

R E S O L U T I O N

WHEREAS, D.R. Horton, Inc., is the owner of a 125.4-acre parcel of land known as (Parcels 53 and 273), located on Tax Map 60 and Grid E-2, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on September 3, 2003, D.R. Horton, Inc., filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 393 lots and 9 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03094 for Balk Hill Village was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on February 19, 2004, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on February 19, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/19/03-01), and further APPROVED Preliminary Plan of Subdivision 4-03094, for Lots 1-393 and Parcels A-I with the following conditions:

1. Prior to signature approval of the Preliminary Plan:
  - a. The Type I Tree Conservation Plan, TCPI/19/03-01 shall be revised as follows:
    - (1) Remove all woodland conservation areas located on lots and woodlands retained on lots shall be considered as being cleared.
    - (2) Show the location of the 100-year floodplain and do not count the floodplain toward the woodland conservation requirements.
    - (3) Revise the TCPI to be consistent with the proposed PMA impacts as identified by the letter of justification.
    - (4) Revise the woodland conservation worksheet as necessary after the above revisions have been completed.

- (5) Have the revised plan signed and dated by the qualified professional who prepared the plan.
  - b. The Preliminary Plan and the Type I Tree Conservation Plan shall be revised:
    - (1) To correctly label the Patuxent River Primary Management Area as PMA, not SVB or stream valley buffer.
    - (2) To eliminate proposed PMA impacts associated with clearing of Lots 8-10, Block "A" in order to further minimize the extent of the proposed PMA impacts. The extent of proposed impact "A" shall be further evaluated and minimized to the extent possible prior to the submittal of the Detailed Site Plan.
  - c. The Preliminary Plan shall be revised:
    - (1) To show the private alleys as parcels.
    - (2) To remove the note that Parcels 1 and 2 are to be conveyed to a private entity and replaced with a note that the parcels are to be conveyed to the Revenue Authority.
  - d. To eliminate on-street parking on St. Joseph's Drive and to increase the curve radii of the streets to a minimum of 300 feet, unless the Department of Public Works and Transportation waives these requirements in writing.
2. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/19/03-01). The following notes shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/19/03-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."
3. A Type II Tree Conservation Plan shall be approved concurrently with the Detailed Site Plan.
4. Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area except for approved impacts. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

6. At the appropriate state of development, the applicant, his heirs, successors, and/or assignees shall provide the following:
- a. Construct a standard sidewalk along the subject property’s entire frontage of the west side of Campus Way North, per the concurrence of DPW&T.
  - b. Provide wide sidewalks (six to eight feet wide) along both sides of St. Josephs Drive, per the concurrence of DPW&T.
  - c. Provide standard sidewalks along both sides of all other internal roads, per the concurrence of DPW&T.
  - d. Additional pedestrian amenities and safety measures are encouraged, including benches, curb extensions, well-marked or contrasting crosswalks, raised crosswalks, and pedestrian-scale lighting. These features shall be addressed at the time of Detailed Site Plan.
  - e. Private pedestrian access shall be provided to the front of the manor homes fronting on Campus Way North. The private pedestrian access shall periodically connect to the public sidewalk along the right-of-way (Condition 1 a. of CSP-03001).
  - f. An eight-foot-wide hiker/biker trail shall be provided across the SWM pond embankment connecting Street C and Street D (Condition 1 c. of CSP-03001).

7. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”

8. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
9. The detailed site plan shall include a site plan of the facilities that comply with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The private

recreational facilities shall be reviewed for adequacy and property siting prior to approval of the detailed site plan by the Planning Board.

10. The applicant, his heirs, successors and/or assignees shall submit three original, executed Recreational Facilities Agreements (RFA) to the Development Review Division for their approval, three weeks prior to a submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
11. The applicant, his heirs, successors and/or assignees shall submit to the Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.
12. The applicant, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.
13. The land to be conveyed to a homeowners association shall be subject to the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved Detailed Site Plan or shall require the written consent of DRD. This shall include, but not be limited to: the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.

