

**DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF THE ZONING HEARING EXAMINER**

**ZONING MAP AMENDMENT
A-10038**

DECISION

Application:	I-1 to M-X-T Zone
Applicant:	Jemals Forbes Court, LLC
Opposition:	None
Hearing Date:	November 8, 2017
Hearing Examiner:	Joyce B. Nichols
Recommendation:	Approval with Conditions

NATURE OF REQUEST

- (1) A-10038 is a request for rezoning approximately 10.39 acres of I-1 (Light Industrial) Zoned land to the M-X-T (Mixed Use-Transportation Oriented) Zone, located on the north side of Forbes Boulevard, approximately 250 feet north of its intersection with Aerospace Road and 1,250 feet north of Greenbelt Road (MD 193), also identified as 7601, 7609 and 7610 Forbes Court, Lanham, Maryland.
- (2) The Technical Staff recommended approval with conditions (Exhibit 13) and the Planning Board did not elect to hold a public hearing and, in lieu thereof, adopted the recommendation of the Technical Staff. (Exhibit 15(a))
- (3) No one appeared in opposition to the Application.

FINDINGS OF FACT

Subject Property

(1) The subject property includes three lots and 356.66 linear feet of Forbes Court which is proposed to be vacated. Access to the proposed development is via two access points from the adjoining development which connects to Mission Drive. The site is largely undeveloped and wooded, but approximately one acre of the southern portion of the site has been improved with a portion of a parking lot serving an adjacent office building

History

(2) The property is known as Lots 4, 5, and 9, is located on Tax Map 36 in Grid A-1, and consists of approximately 10.39 acres. This property was a part of Preliminary Plan of Subdivision (PPS) 4-87150 approved by the Planning Board on September 10, 1987 (PGCPB Resolution No. 87-

409). A final plat of subdivision was recorded on January 16, 1990 in Plat Book NLP-151-29 (Maryland Corporate Center).

Master Plan/Sectional Map Amendment

(3) The 2006 East Glenn Dale Area Approved Sector Plan and Sectional Map Amendment (East Glenn Dale Sector Plan and Sectional Map Amendment) recommends mixed-use development at the subject location, i.e. residential, office, and live/work uses. The abutting properties were rezoned to the M-X-T Zone in the 2006 East Glenn Dale Sector Plan and Sectional Map Amendment, to implement this recommendation.

(4) The 2006 East Glenn Dale Area Approved Sectional Map Amendment (CR-23-2006) retained the subject property in the Light Industrial (I-1) Zone while rezoning land surrounding the subject property on three sides from the I-1 Zone to the M-X-T Zone. The Sector Plan recommends mixed-use development at the subject location.

(5) The subject property is located within the Established Communities growth policy area designated in Plan Prince George's 2035 Approved General Plan. The vision for the Established Communities states that they are "most appropriate for context-sensitive infill and low-to medium-density development. The General Plan recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries and schools), and infrastructure in the these areas (such as sidewalks), to ensure that the needs of existing residents are met." (Plan 2035, page 20)

Neighborhood/Surrounding Use

(6) The neighborhood is bounded as follows:

- North -** Springfield Road
- East -** Lanham Severn Road (MD 564)
- South -** Greenbelt Road (MD 193)
- West -** Good Luck Road

(7) Immediately to the north of the subject property is the single-family detached component of the Glenn Dale Commons (in the M-X-T Zone), which is currently under development, and an area that will be a part of the multi-family component. To the west is a stormwater management pond and recreation area of Glen Dale Commons, also in the M-X-T Zone. To the southwest, across Forbes Boulevard, is the single-family attached component of Glenn Dale Commons in the M-X-T Zone. To the east are a part of the multi-family component of Glenn Dale Commons and the commercial components (a grocery store and an existing office building) in the M-X-T Zone.

Finally, to the south are three office buildings which are external to the Glenn Dale Commons project, in the I-1 Zone.

(8) Much of the land area of the neighborhood beyond the developing Glenn Dale Commons uses is currently occupied by office uses, but there is also an assortment of other related and unrelated uses. Office parks include the Maryland Corporate Center (along Executive Drive, to the south of the subject site, in the I-1 Zone), the Aerospace Building (along Greenbelt Road in the I-1 Zone), and a collection of unnamed, security-gated office buildings in the I-1 Zone off of Hubble Drive and Good Luck Road to the north.

