



CITY COUNCIL WORK SESSION AGENDA

7010 Greenbelt Road Development Proposal – Requests for City Support

COUNCIL MEETING WILL BE ONLINE ONLY

Due to the COVID-19 precautions, the Council Meeting will be held online and is planned to be cablecast on Verizon 21, Comcast 71 and 996 and streamed to www.greenbeltmd.gov/municipaltv.

Resident participation:

**[https://us02web.zoom.us/j/82550345577?](https://us02web.zoom.us/j/82550345577?pwd=aGJKKzIOTGIRdkRHdmQzaWZISXNJUT09)
[pwd=aGJKKzIOTGIRdkRHdmQzaWZISXNJUT09](https://us02web.zoom.us/j/82550345577?pwd=aGJKKzIOTGIRdkRHdmQzaWZISXNJUT09)
OR**

Join By phone: (301) 715-8592

Meeting ID: 825 5034 5577

Passcode: 820632

In advance, the hearing impaired is advised to use Video Relay Services (VRS) at 711 to submit your

questions/comments or contact the City Clerk at (301) 474-8000 or email banderson@greenbeltmd.gov.

Wednesday, March 17, 2021

8:00 PM

7010 Greenbelt Road Development Proposal – Requests for City Support *Agenda*

- *Introductions*
- *Council Discussion*
- *Questions and Answers*
- *Other Items*

7010 Greenbelt Road Development Proposal – Requests for City Support

Suggested Action:

Reference:

Staff Memorandum_7010 Greenbelt Road

APB Report #2021-02

7010 Greenbelt Road Site Concept

Building Elevation

Armory Place Covenant

City Council Work Session Presentation

[Staff Memorandum_7010 Greenbelt Road.pdf](#)

[APB Report 2021-02_7010 Greenbelt Road.pdf](#)

[7010 Greenbelt Road Site Concept.pdf](#)

[Building Elevation](#)

[Armory_Place_Covenant.pdf](#)

[City Council Work Session Presentation.pdf](#)

City Council Work Session Agenda Item Report

Meeting Date: March 17, 2021

Submitted by: Molly Porter

Submitting Department:

Item Type: Work Session Item

Agenda Section: 7010 Greenbelt Road Development Proposal – Requests for City Support

Subject:

7010 Greenbelt Road Development Proposal – Requests for City Support

Suggested Action:

Reference:

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Attachments:

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Memorandum:

TO: Nicole Ard, City Manager

VIA: Terri Hruby, Director of Planning and Community Development

FROM: Molly Porter, Community Planner

DATE: March 9, 2021

RE: 7010 Greenbelt Road Proposed Development – Requests for City Support

Background:

On December 17, 2020 representatives from the 7010 Greenbelt Road proposed development submitted a revised preliminary site concept and a request for the City's support regarding legislation to enable the development program to proceed as proposed. The revisions to this iteration of the concept plan are largely in response to Staff comments and feedback received at the August 31, 2020 City Council Work Session. The Advisory Planning Board (APB) met on February 17, 2021 to discuss the requests for City support and the revised site concept. A Board report on this topic is included in Council's packet.

The intent of this memorandum is to outline the most recent concept proposal, detail the support that the Applicant is seeking from the City, and provide staff's recommendations regarding the requests.

Proposed Development:

7010 Greenbelt Road, the former nursing home site, is a 4.5-acre site that is currently vacant. The Applicant is proposing the development of 90 for-sale age-restricted units on this site. These 90 units are proposed to be distributed throughout four (4) buildings. Three (3) of these buildings are proposed to be four (4) stories and one building would be three (3) stories. The Applicant is proposing 121 surface parking spaces (8 accessible, 113 standard, and 4 electric vehicle charging stations). The concept plan also proposes a Zen garden, pavilion, community garden, low impact exercise, and pickleball court.

At this time the Applicant has only submitted a preliminary site concept that does not include significant detail about the proposed development. Therefore, Staff's review at this time has largely focused on the legislative requests and initial concerns about the proposal details that have been provided.

While a preliminary level of detail is available at this time, staff has raised a significant concern about the absence of interior common space proposed for the development. This concern was relayed to the Applicant by staff and then further discussed during the August 31, 2020 City Council Work Session. In response to this concern the Applicant revised the concept to include a pavilion area as a means to incorporate exterior meeting space.

Staff does not feel that this is adequate to meet the concern as this space would only be usable for a certain period of the year. Planning staff also discussed this concern with Greenbelt CARES Department staff who strongly concurred that an age-restricted development would greatly benefit from interior common space.

As noted previously the Applicant has submitted a request that the City support two (2) pieces of legislation and one (1) variance request. These requests are detailed below.

Requests for City Support:

The Applicant has submitted three (3) requests regarding: land use, density, and green area/lot coverage. 7010 Greenbelt Road is zoned R-18. This zone, “Provides for multiple family (apartment) development of moderate density; single-family detached; single-family attached, two-family and three-family dwellings in accordance with R-T Zone provisions.”

There are several areas within the City that are zoned R-18, including those areas that contain the Hunting Ridge Condominiums, Charlestowne North Apartments, Charlestowne Village Condominiums, Lerner University Square Apartments, Lawrence Apartments, Crescent Square Apartments, Parke Crescent Apartments, and Jane Realty Apartments. A parcel of land owned by the City, which contains the Greenbelt Dog Park, is also zoned R-18.

The only vacant parcels in the R-18 Zone within City limits are 7010 Greenbelt Road and a small parcel that is controlled by Prince George’s County. For reference, a map of the R-18 Zone in the City of Greenbelt is attached to this memorandum. This memorandum also considers how these requests would be treated as part of the RMF-20 Zone, the proposed zoning for this property under the new zoning code.

Historically, multi-family housing, subject to bedroom percentage requirements, was permitted in the R-18 Zone. In 2004 the City supported, and the County Council adopted, a zoning text amendment that permitted multi-family housing not subject to bedroom percentages under certain conditions in the R-18 Zone. These conditions were that a condominium plat be recorded for each dwelling unit, or a housing cooperative is established to own the dwelling units; and that at least 90% of all required parking spaces be provided in a parking structure. This allowed for the approval of the Detailed Site Plan for Greenbelt Crossing, a 90-unit condominium development with ninety percent structured parking.

