

## I. INTRODUCTION

MRBCO LLC the (“**Applicant**”) by and through its attorneys, Lerch, Early & Brewer, Chartered, submits this Conceptual Site Plan (hereinafter the “**CSP**”) Justification Statement to demonstrate that the proposed community on the subject property is in compliance with the applicable provisions of Subtitle 27 of the Prince George’s County Code (the “**Zoning Ordinance**”), *Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (the “**TDDP**”) and other applicable review requirements and criteria. The subject property consists of approximately 12.87 acres located at the terminus of Dean Drive and Calverton Drive within the municipal boundaries of the city of Hyattsville, MD (the “**Property**”).<sup>1</sup> The Property is currently zoned R-80/T-D-O and is subject to the recommendations of the TDDP. The Property is located within the Prince George’s Plaza Downtown, as designated by the *Plan Prince George’s 2035 Approved General Plan* (the “**General Plan**”).

As described in detail herein and reflected on CSP-20007, the Applicant proposes to rezone the Property’s underlying base zone within the TDDP from R-80 to R-20 in order to permit a broader range of housing types and residential density on the Property. This proposed rezoning will accommodate future residential development that advances the goals and priorities of the TDDP and the General Plan. Accordingly, the Applicant respectfully requests the Planning Board recommend approval of this CSP application to rezone the Property’s base zone from the R-80 (One-Family Detached Residential) Zone to the R-20 (One-Family Triple Attached Residential) Zone, to the District Council. Additionally, the Applicant respectfully requests that the District Council approve the rezoning consistent with Sec. 27-548.09(b) of the Zoning Ordinance.

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<sup>1</sup> The Property (Tax I.D. No. 17-1844109) is described in a Deed of Distribution dated as of July 17, 2017 which was recorded in Book 40019 at Page 393 of the Prince George’s County Land Records.

## II. PROPERTY DATA

<i>Location:</i>	± 12.87 acres at the terminus of Dean Drive and Calverton Drive in Hyattsville, MD 20782.
<i>Tax Map #:</i>	32-F4.
<i>Frontage:</i>	Rosemary Lane. Calverton Drive. Dean Drive.
<i>Election District:</i>	17.
<i>Legislative District:</i>	22.
<i>Councilmanic District:</i>	2.
<i>Acreage:</i>	± 12.87 acres.
<i>Zoning:</i>	R-80/T-D-O.
<i>Subdivision:</i>	N/A.
<i>Existing Water Company:</i>	W-3.
<i>Existing Sewer Company:</i>	S-3.
<i>Historic:</i>	N/A.
<i>Master Plan:</i>	<i>Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.</i>
<i>General Plan:</i>	<i>Plan Prince George's 2035.</i>

### **III. EXISTING CONDITIONS AND SURROUNDING AREA**

The Property consists of ±12.87 acres of undeveloped land located at the terminus of Dean Drive and Calverton Drive within the city of Hyattsville (the “City”). The Property has frontage along the southern side of Rosemary Lane, west of its intersection with Bridle Path Lane. Historic Hitching Post Hill is located directly to the north of the Property, across Rosemary Lane.<sup>2</sup> An existing single-family residential community is located east of the Property. Rosemary Terrace Park and parkland within the Anacostia Trails Heritage Area abuts the Property to the west and northwest. Northwestern High School is located southeast of the Property. The County’s current and future major transportation systems are easily accessible from the Property, as both the Prince George’s Plaza Metro Station and the future Adelphi Road-UMD Purple Line Station are within walking distance of the Property.

### **IV. PRINCE GEORGE’S PLAZA TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT**

The Property is located within the boundaries of the TDDP – the guiding planning document for the Transit District Overlay Zone. The TDDP creates two distinct, but interconnected Character Areas – the Downtown Core and Neighborhood Edge – that capitalize on the Transit District’s existing transit network, recreational amenities, and retail appeal. The Downtown Core is the TDDP’s “central activity hub,” featuring a mix of residential, retail, and office development within the framework of lively, walkable streets. The Property is located in the Neighborhood Edge Character Area, which is described as a predominantly residential area that “transitions the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods.” The TDDP calls for a mixture of housing types in the Neighborhood Edge – including townhouses and single-family detached homes – to broaden the Transit District’s appeal to current and future residents.