- g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent land, owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
  - i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to M-NCPPC, without the review and approval of DPR.
  - j. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
14. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall have the scrap tires on the property hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt for the tire disposal shall be submitted to the Health Department prior to issuance of building permits.
  15. Development must be in accordance with the approved stormwater management concept plan, Concept 4981-2002-00, or any approved revisions thereto.
  16. A Phase I archeological study shall be performed prior to the approval of the Detailed Site Plan. The study shall pay particular attention to possible burials, including slave burials, and possible slave quarters.
  17. The use and ownership disposition of Parcels 1 and 2 shall be determined at the Detailed Site Plan stage.
  18. At the time of final plat approval, the applicant shall dedicate a right-of-way along Campus Way and St. Josephs Drive in accordance with the submitted plan.
  19. The applicant will provide an additional eastbound through lane along MD 202 through the I-95 interchange and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the applicant will provide a second eastbound left-turn lane along MD 202 at the McCormick Drive/St. Josephs Drive intersection. These improvements will be either directly provided by the applicant, or will be funded by the applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis.
  20. Prior to final plat, either the Subdivision Regulations shall be revised to allow the use of alleys in the M-X-T Zone or the alleys will be removed from the plan.

21. The relationship of the community use building, the retail commercial buildings on Lots 1-9, Block D, and the office use on Parcels 1 and 2 shall be determined at the time of the first Detailed Site Plan submitted for any portion of the entire development.
22. Parcels 1 and 2 shall be platted in conjunction with the first final plats for the entire development. The parcels shall be conveyed to the Revenue Authority immediately after recordation.
23. At the submission of the first Detailed Site Plan, the applicant shall submit documentation on the structure of the Advisory Planning Committee and how it will function to advise the Revenue Authority on the development of Parcels 1 and 2 pursuant to Condition 10 of Zoning Map Amendment A-9956-C. As part of the documentation noted above, it shall include confirmation that the representatives from the required membership have been duly chosen by their respective organizations.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located along both sides of the proposed extension of St. Josephs Drive and on the north side of the proposed extension of Campus Way and is approximately one-half mile north of the existing Campus Way/Lottsford Road intersection.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	M-X-T	M-X-T
Uses	Vacant	Single-family detached and attached homes; commercial office
Acreage	125.4	125.4
Lots	0	393
Parcels	2	9
Dwelling Units:		
Detached	0	283
Attached	0	110
Commercial Square Footage	0	348,480

4. **Environmental**—Approximately 60 percent of this site has existing forest cover. Streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. MD 202 and Campus Way North have been identified as transportation-related noise generators. The soils found to occur, according to the Prince George's County Soil Survey, include Collington fine sandy loam, Ochlockonee sandy loam,

Shrewsbury fine sandy loam, and Westphalia fine sandy loam. Although some of these soils have limitations with respect to drainage and infiltration, those limitations will have the greatest significance during the construction phase of any development on this property. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the headwaters of Western Branch, Bald Hill Branch, and Southwestern Branch watersheds of the Patuxent River Basin and in the Developing Tier as reflected in the adopted General Plan.

#### **ENVIRONMENTAL CONDITIONS OF APPROVAL TO BE ADDRESSED AT PRELIMINARY PLAN OF SUBDIVISION**

During the approval of the Zoning Map Amendment and Conceptual Site Plan, the Planning Board and/or District Council established conditions pertaining to environmental issues that need to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the Preliminary Plan are addressed below.

#### **BASIC PLAN, A-9956 (Zoning Ordinance No. 16-2002)**

- 7. The Conceptual Site Plan shall include a tree-stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams, and where they serve as a buffer between the subject property and adjacent residentially zoned land.**

The Forest Stand Delineation submitted with the Conceptual Site Plan CSP-03001 application was reviewed and was found to address the requirements for a Detailed Forest Stand Delineation by the Environmental Review Section. The Type I Tree Conservation Plan submitted with that application generally provided for the protection of the woodlands in the vicinity of the streams on the property.