In 2020, the County Council adopted a zoning text amendment that abolished bedroom percentage requirements. However, this text amendment, perhaps unintentionally, did not delete the conditions that had been previously incorporated in 2004 to allow for certain developments to proceed without being subject to bedroom percentages.

Specifically, in the R-18 Zone, this means that multifamily housing continues to only be permitted provided that (A) A condominium plat is recorded, in accordance with the provisions

of the Maryland Condominium Act, setting out each dwelling unit as a separate unit, or a housing cooperative is established to own the dwelling units; and (B) At least ninety percent (90%) of all required parking spaces are provided in a parking structure.

The Applicant's proposal does not fulfill the second requirement, because only surface parking is proposed. The ninety percent structured parking requirement, given the size of the subject site, has been repeatedly cited as a financial impediment to the development of age-restricted housing on the subject site. The cost of structured parking is reportedly approximately five (5) times higher than surface parking per space

The Applicant, therefore, has asked that the City support legislation that would remove these conditions and simply indicate that multifamily housing is permitted in the R-18 zone. This request is consistent with the proposed zone (RMF-20) as that zone permits multifamily housing without these conditions.

Staff recommends that the City support this legislation if it is modified to require that the multifamily housing in the R-18 Zone be "age-restricted and/or affordable." It is important to note, however, that the "age-restricted and/or affordable" language may be recommended for removal before the final legislation is considered by the County Council since multi-family housing is consistent with the purpose of the R-18 Zone and the RMF-20 language in the new zoning ordinance.

The Applicant's second request is with respect to density. The density permitted in the R-18 Zone is dependent upon the height and number of floors in a multifamily building. If the multifamily buildings are proposed to be 36 feet in height (four (4) or more stories) with an elevator, the permissible density is 20 dwelling units per acre. If the buildings are less than 36 feet in height then the permitted density is 12 dwelling units per acre.

The Applicant is proposing 90 dwelling units, which equals a density of 20 dwelling units per acre. The Applicant has noted, however, that their proposal includes one (1) building that will be three (3) stories. This will likely reduce their allowable density to below 20 dwelling units per acre. Therefore, the Applicant has asked for the City to support legislation that would allow for a density of 20 dwelling units per acre regardless of building height.

This request is consistent with the proposed new zone (RMF-20) which would permit 20 dwelling units per acre regardless of building height or number of stories. Permitting 90 dwelling units on this site is also consistent with the City's covenant on the property. Staff recommends that the City support legislation permitting 20 du/ac regardless of building height or number of floors.

The third and final request that the Applicant has made at this time is for the City to support a variance with respect to lot coverage and green area. Lot coverage is defined by the Prince George's County Zoning Code as, "The percentage of a "Lot" which is covered by

“Buildings” (including covered porches) and areas for vehicular access and parking of vehicles.” In the R-18 Zone this use mandates a maximum lot coverage, dependent on number of building stories, between 30-40% of net lot area.

The requirement for green area, depending on number of building stories, is between 60-70% of net lot area. The Applicant’s current proposal includes 41.4% lot coverage and 58.6% green area. As the proposal does not meet the requirements of this zone the Applicant is requesting a variance to reduce the required green area for this particular site, rather than the R-18 Zone as a whole.

At this time staff is not supportive of an increase in lot coverage and a reduction in green area and further does not believe this is an appropriate time to be discussing a variance request. The granting of a variance requires that the request fulfill three (3) conditions. These conditions are:

- (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions
- (2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and
- (3) The variance will not substantially impair the intent purpose, or integrity of the General Plan or Master Plan

Staff feels that the most appropriate time to review and comment on a variance application would be after the Applicant has submitted the full request as part of a Detailed Site Plan submission. At such time, staff would review and make a recommendation on the variance request. The Applicant did note, during the February 17, 2021 APB meeting, that opportunities are being explored to increase the amount of green area for the proposed development.

City of Greenbelt Covenant:

As you are aware the City holds a covenant on the 7010 Greenbelt Road property which outlines the requirements for any development on this property and the City’s rights with respect to reviewing and approving development proposals. The covenant states that, “The Subject Property shall be developed with no more than ninety (90) multifamily style dwelling units which shall be subject to either a condominium or a cooperative regime for sale to individual purchasers.”