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<sup>2</sup> Hitching Post Hill is identified as Historic Site 68-001.

## V. **PROPOSED REZONING**

The Applicant proposes to rezone the Property's underlying base zone within the TDDP from R-80 to R-20 (the "**Proposed Rezoning**"). The Proposed Rezoning would permit future development of additional housing types on the Property that are appropriate in the context of the TDDP and the County's Growth Management Goals.<sup>3</sup> Future development permitted by the Proposed Rezoning would be compatible with the character of the Neighborhood Edge and consistent with best practices of Transit-Oriented Development (TOD).

### A. **Current Zoning**

The Property is currently zoned R-80 / T-D-O (Transit District Overlay). The Zoning Ordinance limits residential development in the R-80 Zone to single-family detached housing at a density of 4.58 dwelling units per acre.

### B. **Proposed Zoning**

The Applicant proposes to rezone the Property's underlying base zone from R-80 to R-20. The R-20 Zone permits a broader range of residential options that are more appropriate for future development within the TDDP than the current R-80 Zone. In addition to allowing greater density for single-family detached residential, the R-20 Zone also permits single-family semidetached dwellings, single-family triple-attached dwellings, and townhouses.<sup>4</sup> The additional density and housing types offered by the R-20 Zone provide additional flexibility for future residential development on the Property. This flexibility allows future development to more effectively respond to the goals and priorities of the TDDP – namely, creating additional housing in proximity to existing transit infrastructure and appropriately transitioning intensity across the Transit District.

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<sup>3</sup> The R-80 Zone exclusively permits one-family detached dwellings. In addition to one-family detached dwellings, the R-20 Zone permits single-family semidetached, single-family triple-attached, and townhouses. The County's Growth Management Plan recommends a mix of apartments, condominiums, and townhouses in Regional Transit Districts.

<sup>4</sup> The R-20 Zone permits single-family detached dwellings at a density of 6.70 dwelling units per acre. Single-family semidetached dwellings are permitted at a density of 12.44 dwelling units per acre and single-family triple-attached dwellings, as well as townhouses, are permitted at a density of 16.33 dwelling units per acre.

### C. Conformance with the Strategies, Goals, and Recommendations of the TDDP

In addition to transitioning the intensity and vibrancy of the Downtown Core throughout the TDDP to surrounding established residential neighborhoods, the Proposed Rezoning advances the following policies, goals, and strategies of the TDDP:

- *Land Use Policy LU2: Create sufficient capacity to help meet the County's Growth Management Goals of 50 percent of new dwelling units and new jobs within the Transit District.*

Comment: The Proposed Rezoning creates additional housing capacity within the Transit District. The Property's current R-80 zoning limits residential capacity to single-family detached dwellings at a density of 4.58 dwelling units per acre. The proposed R-20 Zone diversifies the potential housing mix on the Property by permitting single-family semidetached, triple-attached, and townhouses. Each of these additional housing types in the R-20 Zone is permitted at a density at least three times greater than that currently allowed by the R-80 Zone. Accordingly, the subject CSP application advances the County's Growth Management Goals by permitting additional density on the Property.

- *Land Use Strategy LU2.1: Preserve the Neighborhood Edge as an exclusively residential area.*

Comment: Future development pursuant to the Proposed Rezoning will be exclusively residential.

- *Land Use Strategy LU2.2: Encourage high-rise and mid-rise apartments, condos, and townhouses, consistent with the Regional Transit District Growth Management Goal.*

Comment: Rezoning the Property from R-80 to R-20 permits single-family attached homes that are appropriate in the context of the

surrounding Neighborhood Edge community and the Prince George's Plaza Transit District. The General Plan recommends housing densities starting at forty (40) dwelling units per acre and a mix of apartments, condominiums, and townhouses in Regional Transit Districts.<sup>5</sup> Future development of single-family attached dwellings and townhouses at the Property would ensure that an appropriate transition is provided between the existing single-family dwellings surrounding the Neighborhood Edge community and denser multifamily development that is desired around the Metro.