- 8. At the time of Conceptual Site Plan, TCPI/05/97 shall be revised as required if areas along St. Josephs Drive and Campus Way North are not proposed for woodland reforestation or preservation.**

The Type I Tree Conservation Plan, TCPI/19/03, approved in conjunction with Conceptual Site Plan, CSP-03001, overlaps a portion of TCPI/05/97 that was previously approved in conjunction with the Balk Hill Subdivision, 4-02016. Because the woodland conservation requirements on the portion of the property covered by TCPI/05/97 are being satisfied by TCPI/19/03, it will not be necessary to revise TCPI/05/97. For the record, areas along St. Josephs Drive and Campus Way North are not proposed for woodland reforestation or preservation due to necessary site grading and proposed landscaped open space.

**CONCEPTUAL SITE PLAN, CSP-03001 (PGCPB No. 03-176)**

**11. The Type I Tree Conservation Plan shall be modified to incorporate any design changes made subsequent to the Environmental Planning Section memo dated June 25, 2003.**

The preliminary plan proposes some changes to the overall development scheme that have required revisions to the TCP I.

**Woodland Preservation**

The Detailed Forest Stand Delineation (FSD) submitted with this application was previously reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Tree Conservation Plan for the property, TCPI/19/03. Because this application proposes changes to the overall development of this site, a revised Type I Tree Conservation Plan, TCPI/19/03-01, was submitted for review on November 7, 2003.

The Type I Tree Conservation Plan, TCPI/19/03-01, has been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance. This 125.4-acre site has a 41.27-acre woodland conservation requirement that includes the 15 percent or 18.8-acre woodland conservation threshold requirement and the 22.47-acre replacement requirements. The 41.27-acre requirement is proposed to be satisfied by 10.3 acres of on-site preservation in priority retention areas, 0.95 acre of on-site reforestation, and 30.04 acres of off-site mitigation at a location to be determined. TCPI/19/03-01 is recommended for approval subject to minor revisions addressed in the staff-recommended conditions included in this report.

**Noise**

MD 202 is classified as an expressway with a noise impact zone (65 dBA Ldn noise contour) extending approximately 373 feet from the centerline of the roadway based on the Environmental Planning Section noise model. Because this application does not propose residential development within the noise impact zone along MD 202, it will not be necessary to address any noise impacts associated with MD 202.

Campus Way North is classified as an arterial roadway for that portion adjacent to the residential portions of this application. Specific traffic data is not available for this segment of the roadway because the roadway construction has not yet been completed. At the time of review of the Balk Hill Subdivision located across the street, the impacts associated with Campus Way North were determined resulting in the need for the placement of units away from the roadway and the provision of noise mitigation measures. The setback reflected for the lots backing up to Campus Way North on the subject application will ensure that all lots are located outside the 65 dBA Ldn



### **Patuxent River Primary Management Area**

Section 24-101(b)(10) defines the Patuxent River Primary Management Area (PMA) as including streams, a 50-foot stream buffer, the 100-year floodplain, adjacent wetlands, a 25-foot wetland buffer, adjacent slopes in excess of 25 percent, and adjacent slopes between 15 and 25 percent with highly erodible soils (soils having a K-factor greater than 0.35). The plans as submitted accurately show the various components and the ultimate limit of the PMA. However, the labeling on the plan for the PMA is incorrect. Prior to signature approval, the Preliminary Plan of Subdivision and the Type I Tree Conservation Plan need to be revised to correctly label the Patuxent River Primary Management Area as PMA, not SVB or stream valley buffer.

