

Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development
Kate Powers, City Planner

Date: December 14, 2020

Re: Owner's Request for Support – Zoning Modification of Clay Property

Attachments: Request for Support – Letter to City Council from applicant's attorney
May 28, 2020 Public Meeting – Zoom Q&A
May 28, 2020 Public Meeting – Zoom Chat
Statement of Opposition – University Hills Civic Association
Draft Motion from Council member Simasek
Relevant Sections of the Prince George's Plaza TDDP

The purpose of this memorandum is to provide the City Council with Staff's analysis of the "Clay Property" zoning modification request.

Project Summary

- The Owner of the Clay Property, through the Countywide Sectional Map Amendment (CMA), will be requesting a modification to the zoning of the subject property from RSF-95 (*Residential, Single-Family-95*) to RSF-A (*Residential, Single-Family-Attached*), which would allow for a potential townhouse development west of Bridle Path Lane.
- Staff is concerned that the transit routes, including a non-motorized trail, envisioned for the area may not be sufficient in supporting increased vehicle traffic associated with denser development on the property. If the City Council is to support the owners request for an intensification of development on the subject property, staff recommends the City Council re-evaluate specific connectivity policies contained within the City's 2018 Transportation Plan.
- Supporting rezoning through a Conceptual Site Plan (CSP) application process, as opposed to the CMA process, would allow the City to negotiate and recommend conditions for approval connected to both the rezoning and the specific project. The CMA process does not include a

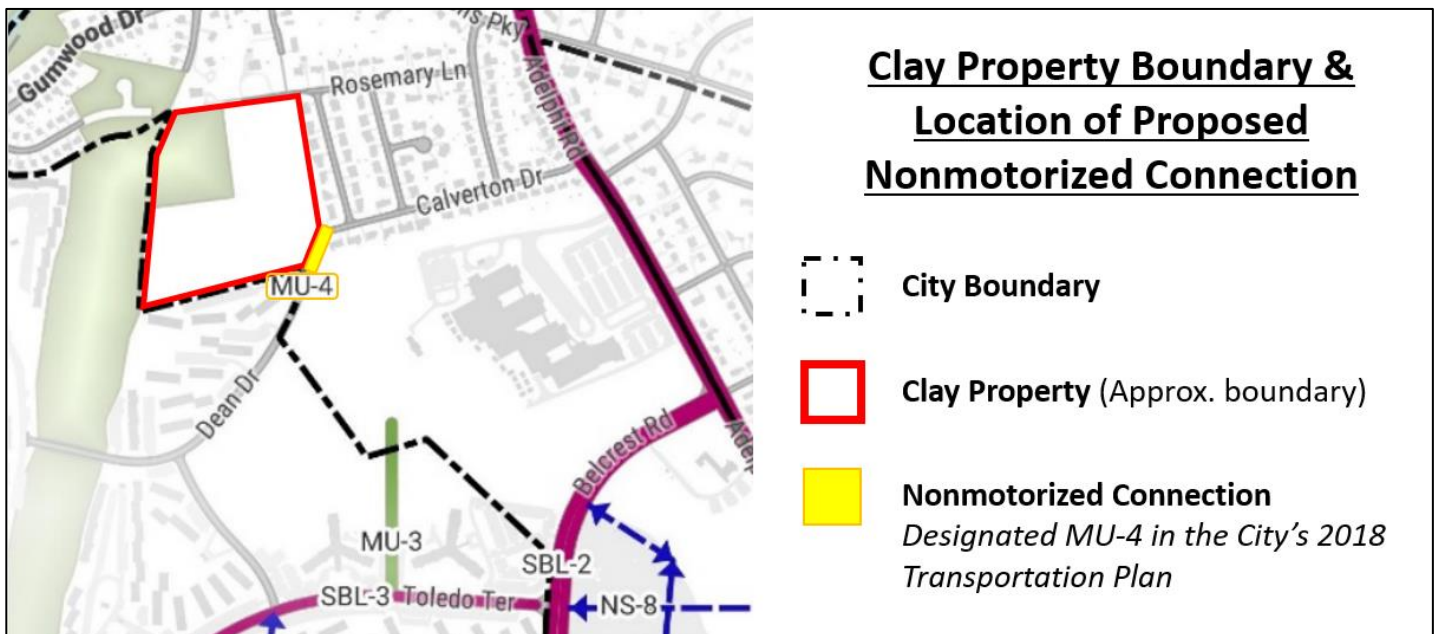
mechanism requiring an applicant’s fulfillment of conditions; conditions would need to be established through a separate agreement between the Owner and the City.

- City Staff will testify on the City Council’s behalf regarding their decision on this item at the rescheduled Joint Public Hearing early next year.

Project Background

The Clay Property consists of 12.87 acres of undeveloped land and is located at the northern end of Dean Drive and west of Bridle Path Lane. See Figure 1 below.

Figure 1. Clay Property Boundary and Location of Proposed Nonmotorized Connection



The property is currently zoned R-80 (One-Family Detached Residential), which “provides for variation in the size, shape, and width of subdivision lots to better utilize the natural terrain and to facilitate planning of single-family developments with lots and dwellings of various sizes and styles” (Prince George’s County Code of Ordinances).

M-NCPPC is currently in the process of a zoning ordinance rewrite which will apply new zones to properties in the County. The proposed zoning for the Clay Property as part of this rewrite is RSF-95 (Residential, Single-Family-95). This new zoning category “facilitates the planning of one-family residential developments with medium-sized lots and dwellings of various sizes and styles” (Prince George’s Countywide Map Amendment).

Applicant’s Zoning Modification Request

The owner of the Clay Property intends to request a zoning modification from RSF-95 to RSF-A (Residential, Single-Family-Attached), which allows for single-family detached dwellings, two-family dwellings, three-family dwellings, and townhouse dwellings. A comparison between the current zoning

(R-80), the proposed zoning under the Countywide Map Amendment (RSF-95), and the zoning requested by the applicant (RSF-A) can be found in the table below.

Table 1. Comparison of Zoning Categories

Current Zoning: R-80	New Zoning: RSF-95	Proposed Zoning: RSF-A
One-Family Detached Residential	Residential, Single-Family-95	Residential, Single-Family-Attached
Facilitates planning of single-family developments	Facilitate the planning of one-family residential developments with medium-sized lots	Provide for development in a form that supports residential living and walkability and is well connected to surrounding lands
9,500 sf standard lot size	9,500 sf minimum net lot area	SFD: 5,000 sf min. lot area Two-family, three-family, townhouse dwellings: No requirement Other uses: 6,500 sf min. lot area
4.5 dwelling units/acre (max.)	4.58 dwelling units/acre (max.)	Range of 8.70 to 16.33 dwelling units/acre (max.) "Other uses" have no density requirement

The Owner is requesting this modification in part to allow for a wider range of residential uses on the property, which include single-family detached, townhouse, three-family, and two-family units (while prohibiting multifamily units). It is the Owner’s opinion that this new zoning will make the property more compatible with the applicable recommendations of the *Speak Up HVL: the 2017-2021 Community Sustainability Plan*, the *2018 Hyattsville Transportation Study*, the *Plan 2035 Prince George’s*, and the Prince George’s County Transit District Development Plan (TDDP).

The Owner intends to propose the development of the Clay Property with a townhouse community at a density and with a character consistent with what has been approved on the Landy Property. A site overview of the Landy project with inset dwelling unit renderings can be seen in Figure 2. This type of development would not be permitted in a RSF-95 zone.

