

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 17, 2004, regarding Conceptual Site Plan CSP-96049/02 for Summit at North College Park (Ikea Centre), the Planning Board finds:

1. **Request:** The subject application proposes a multifamily residential development, office/ retail uses and restaurant pad sites on the existing IKEA (Summit) property.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use	Retail	Mixed Use—Multifamily residential development, office/retail, restaurant
Acreage	44.78 acres	44.78 acres
Lots	4 and one outlot	4 and one outlot
Parcels	0	0
Square footage	380,000 sq.ft	670,000 to 704,000 sq.ft. For a maximum of 1,084,000 sq.ft.

3. **Location:** The subject site is in Council District 1, Planning Area 66. The subject site is located on the northwest corner of US 1 (Baltimore Avenue) and the Capital Beltway in the City of College Park.

4. **Surroundings and Use:** The adjacent properties are as follows:

North and West—	Zoned O-S with the National Agricultural Research Center.
East—	Zoned M-X-T with multifamily apartments across US 1.
South—	Zoned C-S-C with a hotel (Holiday Inn).
South and West—	Zoned C-S-C with a liquor store.

5. **Previous Approvals:** A Conceptual Site Plan, SP-96049, was approved by the District Council for the subject site on February 10, 1997. The Conceptual Site Plan was for Gateway Park consisting of a hotel/historic inn, 410,000 square feet of office, and 402,000 square feet of retail uses to be developed in two stages.

On February 19, 1998, the Planning Board approved a Preliminary Plan 4-97121 (PGCPB No. 98-26), for the subject property consisting of four lots and one outlot. On June 10, 1998, a Detailed Site Plan, SP-97059, was approved by the District Council for the subject property. That Detailed Site Plan expired on June 10, 2001. On June 10, 1998, the District Council also approved a Departure from Design Standards application DDS-484 for the following:

- Replacing regular and compact size parking spaces with a universal size parking space (9 feet by 18 feet)
- 24-foot drive aisles instead of 22-foot drive aisles
- A reduced loading space driveway setback

On October 25, 2001, the Planning Board approved a Detailed Site Plan, SP-01047 (PGCPB No. 01-214), for infrastructure (rough grading only).

On January 31, 2002, the Planning Board approved a revision to the Conceptual Site Plan CSP-96049/01 (PGCPB No. 02-28) and a revision to the Detailed Site Plan for a proposed 380,000-square-foot IKEA store. The proposal also included 410,000 square feet of office uses and 22,000 square feet of restaurant uses. The proposal did not include the hotel use approved by the previous Conceptual Site Plan.

On April 18, 2003, staff as the Planning Board’s designee approved a revision to the Detailed Site Plan DSP-01047/01 for minor revisions to the site and landscape plans.

6. **Design Features:** The applicant is proposing the following:

Retail (including restaurants)—	25,000 to 39,000 sq.ft. (one to two stories)
Office/Leasing Center—	10,000 to 30,000 sq.ft. (one to three stories)
Residential— Apartments (approximately 500 units)—Rental	605,000 sq.ft (four stories)
Live/work units	25,000 sq.ft.
Clubhouse	5,000 sq.ft.
Total square footage proposed	1,005,000 to 1,084,000 sq.ft.

Total square footage approved by the previous approvals:

IKEA Store—	380,000 sq.ft.
Future office use—	410,000 sq.ft.
Restaurant/Retail—	22,000 sq.ft.
Total—	812,000 sq.ft.

The proposal is intended to be developed as a mixed-use community consisting of a luxury residential community incorporating retail and office components.

The proposed development will be in the vacant northeastern portion of the IKEA site. The applicant is proposing a four-story multifamily development in the northwestern portion of the site adjacent to the National Agricultural Research Center property. The multifamily residential development will have multistory garages and a clubhouse and pool as amenities. Various courtyards are provided within the development for providing private green space to the residents. Various landscaping techniques will be used within the courtyards and around the multifamily development to provide a visually pleasing environment.

The main access to the residential development is from US 1 (Baltimore Avenue). Pedestrian connections to the residential development are provided at various points within the overall development and the adjacent properties.

