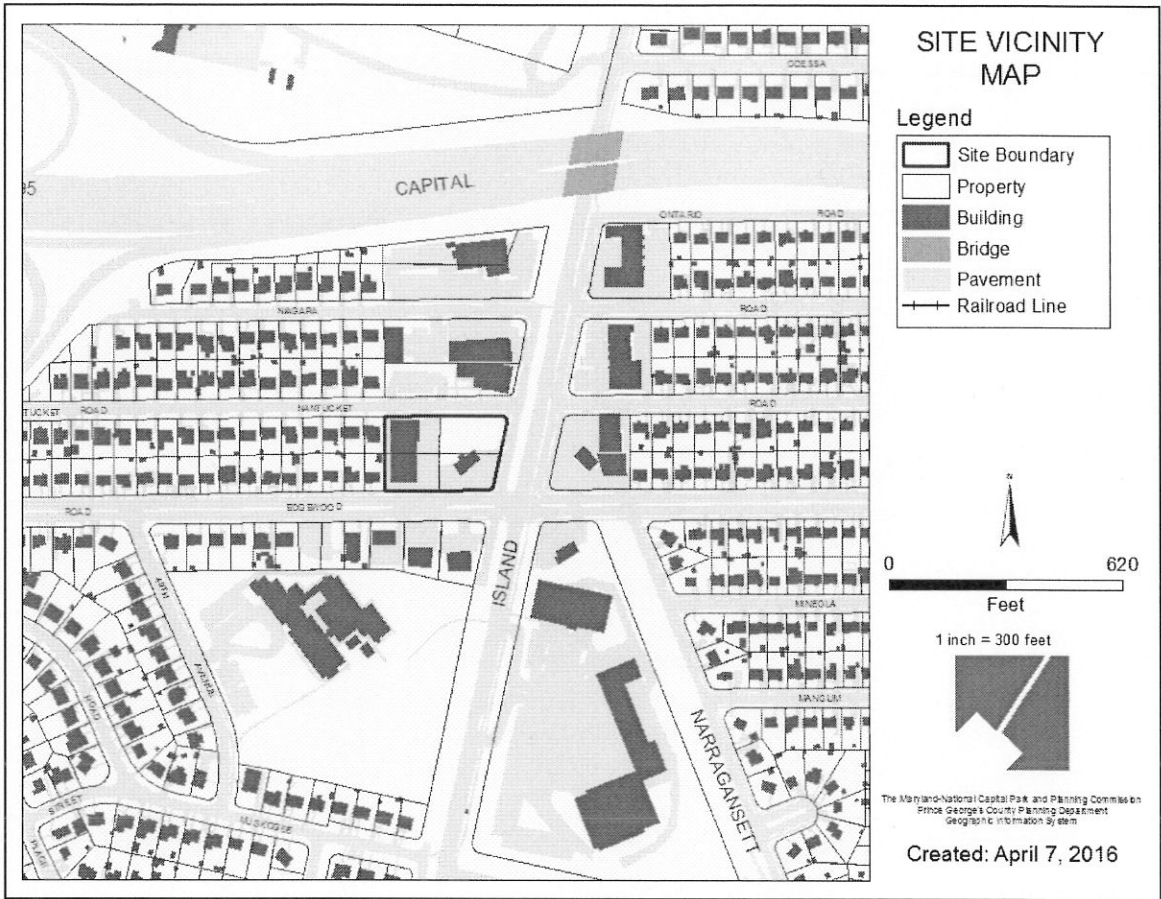
Conceptual Site Plan

CSP-16002

Application	General Data	
Project Name: Shaban Property Location: Northeast quadrant of the intersection of Edgewood Road and Rhode Island Avenue. Applicant/Address: Randy and Nahida Shaban 2120 Bell Tower Drive Crownsville, MD 21032	Planning Board Hearing Date:	03/30/17
	Staff Report Date:	03/20/17
	Date Accepted:	01/04/17
	Planning Board Action Limit:	03/30/17
	Plan Acreage:	1.43
	Zone:	O-S/C-S-C/ D-D-O
	Dwelling Units:	N/A
	Gross Floor Area:	N/A
	Planning Area:	66
	Council District:	01
	Election District:	21
	Municipality:	College Park
200-Scale Base Map:	212NE05	

Purpose of Application	Notice Dates	
Rezoning the property from the C-S-C and O-S Zones to the M-U-I Zone for a mixed-use development of residential and commercial uses.	Informational Mailing:	04/26/16
	Acceptance Mailing:	12/28/16
	Sign Posting Deadline:	02/28/17

Staff Recommendation		Staff Reviewer: Jill Kosack, RLA, ASLA Phone Number: 301-952-4689 E-mail: Jill.Kosack@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-16002
Shaban Property

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This conceptual site plan (CSP) application was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the Development District Overlay (D-D-O) Zone Standard of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*;
- b. The requirements of the Prince George's County Zoning Ordinance for the Mixed Use - Infill (M-U-I) Zone and site design guidelines;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. Other site plan related regulations;
- e. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject conceptual site plan (CSP) application proposes to rezone the property from the Commercial Shopping Center (C-S-C) and Open Space (O-S) Zones to the M-U-I Zone for a future mixed-use development, including residential and commercial uses.

2. **Development Data Summary:**

Zone	EXISTING C-S-C & O-S/D-D-O	PROPOSED M-U-I/D-D-O
Use(s)	Commercial	Commercial and Residential
Gross Acreage	1.43	1.43
C-S-C Zone	0.708	0
O-S Zone	0.717	0
Floodplain Acreage Area	0	0
Parcels	4	4

3. **Location:** The subject property is located in the northwest quadrant of the intersection of Edgewood Road and Rhode Island Avenue. Specifically, the site is located at 4924 and 4926 Edgewood Road and 9900 Rhode Island Avenue in College Park, Planning Area 66, Council District 1. The site is also located in the D-D-O Zone of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*.
4. **Surrounding Uses:** To the north of the property, beyond Nantucket Road, is an institutional use in the C-S-C Zone; to the south, beyond Edgewood Road, are commercial uses in the C-S-C Zone; to the east, beyond Rhode Island Avenue, are commercial uses in the C-S-C Zone; and to the west are single-family detached homes in the One-Family Detached Residential (R-55) Zone.
5. **Previous Approvals:** Parcels A-1, A-2 and A-3 were recorded in Plat Book WWW 40-41 on May 5, 1961, and were the subject of Preliminary Plan of Subdivision (PPS) 12-1732, for which there are no available records. Part of Parcel A was created by a deed dated April 5, 1963 and recorded in Liber 2804 at Folio 331 making this a legal division of property pursuant to Section 24-107(c)(7)(B). The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* rezoned Parcel A-3 (4926 Edgewood Road) and Part of Parcel A (9900 Rhode Island Avenue) from the C-S-C Zone to the O-S Zone and retained Parcels A-1 and A-2 (4924 Edgewood Road) in the C-S-C Zone. The sectional map amendment (SMA) also placed a Development District Overlay (D-D-O) Zone over all of the parcels. The property has an approved Stormwater Management Concept Plan No. 53141-2016-00, approved on November 10, 2016, which is valid until November 10, 2019.
6. **Design Features:** The subject property is divided into four, approximately equal, rectangular parcels. The parcel in the northeast corner, Parcel A-3, is vacant and covered in grass; the parcel in the southeast corner, Part of Parcel A, is fully developed with a one-story, stand-alone building, in use as a drycleaner, with parking and four separate driveway entrances, two off Edgewood Road and two off of the service drive adjacent to Rhode Island Avenue. The western parcels, Parcel A-2 in the north and Parcel A-1 in the south, are developed with a one-story, commercial strip center building, located along the western edge facing east, with parking in front and one driveway entrance to the north and one to the south.

The submitted CSP shows a proposed schematic development plan for the property. The overall property is shaded for mixed commercial-residential use with a potential building envelope shown along the majority of the eastern end of the property and a potential parking and stormwater management envelope shown at the western end of the property. Access to the site is shown at all of the existing access points to the north, south and east. Additionally, a mandatory shop front is designated along the eastern property line, adjacent to the service drive along Rhode

Island Avenue. No more details were given regarding the proposed development, which is consistent with the submittal of the conceptual site plan.

COMPLIANCE WITH EVALUATION CRITERIA

- 7. The 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment and the standards of the Development District Overlay (D-D-O) Zone:** The 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (Central US 1 Corridor Sector Plan and SMA) defines long-range land use and development policies, detailed zoning changes, design standards, and a Development District Overlay (D-D-O) Zone for the US 1 Corridor area. The land-use concept of the Central US 1 Corridor Sector Plan divides the corridor into four inter-related areas including, walkable nodes, corridor infill, existing neighborhoods, and natural areas, for the purpose of examining issues and opportunities and formulating recommendations. Detailed recommendations are provided for six distinct areas within the sector plan: Downtown College Park, University of Maryland, Midtown, Uptown, Autoville and Cherry Hill Road, and the Hollywood Commercial District. The overall vision for the Central US 1 Corridor is a vibrant hub of activity highlighted by walkable concentrations of pedestrian- and transit-oriented mixed-use development, the integration of the natural and built environments, extensive use of sustainable design techniques, thriving residential communities, a complete and balanced transportation network, and a world-class educational institution.

The Central US 1 Corridor Sector Plan recommends two land uses across the subject property: parks and open space along the Rhode Island Avenue frontage and mixed-use commercial on the two western parcels. (see Map 7 on page 59). These land uses are described on page 57 of the sector plan.

Mixed-use commercial land uses are “Properties that contain a mix of uses that are predominantly nonresidential on the ground floor, including commerce, office, institutional, civic, and recreational uses. These properties may include a residential component, but are primarily commercial in nature.” Parks and open space land uses include parks, recreation areas, golf courses, and cemeteries. The Central US 1 Corridor Sector Plan recommends a “green at any one of the four corners of the intersection of Edgewood Road and Rhode Island Avenue,” which could “become highly visible and much frequented centerpiece of Hollywood”. The proposed development of mixed commercial and residential uses is consistent with the mixed-use commercial land use, and open space could be incorporated into the final site plan. This CSP application is in conformance with the land use recommendations of the Central US 1 Corridor Sector Plan. Future development on these parcels should include public open space, preferably a green as defined in the Sector Plan.

The proposed development is located in the Hollywood Commercial District and the corridor infill character area of the Central US 1 Corridor Sector Plan. The Sector Plan (page 70) calls for the development of “a more residential character in the corridor infill areas with park-like landscaping and easy accessibility to goods and services...” and recommends two to four-story mixed-use development. The illustrative plan for the Hollywood Commercial District (page 101) shows this property with a “shared and coordinated parking lot” along the western portion to reduce interruptions, and a large mixed-use building along the eastern edge to “create a center of commercial and business activity.”

The Development District standards require ground-floor retail frontage and build-to-lines of zero feet along Rhode Island Avenue in this area. Rhode Island Avenue is a primary frontage street.

Step-back transitions are required in the corridor infill areas where development abuts residences. All of these issues will be reviewed for at time of DSP.

Section 27-548.26(b) of the Zoning Ordinance specifies that the property owner shall show, with a CSP, that the proposed development conforms with the purposes and recommendations for the development district, as stated in the master plan, master plan amendment, or sector plan. Based on the Central US 1 Corridor Sector Plan's recommendations for a mixed-use commercial land use, the site's location with the Hollywood Commercial District, and the recommendation for a center of commercial and business activity on this property, staff would recommend that the appropriate zone for the entirety of the property is C-S-C.

The rezoning of the subject property to the C-S-C Zone will position the subject property to best achieve the vision and goals of the Central US 1 Corridor Sector Plan for commercial mixed-use development and will, importantly, not preclude the implementation of the recommendation for a green at the intersection of Edgewood Road and Rhode Island Avenue.