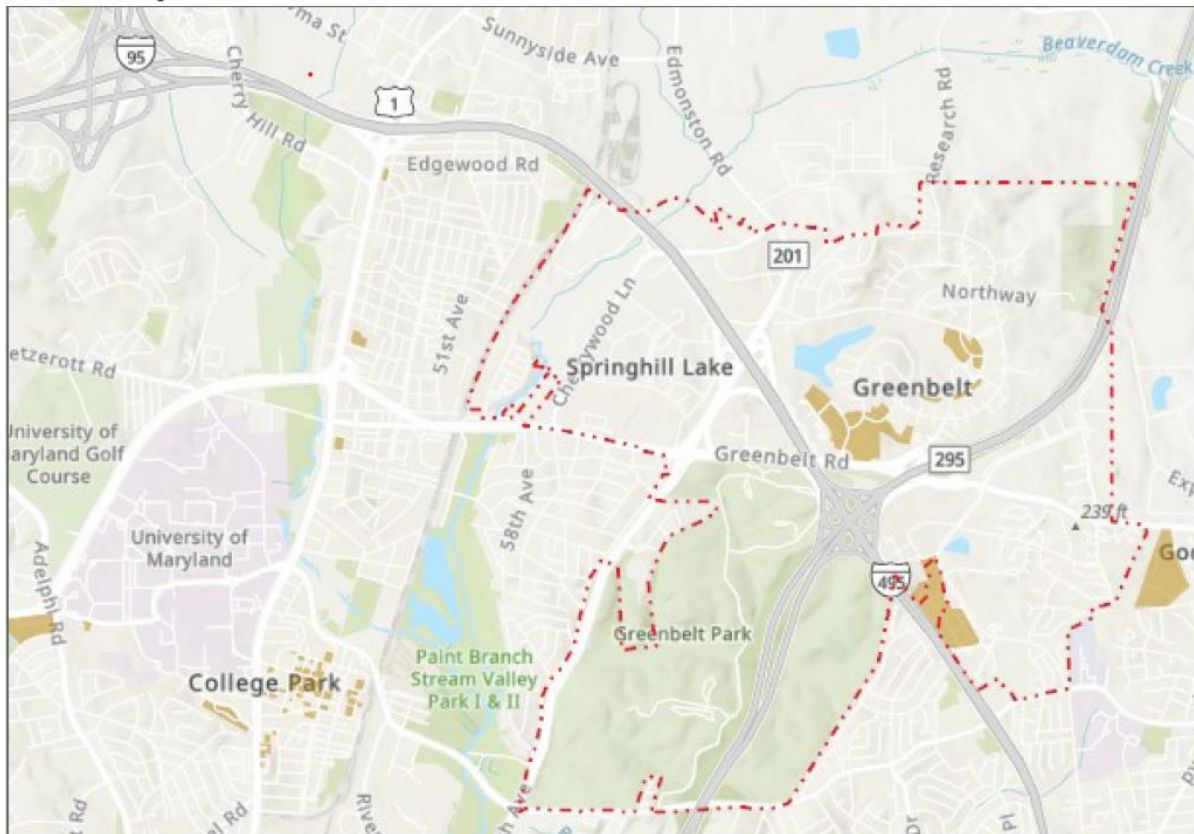
Staff believes that if the underlying R-18 Zone were to be amended by the proposed legislation, the City’s covenant would not require any amendments for the current proposal. The City would still retain the right to review and approve the detailed site plan, including architecture.

Conclusion:

The development team for 7010 Greenbelt Road is seeking feedback from the City on these requests prior to pursuing them with the County. The development team has also indicated the need to address the requested zoning changes before investing in detailed site design and engineering efforts.

It is important to note again that at this time Staff has only received a preliminary concept plan, and has not received detailed information about the development proposal. Details about the proposed development would come back before APB and City Council at such time that a full Detailed Site Plan is submitted to the City.

R-18 Map



ADVISORY PLANNING BOARD

REPORT NO. 2021-02

REPORT TO COUNCIL

Date: 3/11/2021

SUBJECT: 7010 Greenbelt Road Development Proposal – Requests for City Support

BACKGROUND:

On December 12, 2020, representatives from the 7010 Greenbelt Road proposed development submitted a revised preliminary site concept and a request for the City's support on two (2) pieces of legislation and one (1) variance request.

On February 17, 2021, the Advisory Planning Board (APB) received a presentation from Planning Staff regarding the revised site concept and requests for City support. Members of the development team were also present at the meeting and provided additional information to the Board. Staff presented the revised site concept which proposes 90 for-sale age-restricted units distributed throughout four (4) buildings. The site concept also includes outdoor exercise amenities and a pavilion. The site concept does not include any interior common space for the development. Staff noted that at this time only preliminary information about the proposed development has been submitted.

Planning Staff also presented the requests that were submitted by the Applicant which would facilitate this proposal to move forward. These three (3) requests were with respect to the land-use, density, and green area/lot coverage.

The Applicant's first request is for the City to support a text amendment that would indicate multifamily housing is permitted in the R-18 Zone without the existing conditions that currently restrict the development of multifamily housing in the R-18 Zone. These existing conditions are that multifamily housing can only be developed in the R-18 Zone if (a) A condominium plat is recorded, in accordance with the provisions of the Maryland Condominium Act, setting out each dwelling unit as a separate unit, or a housing cooperative is established to own the dwelling units; and (b) At least ninety percent (90%) of all required parking spaces are provided in a parking structure.

The Applicant's second request is for the City to support a text amendment that would allow for a density of 20 dwelling units per acre regardless of building height. Currently in the R-18 Zone, density is restricted based on the height of the proposed buildings.

The Applicant's third request is for the City to support a variance that would allow for a decrease in the green area required for the development and an increase in the permitted lot coverage. After Staff presented these requests, the Board discussed Staff's recommendations and raised areas of concern to be addressed if the development proposal were to move forward.

ANALYSIS:

The Board discussed the requests that were submitted by the Applicant, the recommendations made by staff, and areas of concern about the development proposal.

Staff presented their recommendations for each request for support. Staff recommended that the City support the request for the land-use text amendment if the language were to be revised to indicate that multifamily housing in the R-18 Zone be permitted if the units were “age-restricted and/or affordable.” Staff did note that this language may be removed before final legislation is considered by the County Council as multifamily housing is consistent with the purpose of the R-18 Zone and the proposed zone for this lot under the new zoning code.

With respect to the density request, Staff recommended that the City support this request as it is consistent with the proposed zoning for this lot under the new zoning code. The Applicant did note that they believe the “affordable and/or age restricted” language that planning staff recommend should be tied to the density text amendment rather than the land-use text amendment.

Lastly, the Applicant requested support for a variance that would lower the green area requirement for the development and allow for an increase in the permitted lot coverage. Staff noted that they do not support a reduction in green area and further do not believe the City should be discussing a variance request until such time that a complete request is submitted as part of a Detailed Site Plan (DSP) submittal. The Applicant noted during this discussion that they are exploring ways to increase the amount of green area in the proposal and ways to decrease the proposed lot coverage.

The Board discussed these three (3) requests and voted (6-0) to support Staff’s recommendations.

Throughout the discussion the Board raised concerns about the development as proposed. The Board’s discussion focused largely on how this proposed development would interact with Greenbelt Road (MD 193). The Board has a significant concern about the potential for crashes as motorists are entering and leaving the proposed development.

At this time left-turns are permitted onto and off of Greenbelt Road (MD 193) at this location. Members of the Board raised a strong concern that this will result in crashes and voiced that only right-turns should be permitted for motorists exiting the development. The Board noted the speed at which motorists are travelling and the volume of vehicles on Greenbelt Road.