The application proposes impacts to the PMA for the construction of a stormwater management pond, a stormwater management pond outfall, and two road crossings. The letter of justification has clearly identified each of the proposed impacts and the Environmental Planning Section is in general agreement with the type and extent of those proposed impacts because they have been limited to those necessary for the construction of public roads and utilities. However, it must be noted that proposed impact "A" as reflected on the Type I Tree Conservation Plan is not consistent with that shown by the letter of justification. The Environmental Planning Section supports proposed PMA impacts "B," "C," and "D" and supports proposed PMA impact "A" as shown on the letter of justification and subject to the staff recommended conditions included in this report.

### **Water and Sewer Categories**

According to water and sewer maps obtained from the Department of Environmental Resources dated September 2002, the water and sewer service categories are W-4 and S-4, respectively. The property will be served by public systems.

5. **Community Planning**—The property is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. The proposed subdivision is indicative of a moderate density suburban residential community. The application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The proposed mixed-use development is permitted in Employment Area 3 of the *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* through the District Council approval of the M-X-T Zone for this site in 2002. Employment land use is the preferred use in this area per the Largo-Lottsford master plan; however, the plan does address a residential development alternative for most of the site. The subdivision can be considered in conformance with the land use recommendations of the master plan.

This property was the subject of a Conceptual Site Plan (CSP-03001) approved by the Planning Board in September 2003. Master plan issues were presented in the referral for the CSP. (See the attached referral for those comments.) These issues have been, for the most part, addressed through the approval of the CSP.

Staff highlighted the master plan concern regarding the separation of residential and nonresidential uses on adjoining properties. The one area where a strong separation is not apparent is the southeastern portion of the property where residential lots on Street F and Street J abut the adjoining I-3 zoned parcel.

6. **Parks and Recreation**—In accordance with Section 24-135(b) of the Subdivision Regulations and approved Conceptual Site Plan CSP-03001, the Park Planning and Development Division of the Department of Parks and Recreation recommends that the Planning Board require the applicant to provide private recreational facilities on-site in lieu of mandatory park dedication.

Recreational facilities proposed by the applicant are:

- A. A community building that can accommodate community theatrical productions.
- B. The circle will generally reflect a suitable cultural activity such as fountains or artwork.
- C. Trails.

No tot lots are proposed. At the time of detailed site plan, adequate provisions for outdoor play areas should be examined

A final location for the community building was discussed at the hearing. A potential location would be above the retail component on Lots 1 – 9, Block D, where parking could be potentially shared among retail, office and the community building. This location would be more desirable than the open space location within the residential area because of potential conflicts with residences. There are many benefits to having a community building with a theater above the retail; it provides for a second story over the retail; it locates the use in the center of activity; it increases pedestrian activity in the village core area; and it allows for the sharing of parking spaces among the various uses. The kinds of relationships with regard to ownership or leasing should be discussed at the time of Detailed Site Plan review.

7. **Trails**—One master plan trail impacts the subject site. The adopted and approved Largo-Lottsford master plan recommends that a Class II trail be constructed along Campus Way North extended. As required in Condition 1.h. of approved CDP-0201 (Balk Hill north of Campus Way North), this trail will be constructed along the east side of Campus Way North extended, which is off of the subject site. However, a standard sidewalk is recommended along the subject property's frontage along the east side of Campus Way North.

In keeping with the condition 1.1. of approved CDP-0201, standard sidewalks are recommended along both sides of all internal roads. Wide sidewalks (6 to 8 feet in width) are recommended along both sides of St. Josephs Drive. This will safely accommodate pedestrians within the subject site and will link to the master plan trail approved along St. Josephs Drive on the east side of Campus Way North (Condition 1 i., CDP-0201).

Additional pedestrian safety measures and amenities are also encouraged on the subject site, particularly along St. Josephs Drive. These can include benches, pedestrian-scale lighting, well-marked or contrasting crosswalks, and curb extensions at cross walk locations. These features can be determined at the time of detailed site plan.

