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## Preliminary Plan 4-03141

Application	General Data
<b>Project Name:</b> <b>JEFFERSON SQUARE APARTMENTS AT COLLEGE PARK</b>  <b>Location:</b> Southeast quadrant of Baltimore Avenue and Cherokee Road.  <b>Applicant/Address:</b> J P I 8230 Boone Boulevard, Suite #340 Vienna, VA. 22182	Date Accepted: 12/31/03
	Planning Board Action Limit: 05/23/04
	Plan Acreage: 4.56
	Zone: R-T & M-U-I
	Parcel: 1
	Election District: 21
	Planning Area: 66
	Tier: Developed
	Council District: 03
	Municipality: College Park
200-Scale Base Map: 212NE04	

Purpose of Application	Notice Dates		
RESIDENTIAL & MIXED-USE SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)	N/A (filed prior to 01/01/04)	
	Sign(s) Posted on Site:	05/05/04	
<b>Staff Recommendation</b>		<b>Staff Reviewer: Del Balzo</b>	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-03141  
Jefferson Square at College Park

OVERVIEW

The subject property consists of approximately 4.56 acres of land in the M-U-I and R-T Zones. The M-U-I portion of the property is closest to US 1, with the large remaining part of the property in the R-T Zone. The applicant proposes to create one legal building parcel for development with a mixed-use building containing 3,405 square feet of commercial retail uses and 237 multifamily residential dwellings. The rear of the property is proposed for eight condominium townhomes. Private recreational facilities are proposed both outdoors and indoors on the site.

The property is not zoned correctly for the proposed uses or density. The majority of the property is zoned R-T, a zone in which multifamily dwellings are not permitted. The normal Orders of Approval, set forth in Section 24-270 of the Prince George's County Zoning Ordinance, are as follows:

1. Zoning
2. Concept Plan
3. Preliminary Plan
4. Detailed Site Plan
5. Final Plat
6. Grading, building and use and occupancy permits

Typically, given these orders of approvals, zoning should be in place prior to Preliminary Plan approval, and Preliminary Plan approval is required prior to Detailed Site Plan approval. However, the 2002 Approved College Park US 1 Corridor SMA placed the property in the Development District Overlay Zone (DDOZ). In the DDOZ, an applicant may file a petition for rezoning with the Detailed Site Plan application. Additionally, since the applicant is considering the use of condominium townhouses, the current proposal of a single parcel can accommodate either land use, regardless of the subsequent decision on the zoning. The adequate public facilities analysis associated with this application was performed at the highest level of proposed impact so that if the rezoning is approved a new preliminary plan would not be necessary. The finding of adequacy at the greater impact, however, is not intended to bias the future determination by the District Council of the rezoning. Simply stated, if the rezoning is not approved, the applicant may develop the property within the limits (land use and density) of the current zoning.

SETTING

The property is located in the southeast quadrant of the intersection of Baltimore Avenue and Cherokee Street. A church, restaurant and apartment building are located to the north, single-family

homes to the east, and townhouses are to the southeast. The ramp from Greenbelt Road is to the southwest. Across US 1 to the west are commercial uses.

**FINDINGS AND REASONS FOR STAFF RECOMMENDATION**

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

Zone Uses	<b>EXISTING</b>	<b>PROPOSED</b>
	M-U-I and R-T Vacant	M-U-I Mixed-use, including retail, multifamily dwellings and townhouse condominiums
Acreage	4.56	4.56
Lots	0	0
Parcels	1	1
Dwelling Units:		
Multifamily	0	237
Townhouse	0	8
Retail square-footage	0	3,405

2. **Environmental**—The site is characterized by terrain sloping toward the east and drains into unnamed tributaries of the Indian Creek watershed in the Anacostia River basin. A review of the available information indicates that there are minor areas of severe slopes, and steep slopes associated with the site. There are no streams, Waters of the U.S., wetlands, 100-year floodplain, highly erodible soils, or Marlboro clays found to occur on the site. There are no noise issues associated with the current proposal. The soils found to occur on the site, according to the Prince George’s County Soil Survey, are Sassafra and Sunnyside Urban Complex. These soil series generally exhibit slight to moderate limitations to development due to steep slopes. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication titled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Developed Tier as delineated on the adopted General Plan.