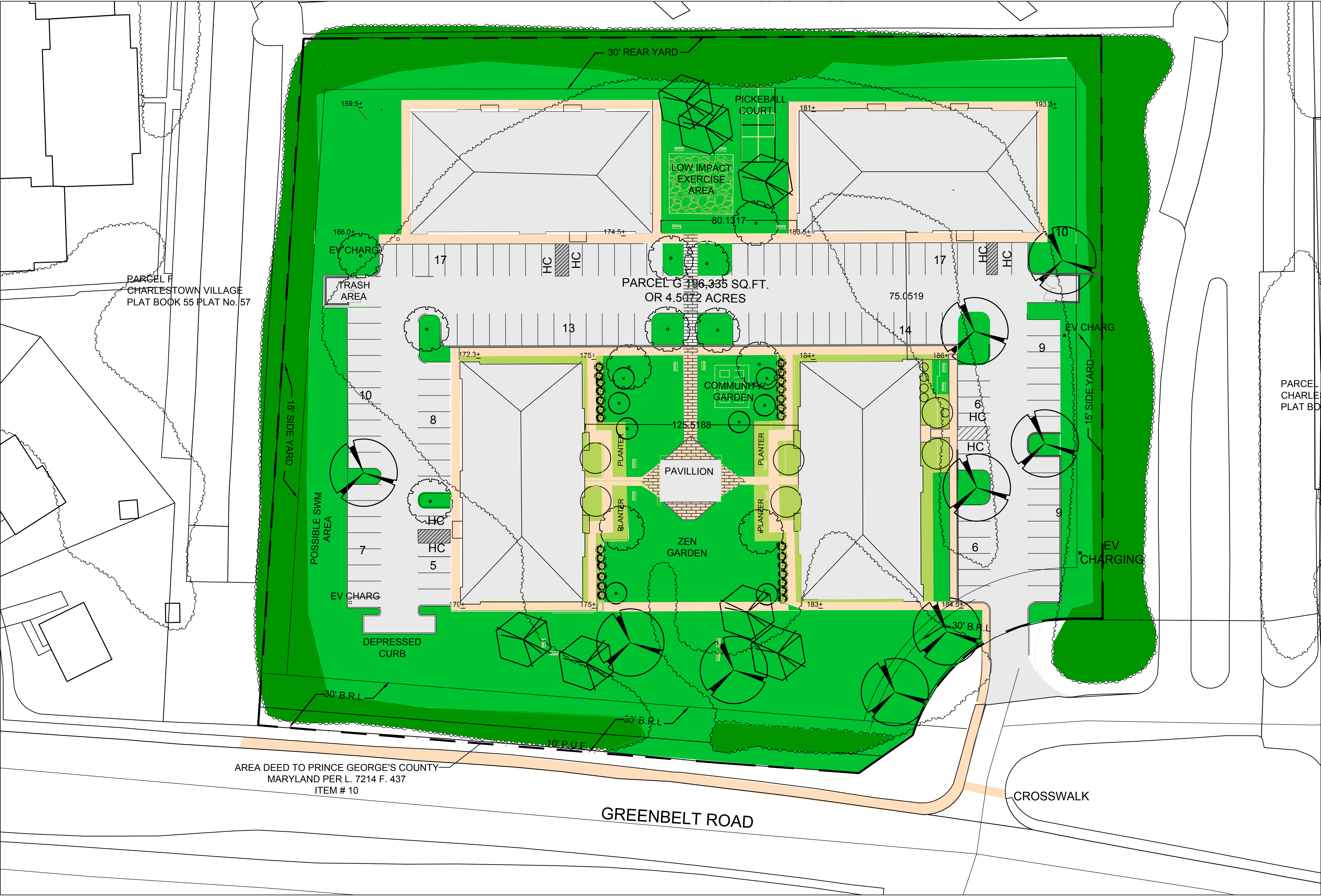
The Board also asked questions about noise mitigation due to the proximity of the proposed development to Greenbelt Road. Members of the Board raised questions about the parking as proposed noting that the parking lot should accommodate alternate modes of

transportation, specifically raising that the parking lot should accommodate the Greenbelt Connection Bus service.

At the conclusion of the conversation, members of the Board confirmed that if the development proposal were to move forward it would come back before the Board to further discuss the concerns raised during this initial discussion and subsequent concerns and questions that arise as the proposal is refined.

SUMMARY:

The Board voted (6-0) to support the recommendations made by staff with respect to the Applicant's requests regarding land-use, density, and support for a variance for green area/lot coverage. The Board also raised concerns about the development as proposed, particularly with respect to how residents of this development would interact with Greenbelt Road (MD 193). APB will continue to review the proposed development if the site concept continues to move forward.

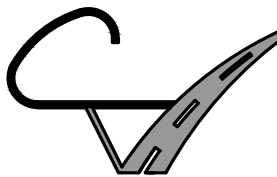


SITE DATA ANALYSIS	
TRACT AREA	4.5076 AC.
ZONING	R-18
NO.OF UNITS ALLOWED	20 DU/AC
NO OF UNITS PROPOSED	90 UNITS
PARKING REQ'D (96 UNITS)	90 UNITS
PARKING PROVIDED	60
(8 HC, 113 STD)	121
LOADING REQ'D (90 UNITS)	NONE
(SEC 27-582, MULTIFAMILY <100 UNITS)	
MAX COVERAGE ALLOWED =	78,540.42 SF
(.40 x 196,351)	
PARKING & DRIVE AISLES =	40,066.86+ SF
BUILDINGS(10,053.76 X 4 =	40,278.84+ SF
PAVILLION	880.00 SF
TOTAL COVERAGE (41.4%)	81,225.70+ SF
MIN. GREEN AREA REQUIRED =	117,810.63 SF
(.60 X 196,351)	
GREEN AREA 'A' =	59,592.07+ SF
GREEN AREA 'B' =	55,533.23+ SF
TOTAL GREEN AREA PROV.(58.6%)	115,125.30+ SF
ADDITIONAL GREEN AREA REQ'D	2,685.33+ SF
DIST. BETWEEN BLDGS	74'
BUILDING HEIGHT	47.7'
DIST. BETWEEN BLDGS 50' + 2' FOR EACH FT. OF HT OVER 36' (2 X 11.7 = 23.4)	
NOTE: THIS PLAN IS CONCEPTUAL IN NATURE LOCATION OF BUILDINGS AND AMENITIES ARE FOR DISCUSSION PURPOSES ONLY	