- *Land Use Strategy LU7.2: Prohibit incompatible or inappropriate uses in the Neighborhood Edge.*

Comment: Given the TDDP's intent to implement the General Plan's goals for the Regional Transit District, low-density, single-family detached development pursuant to the existing R-80 Zone would be incompatible with these goals and would be an inappropriate use for the Property.<sup>6</sup>

- *Economic Prosperity Policy EP4: Diversify residential options to appeal to a range of future buyers and renters, including young professionals, first-time homebuyers, and seniors looking to age-in-place.*

Comment: The Proposed Rezoning will allow future development on the Property to respond to market demands and cater to a broad range of households and incomes. The surrounding residential community largely consists of single-family detached housing. The additional housing types – namely, single-family semidetached, single-family triple-attached, and townhouses – represent attractive options for a

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<sup>5</sup> See General Plan, p. 110. The General Plan's first Land Use Policy recommends directing "a majority of projected new residential and employment growth to the Regional Transit Districts."

<sup>6</sup> The General Plan prioritizes directing 50% of the County's residential growth through 2035 into Regional Transit Districts.

diverse range of future homebuyers and renters. These additional housing types will diversify the residential supply within the TDDP and make the Transit District more appealing to young professionals, first-time homebuyers, and seniors looking to age-in-place.

- *Transportation & Mobility Policy TM7: Provide off-street bicycle and pedestrian connections between neighboring developments and surrounding communities wherever feasible.*

Comment: Pursuant to the subject CSP, the Applicant plans to extend Dean Drive east to connect with the western terminus of Calverton Drive. This connection would be a non-motorized, multi-use path designed to conform with the TDDP’s design standards. The non-motorized path will provide additional connectivity for pedestrians and cyclists in the Neighborhood Edge and promote multi-modal accessibility throughout the Transit District. Moreover, this connection achieves Transportation and Mobility Strategy 7.3 of the TDDP by “implementing an exclusively non-motorized connection between existing disconnected streets, including Dean Drive and Calverton Drive.”

- *Housing & Neighborhoods Strategy HN1.1: Permit a mix of housing types (such as medium- to high-rise apartments and condominiums, two over twos, and townhouses), unit sizes, and rental and homeownership options attractive to a range of households and incomes.*

Comment: The Proposed Rezoning would permit a mix of housing types on the Property. Currently, the existing R-80 Zone limits residential development to exclusively single-family detached dwellings. The R-20 Zone permits additional density and housing types – including townhouses – that align with the TDDP’s Housing & Neighborhoods Strategies. These additional housing types are attractive to a range of

households and incomes and expand the appeal of the Transit District to a larger segment of the County's housing market.

- *Housing & Neighborhoods Strategy HN2: Preserve and provide affordable housing opportunities in the Transit District.*

Comment: The Proposed Rezoning to R-20 delivers additional affordable housing to the Community. The Applicant proposes that ten percent (10%) of the total number of future dwelling units developed at the Property will be reserved for affordable/workforce housing. Any affordable units created through this future development would also be offered for sale, creating a unique and much needed opportunity for homeownership of new affordable units within the City.

- *Community Heritage, Culture and Design Policy HD3: Redevelop the Transit District to the urban scale appropriate for a designated Regional Transit District:*

Comment: Although the Proposed Rezoning will not rise to the density of forty (40) units per acre encouraged by Strategy HD3.1, it will permit future development to meet the General Plan's lowest, "moderate-density" level for Regional Transit Districts.<sup>7</sup>

## VI. ANALYSIS

### A. Zoning Ordinance Conformance

The purpose of the subject CSP application is to rezone the base zone of the Property from R-80 to R-20. Pursuant to the applicable provisions of the Zoning Ordinance, the Applicant offers the following analysis:

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<sup>7</sup> The TDDP's Community Heritage, Culture and Design Element Strategy HD3.1 seeks to "permit and encourage residential densities in excess of forty units per acre" in order to redevelop the Transit District to the urban scale appropriate for a designated Regional Transit District.



i. **Sec. 27-548.09.01(b) – Amendment of Approved Transit District Overlay Zone.**

*(1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of allowed uses, building height restrictions, or parking standards in the Transit District Development Plan. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.*

Comment: The Applicant respectfully requests that the District Council approve this CSP application to change the Property's underlying zone from R-80 to R-20.