Figure 2. Landy Development, Site Overview and Dwelling Unit Renderings

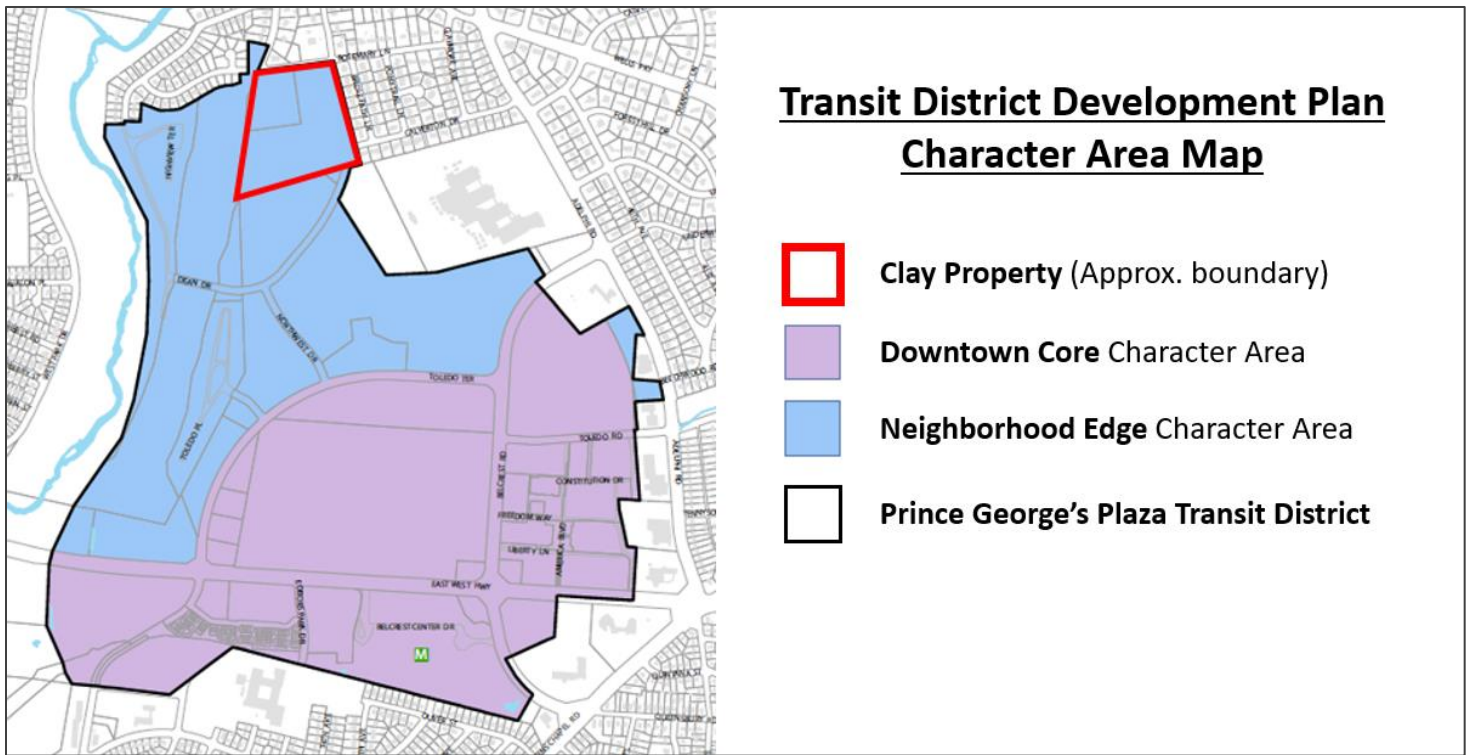


Areas of Analysis

1. Neighborhood Edge Character Area: The Clay Property as a Transition Zone

The Clay Property is within the Neighborhood Edge area of the Prince George’s Plaza Regional Transit District as defined by *Plan 2035 Prince George’s* and the TDDP. The property’s location within the Neighborhood Edge Character Area can be seen in red in Figure 3 below.

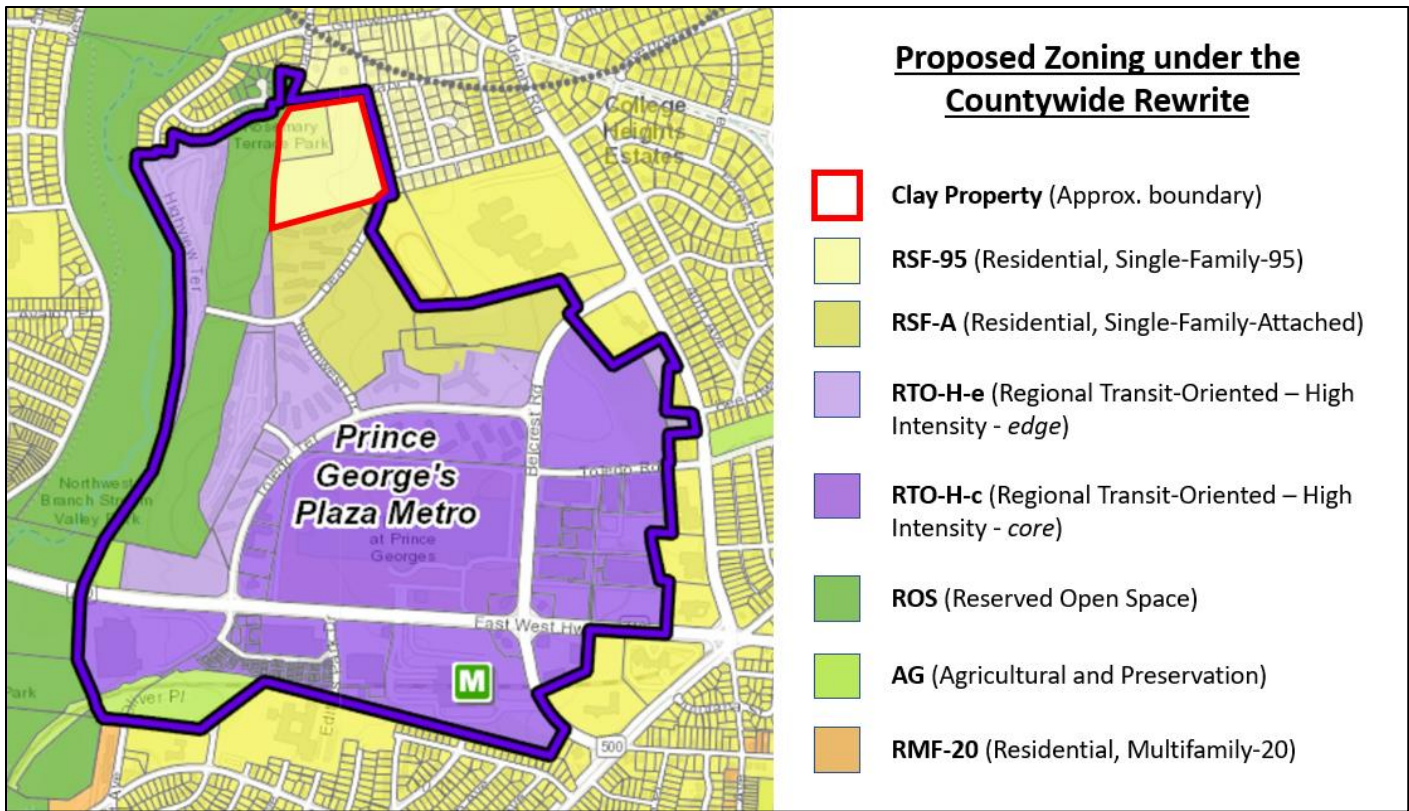
Figure 3. TDDP Character Areas Map



The Neighborhood Edge is “a residential area that transitions the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods. A mix of housing types— including townhouses and single-family detached homes—broadens the Transit District’s appeal to current and future residents. Wide tree-lined sidewalks, parks, and public open spaces, including a new greenway, connect residents to schools, public facilities, the Northwest Stream Valley Park, and other amenities” (pg. 70, TDDP).

As stated in the TDDP, the Neighborhood Edge area is be comprised of various zoning categories which supporting a mix of housing types. These zoning categories can be seen in detail on Figure 4. Zoning categories included in the transitional Neighborhood Edge Character Area include single-family, single-family attached, regional transit-oriented high intensity, reserved open space, and agricultural and preservation.

Figure 4. Proposed Zoning under the Countywide Rewrite



When transitioning to a downtown area in a transit district, it is appropriate to place townhomes adjacent to single-family homes, as single-family attached homes are only slightly more dense than single-family detached homes. Regardless of whether the Clay Property is zoned RSF-95 or RSF-A, single family homes will abut townhouses in the Transit District.

The Clay Property's southern border is adjacent to the Highview Apartments property. If the Clay Property maintains a single-family detached standard, the single-family houses on the Clay Property will abut the existing apartments to the south, or whatever residential products are constructed after its eventual redevelopment.

As a RSF-A zone, the Highview Apartments property could be redeveloped as two-family products, three-family products, or townhomes. It is also possible that the property maintains the existing apartments for an extended period of time.

In its zoning, the County placed RSF-95 and RSF-A properties next to each other, leading Staff to assume they believe it is appropriate for townhouse developments to reside adjacent to single-family detached neighborhoods.

It is staff's opinion that either RSF-95 or RSF-A would be appropriate zoning for the subject property. If the property remains RSF-95, the subject property will support a continuation of the single-family detached neighborhood to the east. If the property is rezoned to RSF-A, the subject property will likely mirror the residential redevelopment to the south, including the Landy Property.

2. Environmental Concerns

Currently, the subject property is undeveloped forested land and the location of the ridgeline between the Northwest Branch and the Lower Northeast Branch of the Anacostia Watershed. The subject property as it currently exists provides various environmental benefits, including soil stabilization, runoff reduction, and wildlife habitat creation. However, as privately owned property within a Transit District, it is short-sighted to assume that this land will remain undeveloped.

Ideally, the property would include denser, quality housing products in addition to substantial dedicated green space. This would create both the benefits of smaller footprint housing while reaping the environmental and social benefits of public green space.

Compact development encourages the use of public transport, supports closer amenities, and increases efficiencies of infrastructure and land use. To further improve quality of life in compact cities, denser transport nodes should be balanced by new public green spaces.