8. **Transportation**—The applicant submitted a traffic impact study dated November 2003 that was generally prepared in accordance with the methodologies in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” The study has been referred to the county’s Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). The Transportation Planning Section has reviewed the application and the study, and the findings and recommendations outlined below are based upon a review of these materials.

#### **Growth Policy—Service Level Standards**

The subject property is in the developing tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the developing tier.

**Unsignalized intersections:** The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

#### **Staff Analysis of Traffic Impacts**

The traffic impact study prepared and submitted on behalf of the applicant reviews the following intersections:

MD 202/I-95 SB on-ramp  
MD 202/I-95 NB on-ramp (unsignalized)  
MD 202/McCormick Drive/St. Josephs Drive  
MD 202/Lottsford Road  
MD 202/Technology Way

MD 202/Lake Arbor Way/Arena Drive  
Lottsford Road/Campus Way  
Lottsford Road/Lottsford Vista Road

This area was studied extensively by transportation planning staff during the MD 202 Corridor Study. This study was a part of the Planning Department's FY 1997 work program, and was completed in 1997. The study originally began as a study in support of a sectional map amendment generally including properties within an area bounded by MD 202, the Capital Beltway, Lake Arbor Way, and the proposed alignment of Campus Way. During the course of the study, it evolved into a visioning and implementation study. Much of the direction of the study during its duration was the result of collaborative discussions within a series of study group meetings, with the study group composed of technical staff, citizen representatives, and development interests. From a transportation perspective, the MD 202 Corridor Study involved a comprehensive study of transportation in the MD 202 corridor. This comprehensive study included:

1. Traffic analyses of intersections within a study area along MD 202 adjacent to the properties forming the focus of the study.
2. Consideration of the development of the study area properties along with the development of other undeveloped properties in the area.
3. Identification of the transportation facilities that would be needed in the future to provide adequate transportation facilities.
4. Development of a plan for staging necessary transportation improvements to occur coincidentally with development on the subject property and other undeveloped properties in the area.

The traffic analysis indicated that the transportation network identified in the 1990 Largo-Lottsford master plan, as modified by a 1996 amendment to the plan adding a special-use interchange at I-95 and Arena Drive, was required to serve a buildout level exceeding 5.0 million square feet within the MD 202 corridor study area. The planning group, after considering the transportation facility requirements for several development scenarios and the likely development patterns that could occur, indicated their support for a cap of 2.7 million square feet within the study area properties.

An important conclusion of the MD 202 corridor study is that the cost of the needed future transportation improvements in the area should be shared by government and by private developers. The study indicated that further review would be needed to determine the appropriate costs to be borne by private developers and a means of dividing those costs among the various properties. The major improvements considered to be necessary for future development, up to the development cap, are:

1. Four lanes (each direction) along MD 202

2. Extension of Campus Way over the Beltway to Brightseat Road
3. Full-time operations at I-95/Arena Drive interchange
4. Overpass and partial interchange at MD 202 and St. Josephs Drive/McCormick Drive

Another important conclusion was that the comprehensive study of transportation staging done as part of the MD 202 corridor study would be considered part of the empirical evidence in support of development applications in the area for a period of ten years. As this study is currently seven years old, it will provide a suitable basis for the transportation recommendations for the subject application.

Existing conditions in the vicinity of the subject property are summarized as follows:

<b>EXISTING CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 202/I-95 SB on-ramp	888	1,607	A	F
MD 202/I-95 NB on-ramp	34.5*	15.4*	--	--
MD 202/McCormick Drive/St. Josephs Drive	1,475	1,565	E	E
MD 202/Lottsford Road	1,362	1,218	D	C
MD 202/Technology Way	1,001	1,242	B	C
MD 202/Lake Arbor Way/Arena Drive	1,215	974	C	A
Lottsford Road/Campus Way	+999*	+999	--	--
Lottsford Road/Lottsford Vista Road	+999*	691.9	--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.</p>				