OWNER/DEVELOPER:

CONTACT:
PHONE:
EMAIL:

Rev. No.	Revision	Rev. Date
10	Moved bldgs. on north closer together and pickleball court to the southern open space	10/20/2020



CV, INC.
1395 PICCARD DRIVE, STE 370
ROCKVILLE, MARYLAND 20850
PHONE: (301) 637-2510
FAX: (240) 252-5612
CONTACT: CHINMAY VYAS, P.E.
EMAIL: CVYAS@CVINC.COM

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 200501, EXPIRATION DATE: 09/01/21

PROJECT

7010 GREENBELT RD
SITE ANALYSIS
GREENBELT, MD 20770
PRINCE GEORGE'S COUNTY

DATE: 11/23/2020	JOB NO. 20201034	
DESIGN :	SCALE:	SHEET NO : OF
CHECKED :		



DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Declaration") is made and entered into this 23rd day of November, 2004, by and between ARMORY PLACE, LLC, a Maryland limited liability company ("Armory"), and THE CITY OF GREENBELT, a municipal corporation of the State of Maryland.

R E C I T A L S:

Recital 1: Armory is the owner of certain property located within the municipal boundaries of the City of Greenbelt, which property is more particularly described as Parcel "C," as depicted on a plat of subdivision entitled "Parcel C, Charlestown Village" which plat is recorded among the Land Records of Prince George's County, Maryland, at Plat Book 55, Plat No. 30 (the "Subject Property").

Recital 2: The Subject Property is improved with a building formerly used as a nursing home facility. As of the date hereof, the building located on the Subject Property is vacant. Armory desires to raze the existing structures on the property and to construct in lieu thereof a 90-unit multifamily development in accordance with the underlying zoning category of the Subject Property, the R-18 Zone. Pursuant to the requirements of the R-18 Zone, development of the Subject Property will be subject to the review and approval of a Detailed Site Plan in accordance with the provisions of Part 3, Division 9 of Subtitle 27 of the Prince George's County Code.

Recital 3: In consideration of Armory providing the City of Greenbelt with enforcement powers with respect to the herein contained covenants, conditions and restrictions, the City of Greenbelt has agreed to support any detailed site plan filed with The Maryland-National Capital Park and Planning Commission and/or Prince George's County, Maryland, once such detailed site plans have been reviewed and found acceptable by the City of Greenbelt, which such review and acceptance shall not be unreasonably withheld.

NOW, THEREFORE, Armory and the City of Greenbelt do hereby declare that the Subject Property shall be held, sold and conveyed subject to the following covenants, conditions and restrictions which are for the purpose of promoting conformity of development in the general area in which the Subject Property is located and which covenants shall run with the Subject Property. These covenants, conditions and restrictions shall be of perpetual duration.

1. This Declaration is not intended to confer any rights or benefits upon any adjoining property owners or third parties except

for the City of Greenbelt, and the City of Greenbelt, alone, shall have the right and power to enforce the Covenants, Conditions and Restrictions set forth herein.

2. The Subject Property shall be developed with no more than ninety (90) multifamily style dwelling units which shall be subject to either a condominium or a cooperative regime for sale to individual purchasers. The determination as to whether or not the project shall be developed under a condominium or a cooperative regime shall be at the sole discretion of Armory.

3. (a) The parties hereto understand and agree that the Subject Property is zoned R-18. Pursuant to Section 27-436(e) of the Prince George's County Code, a Detailed Site Plan is required prior to the approval of any multifamily dwellings constructed in the R-18 Zone. The City of Greenbelt shall have the right to the review and approval of the detailed site plan for the Subject Property proposing the construction of the multifamily dwelling units thereon, said approval not to be unreasonably withheld. The detailed site plan shall be prepared in accordance with the provisions of the Prince George's County Code regulating the preparation of a detailed site plan as set forth in Section 27-281, et seq. of the Prince George's County Code, as may be amended from time to time. The parties hereto agree that the City of Greenbelt shall have the authority to the review and approval of the following elements required to be depicted on a Detailed Site Plan:

- a. detailed site plan
- b. landscape plan
- c. building height
- d. freestanding and building signage
- e. architectural elevations
- f. grading plan
- g. storm drain and paving plan

(b) The City of Greenbelt's review and approval of the detailed site plan and the elements set forth above shall be subject to the review and approval of the Detailed Site Plan by the Prince George's County Planning Board ("Planning Board") and/or the Prince George's County Council, sitting as the District Council ("District Council"). Armory agrees to support and advocate the Detailed Site Plan approved by the City of Greenbelt in public hearings held before the Planning Board and the District Council. In the event, however, that the Planning Board and/or the District Council approves the Detailed Site Plan with conditions which require the modification of the detailed site plan approved by the City of Greenbelt, such approval shall not constitute a violation of this Agreement. Armory shall notify the City of Greenbelt of the modifications to the Detailed Site Plan approved by the Planning Board and/or District Council and request the City of Greenbelt to approve the revised the Detailed Site Plan, such

approval not to be unreasonably withheld. The City of Greenbelt reserves the right to appeal any such decision if the Detailed Site Plan approved by the Planning Board and/or the District Council does not conform with the Plan approved by the City of Greenbelt pursuant hereto.