*(2) The owner's application shall include:*

*(A) A statement showing that the proposed development conforms with the purposes and recommendations for the Transit District, as stated in the Transit District Development Plan; and*

Comment: This CSP substantially conforms with the purposes and recommendations of the Prince George's Plaza TDDP. The goal of the TDDP is to implement the General Plan vision for a walkable, transit-oriented community within the Prince George's Plaza Transit District by:

- *Promoting walkable, transit-oriented, mixed-use development in the Transit District competitive within the region and consistent with the priorities of Prince George's County, the City of Hyattsville, and the Town of University Park*

Sub-Comment: Rezoning the Property to R-20 permits additional housing types and greater residential density within the Transit District. In accordance with Transit-Oriented Development (TOD) best practices, the subject CSP application contributes to a walkable, mixed-use Transit District that appropriately phases density from the Metro Station outward. While the General Plan recommends housing densities starting at forty (40) dwelling

units per acre in Regional Transit Districts, the subject application is only proposing a modest increase in density, from 4.58 dwelling units per acre in the current R-80 Zone to 16.33 dwelling units per acre in the R-20 Zone. The Proposed Rezoning creates additional residential density to advance the County's Growth Management goal of locating fifty (50) percent of the County's new housing within Regional Transit Districts, while also adhering to the TDDP's recommendation to taper density from the Downtown Core outward into the Neighborhood Edge.

- *Responding to the evolving real estate market by focusing on the form of the built environment, while facilitating a diverse range of uses.*

Sub-Comment: The Proposed Rezoning responds to the evolving real estate market by offering additional housing options in the TDDP that cater to a broad range of households and incomes. In addition to single-family detached homes, the R-20 Zone permits single-family semidetached, single-family triple-attached dwelling units, and townhouses. With the flexibility to offer diverse housing types, future residential development at the Property will be responsive to the market and able to provide attractive options for growing segments of the City's housing market, such as young families, professionals, and seniors looking to age-in-place.

- *Transforming the underutilized Prince George's Plaza Metro Station and auto-oriented MD 410 by integrating and connecting the Metro Station with development to the north.*

Sub-Comment: The Property is located approximately 0.75 miles to the north of the Prince George's Plaza Metro Station. The Proposed Rezoning provides for additional residential development in the Transit District, increasing the population surrounding the Metro. The Proposed Rezoning would allow for future residential development on the Property to leverage the Transit

District's existing transportation infrastructure, help activate the underutilized Metro, and invigorate the Downtown Core.

Furthermore, the specific purposes of the TDOZ are outlined under Section 27-548.03 of the Zoning Ordinance. The Applicant believes that the Proposed Rezoning complies with the purposes as follows:

*(1) To enhance the development opportunities in the vicinity of transit Stations;*

Sub-Comment: Rezoning the Property to R-20 will enhance development opportunities within the vicinity of the Prince George's Plaza Metro Station. Capacity for additional residential development in the Neighborhood Edge Character Area will further activate the TDDP and complement existing and future development in the Downtown Core.

*(2) To promote the use of transit facilities;*

Sub-Comment: The Property is located in close proximity to the Prince George's Plaza Metro Station and the future Adelphi Road-UMD Purple Line Station.<sup>8</sup> Broadening the scope of housing types and density permitted on the Property aligns with TOD best practices to maximize potential ridership and utilization of existing and future transit facilities.

*(3) To increase the return on investment in a transit system and improve local tax revenues;*

Sub-Comment: The Property's close proximity to the existing Metro Green and Yellow Lines and the future Maryland Department of Transportation (MDOT) Purple Line encourages ridership and utilization of the County's largest transit systems. The Clay Property is situated between major

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<sup>8</sup> The Prince George's Plaza Metro Station is located approximately 0.75 miles south of the Clay Property and the Adelphi Road-UMD Purple Line Station is proposed approximately 0.55 miles to the northeast.

employment centers in Washington, D.C. and within the County. The Applicant anticipates that future residents of potential development will frequently utilize Metro and the Purple Line for commuting purposes. Moreover, additional residential capacity on the Property will further activate the TDDP and generate greater tax revenues for the County.

*(4) To create a process which coordinates public policy decisions, supports regional and local growth and development strategies;*

Sub-Comment: The Applicant's Proposed Rezoning of the underlying base zone in the TDDP requires approval from the District Council. This process coordinates public policy decisions with the local growth and development strategies outlined in the TDDP.