(9) Other uses in the neighborhood include the Glendale Aerospace Center (a strip shopping center) and furniture warehouse, both in the I-1 Zone on Aerospace Road; two Self Storage Plus consolidated storage facilities; a NASA Federal Credit Union on Greenbelt Road in the I-1 Zone, two churches (a Lutheran Church on Greenbelt Road in the I-1 Zone and a Baptist Church on Northern Avenue in the R-R Zone), a few single-family dwellings in the R-R Zone along Northern Avenue and Good Luck Road, the Capital Sportsplex and two contractors offices in the I-1 Zone on Good Luck Road, and the Glendale Apartments in the R-18 Zone between Good Luck and Aerospace Road.

Applicants Proposal

(10) The Applicant seeks a rezoning of the subject property from the I-1 Zone to the M-X-T Zone. The Applicant proposes the development of 86 multi-family residential units as part of the abutting mixed-use development of Glenn Dale Commons. Abutting the property on the west, north and east, the Glenn Dale Commons development was rezoned through the 2006 East Glenn Dale Area Approved Sector Plan and Sectional Map Amendment (East Glenn Dale Sector Plan and Sectional Map Amendment). Glenn Dale Commons was recently reviewed and approved as Conceptual Site Plan CSP-06001-01 and Detailed Site Plan DSP-15001, as parts of the mixed-use development of residential and commercial within the Glenn Dale Commons development. The property to the east is approved as Detailed Site Plan DSP-16012 for a commercial use for proposed LIDL grocery store.

APPLICABLE LAW

(1) The Applicant's request for approval of the M-X-T Zone must be found to satisfy the provisions of §27-213 of the Zoning Ordinance. This Section provides, in pertinent part, as follows:

(a) **Criteria for approval of the M-X-T Zone.**

(1) The District Council shall only place land in the M-X-T Zone if at least one (1) of the following two (2) criteria is met:

(A) Criterion 1. The entire tract is located within the vicinity of either:

(i) A major intersection or major interchange (being an intersection or interchange in which at least two (2) of the streets forming the intersection or interchange are classified in the Master Plan as an arterial or higher classified street reasonably expected to be in place within the foreseeable (future); or

(ii) A major transit stop or station (reasonably expected to be in place within the foreseeable future).

(B) Criterion 2. The applicable Master Plan recommends mixed land uses similar to those permitted in the M-X-T Zone.

(2) Prior to approval, the Council shall find that the proposed location will not substantially impair the integrity of an approved General Plan, Area Master Plan, or Functional Master Plan and is in keeping with the purposes of the M-X-T Zone. In approving the M-X-T Zone, the District Council may include guidelines to the Planning Board for its review of the Conceptual Site Plan.

(3) Adequate transportation facilities.

(A) Prior to approval, the Council shall find that transportation facilities that are existing, are under construction, or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, will be funded by a specific public facilities financing and implementation program established for the area, or provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.

(B) The finding by the Council of adequate transportation facilities at this time shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

* * * * *

(c) Conditional approval.

(1) When it approves a Zoning Map Amendment, the District Council may impose reasonable requirements and safeguards (in the form of conditions) which it finds are necessary to either:

(A) Protect surrounding properties from adverse effects which might accrue from the Zoning Map Amendment; or

(B) Further enhance the coordinated, harmonious, and systematic development of the Regional District.

(2) In no case shall the conditions waive or lessen the requirements of, or prohibit uses allowed in, the approved zone.

(3) All building plans shall list the conditions and shall show how the proposed development complies with them.

(4) Conditions imposed by the District Council shall become a permanent part of the Zoning Map Amendment, and shall be binding for as long as the Mixed Use Zone remains in effect on the property (unless amended by the Council).

(5) If conditions are imposed, the applicant shall have ninety (90) days from the date of approval to accept or reject the rezoning as conditionally approved. He shall advise (in writing) the Council accordingly. If the applicant accepts the conditions, the Council shall enter an order acknowledging the acceptance and approving the Map Amendment, at which time the Council's action shall be final. Failure to advise the Council shall be considered a rejection of the conditions. Rejection shall void the Map Amendment and revert the property to its prior zoning classification. The Council shall enter an order acknowledging the rejection, voiding its previous decision, and reverting the property to its prior zoning classification, at which time the Council's action shall be final.