The Owner has discussed a land swap in connection with the subject property involving land that was donated to the Parks Department by the Owner in December 2005. This land swap could result in the Parks Department's creation of two new parks on the Clay Property as recommended in the TDDP.

In the case of the Clay Property, ensuring a balance of density to green space cannot be conditioned through the CMA process.

3. Transportation Impacts: Vision for the Prince George's Plaza Transit District

The 2016 Prince George's Plaza Transit District Development Plan lays out a specific transit-related vision for the area between Calverton Drive and Dean Drive. See excerpt below.

Transportation and Mobility – Areawide Off-Street Bicycle and Pedestrian Policies and Strategies

Policy TM7

Provide off-street bicycle and pedestrian connections between neighboring developments and surrounding communities whenever feasible. All connections should be continuously lit, patrolled regularly by police or other security personnel, and clearly visible by adjacent buildings, Connections through parks or school grounds that must be closed during the nighttime hours due to security and safety considerations should have alternative routes that are accessible 24 hours a day.

Strategy TM7.3

Implement exclusively nonmotorized connections between existing disconnected streets including Dean Drive and Calverton Drive and Highview Terrace and Gumwood Drive (TDDP, pg. 88).

This vision of an exclusively nonmotorized connection between Calverton Drive and Dean Drive is also reiterated in the City's 2018 Transportation Plan. See excerpt below.

Project: *Install multi-use path connecting Calverton Drive and Dean Drive.*

Calverton Drive and Dean Drive are dead-end streets that limit accessibility into the University Hills neighborhood. To be consistent with the Prince George's Plaza Transit District Development Plan, a multi-use path should be installed to connect these two streets and thereby improve connectivity and access between the University Hills neighborhood and amenities in the Prince George's Plaza area, such as the Metro Station and the Mall at Prince George's. (Transportation Plan, pg. 35)

Staff has concerns that the transit routes envisioned for the area, including the non-motorized trail, may not be sufficient in supporting increased vehicle traffic associated with an intensified use, such as a townhouse development, on the subject property. Staff would need specific project details to better understand the potential vehicle and pedestrian volume and egress associated with the development of the subject property.

If the Council believes the applicant should be granted their rezoning request, the City's 2018 Transportation Plan will need to be revisited to reconcile any inconsistencies.

CMA vs. CSP: Rezoning Process

The Clay Property can be rezoned under two processes – the current Countywide Map Amendment (CMA) zoning rewrite or the Conceptual Site Plan (CSP) process.

The CMA process will attach the rezoning to the property itself, while rezoning through the CSP process will attach the rezoning to a specific development project.

The CMA process does not include a mechanism to apply conditions to the property owner. This would need to be completed through a separate agreement if desirable to both the City and the Owner. The Owner intends to include conditions of approval as part of this future project, which can be found in the letter attached.

The CSP process allows the City to recommend conditions for approval to the Planning Board, making the rezoning and project approval contingent on the fulfillment of these conditions. It is important to note that even a CSP process may require enforceable legal agreements, separate from the application conditions proffered by the applicant, as such conditions may not be enforceable by a recommendation of the M-NCPPC Planning Board and a decision of the District Council.

Community Input

Councilmembers Suiter and Simasek hosted a public meeting via Zoom on May 28, 2020 to provide information to residents as well as create an opportunity for residents to ask questions of the applicant. Approximately 40 individuals attended this meeting. The recorded Q&A and Zoom chat are attached for reference.

The University Hills Civic Association provided Council with a statement expressing opposition to the rezoning of the Clay Property due to its potential negative environmental, cultural, and historic impacts. In addition, the UHCA believes the requested zoning categorization is incompatible with the surrounding neighborhood. Their statement can be found attached for reference.

On November 17, 2020, the Planning Committee met to discuss the requested rezoning of the Clay Property and concluded that they did not have sufficient information to make a recommendation to the Council on this item.

Council Input

Councilmember Simasek has presented City Staff with a draft motion to oppose the rezoning of the Clay Property through the Countywide Map Amendment. The motion language is as follows:

“I move that the Mayor and Council send correspondence to M-NCPPC expressing that the City of Hyattsville does not support the owner of the Clay Property’s request to re-zone the property through the Countywide Map Amendment process.”

A copy of this motion has been attached for reference.

Recommendations

City Staff recommends the City Council not support the Clay Property rezoning request through the Countywide Map Amendment process.

While both Single-Family Detached (SFD) and Single-Family Attached (SFA) are supported as housing types within the Neighborhood Edge Character Area, Staff is concerned that the transit routes envisioned for the area, including the non-motorized trail, may be inadequate in supporting the typical traffic increase associated with denser development. To support an intensification in rezoning, staff would need to review more specific project details to better understand the potential vehicle and pedestrian volume and egress associated with the development of the subject property.

City Staff opinion is that rezoning through the CSP process would be more advantageous to the City, as the Owner would be held to conditions for approval by the Prince George’s County Planning Board.

Timeline

The District Council and Prince George’s County Planning Board Joint Public Hearing on the proposed Countywide Map Amendment has been postponed to early 2021.

The public hearing is part of a process leading to the approval of a new zoning map, thereby implementing the zones contained in the new Zoning Ordinance for Prince George’s County adopted by the Council through Council Bill CB-13-2018 on October 23, 2018.

Before the rescheduled Joint Public Hearing, the Council should decide whether it supports, opposes, or remains neutral towards the Clay Property zoning modification request. This item will return to Council for action in January 2021.

City Staff will testify on City Council’s behalf regarding their decision at the rescheduled Joint Public Hearing early next year.

Christopher L. Hatcher
Attorney
301-657-0153
clhatcher@lerchearly.com

May 15 2020

Mayor Candace B. Hollingsworth
City of Hyattsville
4310 Gallatin Street,
Hyattsville, MD 20781

Re: Clay Property – Request for Support

Dear Mayor Hollingsworth:

Lerch, Early & Brewer, Chtd., represents Diane K. Blumberg, Jodi Sue Blumberg, Samuel Harold Blumberg and Jacob Seth Blumberg (collectively, “**Owner**”), who own certain real property located within the City of Hyattsville that is commonly known as the “Clay Property.” The Clay Property consists of 12.87 acres of land and is generally located at the northern end of Dean Drive and west of Bridle Path Lane. The Owner plans to request that, as a part of the Countywide Sectional Map Amendment (“**CMA**”), the RSF-A (Residential Single Family – Attached) zone be applied to the Clay Property and that, concurrently, an amendment to the new zoning ordinance be approved that provides that the Transit District Standards in the *Approved Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (the “**TDDP**”) will be the development regulations that will apply to the Clay Property. The Owner respectfully requests the City of Hyattsville’s support in this endeavor.

By way of background, the Clay Property is currently zoned R-80 and Transit District Overlay (“**T-D-O**”) Zone. Additionally, the Clay Property is within the Neighborhood Edge area of the Prince George’s Plaza Regional Transit District as defined by *Plan 2035 Prince George’s* and further refined by the TDDP. Without intervention, the CMA process will result in the Property being zoned RSF-95 (Residential Single Family – 95).

As opposed to the RSF-95 zone, the RSF-A zone, which the Owner intends to request, permits a wide range of residential uses, including single-family detached, townhouse, three-family, and two-family units (while prohibiting multifamily units) making it more compatible with the applicable recommendations of the *Speak Up HVL: the 2017-2021 Community Sustainability Plan* (“**Sustainability Plan**”), the *2018 Hyattsville Transportation Study* (“**Transportation Plan**”), the *Plan 2035 Prince George’s* and the TDDP (collectively, “**Plans**”).

Proposed Development

The Owner intends to propose the development of the Clay Property with a townhouse community (“the **Proposed Development**”) at a density and with a character similar to what has been approved, with the support of the City of Hyattsville, on the Landy Property. [A Landy Property-type development is not permitted in the RSF-95 zone.]

As conditions of approval for the Proposed Development the Owner intends to propose that : (a) ten percent (10%) of the density in the Proposed Development will be moderately priced; (b) there will be a fifty (50) foot-wide buffer along the eastern property line, running parallel to Bridle Path Lane, to ensure compatibility with the existing single family homes to the east; (c) there will be a one hundred fifty (150) foot-wide buffer from Rosemary Lane to ensure compatibility with Hitching Post Hill, a Historic Site, which faces the Clay Property across Rosemary Lane to the north; and (d) the development on the Clay Property will not include multifamily units. Collectively, these measures will not only serve to meet the growing housing needs of the City of Hyattsville (particularly, the need for moderately priced housing), but will also ensure compatibility with the existing single-family houses which abut the Clay Property to the east.

In addition to the above, the Owner intends to propose the inclusion of a multi-use path connecting Calverton Drive to Dean Drive. This non-motorized connection is recommended in the Transportation Plan. (*See* Transportation Plan p.35). Per the Transportation Plan, this connection will “improve connectivity between the University Hills neighborhood and amenities in the Prince George’s Plaza area, such as the Metro Station and the Mall at Prince George’s.” (Transportation Plan p.35).