4. In addition to the approval of a Detailed Site Plan and the elements set forth in paragraph 3 above, the City of Greenbelt shall have the right to review and approve a noise attenuation plan which shall be submitted by Armory with the Detailed Site Plan to the City of Greenbelt. The noise attenuation plan shall address both noise generated from the exterior of the structure, such as road noise generated along Greenbelt Road and the noise generated from the interior of the structure from units both above and beside an individual unit. The noise attenuation plan shall specify the construction materials which shall be utilized in the construction of the multifamily dwelling units to reduce sound transmission through walls and ceilings of the individual units. The noise attenuation plan shall include a certification from an acoustical engineer that calculates the interior noise levels which will result from the specific architectural noise attenuation measures to reduce exterior generated noise and calculates the Sound Transmission Class (as defined by the American Society of Testing and Materials) of the interior partitions (walls and floors). In reviewing the noise attenuation plan, the noise attenuation standards applicable in Prince George's County and the State of Maryland shall constitute the minimum standards. Armory covenants that the construction materials specified in the noise attenuation plan shall be utilized in the construction of the dwelling units.

5. The City of Greenbelt shall be afforded the opportunity to review and comment on (but not approve) a traffic study to address the entrance of the Subject Property on Greenbelt Road in conjunction with its submittal to the Maryland State Highway Administration for approval.

6. Armory and the City of Greenbelt shall agree on a reasonable length of time during which signs advertising the proposed development or advertising contractors or sales agents, or financial institutions involved with the development may be maintained on the Subject Property. In no event shall this length of time be less than the time required to build and sell all units in the proposed development. Upon conclusion of the initial sale of the units, such advertising signage shall be removed. As referred to in this paragraph, the initial sale of units shall refer to the initial sale of units and not any resale of the units. If it is reasonably determined that Armory is intentionally delaying completion of the building or the sale of the units and the proposed development (other than delays resulting from force majeure or other delays resulting beyond Armory's control) for the purpose of allowing temporary advertising signs to remain standing,

then the City of Greenbelt shall be entitled to compel Armory to remove said temporary advertising signs. In conjunction with the foregoing sentence, the City of Greenbelt shall have the right to review the status of said advertising signs at six (6) month intervals.

7. (a) The obligations of Armory under this Declaration shall apply only with respect to the period of time during which it is the owner of a fee simple interest in the Subject Property and the improvements, and at such time as it ceases to own a fee simple interest therein, the obligations and rights thereafter clearly shall be the obligations and rights of its successors in ownership in interest.

(b) Notwithstanding anything to the contrary provided in this Declaration, it is specifically understood and agreed that there shall be absolutely no liability for damages on the part of Armory or any successor mortgagee, individual, partnership, joint venture or corporation with respect to any of the terms and conditions of this Declaration and that in the event of any breach by Declarant, the sole remedy for any party claiming hereunder shall be by a suit for specific performance to enforce any of the terms, covenants and conditions of this Declaration to be performed by them, such exculpation of liability for damages to be absolute without exception whatsoever.

8. Modifications, waivers and consents with respect to this Declaration shall only be binding if in writing and signed by the party against whom such modification, waiver or consent is sought to be enforced.

9. The covenants contained herein are and shall be construed as real covenants and shall run with the land and shall be binding upon the parties hereto, their successors, heirs, executors, administrators or assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date herein first above written.

Attest:

CITY OF GREENBELT

Michael McLaughlin

By:

Judith F. Davis

[Signature]

By:

ARMORY PLACE, LLC

Lowell E. Baier

Lowell E. Baier, Manager

LAW OFFICES

31885 AND HALLER

4640 FORBES BLVD.

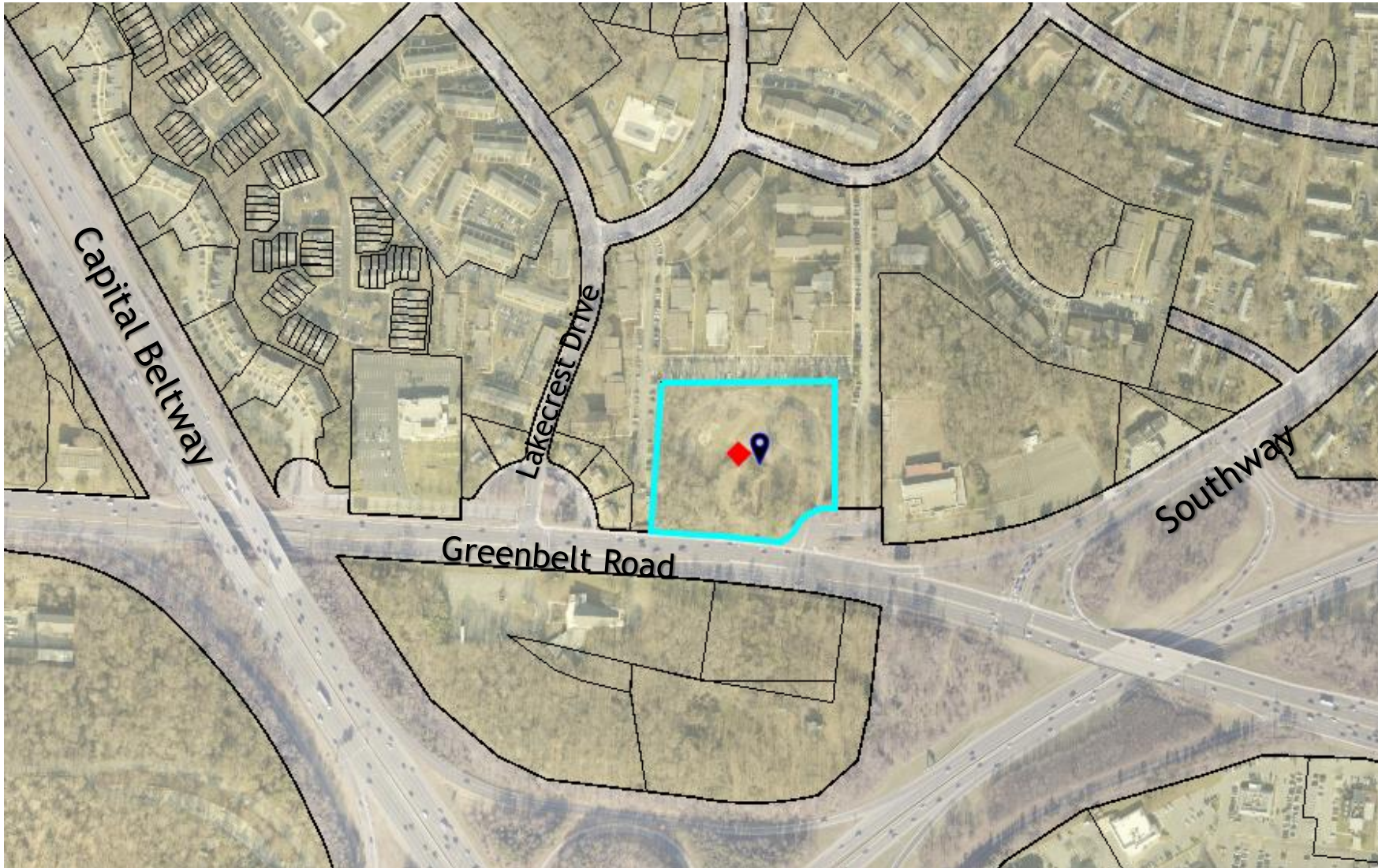
LANHAM, MD 20706

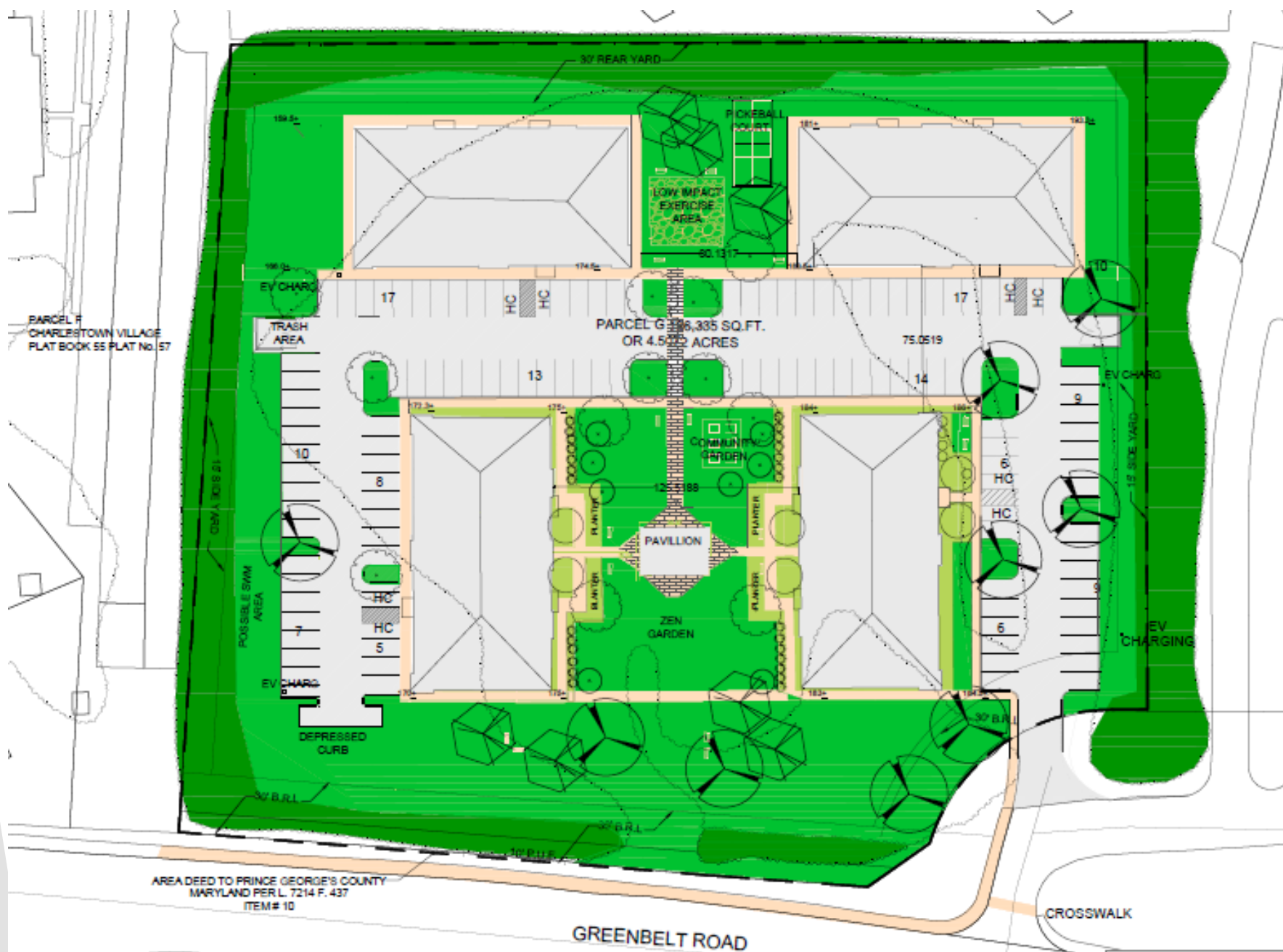
(301) 306-0033

7010 Greenbelt Road Proposed Development - Requests for City Support on Legislation

City Council Work Session
March 17, 2021

7010 Greenbelt Road Site and Vicinity





SITE DATA ANALYSIS

TRACT AREA	4.5076 AC.
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PARKING PROVIDED (8 HC, 113 STD)	121

LOADING REQ'D (90 UNITS) NONE
(SEC 27-582, MULTIFAMILY <100 UNITS)

MAX COVERAGE ALLOWED = (.40 X 196,351)	78,540.42 SF
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ADDITIONAL GREEN AREA REQ'D	2,685.33+ SF

DIST. BETWEEN BLDGS	74'
BUILDING HEIGHT	47.7'
DIST. BETWEEN BLDGS 50' + 2' FOR EACH FT. OF HT OVER 36' (2 X 11.7 = 23.4)	