(6) All Zoning Map Amendments which are approved subject to conditions shall be shown on the Zoning Map with the letter "C" after the application number.

* * * * *

(2) The instant Application must also be found to further the general purposes, §27-102, and the specific purposes of the M-X-T Zone, §27-542(a), of the Zoning Ordinance.

CONCLUSIONS OF LAW

(1) Criterion 1 in §27-213(a)(1)(A) is not relevant as the Applicant is relying on its conformance with Criterion 2 in §27-213(a)(1)(B).

(2) The 2006 East Glenn Dale Area Approved Sector Plan and Sectional Map Amendment recommends mixed-use development at the subject location. The Plan contains a series of strategies specifically for the redevelopment of the Glenn Dale Commons site as a pedestrian-friendly “residential-oriented, mixed-use development.” The proposed 86 multi-family units, as an addition of the abutting Glenn Dale Commons development, satisfies this Criterion. The 2006 East Glenn Dale Area Approved Sector Plan and Sectional Map Amendment rezoned 3.23 acres of abutting property to the M-X-T Zone, while the subject property was retained in the I-1 Zone. The East Glenn Dale Sector Plan acknowledged development alternatives, including the subject property.

Page 14, Map 5 entitled “Approved Land Use,” shows a hatch over the subject property, which is keyed in the legend as “Mixed-Use Area.” The Vision in the Sector Plan lists “Glenn Dale Commons and Vicinity” (see page 20) as one of its “Focus Areas” (see page 16), establishing “unique vision and goals, policies, and strategies” to achieve the Sector Plan vision. The geographic area of “Glenn Dale Commons and Vicinity” is defined on the south by MD 193, on the west by Aerospace Road, on the north and east by Northern Avenue (page 20), or a combination thereof, and is to be “a mixed-use, pedestrian-friendly community with vertical and horizontal mixed-use development.” One of the specific goals as listed on page 21 of the Sector Plan is to “create a pedestrian-friendly, mixed-use environment.” The Applicant is proposing to add open space and 86 multi-family residential units, to become part of the adjoining Glenn Dale Commons development, which is a mixed-use development that is currently in various stages of the approval and entitlement process. This request to rezone the subject property to add to the residential component of the abutting M-X-T development further supports the abutting Glenn Dale Commons community and fulfills the Sector Plan’s vision for the Glenn Dale Commons and Vicinity Focus Area, which recommends mixed-land uses. §27-213(a)(1)(B)

(3) The General Plan classified the subject site in its Growth Policy Map¹ in the Established Communities category, and the Generalized Future Land Use Map² designated it for Mixed-Use land use.

“Established Communities” are described by the General Plan as making “up the County’s heart – its established neighborhoods, municipalities, and unincorporated areas outside designated

¹ M-NCPPC, Plan Prince George’s 2035 – Approved General Plan (May, 2014), p. 107.

² General Plan, p. 101

centers”³ and recommends that, “Established communities are most appropriate for context-sensitive infill and low- to medium-density development. The General Plan recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.”⁴

“Mixed-Use” land use is described by the General Plan as, “Areas of various residential, commercial, employment and institutional uses. Residential uses may include a range of unit types. Mixed-Use areas may vary with respect to their dominant land uses, i.e. commercial uses may dominate in one mixed-use area, whereas residential uses may dominate in another.”⁵ It is noted that the Generalized Future Land Use Map generally replicates the recommendations of the Master Plan or Sector Plan in force at the time of the approval of the General Plan; the note under the Generalized Future Land Use Map directs that, “by definition, this map should be interpreted broadly and is intended to provide a countywide perspective of future land use patterns. To identify the future land use designation for a specific property, please refer to the property’s relevant approved sector or master plan.”⁶

None of the twelve Policies laid out in the Land Use element of the General Plan are directly applicable to the subject Application, but it is not in conflict with any of those twelve Policies. It is noted that Policy LU7.1 directs the County to “reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated”⁷; the subject Application is in conformance both with the recommendations of the current Sector Plan and with the General Plan’s Generalized Future Land Use Map’s recommendation.