Please also be aware that the Owner and the Parks Department of the Maryland-National Capital Park and Planning Commission (“**Parks Department**”) have discussed a land swap in connection with the Proposed Development involving land that was donated to the Parks Department by the Owner in December 2005. This land swap could result in the Parks Department’s creation of two new parks on the Clay Property as recommended in the TDDP.

Furtherance of the Plans

The RSF-A zone is more consistent with applicable land use and housing recommendations of the Plans than the RSF-95 zone. Moreover, the RSF-A zone will implement several important goals of the Plans.

The key goals of the Sustainability Plan include: “[to] encourage high density, mixed use development around Metro Stations”, “[to] work to ensure that there is a diversity of affordable housing options” and “[to] rebrand and actively market the Prince George’s Plaza area as a modern destination for commerce, living, dining, and entertainment.” (Sustainability Plan at pgs.21 and 30). Given its location near the Prince George’s Plaza Metro Station, the Clay Property’s development at a higher density would implement the key goals of the Sustainability Plan, while a single-family detached residential development under the RSF-95 zone would not.

The following points illustrate the foregoing analysis. First, a Landy Property-type community on the Clay Property will bring new residents within a short distance of the Prince George’s Plaza Metro Station in accordance with the transit oriented development goals of the Sustainability Plan. Second, the Owner’s proposal to require ten percent (10%) of the density proposed on the Clay Property to be moderately priced units will address the housing affordability goals of the Sustainability Plan. Finally, the community proposed on the Clay Property will

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May 15, 2020

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provide the non-motorized connection between Dean Drive and Calverton Drive specifically recommended in the Transportation Plan. (Transportation Plan at p.35).

Conclusion

Application of the RSF-A zone will allow the Clay Property to be developed at a density and with a unit type which will meet the goals and recommendations of the Sustainability Plan, Transportation Plan and other applicable County plans and in a manner beneficial to the City of Hyattsville while remaining sensitive to surrounding properties. Accordingly, the Owner respectfully requests the City's support of the Owner's requested application of the RSF-A zone to the Clay Property and the adoption of the amendment of the development regulations discussed above.

Respectfully submitted,

LERCH, EARLY & BREWER, CHTD.



Christopher L. Hatcher

cc: Jim Chandler

Webinar ID
952 8750 6243

Question

Are there any documents for download and perusal besides the two in the original email?

If we sent questions to the board email address, will they be addressed in this forum?

Is this being recorded?

I believe so

Who is speaking at the moment?

1) How long is construction planned for?

I ask for the length of time concerning noise pollution

2) With the forest area belonging to dozens of deer, fox, racoon, turkey, and various types of birds to include cardinals, what does the city plan to do about giving them a new home?

Please don't forget, while you are making homes for some, you are taking away the houses of many others

3) Is it expected the forest will be completely gone? How much will remain? Will the quiet surrounding area be a thing of the past?

I ask if now is a good time to put the house on the market

4) What is expected of the surrounding property value, do you expect an increase or decrease? Or unchanged, especially if affordable housing plans to be built?

I ask to see if now is a good time to sell

5) How much will this development cost the city and how much does it expect in returns?

I ask for the community, if we all can expect to see an increase in taxes due to this project

SEE THE BOX ON THE TOP LEFT.....IT SHOWS WHO IS SPEAKING.....

CORRECTION.....TOP RIGHT

6) How much is the property worth, is it for sale? Could the community buy it to prevent development?

I ask if an increase in property tax help prevent the development as a buy back to the area?

7) How many apartments are expected? Thus, how much additional traffic will this community see?

This will be important to note for the community, the increase of cars in the area and thus increase in time needed to arrive to work on time

How certain is the swap of 4-acre donated property to MNCPPC by Mr. Blumberg?

Can we see the satellite view power point slide again?

What is proposed or considered density? Is a rezone being pursued?

The last attempt for land swap seemed contingent on a rezone from R-80 to R-20. Since it remained R-80, the land swap seemed to quieted. Is this same I'm not sure I saw the letter being discussed. The drawing says detached.

Mark just answered the question...

Swapping is absolutely the worst idea, that will ruin my property.

can we see the slide that showed the Landy property, too.

The University Hills area community has been faced with this proposed development for a number of years. Can the developer comment on how our com

Comment.....In my opinion.....the single family detached homes in the 50 foot buffer behind the current single family detached homes would be a good fit

Does that 150 ft "buffer" go all the way to intersection of Rosemary & Stanford or is that being considered for "Swap"?

18:57:45 From MARSHALL MARSHALL : HELLO NEVERYBODY.....

18:57:57 From Ben Simasek to All panelists : Hi Everyone, thank you for joining

18:58:02 From Aaron Kazer to All panelists : Good evening all

18:58:15 From Jim Menasian to All panelists : Can the moderator see the total number of ppl logging in tonight?

18:58:23 From Randy Fletcher to All panelists : Hello everyone. Thanks for taking time for this.

18:58:33 From City of Hyattsville - Committees to All panelists : Question in Q&A from Peter Burkholder: Are there any documents for download and perusal besides the two in the original email?

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18:58:42 From Ben Simasek to All panelists : yes, we can see. right now it's 26 in total, including presenters

18:58:48 From Mark Ferguson to Jim Menasian and all panelists : Jim, I (a co-host) can.

18:59:23 From Jim Menasian to All panelists : Great. Thank you. At the end of the evening, could you post that number, please?

18:59:31 From City of Hyattsville - Committees to Jim Menasian and all panelists : Jim, I hope all is well with you. The answer is yes.

19:00:03 From Ben Simasek to All panelists : Jim, will we stay off video? that's fine with me, just wondering.

19:00:05 From City of Hyattsville - Committees to Tom Wright and all panelists : Hey Tom, it's Jim Chandler. Hope all is well with you.

19:00:19 From Ben Simasek to All panelists : are we ready to start?

19:00:49 From Tom Wright to All panelists : Hey Jim. Yes all is well. --Tom

19:01:33 From Carrianna Suiter to All panelists : I'm ready to start whenever, and I think the city signaled the same as well earlier in the chat

19:01:44 From Peter Burkholder to All panelists : Is this being recorded?

19:01:46 From City of Hyattsville - Committees to All panelists : Panelists, if you are going to be speaking, I think you should turn on your video.

19:02:11 From City of Hyattsville - Committees to All panelists : Carrianna & Ben, once you announce the meeting is being recorded, I will start recording.

19:02:22 From Ben Simasek to All panelists : I think we are currently unable. I am trying, but it says you cannot start your video because the host has stopped it

19:02:24 From Barbara Dunn to All panelists : Is someone talking. I just hear crackling noise.

19:02:25 From Mark Ferguson to All panelists : I actually can't figure out how to turn on my video

19:02:36 From Mark Ferguson to All panelists : With my screen shared, I don't see the button

19:04:17 From Peter Burkholder to All panelists : How many people are attending?

19:04:47 From Mark Ferguson to Peter Burkholder and all panelists : I see 34 attendees and 6 panelists

19:10:08 From Peter Burkholder to All panelists : What's the zone of the Landy Property? RSF-A?

19:11:18 From Ben Simasek to Peter Burkholder and all panelists : R-20 under the old zoning categories. That will translate to RSF-A with the update.

19:15:12 From Alyson Reed : What is the definition of a public right of way?

19:16:20 From City of Hyattsville - Committees : Definition of Public ROW, per Prince George's County Zoning Code: (16)Right-of-Way. Any land area which has been dedicated to public use by a plat of subdivision or other instrument recorded in the land records of the County; also, any land area deeded to or acquired by the County for road or transportation purposes; also, any land area which has been conveyed to a public agency by easement for public use for road or transportation purposes; also, any land area which has been declared by competent authority to be a public right-of-way through use or through prescriptive usage in accordance with Maryland law; also, any land area along a County-maintained road which falls within the traveled way or the actively maintained shoulders and side ditches of the County-maintained road. With respect to a private road conforming to this Code, any land area contained in an easement or private right-of-way recorded in the land records of the County for ingress and egress, access, or terms of similar meaning. With respect

19:16:44 From City of Hyattsville - Committees :
https://library.municode.com/md/prince_george's_county/codes/code_of_ordinances?nodeId=PTIITI17PULOLAPRGECOMA_SUBTITLE_23ROSI

19:17:58 From Peter Burkholder to All panelists : Would the buffer be the existing trees or new landscaping?

19:18:01 From Alyson Reed : So buildings can directly abut a residential road that is a PROW?

19:18:37 From Aaron Kazer to All panelists : Whos is your client?

19:19:30 From City of Hyattsville - Committees to Jim Menasian and all panelists : Jim, the high water mark on participants appears to be 39 total, with 6 panelists and 34 attendees.