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the following Zoning Ordinance requirements:

a. Section 27-546.16(b)(2), Approval of the M-U-I Zone, of the Zoning Ordinance states the following:

- (2) **Property in the D-D-O Zone may be reclassified from its underlying zone to the M-U-I Zone through the property owner application process in Section 27-548.26(b). In the review process, the owner shall show that the proposed rezoning and development will be compatible with existing or approved future development on adjacent properties.**

Comment: Section 27-548.26(b) specifies that the owner shall show, with a CSP, that the proposed development conforms with the purposes and recommendations for the development district, as stated in the master plan, master plan amendment, or sector plan, and that the case be reviewed by the District Council. A discussion of the subject CSP's conformance with the applicable sector plan is in Finding 7 above. Based on this extensive discussion, staff recommends that the Planning Board find that rezoning the property to the C-S-C Zone would best conform with the purposes and recommendations for the development district, as stated in the sector plan. The Planning Board's recommendation on the subject CSP will be forwarded to the District Council for final review and approval as required.

The second part of the above requirement requires the owner to show that the proposed rezoning and development will be compatible with existing or approved future development on adjacent properties. The adjacent properties to the north, south and east are all zoned C-S-C and D-D-O within the corridor infill character area; the adjacent properties to the west are residentially-developed properties in the R-55 Zone and are not within the D-D-O Zone. Development on the subject property will continue to be subject to the same Development District standards for the corridor infill character area, including building heights, setbacks, parking and landscaping, regardless of the underlying zoning. However, rezoning the entirety of the property to the C-S-C Zone would be most harmonious and compatible with the existing and approved future development on the adjacent properties as this is in keeping with the zoning pattern within the remainder of the Hollywood Commercial District.

Section 27-546.16(c) also includes the following specific requirement:

- (c) **Unless requested by a municipality or the Prince George's County Redevelopment Authority, the M-U-I Zone may be approved only on property which adjoins existing developed properties for twenty percent (20%) or more of its boundaries, adjoins property in the M-U-I Zone, or is recommended for mixed-use infill development in an approved Master Plan, Sector Plan, or other applicable plan. Adjoining development may be residential, commercial, industrial, or institutional but must have a density of at least 3.5 units per acre for residential or a floor area ratio of at least 0.15 for nonresidential development.**

Comment: The subject property adjoins property to the west only, which is zoned R-55 and is developed with single-family homes with a density of approximately 7.9 dwelling units per acre (average lot size is .126 acre). This meets the requirements of adjoining developed property for 20 percent or more of its boundaries, and that the adjoining development have a density of 3.5 dwelling units per acre.

- b. The CSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274. As the project moves through the DSP process, and is refined as to the development details, further review for conformance with the site design guidelines will continue.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has less than 10,000 square feet of woodland onsite, and no previously approved tree conservation plans. The site has an approved standard WCO Exemption Letter (S-168-2016) and Natural Resources Inventory Exemption Letter (NRI-198-2016).
10. **Other site plan related regulations:** Two additional regulations are applicable to the site plan review that usually requires detailed information, which can only be provided at the time of DSP. The discussion provided below is for information only:
- a. **Prince George's County Tree Canopy Coverage Ordinance (TCC)**—Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned C-S-C are required to provide a minimum of ten percent of the gross tract area of TCC. This CSP project has 1.425 acres in the C-S-C Zone that results in a required TCC of 0.1425 acre for the site. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP for the project when detailed information is available.
 - b. **Prince George's County Landscape Manual**—The DDO includes development district standards that override the requirements of the Zoning Ordinance. On page 226 of the sector plan, it states:

The provisions of the Landscape Manual regarding alternative compliance, commercial and industrial landscaped strip requirements, parking lot requirements, and buffering incompatible uses do not apply within the

development district. All other standards and regulations of the Landscape Manual apply as necessary.

Therefore, at the time of the DSP, the requirements for landscaping will be dictated by the D-D-O standards.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—In a memorandum dated January 6, 2017, the Historic Preservation Section stated that the building at 9900 Rhode Island Avenue was constructed in 1953 and the building at 4924 Edgewood Road was built in 1953 according to tax records. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources or known archeological sites.
- b. **Community Planning**—In a memorandum dated January 30, 2017, the Community Planning Division provided a discussion of the CSP’s conformance with the D-D-O, which is incorporated into Finding 7 above, as well as the following summarized comments:

This application is located within a designated Employment Area growth policy area in *Plan Prince George’s 2035 Approved General Plan*. Plan Prince George’s 2035 describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters and recommends continuing to support business growth in these areas, concentrating new business development near transit, where possible, improving transportation access and connectivity, and creating opportunities for synergies.

The Plan 2035 Strategic Investment Program places this property in a designated priority investment area – the Innovation Corridor. Plan Prince George’s 2035 describes the Innovation Corridor as the area that has the highest concentrations of economic activity in the four targeted industry clusters and the greatest potential to catalyze future job growth, research, and innovation in the near- to mid-term. This Innovation Corridor 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 current dry-cleaning retail store, under 3,000 square feet, use on the O-S-zoned Part of Parcel A is prohibited by the D-D-O Table of Uses, but has been permitted several times since 2010 because changes in ownership are exempt from the D-D-O Zone requirements. Submittal of this CSP renders the current use nonconforming; however, the current use is permitted in the C-S-C and M-U-I Zones in the D-D-O Zone. Therefore, approval of this application will, in effect, validate the current use.

- c. **Transportation Planning**—In a memorandum dated January 10, 2017, the Transportation Planning Section offered the following analysis of the subject application:

A portion of the property was downzoned by the District Council during the approval of the US 1 Corridor Sector Plan and Sectional Map Amendment (Sector Plan), and this

property is within the Development District Overlay (D-D-O) Zone established by this plan. Section 27-548.26(b) of the Zoning Ordinance allows for the rezoning from the underlying zone when it is found that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, and meets applicable site plan requirements. Traffic is not a specific consideration in granting this request, and, therefore, a traffic impact study has not been prepared, nor has it been requested, and traffic-related adequacy issues are not covered. In any regard, no development is proposed, and if new development is proposed in the future, any proposal will be reviewed against the Sector Plan's traffic adequacy standards at that time. The change in zone, given this information, would not pose a future adequacy issue.

The site is improved with a commercial building of 1,980 square feet and a retail strip shopping center of 10,532 square feet (both square footages are taken from tax records). The square footages should be shown on the conceptual site plan.

The property is located within the Hollywood Commercial District of the Sector Plan and does not require an expansion of the D-D-O Zone boundaries. The Central US 1 Corridor Sector Plan provides five recommendations as follows, with Transportation Planning Section comments:

- (1) **Maximize the potential of the Rhode Island Avenue multiway boulevard.**

Comment: None.

- (2) **Redevelop the Hollywood Commercial District to better serve the surrounding community.**

Comment: None.

- (3) **Provide a green at the corner of Rhode Island Avenue and Edgewood Drive for neighbors and visitors.**

Comment: None.

- (4) **Share the parking and interconnect it.**

Comment: The parking within the site is not connected, but could conceivably be shared. The site is within a compact commercial area on both sides of Rhode Island Avenue.

- (5) **Build interesting, safe streets.**

Comment: Rhode Island Avenue is striped for bicycle use; but has gaps in the sidewalk network. Both Nantucket Road and Edgewood Road have sidewalks along the subject property's frontage. The presence of the sidewalks creates a good environment for walking access among the cluster of commercial uses in the immediate area of this site, even though a few enhancements are needed.

The site is adjacent to Rhode Island Avenue, a master plan collector roadway, listed in the Central US 1 Corridor Sector Plan with a right-of-way of 80 feet.

Rhode Island Avenue is augmented by a service road adjacent to the subject site. No further dedication of right-of-way would be required in the future.

Conclusion

From the standpoint of transportation and based on the preceding findings, it is determined that this plan is acceptable and meets the finding required for a conceptual site plan as described in the Zoning Ordinance. Also, the Transportation Planning Section does not object to the zoning change requested pursuant to Section 27-548.26(b) of the Zoning Ordinance. However, it is requested that the square footage of the existing buildings be included on the conceptual site plan.

- d. **Subdivision Review**—In a memorandum dated January 23, 2017, the Subdivision Section noted that the subject property is composed of Parcels A-1, A-2 and A-3 and part of Parcel A, Block 1 in the Addition to Hollywood Subdivision. Based on the information provided, redevelopment of the site of more than 5,000 square feet of gross floor area (GFA) will require a new preliminary plan of subdivision pursuant to Sections 24-107(c)(7) and 24-111(c) of the Subdivision Regulations.

The purpose of this application is to rezone the property pursuant to Section 27-548.26(b)(1)(B) of the Zoning Ordinance. Although no development is proposed with this application, there are two existing buildings on the site. The site plan should be revised to include the GFA of the existing buildings. The site plan also shows bearings and distances which are identified as “Measured” and “Record” and should be revised to show only one. If the applicant chooses to show the measured bearings and distances, a new final plat should be recorded to reflect the change in bearings. Alternatively, the site plan may be revised to reflect the bearings as shown on the record plat. The distances are the same for both with only one minor discrepancy between the plan and the record plat which is along the south side of Parcel A-3 shown as 158.50 on the site plan and 158.49 on the record plat.

The Subdivision Section recommends approval of this CSP with one condition that has been included in the Recommendation section of this report.

- e. **Environmental Planning**—In a memorandum dated February 3, 2017, the Environmental Planning Section (EPS) provided analysis of the CSP as follows:

Noise: The site has frontage on Rhode Island Avenue, which is a master planned collector road and also with Nantucket Road and Edgewood Road, which do not have master planned road designations. None of these roads generate enough traffic to produce noise above the state standard.

This site is within the vicinity of the Capital Beltway (I-95/I-495). Using the Environmental Planning Section’s noise model and applying an Average Daily Traffic (ADT) count at build-out of 212,940, as indicated on the Maryland State Highway traffic volume map, and a posted traffic speed of 65 mph, the unmitigated 65 dBA Ldn noise contour is located approximately 1,027 feet from the center line of the northbound lanes of I-95/I-495. Based on staff’s evaluation, it appears that the majority of the site is located within the unmitigated 65dBA Ldn noise contour. Although the concept plan does not specify any development at this time, if a residential use is sited on this property, noise attenuation to mitigate interior noise levels to 45dBA Ldn may be required. Likewise, if outdoor recreation areas are proposed, noise attenuation to mitigate exterior

noise levels to 65dBA Ldn may also be required.

Therefore, a Phase I and Phase II noise study may be required if any residential use or outdoor recreational use is proposed with any future development review applications for this site.

Soils: The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Sassafras-Urban land complex (5-15% slopes) and Urban land-Russett-Christiana complex (0-5% slopes). According to available information Marlboro clay is not present onsite; however, Christiana complexes are found on this property. With Christiana complexes mapped on-site, the county may require a soils report in conformance with County Council Bill CB-094-2004 during the building permit review process. This information is provided for the applicant's benefit.

Stormwater Management: The site has an approved Storm Water Management Concept letter (53141-2016-00) that is in conformance with the current code.

The Environmental Planning Section recommends approval of the CSP, subject to two conditions, which have been included in the Recommendation section of this report.

- f. **City of College Park**—In a memorandum dated March 15, 2017, the City of College Park noted that at their meeting on March 14, 2017, the City Council voted unanimously to approve CSP-16002, with conditions, as follows:

The City Council recommends disapproval of the request to rezone Parcels A-1, A-2, A-3 and part of Parcel A to the M-U-I zone at this time, and recommends approval of the request to rezone part of Parcel A and Parcel A-3 to C-S-C with the following conditions:

1. Prior to certification, the Conceptual Site Plan shall be revised as follows:
 - a. Label the gross floor area of the existing buildings.
 - b. Extend the potential building envelope on Part of Parcel A to Edgewood Road and into Parcel A-1 to be more consistent with urban design recommendations in the Sector Plan. Eliminate all access points shown on Part of Parcel A and Parcel A-3 and one of the access points shown on Parcel A-2. Shift the access shown on Parcel A-1 further to the west.
 - c. Show a landscape buffer envelope along Parcels A-1 and A-2 that abut the single-family residential.

The City staff report said they found it more appropriate to support the rezoning to C-S-C zone at this time as it is more compatible with the existing uses on site and with the existing development on adjoining properties. The subject property was previously zoned C-S-C and the applicant claims that if he had been aware of the rezoning of the property to O-S by the District Council he would have objected to it being a "taking." The North College Park Citizens Association also supports the rezoning to the C-S-C Zone. Additionally, City staff referenced page 275 of the Central US 1 Corridor Sector Plan that states that reclassification of a property to the M-U-I Zone is only supported in locations

that reinforce the concept of walkable nodes, and the subject property is not in a walkable node.