A review of background operating conditions in the area was conducted by the applicant. The list of approved developments is accurate. Background traffic includes a two percent per year growth rate for through traffic along MD 202. Background traffic conditions are summarized below:

<b>BACKGROUND CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 202/I-95 SB on-ramp	1,330	2,398	C	F
MD 202/I-95 NB on-ramp	79.1*	72.3*	--	--
MD 202/McCormick Drive/St. Josephs Drive	1,922	1,930		F
MD 202/Lottsford Road	2,220	2,111	F	F
MD 202/Technology Way	1,314	1,717	D	F
MD 202/Lake Arbor Way/Arena Drive	1,517	1,298	E	C
Lottsford Road/Campus Way	+999*	+999*	--	--
Lottsford Road/Lottsford Vista Road	+999*	+999*	--	--

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

According to the traffic study, the subject property is proposed to contain up to 261,360 square feet of R&D space and 833 single-family detached residences. This is very different from the current proposal for the rezoning and the subdivision plans, as is shown in the following table:

Use	<b>Site Trip Generation</b>		
	Quantity	AM Trips	PM Trips
Residential—Single-Family Detached	333	250	300
Residential—Townhouse	60	42	48
Specialty Retail	20,000 sq feet	0	52
General Retail	328,480 sq feet	325	2102
Retail Internal Trips	10% AM/20% PM	-34	-420
Retail Pass-By Trips	50%	-109	-946
<b>TOTAL</b>		<b>474</b>	<b>1,136</b>

With the proposal, the following results are obtained:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202/I-95 SB on-ramp	1,408	2,502	D	F
MD 202/I-95 NB on-ramp	97.1*	102.2*	--	--
MD 202/McCormick Drive/St. Josephs Drive	2,240	2,282	F	F
MD 202/Lottsford Road	2,234	2,262	F	F
MD 202/Technology Way	1,333	1,783	D	F
MD 202/Lake Arbor Way/Arena Drive	1,537	1,364	E	D
Lottsford Road/Campus Way	+999*	+999*	--	--
Lottsford Road/Lottsford Vista Road	+999*	+999*	--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.</p>				

Several inadequacies are noted in the traffic study and the table above:

MD 202/I-95 SB On-Ramp: The traffic study recommends the addition of an eastbound through lane along MD 202. This improvement would result in the following operating conditions: AM, CLV of 1,104 (LOS B); PM, CLV of 1,956 (LOS F). This is **not** acceptable for adequacy, and this requires further discussion below in consideration of the MD 202 corridor study.

MD 202/McCormick Drive/St. Josephs Drive: The traffic study recommends the addition of an additional through lane each way along MD 202 and a second eastbound left-turn lane. This improvement would result in the following operating conditions: AM, CLV of 1,818 (LOS F); PM, CLV of 1,941(LOS F). This is **not** acceptable for adequacy, and this requires further discussion below in consideration of the MD 202 corridor study.

Lottsford Road/Campus Way: Other parties have bonded a traffic signal at this location, but it has not yet been installed. Also, the county is constructing the second half of the planned arterial facility at this location. Both improvements should be considered part of the background for the purpose of analyzing the subject development. With a signal in place and the lane configuration under construction, the intersection would operate as follows: AM, CLV of 1,037 (LOS B); PM, CLV of 1,275 (LOS C). This is acceptable for adequacy.

Lottsford Road/Lottsford Vista Road: The applicant proposes performing a signal warrant study at this location, with installation if warranted. With a signal in place and the current lane configuration, the intersection would operate as follows: AM, CLV of 1,084 (LOS B); PM, CLV of 1,148 (LOS B). This is acceptable for adequacy.

The traffic study includes a recommendation to pay a pro-rata share for improvements along MD 202. This has arisen from a conclusion of the MD 202 corridor study, which indicated the appropriateness of a cost-sharing methodology for the purpose of funding regional improvements needed for the whole area. The MD 202 corridor study determined that a number of improvements were needed in the area. This was further substantiated with the District Council's approval of A-9956, which approved the zoning for the subject property.