**Environmental Issues Addressed in the College Park US1 Corridor Sector Plan Design Standards—Trees and Plantings**

“Afforestation shall be accomplished through the provision of shade and ornamental trees. Tree cover shall be provided for a minimum of 10 percent of the gross site area and shall be measured by the amount of cover provided by a tree species in 10 years. Street trees planted along abutting rights-of-way may be counted toward meeting this standard. Exceptions to this standard shall be granted on redevelopment sites where provision of 10 percent tree cover is not feasible due to existing buildings and site features.”

Comment: Notes added to the TCPI indicate that the planting of trees on-site shall be counted toward meeting the Woodland Conservation Ordinance requirements, and that Tree Cover shall be provided for a minimum of 10 percent of the gross site area. The notes as shown on the plan indicate that this issue has been addressed in conformance with the College Park US 1 Corridor Sector Plan Design Standards.

## **Woodland Conservation**

A Forest Stand Delineation (FSD) has been submitted for this proposal and was generally found to address the requirements for a detailed FSD in compliance with the requirements of the Woodland Conservation Ordinance.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The Type I Tree Conservation Plan, (TCPI/05/04), has been reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

The minimum woodland requirement for the site is 0.87 acre of the net tract. An additional 1.59 acres are required due to the removal of woodlands for a total of 2.46 acres of woodland conservation. The plan shows the requirement being met with 2.01 acres credits for off-site mitigation on another property and 0.45 acre of off-site mitigation for a total of 2.46 acres.

The plan correctly allows for the use of tree cover provided by landscaping meeting the Woodland Conservation Ordinance requirements, as allowed by the US 1 sector plan. This is not a provision available for properties located outside of the sector plan area.

## **Noise**

Noise impacts are not an issue in the review of this submittal because US 1 is a plan-recommended collector, generally not regulated for noise.

## **Water and Sewer Categories**

The water and sewer service categories are W-3 and S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. The property will be served by public systems.

3. **Community Planning**—The property is located in a Corridor within the Developed Tier, as defined by the 2002 General Plan. The vision for Corridors is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor. This application is not inconsistent with the 2002 General Plan Development Pattern for Corridors in the Developed Tier.

The property is in Planning Area 66/Sector Plan Subarea 4E. The 2002 Approved College Park US 1 Corridor Sector Plan recommends retail-commercial fronting Baltimore Avenue, corresponding to the former C-S-C zoning boundary, with single-family attached use for the remaining rear portion of the property. The 2002 Approved College Park US 1 Corridor SMA rezoned the commercial portion of the property from the C-S-C Zone to the M-U-I Zone. The remaining undeveloped property was retained in the R-T Zone. The SMA also placed the property in the Development District Overlay Zone (DDOZ), which requires site plan review. This application is not in conformance with the single-family attached land use recommendations

for a portion of the property as shown on the approved land use plan map.

The primary issue with this application pertains to recommended land use and zoning. The sector plan land use map shows the front portion of the property along Baltimore Avenue for retail-commercial, with single-family attached use for the remaining rear portion of the property.

The SMA placed the area shown for retail-commercial in the M-U-I Zone to allow flexible development options. Options could include continued retail use along Baltimore Avenue with attached housing to the rear on the R-T-zoned portion. Alternatively, the M-U-I Zone could allow either continuation of retail use on the front portion of the property or permit the flexibility to develop the entire property with attached residential use (as shown on the sector plan's Illustrative Concept drawing on page 48). The reason attached housing was recommended and approved for this site is that it is adjacent to an existing townhouse development south of Catawba Street along both sides of 48<sup>th</sup> Avenue.

The sector plan land use policy recommendation (page 31, item 6) was not to rezone private residential property if land assembly was needed or a redevelopment proposal was not submitted at the time of SMA. However, the recommendation recognizes that "such properties could be rezoned under provisions of the DDOZ at such time as sufficient land assembly has occurred to support approval of a development proposal found to be in conformance with both the sector plan's land use and DDOZ's development district standards."

The sector plan's land use map does not recommend mixed-use or multifamily development for the portion of the subject property retained in the R-T Zone by the SMA. The applicant is seeking changes to the property's underlying zoning by requesting that the District Council approve appropriate zoning under DDOZ regulations. If zoning changes are approved, the property could be developed as proposed.