Therefore, the City of College Park was unable to conclude that the proposed development conforms to the purposes and recommendations of the Development District and meets Central US 1 Corridor Sector Plan requirements, as required, since so little information is provided about the proposed development. While M-U-I zoning is not generally inconsistent with the Central US 1 Corridor Sector Plan recommendations at this location, it would be inappropriate to allow this more intense and flexible zone without providing the details of proposed development. City of College Park staff was unable to conclude, as required, that the proposed rezoning and development will be compatible with existing or approved future development on adjacent properties, which are zoned C-S-C, not M-U-I.

Comment: Staff recommends that the proposed CSP if rezoned to C-S-C would conform with the purposes and recommendations for the Development District, as stated in the Central US 1 Corridor Sector Plan, and will be compatible with existing or approved future development on adjacent properties as discussed in Findings 7 and 8 above. All conditions recommended by the City of College Park have been included in the Recommendation section of this report.

- g. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
 - h. **Prince George's County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on the subject application.
12. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved with the proposed conditions below, represent a most 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.
13. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a CSP:
- (4) **The plan shall demonstrate 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: The Environmental Planning Section noted that there are no regulated environmental features on the subject property and this requirement is not applicable to this CSP.

RECOMMENDATION

Based on the forgoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and recommend to the District Council APPROVAL of Conceptual Site Plan CSP-16002 for Shaban Property, as follows:

- A. APPROVAL of the request to rezone the property from the C-S-C and O-S Zones to the C-S-C Zone.
- B. APPROVAL of Conceptual Site Plan CSP-16002, Shaban Property, subject to the following conditions:
 - 1. Prior to certification, the conceptual site plan (CSP) shall be revised, or additional information shall be provided, as follows:
 - a. Label the gross floor area of the existing buildings.
 - b. Remove one of the bearings and distances and, if necessary, submit a minor final plat to reflect the new bearings and distances.
 - c. Extend the potential building envelope on Part of Parcel A to Edgewood Road and into Parcel A-1 to be more consistent with urban design recommendations in the Sector Plan. Eliminate all access points shown on Part of Parcel A and Parcel A-3 and one of the access points shown on Parcel A-2. Shift the access shown on Parcel A-1 further to the west.
 - d. Show a landscape buffer envelope along Parcels A-1 and A-2 that abut the single-family residential.
 - 2. If residential or outdoor recreational use is proposed in any future development review applications for this site, a Phase I or Phase II noise study shall be submitted. It shall include an exhibit of the location of the lower and upper unmitigated 65dBA Ldn noise contours in conjunction with the proposed development.
 - 3. At the time of building permit issuance, applications for building permits associated with a residential or outdoor recreational use shall be prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45dBA Ldn or less for the portions of the residential units within the unmitigated 65dBA Ldn or higher noise impact area. The certification shall also state that the exterior noise levels have been reduced through the proposed building materials and structures to less than 65dBA for the portions of any outdoor recreation area that is within the unmitigated 65dBA Ldn or higher noise impact area.

ITEM:

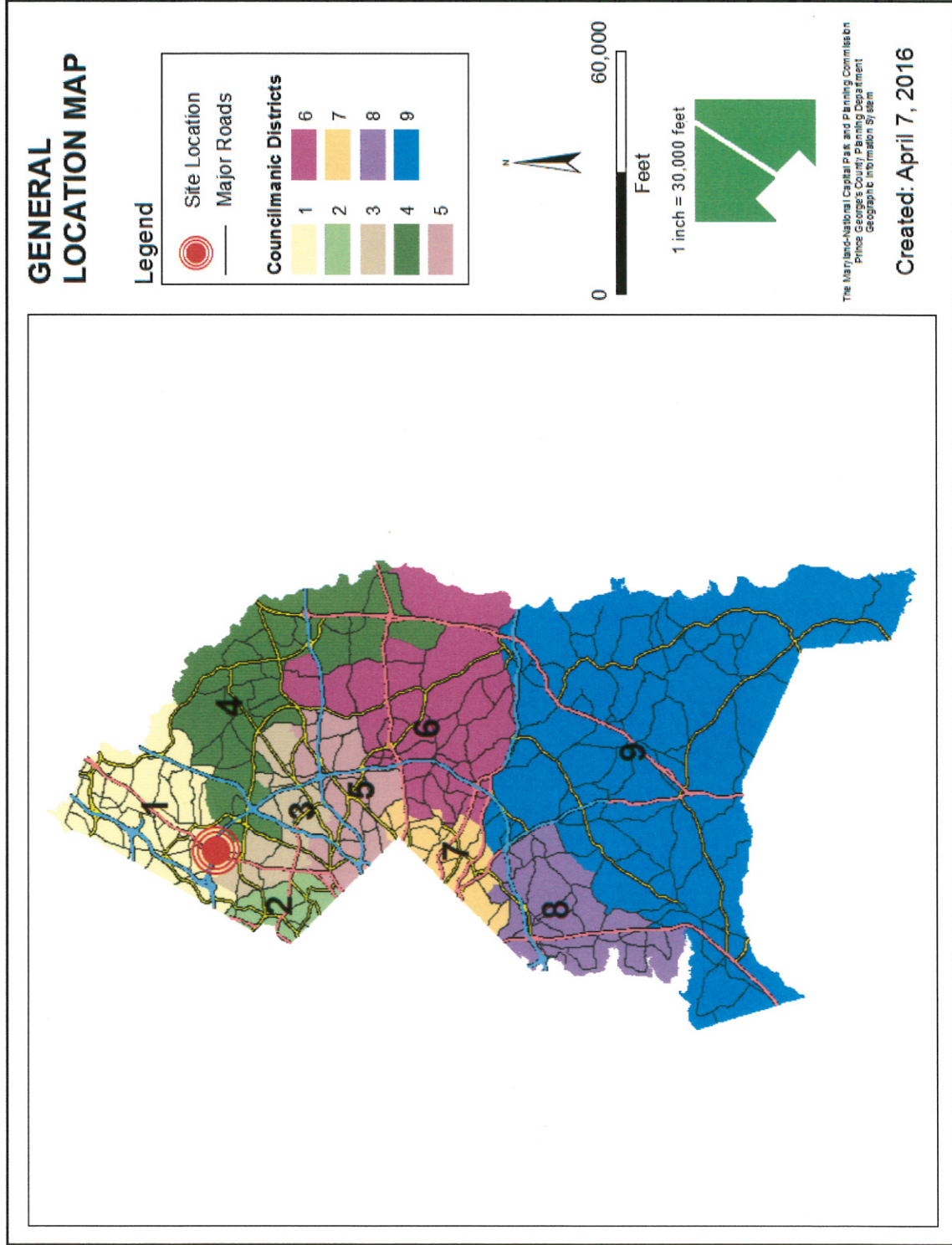
CASE: CSP-16002

SHABAN PROPERTY

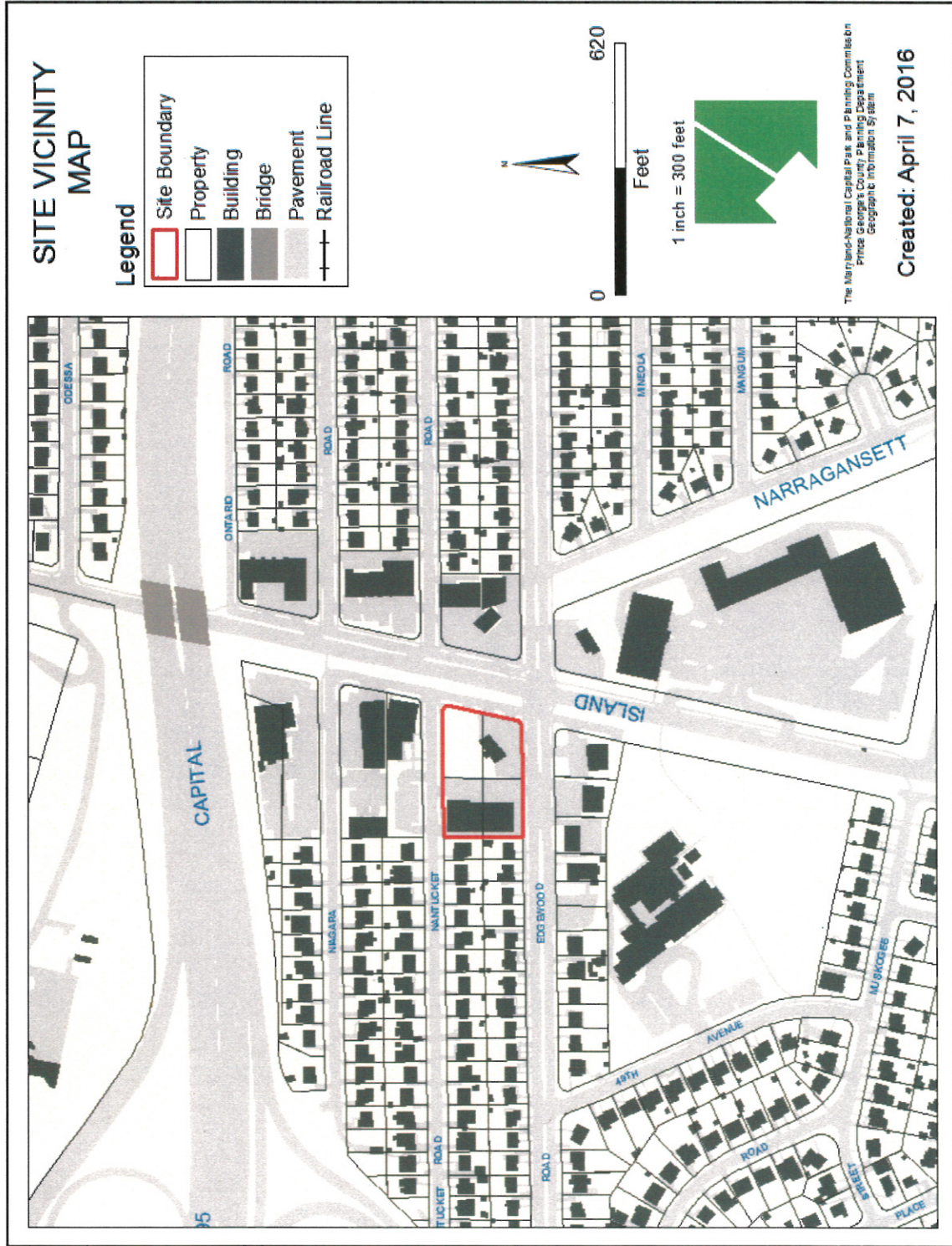
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