(4) The applicable Master Plan is the Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area (Portions of Planning Area 70), approved on March 28, 2006. The Approved Land Use Map designates the property for “Mixed-Use Areas” land use. The Sector Plan places the site in the “Glenn Dale Commons and Vicinity Focus Area”. The Plan’s two goals for the area are to, “create a pedestrian-friendly, mixed use environment,” and to “protect the semirural, residential character of Northern Avenue from the redevelopment of Glenn Dale Commons and vicinity by placing single-family detached residences next to Northern Avenue.”⁸ The area-specific strategy recommendations of the Sector Plan are principally oriented to the Glenn Dale Commons development; approval of the subject Application to allow the expansion of that development will be in harmony with the Sector Plan’s goals, policies and strategies.

³ Ibid., p. 106

⁴ Ibid., p. 20

⁵ Ibid., p. 100

⁶ Ibid., p. 101

⁷ Ibid., p. 114

⁸ M-NCPPC, Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area (Portion of Planning Area 70) (March, 2006), p.21.

(5) There are Regulated Areas and Evaluation Areas of the County's 2017 mapping of the Green Infrastructure Plan that lie within the subject site's limits. The protection and/or preservation of these areas will be evaluated in detail in the subsequent phases of the review of the subject property, including a Preliminary Plan of Subdivision, a Detailed Site Plan and the associated Tree Conservation Plans.

With regard to the Historic Sites and Districts Plan, no historic sites, resources or districts are located in the vicinity of the subject site.

The Water Resources Functional Master Plan addresses broad regulatory policy and large-scale watershed planning, and as such makes no recommendations which are directly applicable to the subject Application.

No proposed sites for Public Safety facilities are in the area affected by the subject Application.

No roads or facilities on the Countywide Master Plan of Transportation are located within the limits of or adjacent to the subject property.

In summary, the approval of the M-X-T Zone at the subject property will not impair the General Plan, Sector Plan or Functional Master Plans. §27-213(a)(2)

(6) The Application meets the requirements of Section 27-213(a)(3)(A) of the Zoning Ordinance, in consideration of prior entitlements. The traffic information is presented as a finding of fact for the Application. In making this determination, the existing entitlement for the underlying lots is the significant factor in making the needed finding, and subsequent Applications, if uses are proposed that are beyond the entitlement, will have to demonstrate adequacy if traffic is a factor in the plan approval. (See Traffic Impact Analysis, Exhibits 10(a)-(c), T.p. 29-35 and Exhibit 13 p. 7-10)

(7) The instant Application is in compliance with the general purposes of the Zoning Ordinance, §27-102(a), as follows:

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

First, the approval of the M-X-T Zone will allow for a complementary mix of land uses to be planned and constructed at the subject site, yielding benefits of efficiency to the surrounding transportation network, promoting pedestrian activity, providing the purchasing power benefits of additional residential density and the convenience of additional commercial activity in proximity to the previously-developed residential and commercial areas.

Second, the review process inherent in the M-X-T Zone's regulations provides for a higher level of both planning flexibility and public oversight to promote and protect the public health, safety and welfare.

Approval of the instant Application is therefore in harmony with the Zoning Ordinance's purpose of protecting and promoting the health, safety, morals, comfort, convenience and welfare of the present and future inhabitants of the County.

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

This Purpose is largely replicated by the criterion for approval of the M-X-T Zone found in §27-213(a)(2); the harmony of the request for approval of the M-X-T Zone with this Purpose of the Zoning Ordinance is discussed at length above.

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

As with the purpose of implementing the General and Master Plans, this Purpose is largely replicated by the criterion for approval of the M-X-T Zone found in §27-213(a)(3)(A) addressing transportation facilities; the harmony of the request for approval of the M-X-T Zone with this Purpose of the Zoning Ordinance has been discussed at length in the testimony of the Transportation Planning Expert, Mr. Michael Lenhart. (T.p. 29-35)

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

As noted in the discussion of the Purpose of protecting and promoting the public health and safety, above, the multi-stage public review process inherent in the M-X-T Zone's regulations affords a higher level of guidance for the development at the site (and therefore for its contribution to the growth and development of the County as a whole). Additionally, the necessarily-limited location of the higher densities permitted by the M-X-T Zone only to appropriate locations governed by the availability of transportation facilities further promotes the orderly growth and development of the County. As such, the approval of the M-X-T Zone at this site is in particularly close harmony with this Purpose of the Ordinance.

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

As with other zones, the approval of the M-X-T Zone at this site will ensure the provision of adequate light, air and privacy, both for the occupants of the subject site and for its neighbors, because it requires conformance with the Landscape Manual to insure the provision of sufficient distance and buffering between proposed uses and neighboring uses, and conformance with height limitations in order to allow for access to light and air.