19:19:41 From City of Hyattsville - Committees to Jim Menasian and all panelists : 40 total, one just came into the meeting.

19:21:11 From City of Hyattsville - Committees to Kate Powers(Privately) : Any chance that you can get on SDAT and see if they have an assessed value for the property?

19:24:12 From Peter Burkholder to All panelists : as Residents of Calverton and Bridle Path, we welcome bike and pedestrian access, but not auto.

19:24:21 From Ben Simasek to Aaron Kazer and all panelists : The owner of this property is the Blumberg family.

19:25:49 From Peter Burkholder to All panelists : How will we manage parking on Calverton for folks who don't want to drive the extra 1.5 miles around to Dean Drive?

19:27:21 From Jim Menasian to All panelists : What % of the Landy Prop designated for maderate income?

19:29:05 From Peter Burkholder to All panelists : What does "Access to Park" mean? Is MNPCC going to develop that as a park or is it just going to remain a mess of brambles?

19:29:26 From Sean Suntum to All panelists : Is there a timeline for development?

19:30:24 From Peter Burkholder to All panelists : Will RSF-A mean you can build up to 30+units per acre or can the agreement with the city legally bind you to a lower density?

19:30:50 From City of Hyattsville - Committees : The City of Hyattsville, alongside Enterprise Community Partners, will be hosting a virtual open house on Tuesday, June 9, 7 – 9 p.m., for residents to learn and provide feedback regarding the City's developing affordable housing strategy. To register in advance, please use the following link, https://zoom.us/webinar/register/WN_jzt8zTQuQjOcTLdValBJsA. For questions, please email kpowers@hyattsville.org or call (301) 985-5000.

19:31:28 From Jim Menasian to All panelists : Clay is about a mile from PG Mall, Landy is much closer. Doesn't it make sense for affordable property to be close to the Mall & Metro?

19:33:20 From Emily Palus : For the "buffer" along the Bridle Path properties, if it remained undeveloped, who would own and manage that land?

19:34:01 From Rozenn Boissay-Malaquin : But has the community a word to say about this, and in particular the destruction of these trees and the wild life in there?

19:35:02 From Peter Burkholder : It would make a great sledding hill!

19:35:45 From Alyson Reed : The issues surrounding this property have been raised repeatedly over the past two decades, and the preference of the immediate community is quite clear: to keep the existing zoning and boundaries. Why doesn't the owner just build the type of housing that is currently approved under the current zoning model and stop trying to constantly change the rules?

19:36:12 From Aaron Kazer to All panelists : How long is construction planned for?

19:36:56 From Peter Burkholder : I don't necessarily agree. In terms of carbon footprint, having higher density development nearer to transit is better environmentally than housing people farther from transit.,

19:38:36 From Aaron Kazer to All panelists : With the forest area belonging to dozens of deer, fox, racoon, turkey, and various types of birds to include cardinals, what does the city plan to do about giving them a new home?

19:39:58 From Peter Burkholder : The problem with the swap is that that corner is the only area that has trees older than 55 year (according to 1965 aerial photography). Can those mature trees be preserved if you develop that corner?

19:41:14 From Peter Burkholder : What happened with the slaughter of mature forest on the Landy property was borderline criminal.

19:41:38 From Aaron Kazer to All panelists : What is expected of the surrounding property value, do you expect an increase or decrease? Or unchanged, especially if affordable housing plans to be built?

19:42:31 From Alyson Reed : Agreed

19:42:41 From Aaron Kazer to All panelists : How much will this development cost the city and how much does it expect in returns?

I ask for the community, if we all can expect to see an increase in taxes due to this project

19:42:51 From Peter Burkholder : And why did you cut down the trees and leave it to weeds for the last 2 or 3 years? That's not exactly a trust-building exercise.

19:43:03 From Alyson Reed : Yup

19:43:44 From Aaron Kazer to All panelists : How much is the property worth, is it for sale? Could the community buy it to prevent development?

19:43:56 From Emily Palus : Perhaps don't assume that everyone who received information about the meeting tonight has read the letter the developer sent to the Mayor. Perhaps the basics of the proposal could be summarized.

19:44:19 From Rozenn Boissay-Malaquin : Yes please

19:44:20 From Peter Burkholder : Emily - good point.

19:44:22 From Ben Simasek to Emily Palus and all panelists : Thank you, Emily.

19:45:03 From Rosemary Alexander to All panelists : Emily, I've also never seen the letter.

19:45:29 From Sean Hughes : 7100 Bridle Path here. It would be a shame to not see the woods behind us anymore. One reason why I moved here.

19:45:51 From Aaron Kazer to All panelists : Like

19:46:04 From Rozenn Boissay-Malaquin : The same here. We love this area for the trees, the quiet place, and the wild life

19:47:34 From Peter Burkholder : Is the Clay property Hyattsville or unincorporated PGCounty?

19:48:09 From Ben Simasek : The Clay Property is part of incorporated Hyattsville

19:48:58 From Alyson Reed : What is the RFA zone?

19:49:11 From Ben Simasek : <https://pgccouncil.us/DocumentCenter/View/4056/Guide-to-Zoning-Categories->

19:49:33 From Aaron Kazer to All panelists : Has wildlife conservation been notified?

19:50:43 From Rozenn Boissay-Malaquin : Bye bye trees!

19:50:46 From Ben Simasek : Definition of RF-A zone being requested: Provides for a mix of residential types emphasizing attached dwellings such as townhouses, two-family attached, and threefamily attached homes in medium-density communities offering choices of residential types and price points.

19:50:47 From Ann Strickling to All panelists : Riverdale Park developers clear cut the entire property before building

19:51:02 From Alyson Reed : Requested but not approved, right?

19:51:03 From Emily Palus : Please say more about the zoning change being requested.

19:51:46 From City of Hyattsville - Committees to All panelists : The subject property is located within the incorporated limits of the City of Hyattsville.

19:52:54 From Alyson Reed : We never wanted to be part of any "downtown"

19:53:16 From Jim Menasian to All panelists : Amen.

19:53:34 From Julie Chawla-Kazer : WE DON'T NEED ANY MORE GROWTH.

19:53:37 From Sean Hughes : What is this "downtown" you speak of?

19:53:42 From Carrianna Suiter to All panelists : We will be sure to send both letters out to all of those that registered/attended for those who haven't seen it

19:53:45 From Rozenn Boissay-Malaquin : indeed

19:53:59 From Alyson Reed : Imaginary downtown

19:56:11 From Rozenn Boissay-Malaquin : nothings seems to be appropriate, except the trees...

19:56:17 From Emily Palus : Can you show a map that shows this neighborhood is on the edge of a downtown?

19:56:25 From City of Hyattsville - Committees to All panelists : Applicable zoning definitions are available in pages 4 and 5 of the zoning update: http://zoningpgc.pgplanning.com/wp-content/uploads/2015/04/Guide-to-Zoning-Categories-1.7.2019_small.pdf

19:57:11 From Ben Simasek : <https://issuu.com/mncppc/docs/pgptddptdozma2016> Page 70 of the PG Plaza Transit district defines the character areas

19:57:30 From Ben Simasek : This property is in the "neighborhood edge" zone of the plan

19:57:30 From Emily Palus : Is there commercial properties included with the Landy property?

19:57:34 From Ben Simasek : The Neighborhood Edge is a residential area that transitions the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods. A mix of housing types—including townhouses and single-family detached homes—broadens the Transit District's appeal to current and future residents. Wide tree-lined sidewalks, parks, and public open spaces, including a new greenway, connect residents to schools, public facilities, the Northwest Stream Valley Park, and other amenities.

19:58:25 From Alyson Reed : Why can't they just build on their property under the current zoning and within the existing boundaries. Please answer. Thank you.

19:58:30 From Ben Simasek : Page 74 of the plan indicates this area's future land use is "residential low" density

19:58:34 From Emily Palus : Yes

19:58:56 From Peter Burkholder : This was lost in my flood of questions but — what about parking on Calverton?

19:59:12 From Ann Strickling to All panelists : How many units are in the Landy Property?

19:59:28 From Emily Palus : Regarding the SWM area - is that to be a pond?

19:59:41 From City of Hyattsville - Committees to All panelists : Prince George's Plaza TDDP Page 71 provides an outline of the TDDP and zones:
<https://issuu.com/mncppc/docs/pgptddptdozma2016>

20:01:11 From City of Hyattsville - Committees to All panelists : PDF version of the Prince George's TDDP is available here:
http://mncppcapps.org/planning/publications/PDFs/328/PGP_2016_Chapter%203.pdf

20:01:24 From Julie Chawla-Kazer : Does the wildlife get ANY protection?

20:01:41 From Rozenn Boissay-Malaquin : doesn't seems so...

20:01:51 From Emily Palus : We spent a lot of time meeting and discussing the proposed zoning change to allow townhome development leading to the 2015 decision to make single family. In 5 years, what changed? And to Alyson's repeated question, why not build to the current zoning?