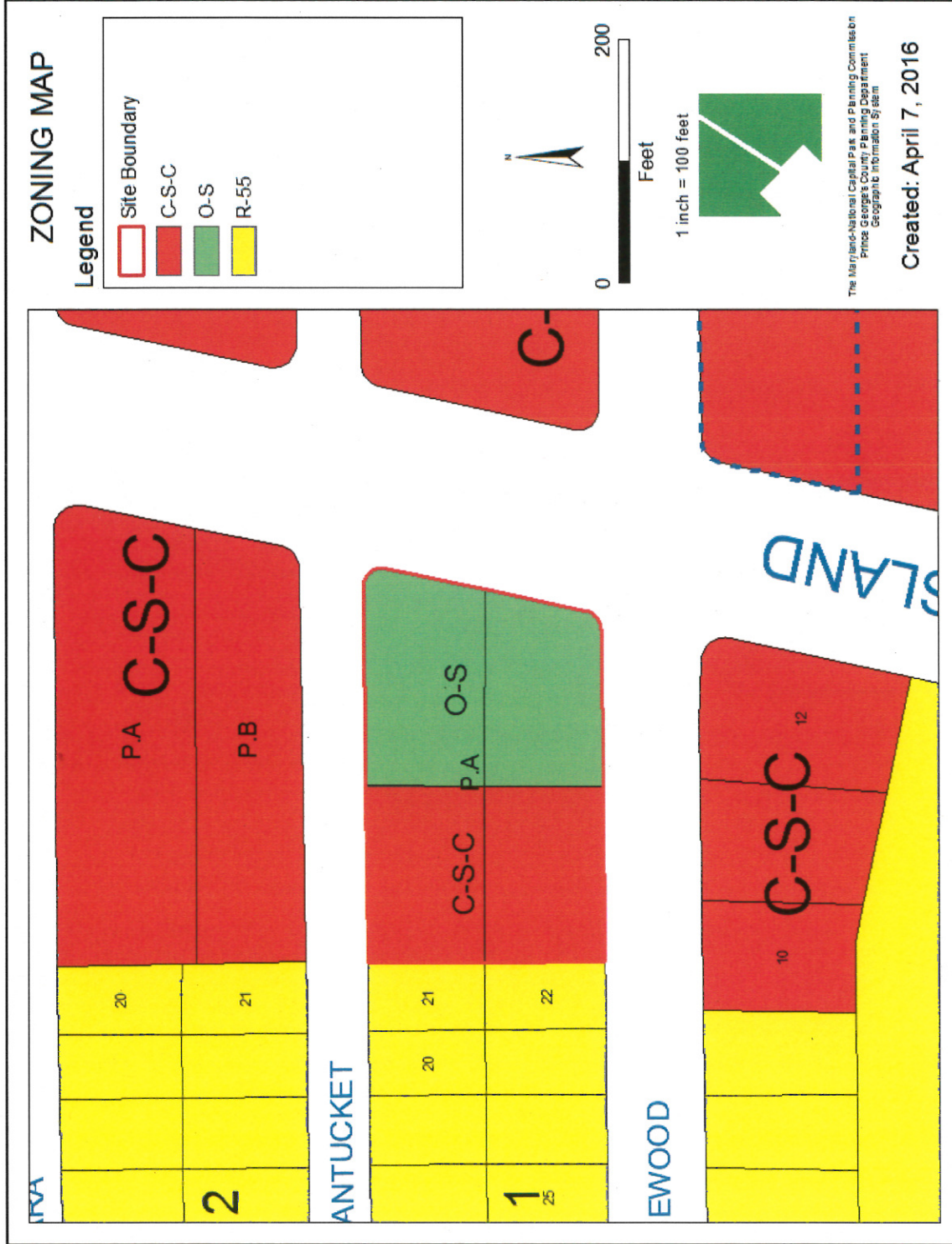
GENERAL LOCATION MAP



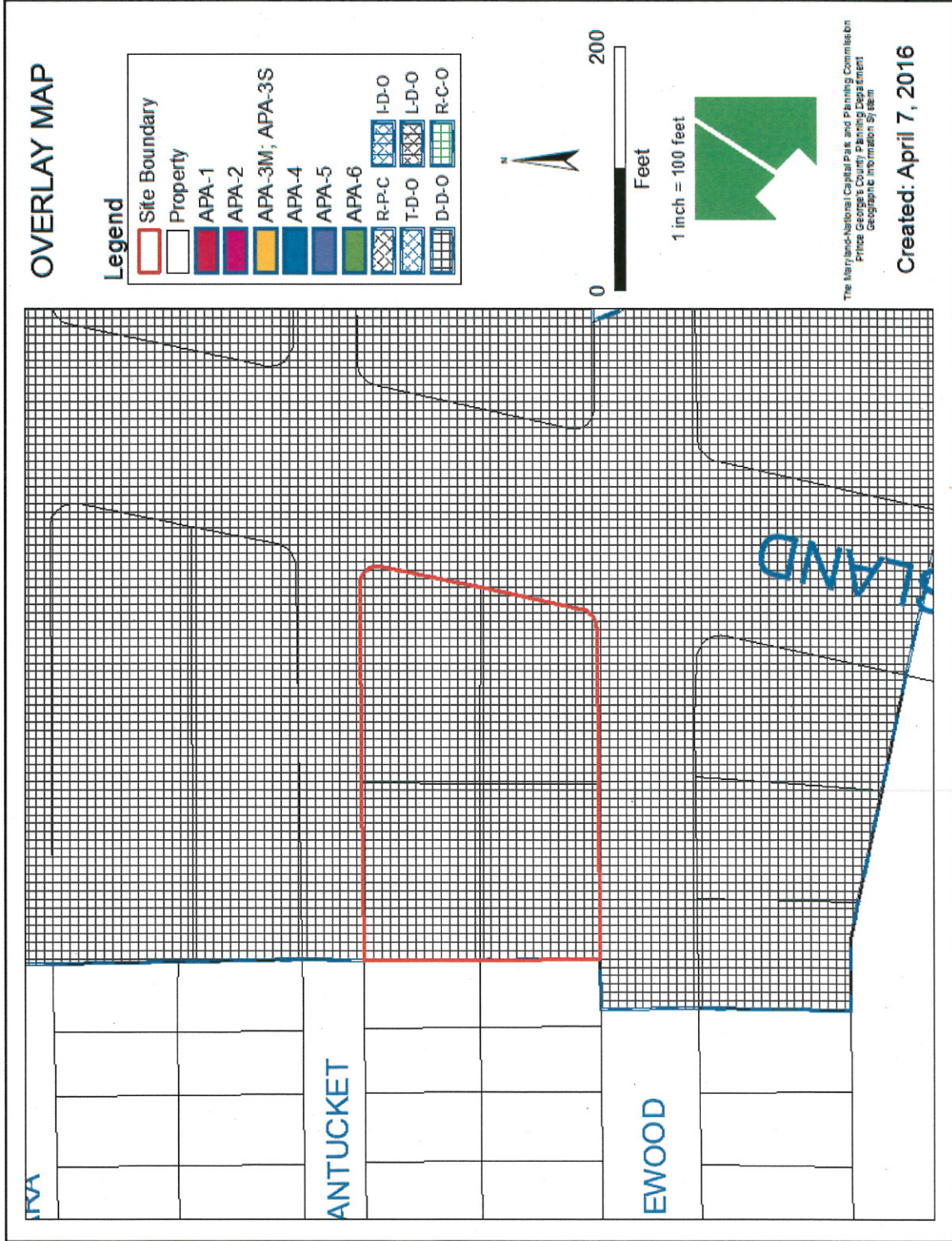
SITE VICINITY



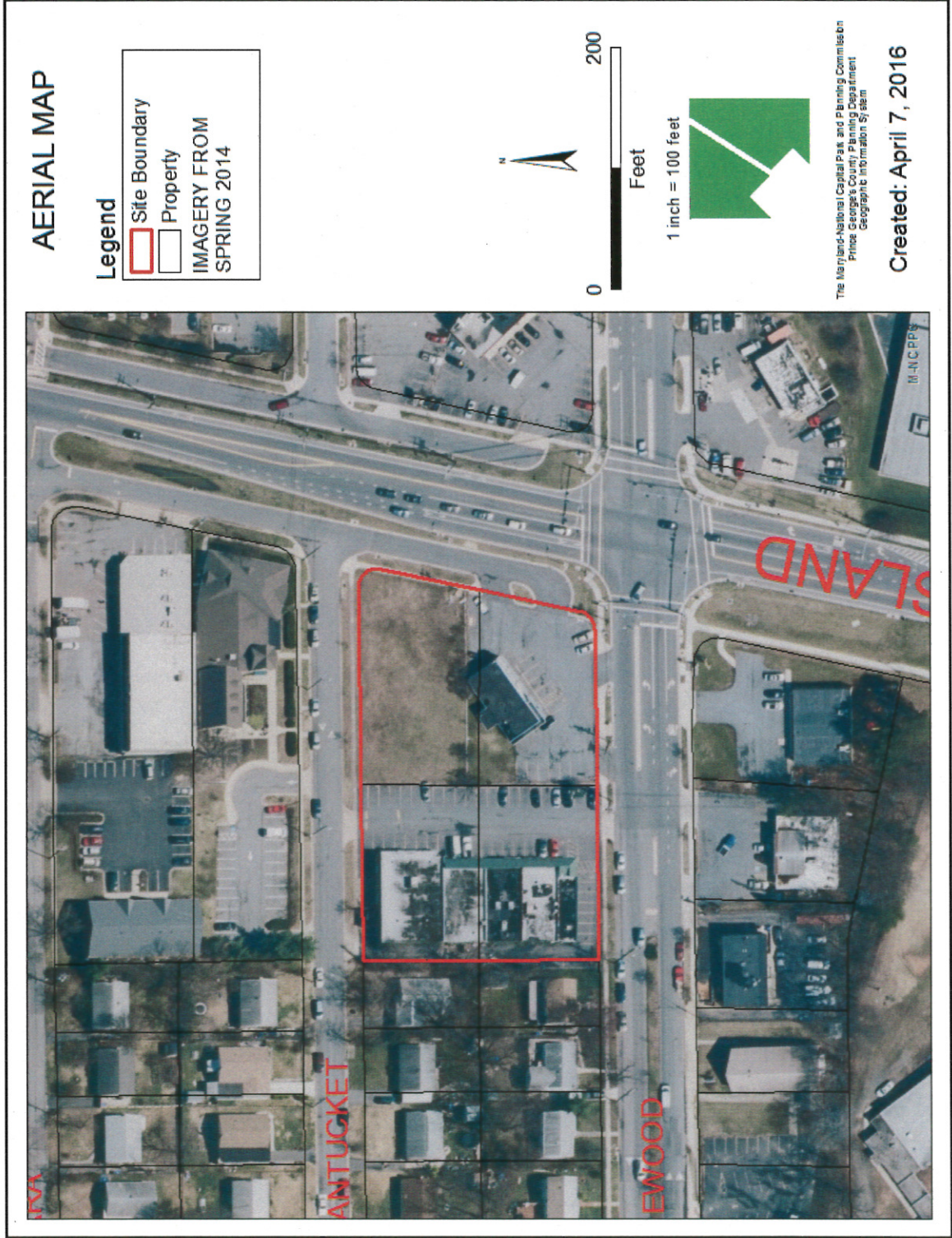
ZONING MAP



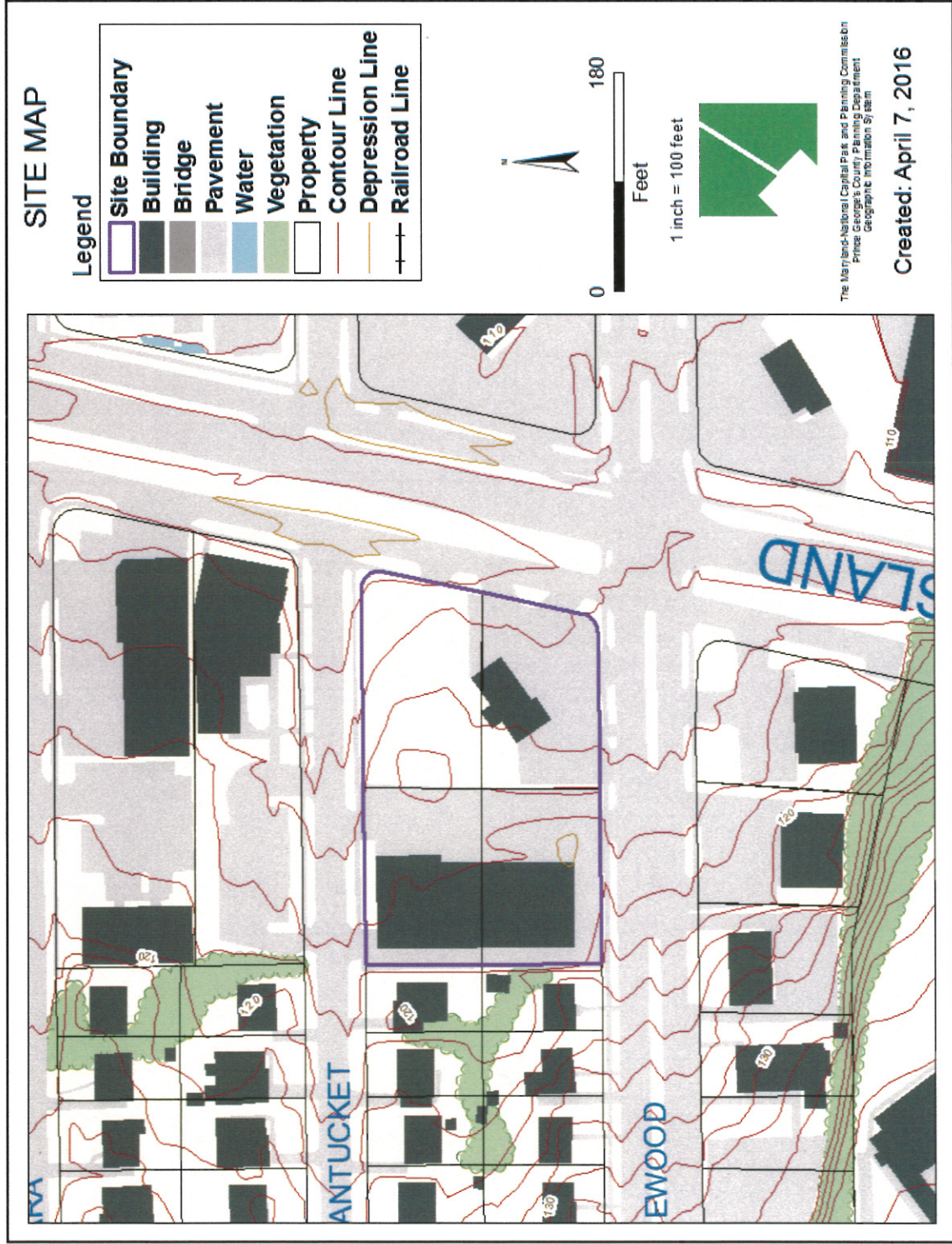
OVERLAY MAP



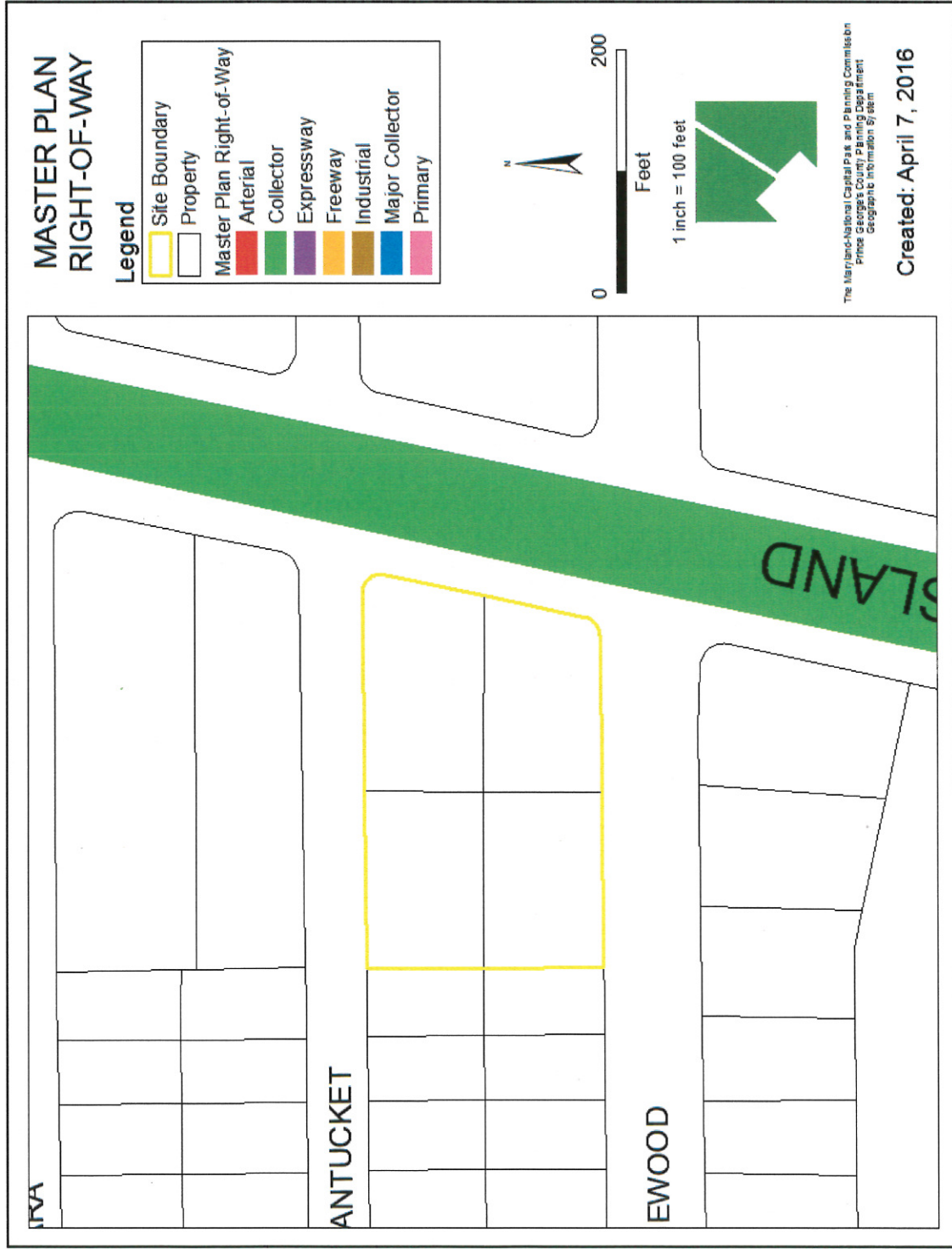
AERIAL MAP



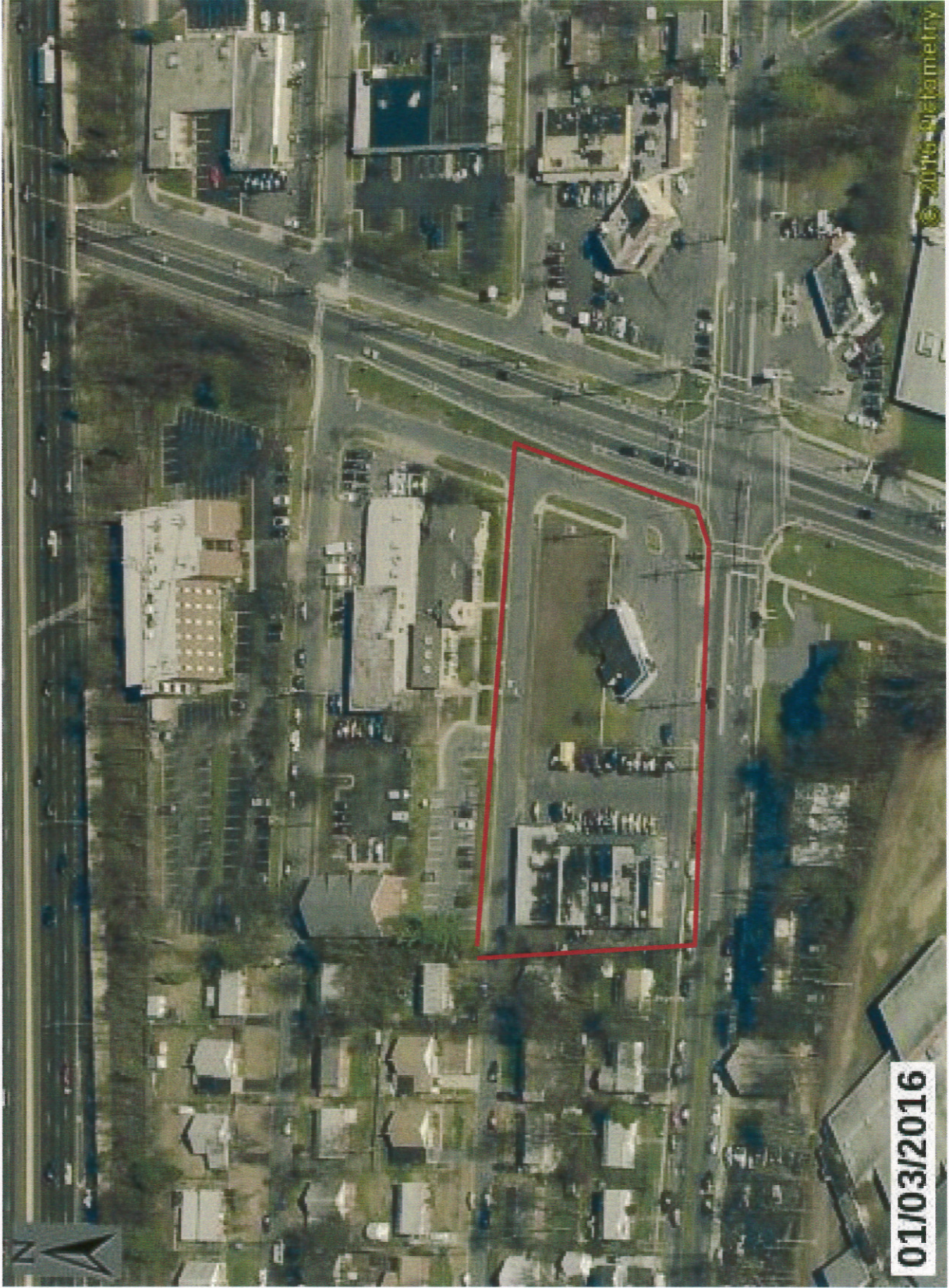
SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



NEIGHBORHOOD AERIAL



01/03/2016



3/15/2017

Slide 9 of 11

ENLARGED BIRD'S-EYE VIEW



PROPOSED CONCEPTUAL SITE PLAN

BOHLE ENGINEERING 100 NANTUCKET ROAD PO BOX 100 NANTUCKET, MA 02554 PHONE: 508-548-8888 WWW.BOHLEENGINEERING.COM	REVISONS	NOT APPROVED FOR CONSTRUCTION PREPARED BY: M. K. JONES CHECKED BY: M. K. JONES DATE: 03/15/2017