The standards and design guidelines for the approval of Conceptual Site Plans and Detailed Site Plans which are required by the regulations for the M-X-T Zone afford additional opportunities to ensure the provision of adequate light, air and privacy. As such, approval of the M-X-T Zone at this site will be in harmony with this Purpose.

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

As with other zones, the approval of the M-X-T Zone at this site will promote the most beneficial relationships between land and buildings, because it requires conformance with the Table of Permitted Uses as laid out in the Ordinance, and because it requires conformance with the provisions of the Landscape Manual which provide for the screening of service functions and the buffering of incompatible adjoining uses.

Furthermore, the standards and design guidelines enumerated in the Zoning Ordinance to direct the approval of Conceptual Site Plans and Detailed Site Plans which are required by the regulations for the M-X-T Zone afford additional opportunities to promote good the planning practices suggested by this Purpose. As such, approval of the M-X-T Zone at this site will be in harmony with this Purpose.

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

The approval of the M-X-T Zone at this site would be in harmony with this Purpose because it will require the site to be developed in conformance with regulations established in the body of the Zoning Ordinance, as well as other County Ordinances, which are intended to protect from fire, flood, panic and other dangers, namely: the Floodplain regulations, Stormwater Management regulations, the Fire Prevention Code, the Building Code, and the Tables of Permitted Uses for the various zones.

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

The approval of the M-X-T Zone at this site would be in harmony with this Purpose because it will enable the development of approximately 86 additional housing units to those already approved in the Glenn Dale Commons development. The housing will further be located in close proximity to transportation facilities and to supporting commercial services, and as with other purposes, the standards and design guidelines enumerated in the Zoning Ordinance to direct the approval of Conceptual Site Plans and Detailed Site Plans which are required by the regulations for the M-X-T Zone afford additional opportunities to promote the healthy living environment addressed by this Purpose.

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

The approval of the M-X-T Zone at this site would be in harmony with this Purpose because it would allow for intensive development (including a significant amount of employment space) which would augment the tax base of the County directly and provide for a significant amount of employment beginning with its development and construction, and extending to its final completed uses.

(10) *To prevent the overcrowding of land;*

The approval of the M-X-T Zone at this site would be in harmony with this Purpose because it will require the site to be developed in conformance with the various principles that have been codified in the Ordinance to ensure the prevention of overcrowding, including the provisions of the Table of Uses that provides for the compatibility of uses, height limits, and setbacks.

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

The approval of the M-X-T Zone at this site would be in harmony with this Purpose because of several factors.

First, as noted above, the criterion of §27-213(a)(3)(A) assures the adequacy of local public transportation facilities as a prerequisite to the approval of the Zone.

Second, one of the principal criteria which the Zoning Ordinance requires for approval of the M-X-T Zone is specifically to ensure that transportation facilities that are either existing, or are to be provided for so as to be adequate to carry anticipated traffic for the proposed development.

And third, the approval of the M-X-T Zone at this site would require the site to be developed in accordance with the regulations established in the body of the Zoning Ordinance (and other County ordinances) which are intended to lessen the danger and congestion of traffic on roads, such as the requirements for the provision of adequate off-street parking, and the separation of entrances from nearby intersections.

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

As the Zoning Ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, conformance with the requirements and regulations of the Zoning Ordinance is prima facie evidence of the Application's harmony with this Purpose. The approval of the M-X-T Zone at this site would promote the economic and social stability of the

County by allowing for appropriately-sited intensive development to contribute to the tax base, and by providing sites for useful and convenient residences, employment and commercial services to the surrounding community.

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

The approval of the M-X-T Zone at this site will have minimal impact to the natural features in the County: It will not itself generate noise pollution, and the uses will be in compliance with the County's Woodland Conservation policies by virtue of their exemption from the requirement for a Tree Conservation Plan. No steep slopes, stream valleys or scenic vistas will be affected. By conformance to these principles and regulations, the approval of the M-X-T Zone would be in harmony with this Purpose.

The final two Purposes,

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

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

are not directly applicable to the approval of the M-X-T Zone at this site, except to the extent that the concentration of residences and commercial activity at a site located at a planned mixed-use area will minimize the pressure to develop the open lands where agriculture and the extraction of natural resources are practiced.