A combined retail/office/residential structure is provided in the central portion of the subject site. Live/work units are provided on the rear of the building facing the multifamily development. Access to the live/work units will be through a driveway between the live/work units and the multifamily development. Retail shops are proposed on the front of the building facing US 1.

Parking is proposed in front of the retail portion of the building. Three restaurant pads and parking are proposed along US 1 in front of the retail structure. A monument sign for the development will be proposed along US 1 adjacent to the historic marker site along US 1. A pedestrian walkway/ promenade is proposed in the central portion of the parking lot to provide pedestrian access to the multifamily residential area from the retail/restaurant area. A plaza with outdoor seating is proposed at the terminus of the proposed walkway. Since the parking will be visible from US 1, the applicant has provided brick piers with an evergreen hedge along US 1 to screen the parking.

The following conditions of approval are suggested to further enhance the design of the development:

The following additional information shall be included in the Detailed Site Plan application:

- A color and material board for the various buildings and pedestrian treatments.
- Detailed information on the architectural/landscape treatments for the internal courtyards, pedestrian areas and plazas.
- Design alternatives/details to further articulate and provide more visual interest for the large expanse of brick piers and hedges along US 1.
- Information on design details, colors and materials of the proposed monument sign.

- Landscape/design treatments for the driveway between the multifamily residential development and the live/work units to reduce the appearance of an “alley.”
- Detailed information on the recreational facilities for the multifamily development.
- Detailed information on the type of residential units proposed (one bedroom, two bedroom, three bedroom).
- Detailed information on emergency fire access to the rear of the residential portion of the site.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The proposed mixed-use development is a permitted use in the M-X-T Zone.

The Conceptual Site Plan must also comply with the following findings listed in Section 27-546(d), Site Plans, of the Zoning Ordinance

a. The proposed development is in conformance with the purposes and other provisions of this Division:

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

The applicant is proposing a high-quality, mixed-use development on the subject property that will utilize the Capital Beltway and US 1, which are major interchanges and roadways in the vicinity. The Greenbelt Metro Station is located within a mile of the property. The subject property and Baltimore Avenue are also served by Metrobus, the University of Maryland, and CTC shuttle bus services. The proposed mix of uses on the subject property will provide additional employment opportunities, expand the retail and restaurant commercial opportunities, and provide additional diversity in the housing choices in the area.

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

The value of the land has been conserved by maximizing the floor area ratio of the development on this land. The location of the property in the vicinity of major interchanges and transit maximizes the public development potential of the subject property.

(3) To promote the effective and optimum use of transit and other major transportation systems;

The applicant is providing three bus stops with bus shelters within the property to be served by public transit bus systems such as Connect-A-Ride, Metro and Shuttle UM. The applicant is also proposing to construct a covered bus stop in the interior of the development and to work with the CTC shuttle system to extend its service to the site and to the Greenbelt Metro Station. Connections from the proposed development to the pedestrian and bicycle access for the existing IKEA development are proposed. Crosswalks are proposed at the main entrance to the development. Various transportation improvements listed in previous approvals will be completed. A condition of approval has been added to show the location of the proposed bus stop, pedestrian connections, and crosswalks at the Detailed Site Plan stage.

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

The proposed mix of uses will encourage a 24-hour environment. The residential units, along with the proposed club facilities (including fitness center, conference room and party room), will generate activity on the site from 6:00 a.m. to 10:00 p.m. The office tenants are anticipated to operate on regular 9:00 a.m. to 5:00 p.m. business hours. The retail component is expected to generate activity all day, including anticipated service retail and café uses open from 7 a.m. to serve morning traffic, and some restaurants with active lunch and dinner clientele bringing activity to the site until 9:00–10:00 p.m.

(5) To encourage diverse land uses which blend together harmoniously;

The proposed site design unifies the retail, office and residential uses along an internal street and plaza. The centrally located outdoor dining plaza and streetscape (including walkable sidewalks with street trees and street furniture) create the infrastructure for linkages between the uses and for the creation of a pleasant experience for all users. The proposed comprehensive vehicular and pedestrian system will also unify the various uses and facilitate interaction between them. The proposed landscaping, signage, seating, sidewalks, and architectural design of the buildings are intended to blend the various uses visually and functionally.