<p>PROPOSED BUILDING HEIGHT 4 STOREYS MAX. EAVE</p> <p>LOT OCCUPATION</p> <p>SETBACKS</p> <p>UTILITIES</p> <p>ADDITIONAL NOTES</p>	<p>DATE</p> <p>COMMENT</p>	<p>PROPOSED CONCEPTUAL SITE PLAN FOR</p> <p>SHABAN FAMILY ENTERPRISES</p> <p>1000 RHODE ISLAND AVENUE</p> <p>PROPOSED USE: COMMERCIAL RESIDENTIAL USE</p>

<p>PROPOSED BUILDING HEIGHT 4 STOREYS MAX. EAVE</p> <p>LOT OCCUPATION</p> <p>SETBACKS</p> <p>UTILITIES</p> <p>ADDITIONAL NOTES</p>	<p>DATE</p> <p>COMMENT</p>	<p>PROPOSED CONCEPTUAL SITE PLAN FOR</p> <p>SHABAN FAMILY ENTERPRISES</p> <p>1000 RHODE ISLAND AVENUE</p> <p>PROPOSED USE: COMMERCIAL RESIDENTIAL USE</p>
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LEGEND

- PROPOSED CONCEPTUAL RESIDENTIAL USE
- PROPERTY BOUNDARY
- MANUFACTORY SHOP FRONT
- TRAFFIC FLOW IMPROVE
- POTENTIAL BUILDING ENVELOPE
- POTENTIAL PARKING AND STORMWATER MANAGEMENT