4. **Parks and Recreation**—In accordance with Section 24-134 of the Prince George's County Subdivision Regulations, the Park Planning and Development Division of the Department of Parks and Recreation (DPR) recommends the provision of private recreational facilities to meet mandatory dedication requirements for the proposed subdivision. These recreational facilities will remain under the ownership and responsibility of the property management company.
5. **Trails**—The Adopted and Approved College Park US 1 Sector Plan designates US 1 as a bicycle/pedestrian corridor. It has been recognized that US 1 is a crucial pedestrian and bicycle corridor for the area and provides pedestrian and bicycle access to the University of Maryland and other destinations along this heavily traveled road. The ultimate improvements to this road may include in-road bicycle facilities with a sidewalk or wide sidewalk, in conjunction with other pedestrian amenities and safety measures. The provision of these facilities will occur comprehensively through a SHA road improvement project. However, the construction of a standard sidewalk along the subject property's entire road frontage of US 1 is recommended, as reflected on the submitted preliminary plan.

It is also recommended that a small amount of bicycle parking be provided on the site. This is in response to the high amount of bicycle traffic already occurring in the area, particularly along US 1 and to the University of Maryland. The provision of the "Inverted-U" bicycle racks is strongly encouraged. The Washington Area Bicycle Association recommends "Inverted-U" bicycle racks as they provide maximum security for bicycles by allowing the frame (and not just a tire) to be secured to the rack, and they also keep the bicycles in an upright position, unlike most racks in which rows of bicycles can fall over. Many cyclists with expensive bicycles are hesitant

to use racks where the entire frame cannot be secured. The provision of five Inverted-U racks is recommended, accommodating two bicycles each. The locations of the racks should be convenient to the building entrance and should be identified on the final plat.

6. **Transportation**—The applicant submitted a traffic study dated July 2003, well in advance of the application. The study proposed 296 multifamily units. The study was updated in February 2004, and this study was referred for comment to the State Highway Administration (SHA) and the county Department of Public Works and Transportation (DPW&T); these agencies' comments are attached. The study was also referred to the City of College Park, and the city will provide comments directly to the Planning Board. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

### **Growth Policy - Service Level Standards**

The subject property is located within the Developed Tier, as defined in the General Plan for Prince George's County. The subject property is also located within the area of the College Park US 1 Corridor Sector Plan. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-Service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better, is the standard within the Developed Tier. The sector plan, as a recommendation within the Transportation and Circulation chapter, specifies that "Establishment of a traffic Level-of-Service E is recommended based on the average peak-period levels of service for all signalized intersections." This is further specified to occur over three sections of the corridor, and this measure is reflected in the table showing results for total traffic.

**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.

### **Analysis of Traffic Impacts**

The traffic study for this site examined the site impact at five intersections:

- US 1/Edgewood Road (signalized)
- US 1/Cherry Hill Road (signalized)
- US 1/Fox Street (signalized)
- US 1/Greenbelt Road (signalized)
- US 1/Cherokee Street (unsignalized)

The existing conditions for the peak period at the study intersections are summarized below:

<b>EXISTING TRAFFIC CONDITIONS</b>			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
US 1 and Edgewood Road	1,406	1,360	D D
US 1 and Cherry Hill Road	1,194	1,409	C D
US 1 and Fox Street	1,298	1,270	C C
US 1 and Greenbelt Road	937	1,657	A F
US 1 and Cherokee Street	66.0*	40.6*	-- --
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.			

The area of background development includes six properties in the vicinity of the subject property. Background conditions also assume through traffic growth of 2.0 percent annually along US 1. There are no programmed improvements in the county Capital Improvement Program (CIP) or the state Consolidated Transportation Program (CTP). Background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
US 1 and Edgewood Road	1,643	1,597	F E
US 1 and Cherry Hill Road	1,357	1,568	D E
US 1 and Fox Street	1,536	1,550	E E
US 1 and Greenbelt Road	1,226	2,024	C F
US 1 and Cherokee Street	128.8*	77.6*	-- --
<i>Average Corridor Level-of-Service for signalized intersections – see Service Level Standards at beginning of memorandum</i>	<i>1,447</i>	<i>1,685</i>	<i>D F</i>
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.			

The site is proposed for development as a residential subdivision. The site is proposed to be developed with 296 apartments. The site trip generation would be 154 AM peak-hour trips (31

in, 123 out) and 178 PM peak-hour trips (116 in, 62 out). With the trip distribution and assignment as assumed in the traffic study, the following results are obtained under total traffic:

<b>TOTAL TRAFFIC CONDITIONS</b>			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
US 1 and Edgewood Road	1,645	1,608	F F
US 1 and Cherry Hill Road	1,360	1,577	D E
US 1 and Fox Street	1,540	1,556	E E
US 1 and Greenbelt Road	1,240	2,072	C F
US 1 and Cherokee Street	216.8*	+999*	-- --
<i>Average Corridor Level-of-Service for signalized intersections – see Service Level Standards at beginning of memorandum</i>	<i>1,452</i>	<i>1,703</i>	<i>E F</i>
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.			