20:02:01 From Alyson Reed : Why can't they just build on their property under the current zoning and within the existing boundaries. Please answer. Thank you.

20:06:28 From Alyson Reed : They have owned this land for 50+ years now and still have not built homes under the current zoning. Why not?

20:07:02 From Rosemary Alexander to All panelists : Alyson, I agree

20:08:02 From Beth Kara to All panelists : Whataboutism.

20:09:00 From Ben Simasek : Response to the question below on the # of units planned at Landy is 341. <https://www.hyattsville.org/739/Landy>

20:09:40 From Ann Strickling to All panelists : Planning should start before any building instead of jamming in a already established area

20:11:28 From Sean Hughes : Is that where the bamboo is?

20:12:15 From Rozenn Boissay-Malaquin : So even if it is very early in the process, can we have just an idea of schedule?

20:12:28 From Alyson Reed : The answer to my question is that it would not be profitable for them to build under the current zoning and boundaries and that is why they have not done so.

20:12:51 From MARSHALL MARSHALL to All panelists :
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NUSU9OUyBBU0tFRD8uLi4u

20:13:08 From Aaron Kazer to All panelists : Can we expect property tax to increase, decrease, remain the same?

20:15:12 From Ben Simasek to Aaron Kazer and all panelists : That's a good question, but I think the answer would be contingent on too many factors at this point... Over the last decade, assessed property values in this area have been increasing, though the city hasn't raised the taxation rate since 2011, I believe? Someone else please correct me if I'm wrong about this.

20:15:24 From Emily Palus : The letter to the Mayor and Council - what is the City's action?

20:15:30 From Beth Kara to All panelists : The Community clearly does not want this. We have made our views clear many times in the past.

20:15:58 From Peter Burkholder : Alyson, Emily, Sean, Rozenn, Julie — thanks for all the great questions!

20:16:44 From Julie Chawla-Kazer : You're welcome. :)

20:16:50 From Rozenn Boissay-Malaquin : :)

20:17:18 From Sean Hughes : You are welcome Peter. Thanks for telling me about this last night.

Statement by UHCA re Rezoning of Clay Property

The University Hills Civic Association is opposed to any rezoning of the Clay Property, as outlined in the May 15, 2020, letter to Mayor Hollingsworth from the attorneys representing the current property owners. We are opposed to this rezoning for the following reasons:

- 1) Negative environmental impact;
- 2) Negative impact on cultural and historic resources;
- 3) Incompatibility with the surrounding neighborhood.

We will address each these reasons in more detail below. In addition to the reasons outlined above, we are concerned that the proposed benefit of the rezoning, i.e., to build a small number of new affordable housing units (n = 10%), does not outweigh the many detriments of this plan. We are also concerned about the owners' persistent efforts to undermine settled community consensus on the appropriate zoning for this plot of land. This community consensus is reflected in the TDDP, which was approved just four years ago, and reflected years of input from hundreds of community members. We have attached a series of excerpts from the TDDP, which are most pertinent to our reasons for opposing the rezoning which the owners previously sought in 2016, and which are unchanged from that time.

By way of contrast, in the years since the TDDP was last adopted, there have been various changes within the overlay zone, both positive and negative. In this time span, much more housing has been constructed/converted and occupied (n=??), while more housing developments have been approved or are under construction (n=??). In this same time period, severe weather caused by climate change has only increased, while TDDP recommendations for addressing environmental quality have not been fully implemented.

We are also curious about what has changed to cause the current owner's sudden willingness to devote a small percentage of the Clay Property to affordable housing, when they have been unwilling to do so for the other properties they own that are already approved or constructed. Why have they selected this property, which is the furthest away from public transit and retail as the one they believe is the most appropriate for affordable housing? And why have they held this property for the past 65 years without ever building under the current zoning? These are questions that should be answered before any decision is made about the rezoning request.

Explication of Rationale for Retaining the Current Zoning

- 1) Negative environmental impact

The Clay Property lies directly on a crucial ridge line that affects stormwater drainage for the surrounding Anacostia Watershed in multiple directions, as shown on Maps 10, 11 and 12 of the TDDP (attached). This property is also one of the last forested lots within the TDDP that is not under current public ownership. It is an essential "sponge" that soaks up storm water and prevents erosion in a critical area of the watershed ecosystem, helping to prevent catastrophic flooding and mitigating ecological damage to the surrounding communities. (The financial cost of repairing this damage must also be considered in the context of any calculation about the benefit of expanding property tax payments.)

Rezoning the Clay Property to a higher density is inconsistent with all of the environmental recommendations found in the TDDP (please see attached excerpts for more specifics).

2) Negative impact on cultural and historic resources

The Clay Property is directly adjacent to historic Hitching Post (Ash) Hill, the premier cultural and historic resource found within the TDDP. This property is essential to maintaining the viewshed/viewscape referenced specifically in the TDDP, and the historic character of the surrounding Ash Hill property. Rezoning the Clay Property to a higher density is inconsistent with many of the cultural heritage recommendations found in the TDDP (please see attached excerpts for more specifics).

3) Incompatibility with the surrounding neighborhood

The surrounding neighborhood in all directions from the Clay Property currently consists of single family detached homes or woods. The goals of the current zoning, as stated by Prince George's County, include the prevention of soil erosion and stream valley flooding, to encourage the preservation of open space, and to better utilize the natural terrain. Rezoning to a higher density is contrary to all of these essential elements of the surrounding neighborhood, while causing actual damage to the natural environment and the historic character of University Hills.

Potential Mitigation in the Context of Rezoning

The UHCA believes that if the Blumberg's request for rezoning is approved, specific mitigation components must be legally binding on the current and future owners, the City of Hyattsville, and Prince George's County. These include:

- 1) A consensus definition of "moderately priced" housing units and their transfer over time (will they remain moderately priced in perpetuity?).
- 2) A limit on the total number of townhouses that may be constructed.
- 3) A wider buffer zone bordering both Bridal Path and Rosemary Lanes that retains mature trees (n = 100 feet and 200 feet respectively).
- 4) Limits on motor vehicle access to the property from Calverton and Rosemary, with the primary point of entry via Dean Drive.

In conclusion, the benefits of adding a small number of moderately priced housing units to the TDDP do not outweigh the many detriments of rezoning the Clay Property.

Respectfully,

UHCA

Notes from TDDP

“... the development pattern in the Transit District has proven to be environmentally unsustainable. High rates of impervious cover, low tree canopy coverage, and traffic congestion have contributed to a range of environmental challenges including stream degradation, downstream flooding, and air pollution.” (p 44)

Definitions for Map 10 Green Infrastructure Network p 48

“Evaluation areas that contain environmentally sensitive features—such as forests, colonial waterbird nesting sites, and unique habitats—that are not currently regulated (i.e., not protected) during the development process.

Network gaps comprising areas that are critical to the connection of the regulated and evaluation areas and are targeted for restoration to support the overall functioning and connectivity of the green infrastructure network.”

“Water quality monitoring conducted between 1999 and 2013 showed that the water quality and stream habitat of both watersheds were rated poor to very poor. The poor water quality and habitat health of both watersheds are a reflection of past development practices which resulted in high levels of impervious cover, limited tree canopy coverage, and a lack of on-site stormwater and pollution controls. A comprehensive stormwater management approach is needed to address the high volumes of run-off and poor water quality.” (p 47)

“As little as 10 percent imperviousness can lead to water quality degradation.¹¹ More than 52 percent of the Transit District is covered by impervious surfaces (primarily asphalt pavement and building roofs). Impervious surfaces comprise more than 90 percent of the Mall at Prince Georges property. Reducing the overall percentage of impervious surfaces and providing on-site infiltration areas can improve stormwater runoff quality and reduce the overall volume of water from developed sites.” (p 47)

“Forest and tree canopy coverage are vitally important to the livability of the Transit District. The canopies of trees intercept rainwater and clean the air. These are issues identified in many developed areas and are two of the top issues to be addressed in this plan.” (p 50)

“Unfortunately, much of the remaining woodland cover in the developable portions of the Transit District has either been removed or is approved to be removed, leaving small patches of forests.” (p 50)

“The Transit District’s current housing stock is limited to multifamily units, the bulk of which are rental apartments. While approximately two-thirds of the Transit District’s housing was built in the 1960s, there has been an upsurge in housing construction since 2005.” (p 53)

Strategy NE2.3: To the maximum extent practicable given the potential construction of a stormwater management facility, preserve the remaining woodlands along the tributary in the northeastern portion of the Transit District and look for opportunities to increase the forested buffer. P 98

POLICY NE3 Increase tree canopy coverage and reduce the amount of connected impervious surfaces within the Transit District. P 99

POLICY HN3 Minimize and mitigate adverse impacts of new and infill development on surrounding residential communities.