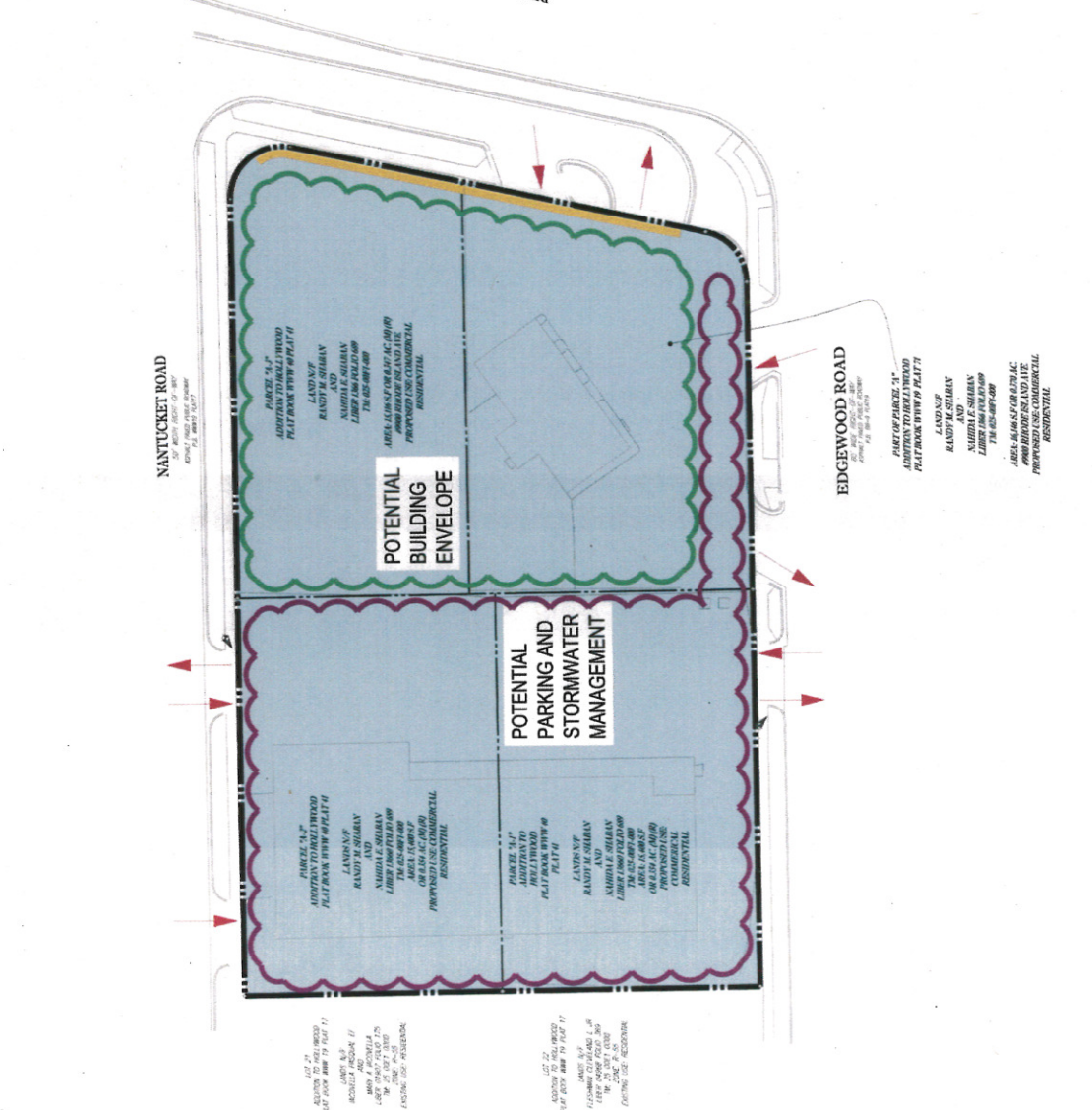
THE BLOCK IS FOR

PROPOSED CONCEPTUAL SITE PLAN FOR

SHABAN FAMILY ENTERPRISES

1000 RHODE ISLAND AVENUE

PROPOSED USE: COMMERCIAL RESIDENTIAL USE



**AMENDED
STATEMENT OF JUSTIFICATION
CSP-16002**

Shaban Property

APPLICANT/
OWNER

Randy and Nahida Shaban
2120 Bell Tower
Washington, DC 20001

ATTORNEY/
CORRESPONDENT:

Matthew C. Tedesco, Esq.
McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A.
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax

CIVIL ENGINEER:

Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, MD 20715
(301) 809-4500 Voice

REQUEST

Conceptual Site Plan pursuant to Section 27-548.26(b)(1)(B) of the Zoning Ordinance to rezone the properties to the M-U-I Zone, or in the alternative, to re-zone Parcels A-3 and residue of Parcel A to the C-S-C Zone.

I. DESCRIPTION OF PROPERTY

1. Address – 4924 and 4926 Edgewood Road, and 9900 Rhode Island Avenue, College Park, MD 20740.
2. Proposed Use – No development is proposed at this time.
3. Election District – 21
4. Parcels – Parcels A-1, A-2 and A-3, Block 1, and Part of Parcel A, Block 1.
5. Total Area – 1.425 acres
6. Tax Map & Grid – 25/F-1
7. Location – Located on the west side of Rhode Island Avenue between the intersections of Nantucket Road and Edgewood Road.
8. Existing Zones – C-S-C and O-S, within D-D-O Zone.
9. WSSC 200 Sheet – 212NE05

10. Archived 2002 General Plan Tier – Developed
11. Sustainable Growth Act, *Plan Prince George's 2035* – Tier 1

II. APPLICANT'S PROPOSAL

Pursuant to Section 27-548.26(b)(1)(B) of the Zoning Ordinance, this conceptual site plan is being filed to rezone the subject property from the C-S-C and O-S Zones to the M-U-I Zone, or in the alternative, to rezone the parcels in the O-S Zone (to wit: Parcels A-3 and the residue of Parcel A) back to the C-S-C Zone. The Preliminary Central US 1 Corridor Sector Plan and Sectional Map Amendment was recommended by M-NCPPC Staff and the Planning Board to retain the subject property in the C-S-C Zone (December 2009). Following this recommendation, however, the District Council rezoned the property fronting Rhode Island Avenue (to wit: Parcels A-3 and the residue of Parcel A) to the O-S Zone, thereby, not only creating a nonconforming use on the residue of Parcel A, but also an unusable island of property along Rhode Island Avenue, which is a Master Planned collector road.

III. REQUEST FOR APPROVAL OF THE M-U-I ZONE

The properties zoned O-S are Part of Parcel A and Parcel A-3, both of which front on Rhode Island Avenue. The two remaining properties, Parcels A-1 and A-2, are zoned C-S-C and are situated to the west of the O-S Zoned properties. Pursuant to Section 27-548.26(b)(1)(B), the applicant originally requested that the entire property be rezoned to the M-U-I Zone; however, based on recent meetings with City of College Park officials as well as the North College Park Community Association, the applicant recently amended its application to also request, in the alternative, the rezoning of just the O-S Zoned parcels back to the C-S-C Zone. Consequently, this amended justification statement provides the basis for the approval of either a rezoning of all of the parcels to the M-U-I Zone, as originally requested, or the rezoning of just the two front parcels from the O-S Zone back to the C-S-C Zone. The latter would not only put the property back in line with the zoning prior to the District Council's adoption of the SMA, but would also adhere to the Planning Board's recommendation to retain the C-S-C Zoning in the Central US 1 Corridor Sector Plan and Sectional Map Amendment.

The property is currently within the boundaries of the development district overlay zone ("DDOZ") established by the approved Sector Plan. As stated above, the proposed rezoning of the subject property to the M-U-I Zone is to enable future development consistent with the M-U-I Zone and Sector Plan. Alternatively, the rezoning of just the two front parcels back to the C-S-C Zone will better adhere to the recommendations, policies, and goals of the "Hollywood Commercial District." That is, all of the properties located within the commercial district were retained in or re-zoned to the C-S-C Zone with the 2010 approved SMA. It must be highlighted that no development is proposed at this time. A DSP, pursuant to the applicability requirements of the Sector Plan and DDOZ, will be filed in the future (in accordance with Section 27-548.25 of the Zoning Ordinance) prior to the issuance of any building permits.

Section 27-548.26(b)(2)(A) requires the application to show that the development proposed in the future could conform with the purposes and recommendations for the Development District, as stated in the Sector Plan. For approval of the M-U-I Zone, Section 27-546.16(b)(2) requires the Applicant to show that the proposed rezoning and development will be compatible with existing or approved future development on adjacent properties. Specifically, for approval of the M-U-I Zone, Section 27-546.16(b)(2) provides, "the owner is required to meet all requirements in the Section and show that the proposed rezoning and development will be compatible with existing or approved future development on

adjacent properties.” Sections 27-546.16(b) and subpart (b)(2) provides: “the M-U-I Zone may be approved on property which has proposed development subject to site plan review and is in . . . the Development District Overlay Zone . . . and that property in the D-D-O Zone may be reclassified from its underlying zone to the M-U-I Zone through the property owner application process in 27-548.26(b).” Additionally under Section 27-546.16(c), “the M-U-I Zone may be approved only on property which adjoins existing developed properties for 20% or more of its boundaries, adjoins property in the M-U-I Zone, or is recommended for mixed-use infill development in an approved Master Plan, Sector Plan, or other applicable plan. Adjoining development may be residential, commercial, industrial, or institutional but must have a density of at least 3.5 units per acre for residential or a floor area ratio of at least 0.15 for non-residential development.”

A. Compliance with §§ 27-546.16(b)(2) & 27-548.26 for the M-U-I Zone

The property is located within the Hollywood Commercial District of the Sector Plan and does not require an expansion of the DDOZ boundaries. The property abuts existing developed properties for 100% of its boundaries, abuts property in the C-S-C Zone to the north, south and east, and adjoins property in the R-55 Zone to the west, and is recommended for mixed-use infill development in the Sector Plan in accordance with being placed in the DDOZ. Adjoining development consists of residential with a density of 7.92 dwelling units per acre. Commercial development is located across the adjacent roadways. Also, the development generally conforms to the applicable site plan requirements, as a future DSP will be required pursuant to Sections 27-548.25 and 27-548.26(b)(6) of the Zoning Ordinance prior to the issuance of permits.

The eastern portion of the site that fronts on Rhode Island Avenue was rezoned from C-S-C Zone to O-S Zone by the District Council when it adopted the sectional map amendment (*see* Change Number 17). The balance of the property was retained in the C-S-C Zone. The “Land Use and Urban Design Policies” map on page 61, however, shows the entire property as “2-4 stories Corridor Infill,” which is further described on page 70. The diagram on page 66 shows that the property is within the vicinity of a potential activity area located in the Hollywood Commercial District.

The goals, objectives, and purposes of the Sector Plan are closely related to the tools utilized to implement those recommendations, namely the M-U-I Zone and the Development District Overlay Zone. Section 27-548.20 states the purposes of the DDOZ, which include the following:

- (2) To provide flexibility within a regulatory framework to encourage innovative design solutions;
- (4) To promote an appropriate mix of land uses;
- (5) To encourage compact development;
- (6) To encourage compatible development which complements and enhances the character of an area;
- (7) To encourage pedestrian activity;
- (9) To promote economic vitality and investment.

The M-U-I Zone was created as a direct result of the Sector Plan process to implement the recommendations by permitting – by right – a mix of residential and commercial uses as infill development in areas that are already substantially developed. The specific purposes of the M-U-I Zone provided in Section 27-546.15(b) of the Zoning Ordinance include:

- (1) To implement recommendations in approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where most properties are already developed;

- (2) To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;
- (3) To encourage innovation in the planning and design of infill development;
- (4) To allow flexibility in the process of reviewing infill development;
- (5) To promote smart growth principles by encouraging efficient use of land and public facilities and services;
- (6) To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses.

The Sector Plan provides five recommendations on pages 102 and 103 as follows:

- (1) Maximize the potential of the Rhode Island Avenue multiway boulevard;
- (2) Redevelop the Hollywood Commercial District to better serve the surrounding community;
- (3) Provide a green for neighbors and visitors;
- (4) Share the parking and interconnect it; and
- (5) Build interesting, safe streets.

Although no development is proposed at this time, the rezoning of the property to the M-U-I Zone can accomplish the recommendations of the Sector Plan and the D-D-O by facilitating the redevelopment of the subject properties with uses allowed in the M-U-I Zone. Future development proposals under the M-U-I Zone will meet the goals of the Sector Plan by presenting an attractive and vibrant infill development along the Rhode Island Avenue multiway, resulting in a diverse mix of land uses that better serve the surrounding community.