Given these analyses, the corridor would operate at LOS F during the PM peak period. In response, the applicant proposes a westbound double right-turn lane on the Greenbelt Road approach to US 1. SHA did agree in concept with this improvement. There was an initial concern that construction of this improvement could affect a veterans’ memorial on the northeast corner of the US 1/Greenbelt Road intersection. Upon further examination by the applicant, it was determined that the improvements could be implemented without disturbance to the memorial. With this improvement in place, total traffic would be summarized as follows:

<b>TOTAL TRAFFIC CONDITIONS WITH PROPOSED IMPROVEMENTS AT US 1 AND GREENBELT ROAD</b>			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
US 1 and Edgewood Road	1,645	1,608	F F
US 1 and Cherry Hill Road	1,360	1,577	D E
US 1 and Fox Street	1,540	1,556	E E
US 1 and Greenbelt Road	1,240	1,853	C F
US 1 and Cherokee Street	216.8*	+999*	-- --
<i>Average Corridor Level-of-Service for signalized intersections – see Service Level Standards at beginning of memorandum</i>	<i>1,452</i>	<i>1,649</i>	<i>E F</i>
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.

The improvement is provided as a mitigation action. Although mitigation is generally allowed in the area, it is not specifically disallowed by the sector plan, and it is analyzed herein using the standards allowed by the sector plan. Therefore, the impact of the mitigation action within the corridor is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
US 1 Corridor				
Background Conditions	F/1447	D/1685		
Total Traffic Conditions	F/1452	F/1703	+5	+18
Total Traffic Conditions w/Mitigation	E/1452	D/1649	0	-54

As the CLV is between 1,450 and 1,813 during the PM peak hour, the proposed mitigation action must mitigate at least 150 percent of the trips generated by the subject property during the PM peak hour. The above table indicates that the proposed mitigation action would mitigate at least 150 percent of site-generated trips during the PM peak hour. The mitigation action has no impact on the AM peak hour, but the corridor service level is within the LOS E standard, which is acceptable. Therefore, the proposed mitigation action meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.

The traffic study identifies an inadequacy at the unsignalized intersection of US 1/Cherokee Street. In response to the inadequacy, 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. In this circumstance, the applicant has provided a warrant study and has determined that two separate warrants may be met at this location. The applicant has opined that the two warrants may not be sufficient justification for SHA to approve a traffic signal at this location. In their referral, SHA did not comment upon this issue. Given that conditions are ever-changing within the US 1 corridor, it is recommended that a new warrant study be conducted prior to building permit for review by SHA, with the applicant to be responsible for installation of the signal if SHA deems it to be warranted.

Although SHA comments have been summarized during the discussion of the various improvements, it should be noted that DPW&T had no comments on the study except to recommend that a signal warrant study be conducted at US 1 and Cherokee Street. This is also recommended by staff.

The preliminary plan now proposes only 237 apartments, 8 townhouses, and a 3,405-square-foot retail component. The site trip generation would be 138 AM peak hour trips (31 in, 107 out) and 164 PM peak hour trips (104 in, 60 out). There would not be a significant change in the corridor

level of service shown in the original memorandum. Given the use proposed and the ability to vary the use of the site, it is recommended that a trip cap condition be included in any approval.

**Plan Comments**

US 1 is a master plan major collector within a 100-foot right-of-way north of MD 193, and sufficient right-of-way dedication is reflected on the submitted plan.

It appears that existing right-of-way along Cherokee Street is 60 feet in the area where site access is proposed, and this appears to be sufficient. However, the City of College Park should have the final determination in this matter.

Cherokee Street is offset on the east and west sides of US 1. The sector plan includes an illustrative concept that shows Cherokee Street curving southward through the subject site to align with Cherokee Street on the west side of US 1. Although transportation staff would agree that there is a great need to correct the existing offset, this was not made a specific recommendation within the Transportation and Circulation chapter of the same sector plan, and although the rerouting of Cherokee Street remains desirable, the plan provides no basis for the transportation staff to enforce this concept.