In that approval, the following cost information was presented:

- A. Four lanes (each direction) along MD 202: Needed widening within I-95/MD 202 interchange estimated at \$375,000. Along MD 202 between Arena Drive and I-95, at \$500 per linear foot and 7,500 feet, cost is estimated at \$3,750,000. Total cost: \$4.125 million.
- B. Extension of Campus Way over the Beltway to Brightseat Road: New road construction over 7,000 feet at \$900 per linear foot, or \$6,300,000. Beltway overpass estimated at \$6,700,000. Total cost: \$13 million.
- C. Full-time operations at I-95/Arena Drive interchange: State's Option 1 has an estimated cost of \$18 million. It was determined that FHWA will not approve low-cost improvements (i.e., less than \$1 million) for opening the interchange to full-time traffic.
- D. Overpass and partial interchange at MD 202 and St. Josephs Drive/McCormick Drive: Estimated in traffic study at \$10 million.

All four major improvements have a total cost of \$45.1 million.

In order to fund this amount, it was determined under the review of A-9956 that the applicant should pay \$928.20 per peak-hour trip (the average of AM and PM peak-hour trips) in addition to constructing the extension of Campus Way and St. Josephs Drive. By type of development, this would be:

Residential: \$765.75 per residence  
General office: \$1.79 per square foot  
Retail: \$3.64 per square foot

In accordance with the District Council order approving the zoning, the total fee to be paid by the applicant would not exceed \$1.24 million (in 2002 dollars). In reviewing A-9956, the District Council determined that this amount would constitute a fair share toward the future improvements needed to achieve transportation adequacy.

The current plan addresses the future right-of-way needs identified in Condition 3 of the District Council order. Condition 4 requires that the applicant study traffic controls at the Campus Way/St. Joseph's Drive intersection. The needed studies have been provided to DPW&T; they have been fully reviewed, and no new conditions are required at this time.



**Plan Issues**

In addition, the plan proposes parking along St. Joseph’s Drive and uses streets with curve radii of less than 300 feet. The Department of Public Works (DPW&T) initially raised these as issues. However, DPW&T has informed staff that they may allow these designs for this property, but DPW&T could not guarantee written confirmation of this prior to the Planning Board hearing. Prior to signature approval of the preliminary plan, the plan will need to be revised to eliminate on-street parking on St. Joseph’s Drive and to increase the curve radii of the streets to a minimum of 300 feet, unless the Department of Public Works and Transportation waives these requirements in writing.

**Transportation Conclusions**

Based on these findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with two transportation-related conditions included in this report.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	393 sfd	393 sfd	393 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	94.32	23.58	47.16
Actual Enrollment	5,623	5,131	10,098
Completion Enrollment	327.84	217.62	398.97
Cumulative Enrollment	49.44	46.80	93.60
Total Enrollment	6,094.60	5,419.00	10,637.73
State Rated Capacity	5,892	4,688	8,770
Percent Capacity	103.44%	115.59%	121.30%

Source: Prince George's County Planning Department, M-NCPPC, December 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of: \$7,000 per dwelling if a building is located between Interstate Highway 495 and the District of

Columbia; \$7,000 per dwelling If the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

The project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.

#### **Commercial**

- a. The existing fire engine service at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 3.25 minutes, which is within the 3.25-minute travel time guideline for Parcel 2. Parcel 1 is beyond.
- b. The existing ambulance service at Kentland Fire Station, Company 46, has a service travel time of 3.58 minutes, which is within the 4.25-minute travel time guideline.
- c. The existing paramedic service Kentland Fire Station, Company 46, has a service travel time of 3.58 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service Kentland Fire Station, Company 33, located at 7701 Landover Road has a service travel time of 3.58 minutes, which is within the 4.25-minute travel time guideline.