This CSP meets the criteria for approval of the M-U-I Zone as required in Section 27-546.16(c). Although development is not being requested at this time, the potential of the subject property to be developed with uses consistent with the M-U-I Zone satisfies the intent and purposes of the M-U-I Zone and the Development District Overlay Zone, which will facilitate a mixed use infill development for this area of the Hollywood Commercial District. Further, the proposed rezoning will be compatible with existing or future development on adjacent properties, as required by the regulations of the M-U-I Zone.

In summary, the M-U-I Zone was specifically created to be flexible and permit the type of redevelopment on infill property that will likely be provided in the future. The purposes of the M-U-I Zone and DDOZ goals and policies of the 2002 General Plan, and goals, visions, objectives, and purposes of the Sector Plan, all stress flexibility, innovation, and simplified review processes. The rezoning of the entire subject property to the M-U-I Zone would be consistent with the recommendations and purposes of the pertinent plans and zoning tools.

B. Rezoning Parcels A-3 and the residue of Parcel A back to the C-S-C Zone

As indicated *supra*, given recent input from City of College Park officials and the North College Park Community Association, the applicant has amended its original application to include an alternate request to just re-zone Parcels A-3 and the residue of Parcel A from the O-S Zone back to the C-S-C Zone. The downzoning of these two parcels (while retaining the adjoining parcels (to wit: Parcels A-1 and A-2) in the C-S-C Zone fails to serve any purpose of the O-S Zone. Moreover, these parcels are located in an area specifically targeted for commercial development and commercial revitalization in the approved Sector Plan. There is no debate that the downzoning of Parcels A-3 and the residue of Parcel A is contrary to the urban design goals for the Hollywood Commercial District and contravene M-NCPPC Planning Staff's and the Planning Board's recommendation to retain the subject property in the C-S-C Zone.

The Sector Plan recommended “redevelopment of the low-density retail parcels into a walkable center that maximizes its position on the multiway boulevard portion of Rhode Island Avenue.” Hence, the Planning Board’s recommendation to retain these two parcels in the C-S-C Zone adhered to the purposes of the C-S-C Zone. See Section 27-454 of the Zoning Ordinance. The downzoning of 0.7 acres in the middle of a sea of C-S-C zoned property within the center of the Hollywood Commercial District to the O-S Zone – under the guise that it promotes recreation as a public benefit – is nonsensical, as it does not and cannot promote the purposes of the O-S Zone. See, *c.f.* Section 27-425. Moreover, it must be noted that there are no privately-owned community or recreational uses which are permitted as a matter of right in the O-S Zone, any such uses require a special exception. Consequently, the only logical conclusion for the downzoning of the property, which contradicted M-NCPPC Staff’s recommendation, the Planning Board’s recommendation, and the recommendations of the Preliminary Sector Plan, is that it was done to devalue the subject property for future public acquisition. Such a scenario is illegal and violates the Fifth Amendment.

Conversely, rezoning the O-S zoned portion of the property back to the C-S-C Zone, and thereby, balancing out the entire property to the C-S-C Zone, as recommended by M-NCPPC Staff and the Planning Board, will satisfy two purposes of the C-S-C Zone. Specifically, it will provide a location for predominately commercial shopping facilities (the property is surrounded by C-S-C zoning) and it will provide a location for compatible uses including limited recreational uses and public gathering spaces associated with the future redevelopment of the Hollywood Commercial District. Said differently, and as indicated as the basis for re-zoning some of the adjacent parcels to the C-S-C Zone, the requested re-zoning back to the C-S-C Zone “will allow for small-scale vertical and horizontal mix of commercial and limited residential uses that will meet the plan vision and policies for revitalization of the Hollywood Commercial District.” *C.f.* Change No. 3 at p. 286.

IV. CONCLUSION

The applicant is seeking approval of this Conceptual Site Plan to rezone the subject property from the C-S-C and O-S Zones to the M-U-I Zone, or in the alternative to re-zone the parcels in the O-S Zone back to the C-S-C Zone. Based on the foregoing, as well as the conceptual site plan package filed in conjunction with this application, and all evidence that has or will be submitted into the record, the applicant respectfully requests the approval of CSP-16002 to either re-zone the entire property to the M-U-I Zone or, in the alternative, to re-zone the front two parcels (A-3 and the residue of Parcel A) back to the C-S-C Zone. This application, and the requests herein, are consistent with Section 27-548.26(b)(1)(B) of the Zoning Ordinance and the recommendations of the Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment, and should be approved.

Respectfully submitted,

McNamee Hosea

By: 
Matthew C. Tedesco, Esq.

Date: February 22, 2017



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Historic Preservation Section

(301) 952-3680
www.mncppc.org

January 6, 2017

MEMORANDUM

TO: Jill Kosack, Planner Coordinator
Urban Design Section
Development Review Division

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

SUBJECT: **CSP-16002, Shaban Property**

The subject property comprises 1.43 acres located on the west side of Rhode Island Avenue between the intersections of Nantucket Road and Edgewood Road in College Park, Maryland. This application proposes to rezone the properties from the C-S-C and O-S Zones to the M-U-I Zone. No development is proposed at this time.

The building at 9900 Rhode Island Avenue was constructed in 1953 and the building at 4924 and 4926 Rhode Island Avenue was built in 1953 according to tax records. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources or known archeological sites.

I:\HISTORIC\Referrals\2017\CSP-16002 Shaban Property_HPS 6 January 2017.docx



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Community Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3972

January 30, 2017

MEMORANDUM

TO: Jill Kosack, Planner Coordinator, Development Review Division
VIA: Frederick Stachura, J.D., Acting Planning Supervisor, Community Planning Division *fes*
FROM: Scott Rowe, AICP, CNU-A, Planner Coordinator, Community Planning Division *BSR*
SUBJECT: **CSP-16002 Shaban Property**

DETERMINATIONS

The proposed application conforms to the 2010 Approved Central US 1 Sector Plan.

BACKGROUND

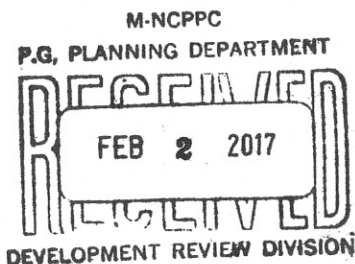
Location: 4924 and 4926 Edgewood Road, and 9900 Rhode Island Avenue, College Park, MD
Size: 1.4 acres
Existing Uses: Standalone retail use and integrated shopping center
Proposal: Rezone from D-D-O/C-S-C and D-D-O/O-S to D-D-O/M-U-I

GENERAL PLAN, MASTER PLAN, AND SMA

This application requires conformance with the applicable General or Master Plan. YES

General Plan: This application is located within a designated Employment Area growth policy area. Plan 2035 describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters and recommends continuing to support business growth in these areas, concentrating new business development near transit, where possible, improving transportation access and connectivity, and creating opportunities for synergies.

The Plan 2035 Strategic Investment Program places this property in a designated priority investment area-the Innovation Corridor. Plan 2035 describes the Innovation Corridor as the area that has the highest concentrations of economic



activity in our four targeted industry clusters and the greatest potential to catalyze future job growth, research, and innovation in the near- to mid-term. This Innovation Corridor 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.”

Master/Sector Plan: 2010 *Approved Central US 1 Corridor Sector Plan*

66 College Park-Berwyn Heights

Planning Area/

Community:

Land Use:

The Approved Land Use North map on page 59 of the Sector Plan recommends commercial mixed-use and parks/open space on the subject property.

The Sector Plan recommends a "green at any one of the four corners of the intersection of Edgewood Drive and Rhode Island Avenue" which could "become a highly visible and much-frequented centerpiece of Hollywood." [102]

Environmental:

Refer to the Environmental Planning Section referral for comments on the environmental element of the Approved Central US 1 Corridor Sector Plan and the 2005 Countywide Green Infrastructure Plan.

Historic Resources:

There are no identified historic sites or resources on or near the subject property.

Transportation:

The subject property abuts Rhode Island Avenue, a master plan collector.

Public Facilities:

There are no master-planned public facilities in the vicinity of the subject property.

Parks & Trails:

The subject property is across the street from the College Park Youth Services Facility. The Sector Plan recommends a bike lane on Edgewood Road.

Aviation/ILUC:

The property is not within an Aviation Policy Area or proposed for reclassification into the Military Installation Overlay (M-I-O) Zone.

SMA/Zoning:

The 2010 Approved Central US 1 Corridor Sectional Map Amendment reclassified the parcels at 9900 Rhode Island Avenue and 4926 Edgewood Road into the Open Space (O-S) Zone and retained the remainder of the property in the Commercial Shopping Center (C-S-C) Zone, and applied a Development District Overlay Zone to the property.

The current use on the O-S-zoned parcels is prohibited by the DDOZ Table of Uses but has been permitted several times since 2010 because changes in ownership are exempt from the Development District Standards. Submittal of this site plan renders the current use nonconforming. The current use is permitted in the D-D-O/M-U-I zone; approval of this application will, in effect, validate the current use.

PLANNING ISSUES

The subject property is located in the Corridor Infill Character Area.

The 2010 *Approved Central US 1 Sector Plan* (Sector Plan) [70] calls for the development of "a more residential character in the corridor infill areas with park-like landscaping, [with] easy accessibility to nearby goods and services..." The Sector Plan recommends 2-4 story mixed use development in the Corridor Infill character area. The Approved Land Use North map on page 59 of the Sector Plan recommends commercial mixed-use and parks/open space on the subject property.

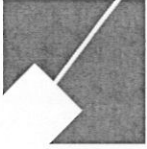
The Sector Plan recommends a "green at any one of the four corners of the intersection of Edgewood Drive and Rhode Island Avenue" which could "become a highly visible and much-frequented centerpiece of Hollywood." [102]

The Development District Standards require ground-floor retail frontage and build-to-lines of zero feet along Rhode Island Avenue in this area. [228] Rhode Island Avenue is a primary frontage street [231]. Step-back transitions are required in the Corridor Infill character area where development abuts residences. [238]

The proposed reclassification of the subject property to the Mixed Use-Infill (M-U-I) zone will position the subject property to best achieve the vision and goals of the Sector Plan for commercial mixed use development and will, importantly, not preclude the implementation of the recommendation for a green at the intersection of Edgewood Road and Rhode Island Avenue.

Given the recommended future land use of parks and open space at 9900 Rhode Island Avenue and 4926 Edgewood Road, future redevelopment on these parcels should include public open space, preferably a green as defined in the Sector Plan.

cc: Ivy A. Lewis, Chief




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

January 10, 2017

MEMORANDUM

TO: Jill Kosack, Urban Design Section, Development Review Division
FROM:  Tom Masog, Transportation Planning Section, Countywide Planning Division
SUBJECT: CSP-16002, Shaban Property

The Transportation Planning Section has reviewed the Conceptual Site Plan application referenced above. The total subject property consists of 1.43 acres of land in the C-S-C and O-S Zones. The property is located on the west side of Rhode Island Avenue between Nantucket Road and Edgewood Road. The site is currently developed. The applicant proposed no new development at this time, and is seeking to rezone the property from the underlying zones to the M-U-I Zone.

Site Review

Per the Statement of Justification provided in the application package, the applicant is proposing no new development at this time. The applicant is seeking to rezone the property from the C-S-C and O-S Zones to the M-U-I Zone in accordance with the standards and procedures of Section 27-548.26(b) of the Zoning Ordinance.

A portion of the property was downzoned by the District Council during the approval of the *Approved US 1 Corridor Sector Plan and Sectional Map Amendment* (Sector Plan), and this property is within the Development District Overlay (D-D-O) Zone established by this plan. Section 27-548.26(b) of the Zoning Ordinance allows for the rezoning from the underlying zone when it is found that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, and meets applicable site plan requirements. Traffic is not a specific consideration in granting this request, and therefore a traffic impact study has not been prepared nor has it been requested, and traffic-related adequacy issues are not covered. In any regard, no development is proposed, and if new development is proposed in the future, any proposal will be reviewed against the sector plan traffic adequacy standards at the time of detailed site plan. The change in zone, given this information, would not pose a future adequacy issue.

The site is improved with a commercial building of 1,980 square feet and a retail strip shopping center of 10,532 square feet (both square footages are taken from tax records). The square footages should be shown on the conceptual site plan.