**NOTE: THIS PLAN IS CONCEPTUAL IN NATURE
LOCATION OF BUILDINGS AND AMENITIES ARE
FOR DISCUSSION PURPOSES ONLY**

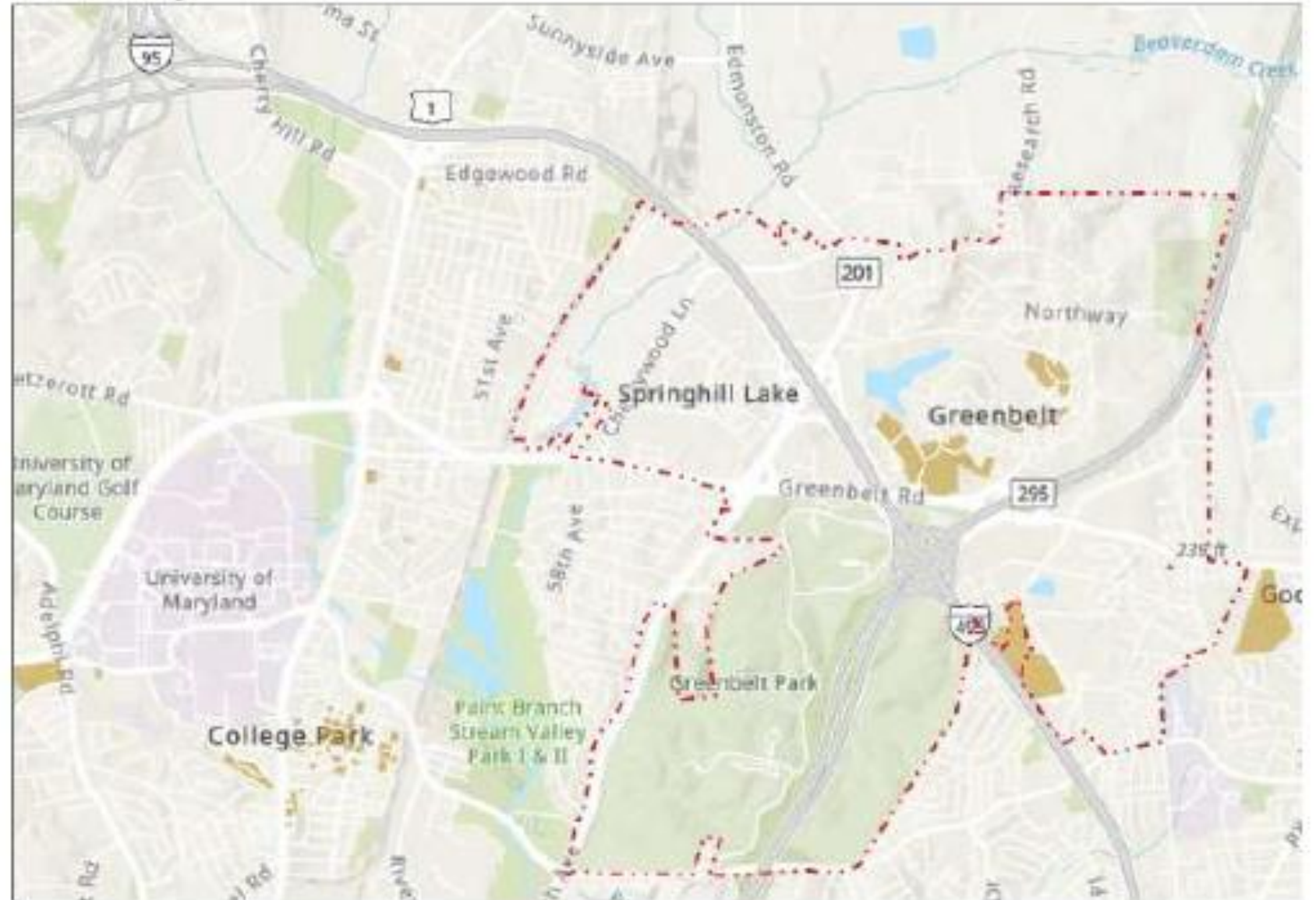
Proposed Building Elevation



R-18 Zone

- This zone, “Provides for multiple family (apartment) development of moderate density; single-family attached, two-family and three-family dwellings in accordance with R-T Zone provisions”

R-18 Map



Request for City Support: Land-Use

- ▶ Currently the R-18 Zone allows for multifamily housing if:
 - ▶ The project is subject to a condominium regime, and
 - ▶ 90% of the parking is structured
- ▶ No structured parking is currently proposed, therefore the Applicant is requesting City support for legislation that would remove these conditions and indicate that multifamily housing is permitted in the R-18 Zone
- ▶ Staff is recommending that the City support this request *if* it is modified to require that the multifamily housing in the R-18 Zone be “age-restricted and/or affordable”

Request for City Support: Density

- ▶ In the R-18 Zone, the maximum density is 20 units per acre, if the buildings are four (4) stories with an elevator
- ▶ This density would allow for 90 units, however the Applicant's permitted density will likely be reduced because one of the buildings is proposed to be three (3) stories
- ▶ Therefore, the Applicant is requesting City support for legislation to change the density to 20 units per acre regardless of building height
- ▶ Staff is recommending support of this legislation, as it is consistent with the City's covenant and proposed new zoning (RMF-20)

Request for City Support: Green Area/Lot Coverage

- ▶ In the R-18 Zone, for multifamily housing, lot coverage of up to 40% is permitted and 60% green area is required
- ▶ The Applicant's proposal has a lot coverage of 41.4% which exceeds the minimum allowed and a green area of 58.6% which does not meet the requirement
- ▶ Therefore, the Applicant is requesting City support for a variance to increase lot coverage by 1.5% and reduce green area by 1.5% for this particular site
- ▶ Staff is not supportive of a reduction in the green area requirement and further does not feel this is the appropriate time to comment on a variance request

Conclusion

- ▶ The Applicant is requesting City support on three matters:
 - ▶ Legislation to remove the conditions associated with multifamily housing in the R-18 Zone
 - ▶ Legislation to permit a density of 20 du/ac in the R-18 Zone regardless of building height
 - ▶ A variance to increase lot coverage and reduce green area requirements for this site, not for the R-18 Zone as a whole