(8) The instant Application is also in compliance with the specific purposes of the M-X-T Zone, §27-542(a), as follows:

- (1) *To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone as the development proposed will increase the economic status of the County and provide expanded sources of desirable living opportunities, as well as commercial components which will reinforce and enhance the residential component at the subject site as well as the rest of the Mixed-Use Area designated by the Sector Plan.

- (2) ***To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone because it will allow for the creation of a mix of residential and commercial uses in a compact, moderately-dense configuration, in specific accordance to recommendations in the approved Sector Plan.

- (3) ***To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone because the site is located in the midst of a planned Mixed-Use Area that includes other complementary development, including office buildings, retail, with other nearby medium- to high-density residential development will maximize the development potential of its location, which serves as a focus of activity for the East Glenn Dale area.

- (4) ***To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone because the site will provide a mix of residential and non-residential uses in proximity not only to one another, but also to the Metro bus G14 route, which runs by the site on Mission Drive and connects to the Greenbelt and New Carrollton Metro stations.

- (5) ***To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone because the site, together with the remainder of the Glenn Dale Commons development, conform to the requirement of Section 27-547(d) to provide a mix of residential and non-residential uses, by containing both retail and office uses which will be active during the day, and retail and residential uses which will be active in the evenings as well. In addition, the site's integration into the rest of the Glenn Dale Commons Mixed-Use Area will help to foster the vibrant activity which was contemplated by the creation of the M-X-T Zone.

- (6) ***To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;***

The review process afforded by the M-X-T Zone's regulations will allow the planning of the subject Application to be in keeping with this Purpose of the Zone by allowing for the design of an integrated center with road and pedestrian networks affording interconnection not only within the subject site, but also to the rest of the Glenn Dale Mixed-Use Area.

- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone because it will be able to take advantage of the Zone's unsurpassed flexibility in allowing the various uses throughout the whole of the Glenn Dale Commons development to be appropriately co-located to reinforce one another while at the same time allowing for reasonable site planning responses to conditions such as: allowing the more-tolerant commercial uses to bear the brunt of the greater noise and visual impacts from Greenbelt Road, while at the same time allowing the perimeter buffering and the residential component to serve as an appropriate transition to the surrounding older residential neighborhood along Northern Avenue, and allowing the multi-family dwellings which are proposed to be located specifically on the subject site to serve as a transitional use between the single-family components of the development to the west, and the retail and office components to the east.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;***

The flexibility of land use and site planning regulations, as well as the permitted development density afforded by the M-X-T Zone allow the location of the subject site to be in keeping with this purpose of the M-X-T Zone.

- (9) To permit a flexible response to the market and promote economic vitality and investment; and***

The location of the subject Application is in keeping with this Purpose of the M-X-T Zone because the achieving the multiplicity of land use types required by the Zone's regulations more easily accommodates the cyclical variations in market demand for those different land use types.

- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.***

The location of the subject Application will be in keeping with this Purpose of the M-X-T Zone because the flexible land planning standards of the Zone allow for a flexible response to the

numerous planning considerations which impact the site, specifically including: (1) presentation of an attractive aspect to the peripheral high-classification roadway, while simultaneously minimizing the effects of the adverse impacts from those roadways, including noise; and (2) providing an appropriate transition to the surrounding residential development which addresses density, scale and character.

RECOMMENDATION

Approval of A-10038 subject to the following Guidelines:

Guidelines

The following Guidelines should be observed during the preparation and review of the Conceptual Site Plan (CSP), Detailed Site Plan (DSP) and Preliminary Plan of Subdivision:

1. Additional pedestrian and vehicular connections should be provided.
2. The architecture for the mixed-use development on the subject site should be well coordinated. The buildings should create visual interest through their form, massing, fenestration and architectural detail. Durable, high-quality materials should be utilized as finish materials on the elevations.
3. Standard sidewalks should be provided along both sides of all public roads, unless modified by Department of Public Works and Transportation. (DPW&T)
4. Bicycle parking should be provided on-site, with the number and location(s) to be determined at the time of Conceptual Site Plan and Detailed Site Plan.
5. The provision of a trail connection from the proposed multifamily dwelling units to Forbes Boulevard should be considered at the time of Conceptual Site Plan and Detailed Site Plan.
6. Buffering in the form of landscaping, open space, berming, attractive fencing, and/or other creative site planning techniques should be utilized to protect existing residential areas.