Strategy HN3.1: Require appropriate transitions in density and height to existing single-family communities and discourage cut-through commuter traffic. P 101

Community Heritage, Culture, and Design | Goals

A green environmental setting that highlights Hitching Post Hill, a Historic Site and National Register property located immediately north of the Transit District. (p 102)

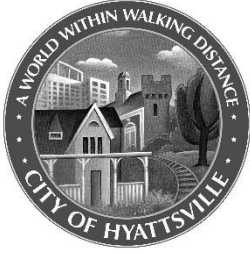
Strategy HD1.4: Encourage infill redevelopment in the Downtown Core to precede residential redevelopment in the Neighborhood Edge.

POLICY HD2 Create or preserve natural barriers and build transitions between the Transit District and surrounding residential communities. P 104

Strategy HD5.2: Avoid construction that negatively impacts the following architectural vistas: The view of Hitching Post Hill from the “Clay Property.” P 106

POLICY HD10 Minimize and mitigate potential impacts to the undeveloped land surrounding Hitching Post Hill (Historic Site 68-001).

Strategy HD10.1: Incorporate a wide landscaped buffer or park along the edge of the northernmost property in the Transit District—commonly referred to as the Clay Property—across the street from Hitching Post Hill. P 109



Council Agenda Form

MOTION #	DRAFT
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL:
SUBMITTED BY: Ben Simasek	
DEPARTMENT: Community & Economic Development	

TITLE OF MOTION: Motion to oppose re-zoning of Clay Property through County-wide Map Amendment

I move that the Mayor and Council send correspondence to MNCPPC expressing that the City of Hyattsville does not support the owner of the Clay Property's request to re-zone the property through the Countywide Map Amendment process.

BACKGROUND:

On November 16, 2020, the City Council discussed the applicant's request for modification to the zoning designation of the Clay Property from R-80 to RSF-A. Such a change would imply significant departures from the Prince George's Plaza Transit District Development Plan adopted in 2016.

While the owner proffered a few conditions in exchange for the city's support of the zoning change, these conditions would not be legally enforceable through the Countywide Map Amendment process. Since the city has not reviewed any development plan, it is unable to evaluate how a theoretical development under the requested zoning might mitigate the environmental and community impacts of higher permitted density. The city also does not yet have clarity on precisely how the proffered "moderately priced" housing would fit with the city's Affordable Housing Strategy currently being developed.

NEXT STEPS:

City Staff will testify on City Council's behalf regarding this issue at the rescheduled District Council and Prince George's County Planning Board Joint Public Hearing

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

City Planner and/or Director of Community and Economic Development time to transmit city's position to the County Planning Board.

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):

Tracey Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:

Goal 2 – Ensure the long-term health of the City

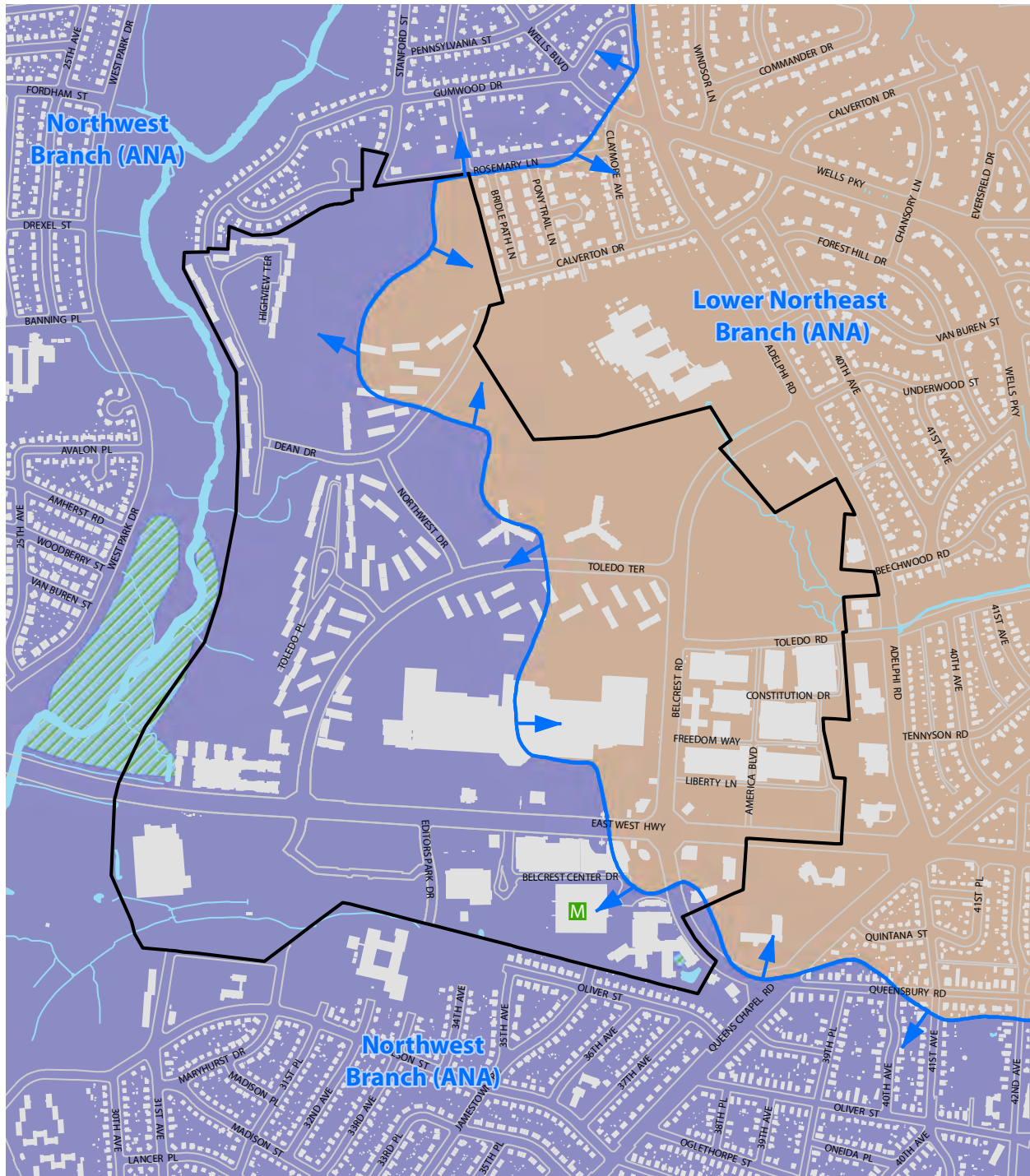
Action 2.4 – Support high quality, low-impact development and private investment that enhances the community

SUPPORTING DOCUMENTATION:

CURRENT YEAR BUDGET IMPACT:

DRAFT

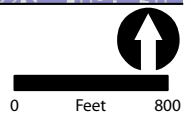
Map 11. Watershed



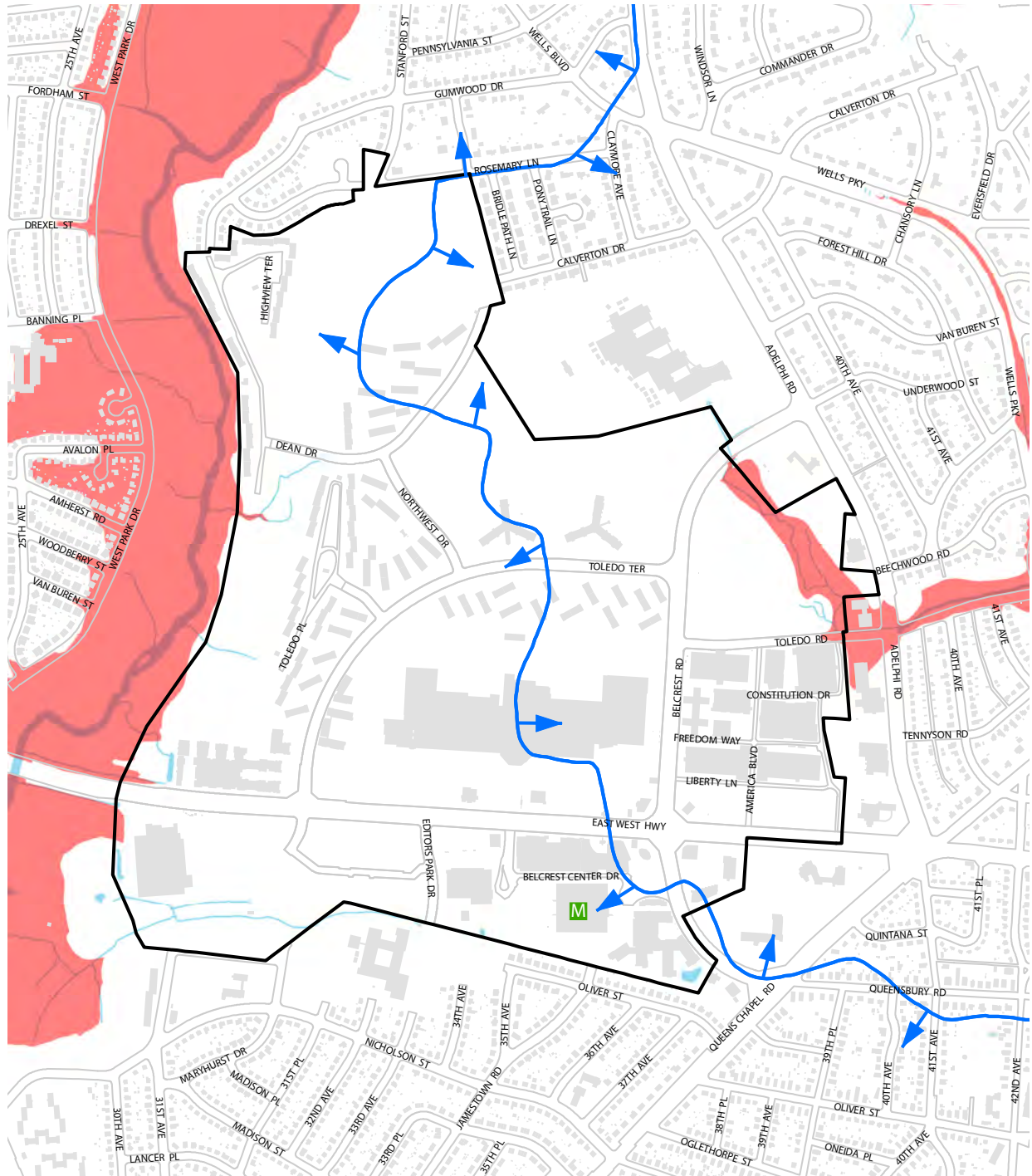
- Prince George's Plaza Transit District
- Metro Green Line Station
- Building
- Roadway