*(5) To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;*

Sub-Comment: The Transit District Overlay Zone allows flexibility in the development process through the use of amendments to the TDDP. The Proposed Rezoning will overcome deficiencies in the Transit District Overlay Zone that detrimentally restrict housing types and limit residential capacity permitted on the Property.

*(6) To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit Stations;*

Sub-Comment: Providing additional housing types at an appropriate density within the TDDP aligns with the best practices and foundational goals of TOD in the County. Specifically, rezoning the Property will encourage efficient land use that utilizes existing public services and facilities within the Transit District. As outlined in the TDDP, appropriate development on the Property resembles residential options that cater to a

broad spectrum of households and incomes and realizes the potential of existing infrastructure.

*(7) To provide mechanisms to assist in financing public and private costs associated with development;*

Sub-Comment: The subject CSP application does not utilize any public financing mechanisms. Mechanisms for financing public and private costs associated with development will be determined with future Detailed Site Plans.

*(8) To provide for convenient and efficient pedestrian and vehicular access to Metro Stations;*

Sub-Comment: As part of any future development permitted by the Proposed Rezoning, the Applicant wishes to extend the eastern terminus of Dean Drive to connect with the western terminus of Calverton Drive. This proposed extension would be a non-motorized, multi-use path designed in accordance with the design standards outlined in the TDDP. The proposed path would provide additional connectivity for pedestrians and bikers within the Transit District – linking existing and future residential communities in the Neighborhood Edge to Metro in the Downtown Core.

*(9) To attract an appropriate mix of land uses;*

Sub-Comment: The Proposed Rezoning would permit an appropriate level of residential development in the Neighborhood Edge that complements and further activates commercial and mixed-use land uses in the Downtown Core. Accordingly, the subject CSP application would attract a more appropriate mix of land uses in the TDDP by contributing to a synergistic transition in intensity from the Downtown Core to the Neighborhood Edge and existing single-family residential communities.

*(10) To encourage uses which complement and enhance the character of the area;*

Sub-Comment: The subject CSP application complements and enhances the character of the Prince George's Plaza Transit District. Providing additional housing options for the Neighborhood Edge contributes to the vibrancy of the overall Transit District by further activating the area and generating additional patrons for existing retail, amenities, and transit systems located in the Downtown Core. Furthermore, compatible residential development in the Neighborhood Edge advances the TDDP's vision for a transition in intensity that emanates from the Prince George's Plaza Metro Station.

*(11) To insure [sic.] that developments within the Transit District possess a desirable urban design relationship with one another, the Metro Station, and adjoining areas; and*

Sub-Comment: The housing types permitted by the Proposed Rezoning facilitate a desirable and compatible urban design relationship with recent residential development in the Neighborhood Edge, as well as the surrounding residential communities.

*(12) To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.*

Sub-Comment: The subject CSP will provide flexibility in the design and layout of future residential development while promoting a coordinated and integrated development scheme that is compatible with surrounding residential communities.

*(B) A Detailed Site Plan or Conceptual Site Plan, in accordance with Part 3, Division 9.*

Comment: The Applicant is submitting a CSP in accordance with Part 3, Division 9.

*(3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application. When an amendment application proposes to enlarge the boundaries of the Transit District Overlay Zone by five (5) or more acres, the Technical Staff shall also provide an Adequate Public Facilities report as defined in Subtitle 24 of the County Code as part of the development review process for proposed development of the subject property. The Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.*

Comment: The Applicant is filing all necessary materials to facilitate the proper review of the subject CSP application.

*(4) An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.*

Comment: In the event that it is necessary to amend the subject CSP application, the Applicant will submit the request in accordance with Sec. 27-145.

*(5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Transit Development District, as stated in the Transit District Development Plan, and meets applicable site plan requirements.*

Comment: The Applicant respectfully requests that the District Council approve the proposed amendment to the Property's underlying base zone, under the TDDP. Additionally, as discussed in the analysis above, the Applicant has provided information to permit the District Council to find that the proposed amendment

conforms with the purposes and recommendations for the Transit District, as stated in the TDDP.