To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

#### **Residential**

- a. The existing fire engine service at Kentland Fire Station, Company 46, has a service travel time of 4.92 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance service at Kentland Fire Station, Company 46, has a service travel time of 4.92 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic service Kentland Fire Station, Company 46, has a service travel time of 4.92 minutes, which is within the 7.25-minute travel time guideline.

The residential portion of the proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic services.

These findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. The Planning Board’s current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Balk Hill Village development.
12. **Health Department**—The Health Department noted that numerous discarded tires were found on the property. “Several piles of collected old tires numbering in the total range of 40 to 80 pieces were observed along the dirt drive that roughly follows the route of proposed St. Josephs Drive and lie approximately 500 yards from the rear of St. Josephs Drive.” The tires must be hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt for the tire disposal must be submitted to the Health Department prior to issuance of building permits.
13. **Stormwater Management**— The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #4981-2002-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through December 19, 2005. Development must be in accordance with this approved plan, or any revisions thereto.
14. **Cemeteries and Possible Items of Historical Significance**—This developing property includes some of the acreage of the Rose Mount plantation, the home of Joseph Kent (Governor of Maryland, 1826-29). Kent is known to have been buried at Rose Mount at the time of his death in 1837, but the location of his grave is unknown. Family cemeteries are traditionally fairly close to their main residences, and others who lived and worked at Rose Mount would likely have been interred in the same general area as the family cemetery. Developers should, therefore, be alert to the possibility of disturbing burials during their work and should know that if burials are found, work must be stopped immediately.

As a plantation, it is likely that slaves lived on the property. A Phase I archeological study should be performed to locate any slave housing or burial sites. If these are found, adequate measures should be taken to preserve artifacts or sites, including the loss of lots if necessary.

15. **Public Utility Easement**—The proposed preliminary plan includes the required ten-foot-wide public utility easement. This easement will be shown on the final plat.
16. **Private Alleys**—The preliminary plan includes the use of private alleys as a means of alternative access to individual single-family lots. While this is permissible in the M-X-T Zone, the alleys must be labeled as separate parcels to be conveyed to and maintained by the homeowners association. Prior to signature approval, the plan must be amended accordingly.

The plan proposes the use of private alleys to serve many of the proposed homes. These are not yet permitted in the M-X-T Zone. However, a text amendment is before the County Council to allow alleys in the M-X-T Zone. If this amendment fails, the use of alleys will not be permitted. The issue should be determined at the detailed site plan stage.

17. **Commercial Parcels**—The plan proposes two parcels for commercial development. Parcel 1 (8.9 acres) is located at the northeast corner of the proposed St. Josephs Drive/Ruby Lockhart Boulevard intersection; Parcel 2 (8.6 acres) is located on the southeast corner of that same intersection, extending down to Landover Road. Both parcels are identified with the following note:

“To be conveyed to private entity to be established for development of employment center”

This plan is subject to the requirements set forth in Zoning Map Amendment A-9956-C. Condition 10 of the District Council’s approval reads:

**An Advisory Planning Committee, consisting of the Applicant and representatives from St. Josephs Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

Although the total acreage of the two parcels is less than 20 acres, Parcels 1 and 2 are the area identified in Condition 10. There is no timing trigger in the zoning condition. A letter from the County Executive, dated February 12, 2004 (Johnson to Hewlett), requests that in accordance with the applicant’s proffer at the time of the zoning map amendment, both Parcels 1 and 2 be conveyed to the Revenue Authority. The note that the property is to be conveyed to a private entity should be removed and substituted with a note stating that the property is to be conveyed to the Revenue Authority. To further the applicant’s contention that the conveyance of the land will “...most likely ‘jump start’ employment development in the area...” (ZHE decision on A-9956), and to help foster the “...24-hour environment [that] is encouraged on the site...” (ZHE decision on A-0056), the employment parcels should be platted in conjunction with the first final plats for the entire development and conveyed immediately thereafter. Appropriate conditions are included in the staff recommendation.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 19 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of March 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator