

# 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: November 12, 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  
Guide to Zoning Categories (Current Zoning)  
RSF-95 Information (Forthcoming CMA Zoning)  
RSF-A Information (Forthcoming CMA Zoning)

---

The purpose of this memorandum is to provide the City Council with information regarding the zoning modification request for the "Clay Property" located at the northern end of Dean Drive and west of Bridle Path Lane.

## Project Summary

- The Owner of the Clay Property 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.
- The Owner has requested the City's support of the Owner's requested application of the RSF-A zone to the Clay Property.
- It is at Council's discretion whether to support, oppose, or remain neutral towards the Clay Property zoning modification request. 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.

## Existing Conditions

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. The location can be seen in red on the map in Figure 1 below.



**Figure 1. Clay Property Location**

The property is currently zoned R-80. As per the M-NCPPC Guide to Zoning Categories, R-80 is described as the following:

*One-Family Detached Residential - 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.*

<i>Standard lot size:</i>	<i>9,500 sq. ft.</i>
<i>Maximum dwelling units per net acre:</i>	<i>4.5</i>
<i>Estimated average dwelling units per acre:</i>	<i>3.4</i>

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. This new zoning category is described as follows:

*Residential, Single-Family-95 (RSF-95) Zone*

*The purposes of the Residential, Single-Family-95 (RSF-95) Zone are:*

- a. To provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain;*
- b. To facilitate the planning of one-family residential developments with medium-sized lots and dwellings of various sizes and styles;*
- c. To encourage the preservation of trees and open spaces; and*
- d. To prevent soil erosion and stream valley flooding.*

<b>Standard</b>	<b>Single-Family Detached Dwelling</b>	<b>Other Uses</b>
<i>Density max. (dwelling units/acre)</i>	<i>4.58</i>	<i>No requirement</i>
<i>Net lot area, min. (sf)</i>	<i>9,500</i>	<i>9,500</i>
<i>Principal structure height, max. (ft)</i>	<i>40</i>	<i>40</i>

As part of the *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment ("TDDP")*, the Clay Property exists within a Transit District Overlay (T-D-O) Zone. Transit District Overlay Zones are intended to ensure that development in a designated district meets the goals established in its Transit District Development Plan. Transit Districts are often designated in the vicinity of Metro stations to maximize transit ridership, serve the economic and social goals of the area, and take advantage of the unique development opportunities which mass transit provides.

Furthermore, 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 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). The property's location within the Neighborhood Edge Character Area can be seen in red in **Figure 2** below.



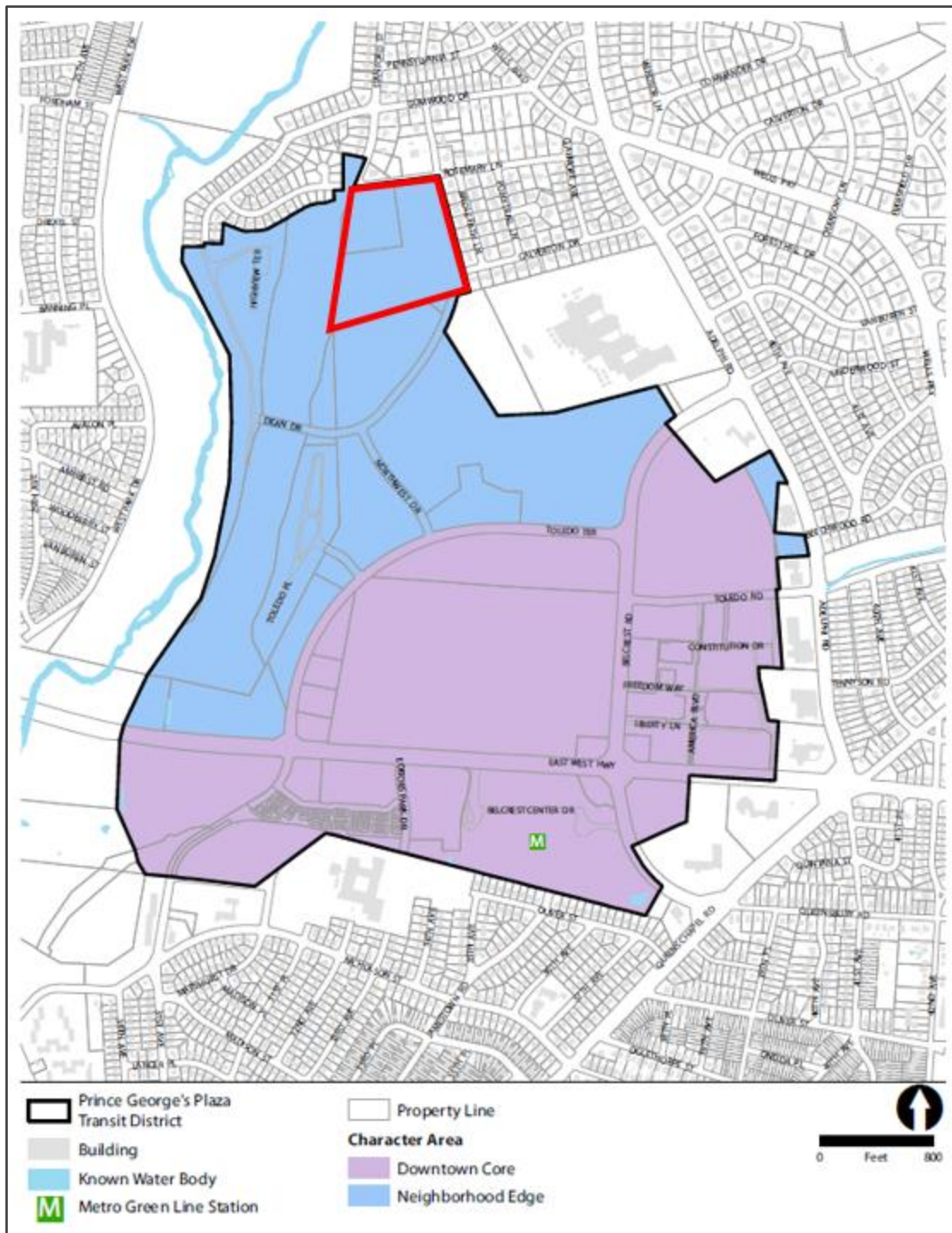


Figure 2. TDDP Character Areas Map

## Modification Requested

As stated above, the new zoning of the subject property through the Prince George's Countywide Map Amendment ("CMA") will be RSF-95 (*Residential, Single-Family-95*). The owner of the Clay Property intends to request a modification of this zoning to RSF-A.

The RSF-A zone is described as follows:

### *Residential, Single-Family-Attached (RSF-A) Zone*

*The purposes of the Residential, Single-Family-Attached (RSF-A) Zone are:*

- A. To provide for development in a form that supports residential living and walkability, is pedestrian oriented and is well connected to surrounding lands;*
- B. To provide development that is respectful of the natural features of the land; and*
- C. To provide development that is compatible with surrounding lands.*

<b>Standard</b>	<b>Single-Family Detached Dwelling</b>	<b>Two-Family Dwelling</b>	<b>Three- Family Dwelling</b>	<b>Townhouse Dwelling</b>	<b>Other Uses</b>
<i>Density max. (dwelling units/acre)</i>	8.70	32.66	12.44	16.33	No Requirement
<i>Net lot area, min. (sf)</i>	5,000	No Requirement	No Requirement	No Requirement	6,500
<i>Principal structure height, max. (ft)</i>	40	50	40	50	40

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). They believe 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 TDDP.

The Owner has not prepared a detailed site plan application, however representatives on behalf of the owner have stated it intends to propose the development of the Clay Property with a townhouse community at a density and with a character like what has been approved on the Landy Property. This type of development would not be permitted by-right in an RSF-95 zone. The proximity of the Clay Property (in red) and the Landy Property (in yellow) can be seen in Figure 3 below.



Figure 3. Proximity of Clay Property and Landy Property

The Owner intends to proffer the following conditions\* of approval as part of this future project:

- Ten percent (10%) of the density in the Proposed Development will be moderately priced;
- 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;
- 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;
- The development on the Clay Property will not include multifamily units; and
- The inclusion of a multi-use path connecting Calverton Drive to Dean Drive as recommended in the City's Transportation Plan.

***\*Staff would like to note that supporting the modified zoning of this property does not require approval of the owner's proposed development or accompanying conditions. Like all other development projects, a proposed project on the Clay Property will be required to go through the***



***conceptual site plan, preliminary plan of subdivision, and detailed site plan process before approval.***

Additionally, 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.

**Community Outreach**

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.

Public comments and concerns included:

- What documents regarding this request are available to the public?
- How much of the forested land will remain? How will its reduction effect existing wildlife habitat and environmental conditions? Can some mature trees be preserved? Will stormwater be impacted?
- Higher-density development near transit in the area will create a smaller environmental footprint.
- How will this project affect property value? Will taxes be impacted?
- How many residential units are expected? How much additional traffic will be created?
- What is the proposed density of the project?
- How will the community benefit from this proposal?
- What kind of buffer can residents expect between existing properties and any new residential units? Will it be existing trees or created through new landscaping? Who would own and manage this land?
- How will parking be managed?
- What is the timeline for construction/development?
- Why can't the Owner construct a project under the zoning proposed by the County?

Full chat and Q&A from the meeting are attached for reference.

**Timeline**

The District Council and Prince George's County Planning Board Joint Public Hearing on the proposed Countywide Map Amendment has recently been postponed from its original November 19, 2020 date.

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.

A new date has not yet been selected, but Staff believes the rescheduled meeting is unlikely to occur during this calendar year.

Before the rescheduled Joint Public Hearing, the Council may decide whether it supports, opposes, or remains neutral towards the Clay Property zoning modification request. This item will return for discussion

on December 7, 2020 and action on December 21, 2020. City Staff will testify on City Council's behalf regarding their decision at the rescheduled Joint Public Hearing early next year.

DRAFT