- Department of the Environment Watersheds**
- Lower Northeast Branch
 - Northwest Branch


- Hyrdologic Features**
- Known Streams
 - Known Water Body
 - Known Wetlands (DNR)
 - Ridgeline and Drainage Patterns

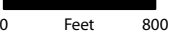


Map 12. 1989 County Floodplain Study

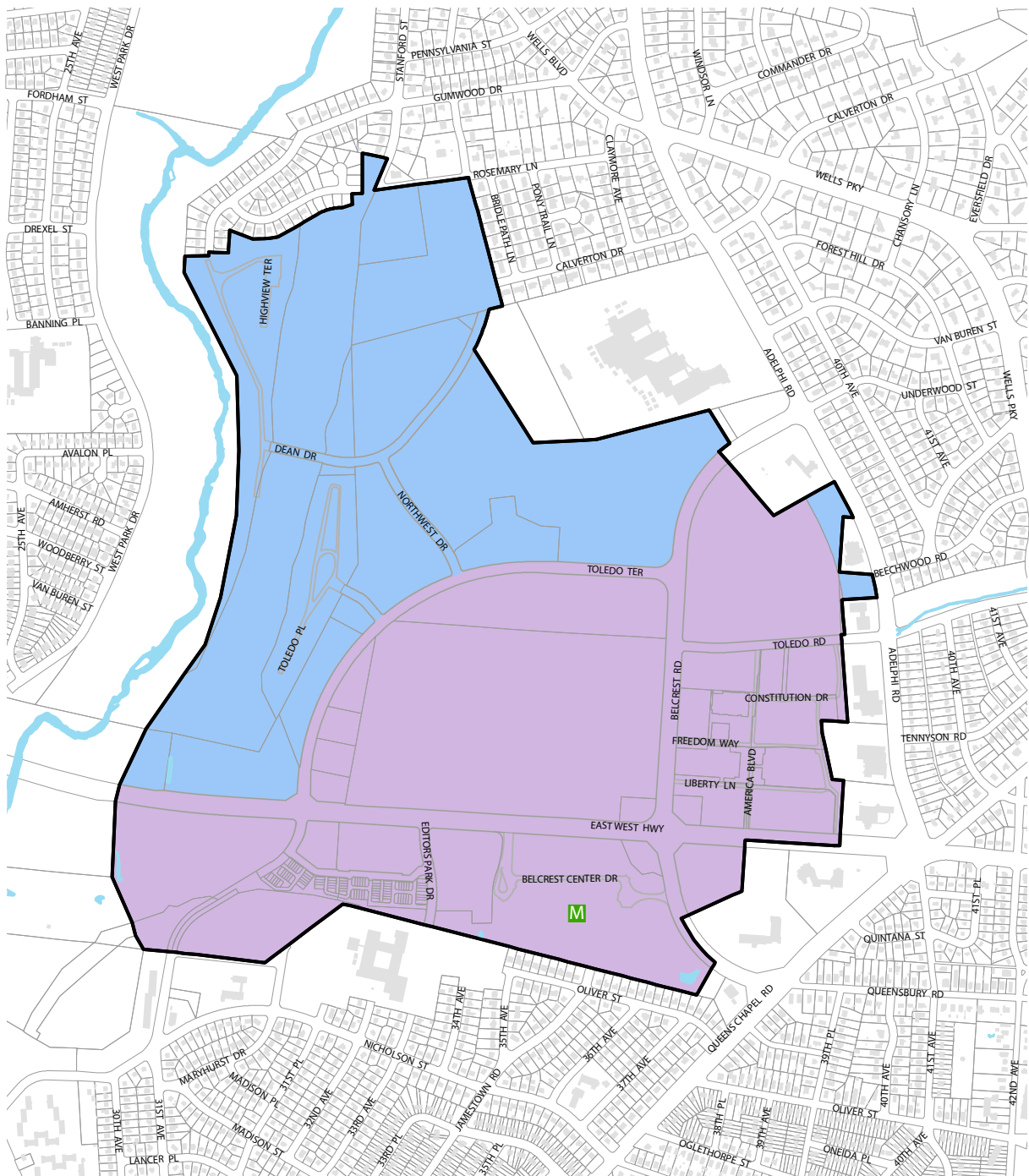









	Prince George's Plaza Transit District		Prince George's County Floodplain Study
	Metro Green Line Station	Hydrologic Features	
	Building		Known Streams
	Roadway		Known Water Body
			Ridgeline and Drainage Patterns





Map 14. Character Areas



-  Prince George's Plaza Transit District
-  Building
-  Known Water Body
-  Metro Green Line Station
-  Property Line
- Character Area**
-  Downtown Core
-  Neighborhood Edge



POLICY TM5 Minimize impervious surface areas and utilize Green Street strategies wherever possible and practical to reduce surface water runoff and improve its quality before releasing it into storm sewers and the watersheds into which they drain.

Strategy TM5.1: Reduce impervious surfaces through the reduction of street lane widths to the minimums permitted by DPW&T, the City of Hyattsville, and SHA.

Strategy TM5.2: Design streets to provide sufficient soil volume to support large canopy trees capable of retaining large amounts of rainwater, cleansing the air, and cooling the area to reduce the urban heat island effect.

Strategy TM5.3: Permit and encourage permeable materials in street zones without heavy vehicle traffic. Typical zones where such materials are acceptable and viable include sidewalks, amenity zones, parking lanes, bicycle lanes, and medians and dividers.

Strategy TM5.4: Encourage the installation of landscape features such as bioswales, rain gardens or infiltration pits to capture and retain stormwater runoff.

Transportation and Mobility | Areawide Off-Street Bicycle and Pedestrian Policies and Strategies

POLICY TM6 Construct off-street bicycle and pedestrian facilities that are comfortable for bicyclists of all abilities.

Strategy TM6.1: Close gaps in the pedestrian and bicycle network by adding sidewalks and completing trails within the Transit District.

Strategy TM6.2: Use wayfinding signage to direct area users and visitors to bicycle paths, trails, bicycle parking, and ride share locations.

Strategy TM6.3: Develop walk guides and maps to illustrate points of interest within walking distance of the Transit District.

POLICY TM7 Provide off-street bicycle and pedestrian connections between neighboring developments and surrounding communities whenever feasible. All connections should be continuously lit, patrolled regularly by police or other security personnel, and clearly visible by adjacent buildings. Connections through parks or school grounds that must be closed during the nighttime hours due to security and safety considerations should have alternative routes that are accessible 24 hours a day.

Strategy TM7.1: Provide safe bicycle and pedestrian accommodation to the Lewisdale community along MD 410 (East West Highway) west of Toledo Terrace, including improved accommodation on the bridge over the Northwest Branch of the Anacostia River and connections to the Heurich Park and Northwest Branch Trails from both sides of MD 410 (East West Highway).

Strategy TM7.2: Improve pedestrian access from Oliver Street to the Prince George's Plaza Metro Station, including continuous lighting and ADA-compliant ramps to address street connections and other grade changes.

Strategy TM7.3: Implement exclusively nonmotorized connections between existing disconnected streets including Dean Drive and Calverton Drive and Highview Terrace and Gumwood Drive.