The property is located within the Hollywood Commercial District of the Sector Plan and does not require an expansion of the DDOZ boundaries. The Sector Plan provides five recommendations; Transportation Planning Section comments are included in bold as follows:

- (1) Maximize the potential of the Rhode Island Avenue multiway boulevard. **Comment: None.**
- (2) Redevelop the Hollywood Commercial District to better serve the surrounding community.
Comment: None.

- (3) Provide a green at the corner of Rhode Island Avenue and Edgewood Drive for neighbors and visitors. **Comment: None.**
- (4) Share the parking and interconnect it. **Comment: The parking within the site is not connected but could conceivably be shared. The site is within a compact commercial area on both sides of Rhode Island Avenue.**
- (5) Build interesting, safe streets. **Comment: Rhode Island Avenue is striped for bicycle use but does have gaps in the sidewalk network. Both Nantucket Road and Edgewood Road have sidewalks along the properties frontage. The presence of the sidewalks creates a good environment for walk access among the cluster of commercial uses in the immediate area of this site even though a few enhancements are needed.**

The site is adjacent to Rhode Island Avenue, a master plan collector roadway, listed in the Sector Plan with a right-of-way of 80 feet. Rhode Island Avenue is augmented by a service road adjacent to the subject site. No further dedication of right-of-way would be required in the future.

Conclusion

From the standpoint of transportation and based on the preceding findings, it is determined that this plan is acceptable and meets the finding required for a conceptual site plan as described in the Zoning Ordinance. Also, the Transportation Planning Section does not object to the zoning change requested pursuant to Section 27-548.26(b) of the Zoning Ordinance. However, it is requested that the square footage of the existing buildings be included on the conceptual site plan.

January 23, 2017

MEMORANDUM

TO: Jill Kosack, Urban Design Section

VIA: Sherri Conner, Subdivision Section

FROM: Cheryl Bressler, Subdivision Section

SUBJECT: CSP-16002 Shaban Property



The subject property is composed of Parcels A-1, A-2 and A-3 and part of Parcel A, Block 1 in the Addition to Hollywood Subdivision. The property is zoned C-S-C and O-S and is in the Development District Overlay Zone. Parcels A-1, A-2 and A-3 were recorded in Plat Book WWW 40-41 on May 5, 1961 and were the subject of Preliminary Plan of Subdivision (PPS) 12-1732 for which there are no available records. Part of Parcel A was created by deed dated April 5, 1963 and recorded in Liber 2804 at folio 331 making this a legal division of property pursuant to Section 24-107(c)(7)(B). Based on the information provided, redevelopment of the site of more than 5,000 square feet of gross floor area (GFA) will require a new preliminary plan of subdivision pursuant to Section 24-107(c)(7) and 24-111(c).

The purpose of this application is to rezone the property to the M-U-I Zone pursuant to Section 27-548.26(b)(1)(B) of the Zoning Ordinance. Although no development is proposed with this application, there are two existing buildings on the site. The site plan should be revised to include the GFA of the existing buildings. The site plan also shows bearings and distances which are identified as "Measured" and "Record" and should be revised to show only one. If the applicant chooses to show the measured bearings and distances, a new final plat should be recorded to reflect the change in bearings. Alternatively, the site plan may be revised to reflect the bearings as shown on the record plat. The distances are the same for both with only one minor discrepancy between the plan and the record plat which is along the south side of Parcel A-3 shown as 158.50 on the site plan and 158.49 on the record plat.

Site Plan Comments

The Subdivision Section recommends the following conditions:

1. Prior to certification, the site plan should be revised as follows:
 - a. Add the existing GFA to the plan
 - b. Remove one of the bearings and distances and if necessary, submit a minor final plat to reflect the new bearings and distances

Failure of the site plan and record plat to match (including bearings, distances and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues.

Countywide Planning Division
Environmental Planning Section
301-952-3650

March 16, 2017

MEMORANDUM

TO: Jill Kosack, Planner Coordinator, Urban Design Section
VIA: Katina Shoulars, Supervisor, Environmental Planning Section
FROM: Marc Juba, Senior Planner, Environmental Planning Section
SUBJECT: **Shaban Property; CSP-16002**

The Environmental Planning Section (EPS) has reviewed the above referenced Conceptual Site Plan (CSP). This submittal is for rezoning purposes only with no development proposed. Verbal comments were provided in a Subdivision Development Review Committee meeting on January 27, 2017, based on the original submittal.

The Environmental Planning Section recommends approval of CSP-16002 subject to the conditions listed at the end of this memorandum.

Background

The Environmental Planning Section has not previously reviewed any other development review applications for the subject site.

An approved and signed Natural Resource Inventory, NRI-198-2016, for this property on October 19, 2016. This site also has a Standard Woodland Conservation Exemption Letter, S-168-2016, which was issued on October 19, 2016. No other previous environmental reviews have occurred on this site.

Proposed Activity

The applicant is requesting approval of a Conceptual Site Plan for the rezoning of the property from the C-S-C and O-S zones to the M-U-I zone only.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new Conceptual Site Plan.

Site Description

The 1.43 acre site is located on western side of Rhode Island Avenue spanning the intersections of Nantucket Road and Edgewood Road. Two commercial buildings and an open field occupy the property.

A review of the available information indicates that regulated environmental features such as wetlands, streams, associated buffers, and primary management area (PMA) are not found on the property. Based on available information it does not appear that steep slopes or areas of 100-year floodplain occur onsite. This site is within the Indian Creek sub-watershed, which is part of the Anacostia River watershed that flows into the Patuxent River basin.

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Sassafras-Urban land complex (5-15% slopes) and Urban land-Russett-Christiana complex (0-5% slopes). According to available information Marlboro clay is not present onsite; however Christiana complexes are found on this property. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species mapped to occur on or in the vicinity of this property. The site has frontage with Rhode Island Avenue, which is a master planned collector road and also with Nantucket Road and Edgewood Road, which do not have master planned road designations. None of these roads generate enough traffic to produce noise above the state standard. However, the site is within the vicinity of I-95/495, which is a master planned freeway that is regulated for noise. The site does not share frontage with any scenic or historic roads. The site is currently located within Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035 Approved General Plan. This site is also located within the Central US1 Corridor Sector Plan & Sectional Map Amendment. According to the approved Countywide Green Infrastructure Plan, the site contains no Regulated, Evaluation and Network Gap Areas within the designated network of the plan.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resource Inventory Plan/Existing Features

The application has an approved Natural Resource Inventory (NRI), NRI-198-2016, which expires on October 19, 2021. According to available information, the site does not contain regulated environmental features such as wetlands, streams, associated buffers, steep slopes, and 100-year floodplain.

No revisions are required for conformance with the NRI.

Woodland Conservation

The site is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), because the property has less than 10,000 square feet of woodlands on-site and no previously approved Tree Conservation Plan. This site has an approved Standard Woodland Conservation Exemption (S-168-2016) that expires on October 19, 2018.

No revisions are required for conformance to the WCO.

Noise

Roads directly fronting property: The site has frontage with Rhode Island Avenue, which is a master planned collector road and also with Nantucket Road and Edgewood Road, which do not have master

planned road designations. None of these roads generate enough traffic to produce noise above the state standard.

I-95/I-495: This site is within the vicinity of I-95/I-495. Using the Environmental Planning Section's noise model and applying an Average Daily Traffic (ADT) count at build-out of 212,940, as indicated on the Maryland State Highway traffic volume map, and a posted traffic speed of 65 mph, the unmitigated 65 dBA Ldn noise contour is located approximately 1027 feet from the center line of the northbound lanes of I-95/I-495. Based on staff's evaluation, it appears that the majority of the site is located within the 65dBA Ldn contour. Although the concept plan does not specify any development at this time, if a residential use is sited on this property, noise attenuation to mitigate interior noise levels to 45dBA Ldn may be required. Likewise if outdoor recreation areas are proposed, noise attenuation to mitigate exterior noise levels to 65dBA Ldn may also be required.

Therefore, a Phase I and Phase II noise study shall be required if any future residential use or outdoor recreational use is proposed with any associated development review application for this site.

Recommended Condition: If residential or outdoor recreational use is proposed with any future development review applications for this site, a Phase I and/or Phase II noise study shall be submitted with such an application. It shall include an exhibit of the location of the lower and upper unmitigated 65dBA Ldn noise contours in conjunction with the proposed development.

Recommended Condition: At the time of building permit issuance, applications for building permits associated with a residential or outdoor recreational use shall be prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less for the portions of the residential units within the unmitigated 65dBA Ldn or higher noise impact area. The certification shall also state that the exterior noise levels have been reduced through the proposed building materials and structures to less than 65dBA for the portions of any outdoor recreation area that is within the unmitigated 65dBA Ldn or higher noise impact area.

Soils

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Sassafras-Urban land complex (5-15% slopes) and Urban land-Russett-Christiana complex (0-5% slopes). According to available information Marlboro clay is not present onsite; however Christiana complexes are found on this property. With Christiana complexes mapped on-site, the county may require a soils report in conformance with CB-094-2004 during the building permit review process. This information is provided for the applicant's benefit.

Stormwater Management

The site has an approved Storm Water Management Concept letter (53141-2016-00) that is in conformance with the current code.

No additional information is required with regard to stormwater management with this application, as no development is proposed.

Summary of Recommended Conditions

The Environmental Planning Section has completed the review of CSP-16002, and recommends approval subject to the following conditions:

1. If residential or outdoor recreational use is proposed with any future development review applications for this site, a Phase I or Phase II noise study shall be submitted with such an application. It shall include an exhibit of the location of the lower and upper unmitigated 65dBA Ldn noise contours in conjunction with the proposed development.
2. At the time of building permit issuance, applications for building permits associated with a residential or outdoor recreational use shall be prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less for the portions of the residential units within the unmitigated 65dBA Ldn or higher noise impact area. The certification shall also state that the exterior noise levels have been reduced through the proposed building materials and structures to less than 65dBA for the portions of any outdoor recreation area that is within the unmitigated 65dBA Ldn or higher noise impact area.

If you have any questions concerning these comments, please contact me at 301-883-3239 or by e-mail at Marc.Juba@ppd.mncppc.org.



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www.collegeparkmd.gov

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4500 Knox Road
College Park, MD 20740-3390

City Manager
240-487-3501

City Clerk
240-487-3501

Finance
240-487-3509

Human Resources
240-487-3533

Parking Enforcement
240-487-3520

Planning
240-487-3538

Youth & Family Services
4912 Nantucket Road
College Park, MD 20740-1458

240-487-3550

Seniors Program
301-345-8100

Public Services
4601-A Calvert Road
College Park, MD 20740-3421

Code Enforcement
240-487-3570

Public Works
9217 51st Avenue
College Park, MD 20740-1947

240-487-3590

March 15, 2017

Elizabeth M. Hewlett
Chair, Prince George's County Planning Board
M-NCPPC Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RE: CSP 16002, Shaban Property

Dear Madame Chair Hewlett,

The City of College Park City Council, at their meeting on March 14, 2017, voted 8-0-0 to recommend APPROVAL WITH CONDITIONS for CSP 16002, Shaban Property.

The motion, including recommendations, is attached.

Sincerely,

Terry Schum, AICP
Director of Planning, Community and Economic Development

Attachment

Home of the University of Maryland

City of College Park Motion for CSP 16002
Shaban Property

The City Council recommends disapproval of the request to rezone Parcels A-1, A-2, A-3 and part of Parcel A to the M-U-I zone at this time, and recommends approval of the request to rezone part of Parcel A and Parcel A-3 to C-S-C with the following conditions:

1. Prior to certification, the Conceptual Site Plan shall be revised as follows:
 - a. Label the gross floor area of the existing buildings.
 - b. Extend the potential building envelope on part of Parcel A to Edgewood Road and into Parcel A-1 to be more consistent with urban design recommendations in the Sector Plan. Eliminate all access points shown on part of Parcel A and Parcel A-3 and one of the access points shown on Parcel A-2. Shift the access shown on Parcel A-1 further to the west.
 - c. Show a landscape buffer envelope along Parcels A-1 and A-2 that abut single-family residential.