*(6) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.*

Comment: This application is for CSP approval. The Applicant will submit the required Detailed Site Plan prior to obtaining a permit.

ii. **Sec. 27-548.08 – Site Plan.**

*(C) Required findings.*

*(1) In addition to the findings required by Section 27-276(b) for approval of a Conceptual Site Plan in the T-D-O Zone, the Planning Board shall find that the Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;*

Comment: The subject CSP application aligns with the recommendations for residential development in the Neighborhood Edge Character Area and is consistent with, and reflects the guidelines and criteria for development contained in, the TDDP.

*(2) The findings required by Section 27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings should be made by the Planning Board when approving a Detailed Site Plan in the T-D-O Zone;*

Comment: The subject application is for the approval of a CSP. The findings required by Sec. 27-548.08(C)(2) are not applicable to this application because this is not a Detailed Site Plan application.

*(3) The applicant may ask the Planning Board to apply the development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend*



*any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.*

Comment: The subject CSP application is for an amendment to the Property's underlying base zone. This application does not propose an amendment to any of the TDDP development standards.

*In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the Transit District and will not substantially impair implementation of the Transit District Development Plan, and the Board shall then find that the site plan meets all mandatory requirements which apply.*

Comment: As discussed in the analysis above, approving the subject CSP for the Proposed Rezoning will benefit future residential development on the Property and advance the goals and objectives of the TDDP.

**iii. Sec. 27-274 – Design Guidelines.**

*(a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:*

*(1) . . .*

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Comment: The subject CSP application seeks to rezone the Property's underlying base zone from R-80 to R-20, under the TDDP. Accordingly, the CSP Design Guidelines under Sec. 27-274 are not implicated and do not need to be considered for purposes of this application. Any future residential development will be proposed in future Detailed Site Plans and evaluated in accordance with Sec. 27-283.

iv. **Sec. 27-276(b) – Required Findings for Conceptual Site Plans.**

*(1) The Planning Board may approve a Conceptual Site Plan if it finds that the Plan represents 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. If it cannot make this finding, the Planning Board may disapprove the Plan.*

Comment: As required by Sec. 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved, 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.

*(2) The Planning Board may approve a Conceptual Site Plan for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone if it finds that the property and the Plan satisfy all criteria for M-X-T Zone approval in Part 3, Division 2; the Plan and proposed development meet the purposes and applicable requirements of the M-X-T Zone; the Plan meets all requirements stated in the definition of the use; and the Plan shows a reasonable alternative for satisfying, in a high-quality, well-integrated mixed-use community, all applicable site design guidelines.*

Comment: This finding is not applicable to the subject CSP application because this application is not a CSP for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone.

*(3) The Planning Board may approve a Conceptual Site Plan for a Regional Urban Community in the M-X-T Zone if it finds that proposed development meets the purposes and applicable requirements of the M-X-T Zone and the Plan meets all requirements stated in the definition of the use and Section 27-544 of this Code. For a property subject to the provisions of Section 27-544(f)(2)(1), the Planning Board or the District Council shall find that any guidelines established for a major employment use or center will not adversely affect the surrounding residential community. In making this finding, the Planning Board or District*

*Council shall consider noise, height of the building, setbacks from surrounding properties, street frontages and sufficiency of green area.*

Comment: This finding is not applicable to the subject CSP application because this application is not a CSP for a Regional Urban Community in the M-X-T Zone.

*(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: There are no regulated environmental features located on the Property. The subject CSP application demonstrates the preservation of regulated environmental features to the fullest extent possible by not impacting any such features.

## **VII. CONCLUSION**

The Applicant respectfully requests that the Planning Board recommend approval of CSP-20007 to rezone the Property from R-80 to R-20, to the District Council. The R-20 Zone is compatible with existing development in the area, and aligns with the purposes and recommendations outlined in the TDDP. The above analysis and submitted plans establish that the subject application satisfies the required findings under the Zoning Ordinance and all other applicable criteria.

Respectfully submitted,

Lerch, Early & Brewer, Chtd.

By: \_\_\_\_\_  
Christopher L. Hatcher, Esq.  
7600 Wisconsin Avenue,  
Suite 700  
Bethesda, Maryland 20841  
(301) 986-1300  
Attorney for the Applicant