



Loiederman  
Soltesz Associates, Inc.

December 6, 2012

Ms. Quynn Nguyen  
Maryland-National Capital Park and Planning Commission  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772



Re: Cafritz. 4-12004  
LSA No.: 2411-05-01  
Letter of Justification for Impacts to Regulated Environmental Features

Dear Quynn:

The following information is provided pursuant to the need to supply a Statement of Justification for impacts to a "Regulated Environmental Feature" as defined in Subtitle 24-130(B)(5) of the Subdivision Ordinance.

The Cafritz Property consists of 35.83 acres of land located in northwestern Prince George's County, on the eastern side of Baltimore Avenue (US Route 1). The site borders Baltimore Avenue, south of its intersection with Albion Road. The site is comprised of one parcel (Parcel 81) on Prince George's County Tax Map 42 Grid D2. Approximately 91% of the property is forested. The remaining area consists of grass fields. The area surrounding the property consists of CSX railroad tracks and right-of-way, Metrorail tracks and right-of-way, residential development, and retail/commercial development. The site was rezoned to M-U-TC through the Zoning Map Amendment A-10018.

This site proposes approximately 1,200,000 - 1,950,000 sf of retail, commercial, office, and residential with associated parking and infrastructure. Multifamily and townhomes are proposed for most of the eastern portion of the site. The western side of the site will be comprised of primarily retail, commercial, and office. The site was originally developed as housing in the 1940s and 50s. Since then the site has been cleared and overgrown with forest. Zoning for this site requires a mixed-use development. The intended mixed-use development proposes retail, commercial, office, and residential uses. Entry onto the property will come from Baltimore Avenue and Maryland Avenue from the south, while a possible railroad crossing will provide another entrance on the eastern side. Multifamily and townhomes are proposed for most of the eastern portion of the site. The western side of the site will be comprised of primarily retail, commercial, and office.

There is a small, isolated wetland (0.02 acres) at approximately the mid-point of the northern property line, adjacent to the Metrorail right-of-way. This isolated wetland is not regulated by the Maryland Department of the Environment as a jurisdictional wetland. While there is no known FEMA floodplain on the property, there is 100-year County Floodplain located on site; it is confined to the southeastern side of the property and takes up 0.06 acres of the site.

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Attempts were made to avoid all impacts to the regulated features, but preliminary studies showed no practicable alternative that achieved complete avoidance. Alternative designs then focused on minimization of impacts to regulated features to the two impacts outlined below.

**Impact Area 1** is 937 square feet (0.02 acres) of unregulated wetland and 5,552 square feet of wetland buffer disturbance for a street and residences.

a. Avoidance: The isolated wetland's central location on the subject property makes its impact nearly impossible to avoid. If steps were taken to avoid this unregulated wetland, the site would be drastically under-developed, and vehicular and pedestrian flow patterns would be less desirable and efficient.

b. Minimization: In addition to its location central to the site, this unregulated wetland is relatively small. Alternative designs have proven there is no practicable way to minimize the impact that would result in the same results as avoidance; i.e. drastic under-development and undesirable and inefficient vehicular and pedestrian traffic flow.

**Impact Area 2** is 2,488 square feet (0.06 acres) of and floodplain impact for residential development.

a. Avoidance: The site has several off-site constraints which dictate where certain types of on-site development can be placed. The Metrorail tracks and right-of-way to the north and CSX Railroad tracks and right-of-way to the east act as these constraints. Access into the site from the north is impossible, and very difficult from the east. In order to gain access into the site from the east, a bridge must be constructed over the existing railroad tracks. The primary access onto the site comes directly from Baltimore Avenue.

The floodplain on the southeastern portion of the site is impacted to create a road connection to Maryland Avenue, per condition of approval of CSP-11005, and to allow for residential development. This impact is unavoidable because a connection to Maryland Avenue must be made to alleviate the traffic flow entering and exiting the site at Baltimore Avenue. This additional site entrance will not only alleviate traffic at other entrances, but will also improve the overall flow of the site. Since the floodplain runs the length of the shared property boundary between the site and the existing Maryland Avenue right-of-way, if a connection is to be made to Maryland Avenue at all, the impact is unavoidable.

b. Minimization: Care has been taken to design an access that connects to Maryland Avenue without excessive and unnecessary grading thus reducing an otherwise greater area of disturbance.

Impact ID	Impact type and duration	Total acreage or square footage of impact	Acreage or Square footage of Floodplain impact	Acreage or square footage of unregulated wetland and wetland buffer impact
1	Road connection and structures (permanent)	0.00 sq.ft. PMA	0.00 sq.ft.	937 sq.ft. (0.02 acres)
2	Road Connection (permanent)	2,488 sq.ft. PMA (0.06 acres)	2,488 sq.ft. (0.06 acres)	0.00 sq.ft.
Total Area of Floodplain Impact			2,488 sq.ft. (0.06 acres)	0.00 sq.ft.
Total Area of Wetland and Wetland Buffer Impact			0.00 sq.ft.	937 sq.ft. (0.02 acres)

**Mitigation: For areas of significant impacts, has a mitigation package been proposed to provide an equal or better trade-off for the impacts proposed?**

Since the environmental features occupy less than 1% of the site and their impacts are required by CSP-11005, they are therefore not significant impacts.

This concludes the Letter of Justification for Cafritz Property 4-12004. Because impacts are unavoidable and have been minimized to the utmost practical, the Applicant respectfully requests approval for impacts to the unregulated wetland and the floodplain.

If you have any further concerns or questions, please do not hesitate to contact our office.

Sincerely,

LOIEDERMAN SOLTESZ ASSOCIATES, INC



Tim Davis, RLA, AICP  
 Associate