**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 the noted improvements.

- 7. **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.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	262 sfd	262 sfd	262 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	62.88	15.72	31.44
Actual Enrollment	36,236	11,113	16,710
Completion Enrollment	209.04	52.26	95.81
Cumulative Enrollment	68.64	17.16	34.22
Total Enrollment	36,576.56	11,198.14	16,871.57
State Rated Capacity	38,817	10,375	14,191
Percent Capacity	94.23%	107.93%	118.89%

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

These figures were correct on the day the referral memorandum was written. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. In addition, the applicant now proposes fewer units. The numbers that will be used in the resolution will be the ones that will apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between I-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.

This 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.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
  - a. The existing fire engine service at Branchville Fire Station, Company 11, located at 4905 Branchville Road, has a service travel time of 1.33 minutes, which is within the 3.25-minute travel time guideline.
  - b. The existing ambulance service at Branchville Fire Station, Company 11, has a service travel time of 1.33 minutes, which is within the 4.25-minute travel time guideline.
  - c. The existing paramedic service at College Park Fire Station, Company 12, located at 8115 Baltimore Avenue, has a service travel time of 1.61 minutes, which is within the 7.25-minute travel time guideline.
  - d. The existing ladder truck service at College Park Fire Station, Company 12, has a service travel time of 1.61 minutes, which is within the 4.25-minute travel time guideline.

These findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance, ladder truck and paramedic service.

9. **Police Facilities**—The proposed development is within the service area for Police District I-Hyattsville. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
10. **Health Department**—The Health Department noted the presence of domestic trash scrap tires on the property. The trash and debris must be disposed of properly. The tires must be hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt must be turned in to the Health Department. The Health Department reminds the applicant that raze

permits are required prior to demolition of any structure on the site.

11. **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, # 23871-2003-00, 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 November 14, 2006. Development must be in accordance with this approved plan, or any revisions thereto.
12. **Cemeteries**—There are no known cemeteries on or adjoining the subject property. However, the applicant should be aware that if burials are found during any phase of the development process, development activity must cease in accordance with state law.
13. **Public Utility Easement**—The proposal does not include the required ten-foot-wide public utility easement. The applicant has received letters from several of the utilities with a right to that easement. The letters waive the requirement for the easement. Prior to final plat approval, letters from all public utilities with rights to the easement, waiving those rights, should be submitted to the Subdivision Section, or the final plat should include the required easement.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to final plat approval, letters from all public utilities with rights to the easement (PUE), waiving those rights, shall be submitted to the Subdivision Section, or the final plat shall include the required easement.
2. **US 1 at Cherokee Street:** Prior to the approval of the initial building permit for the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a signal at the intersection of US 1 and Cherokee Street. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by SHA that adequate recent studies regarding signal warrants have been done by the applicant or any other party, and that a signal is not warranted by SHA.
3. **US 1 and Greenbelt Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. Provision of a double right-turn lane along the westbound Greenbelt Road approach.
4. At the time of final plat approval, the applicant shall dedicate a right-of-way along US 1 of 50 feet from centerline, as shown on the submitted plan.
5. The applicant shall allocate appropriate and developable areas for the private recreational facilities. At the time of Detailed Site Plan review, the Urban Design Section shall review the

type and location of these facilities.

6. The recreational facilities shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines. Recreational facilities shall be subject to the following:
  - a. The applicant, his heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private recreational facilities on Home Owners Association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and property siting, prior to approval of the preliminary plan by the Planning Board.
  - b. A site plan shall be submitted to the DRD of the Prince George's County Planning Department that complies with the standards outlined in the Parks and Recreation Facilities Guidelines.
  - c. Submission of three original, executed Recreational Facilities Agreements (RFA) to the DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
  - d. Submission to the DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits.
  - e. The developer, 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.
7. The applicant, his heirs, successors and/or assignees shall construct a standard sidewalk along the subject property's entire frontage of US 1, as reflected on the submitted plan, per the concurrence of the State Highway Administration.
8. The applicant, his heirs, successors and/or assignees shall provide five Inverted-U bicycle racks, each accommodating two bicycles. The location of the racks shall be marked and labeled on the final plat.
9. Development shall be in conformance with the approved Stormwater Management Concept Plan, Concept # 23871-2003-00, or any approved revisions thereto.
10. Prior to the issuance of permits, the applicant, his heirs, successors and/or assignees shall have the scrap tires hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt shall be turned in to the Health Department.
11. Total development of the subject property shall be limited to uses which generate no more than 138 AM and 164 PM peak-hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN, TCPI/05/04