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

The residents in the multifamily development will patronize the existing IKEA store and the proposed retail/office/restaurants. The proposed commercial development will also

attract patrons from the surrounding uses and will be accessible by public transit to all county residents. Therefore, dynamic, functional relationships among individual uses will be created. A distinctive visual character and identity for the Center will be created by the use of quality architectural, landscape and design features.

(7) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;

The mixed use of the subject property exemplifies optimum land planning for greater efficiency. This proposal takes advantage of existing transportation linkages such as the Metro shuttle and proposes new linkages to the Greenbelt Metro Station to capture demand for transit from the residential, office and retail uses. The proposed site plan seeks to provide pedestrian connections among internal uses, thereby reducing trips generated from the site, and to encourage pedestrian connections with adjacent properties. In addition, the project will take advantage of shared surface parking opportunities between the residential and office uses that have variations in peak-usage. Therefore, the subject proposal promotes optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects.

(8) To permit a flexible response to the market; and

This proposal takes advantage of the provision for mixed uses to provide high quality housing and office/retail in response to the housing and office/retail demands of the current market and to achieve the county's goals of fostering high-quality mixed-use development at this site.

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

The proposed development will create a diverse mix of architectural designs for the various land uses that are compatible with the architecture and design of the surrounding buildings. The proposed landscaping, signage, seating, sidewalks, and architectural design of the buildings are intended to blend the various uses visually and functionally. The use of superior design and quality building materials will result in an overall architectural design that should exemplify excellence in physical, social, and economic planning.

- b. The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed mix of uses is integrated visually by the use of similar landscaping, streetscape, and architectural materials. The proposed architectural materials are also compatible with the architecture of the adjacent properties. The mix of uses is physically integrated by pedestrian connections and shared vehicular access.

c. The proposed development is compatible with existing and proposed development in the vicinity;

The proposed development will be compatible with the hotel, residential and public uses of the surrounding properties. The superior architectural design and a unified pedestrian and vehicular system will ensure visual compatibility with the existing and proposed surrounding uses.

d. The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

The proposed development will create a diverse mix of land uses. A comprehensive vehicular and pedestrian system will unify the various uses and facilitate interaction between them. The proposed landscaping, signage, seating, sidewalks and architectural design of the buildings are intended to blend the various uses visually and functionally. A distinctive visual character and identity for the Center will be created with the use of quality architectural, landscape and design features. Therefore, the mix of uses and the arrangement and design of buildings and other improvements reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

e. If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

The retail and office component will be constructed prior to the residential component. The retail portion of the site, including the outdoor dining plaza, will be able to operate independently, until the residential street is completed.

f. The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

A comprehensive vehicular and pedestrian system has been provided to encourage pedestrian activity within and to the development and unify the various uses and facilitate interaction between them.

h. On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current

State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The property was placed in the M-X-T Zone by a Sectional Map Amendment. The adequacy of transportation facilities is demonstrated in the Traffic Impact Analysis prepared by The Traffic Group, approved with the prior Conceptual Site Plan, the prior Detailed Site Plan and the Preliminary Plan of Subdivision. A trip comparison analysis of the proposed uses with the office use was included with the subject application. The transportation facilities adequacy is also discussed in Finding 12.h.

Section 27-545 of the Prince George's County Zoning Ordinance contains the following procedure for utilizing the optional method of development in the M-X-T Zone:

- (1) Under the optional method of development, greater densities shall be granted, in increments of up to a maximum floor area ratio of eight (8.0), for each of the uses, improvements, and amenities (listed in Subsection (b)) which are provided by the developer. The presence of these facilities and amenities is intended:**
 - (A) To make possible an environment capable of supporting greater density and intensity of development permitted;**
 - (B) To encourage a high degree of urban design;**
 - (C) To increase pedestrian-oriented activities and amenities; and**
 - (D) To provide uses which encourage a lively, twenty-four (24) hour cycle for the development.**

The applicant has provided a mix of uses that encourage a 24-hour cycle, high quality design, and a comprehensive pedestrian and vehicular system to meet the above requirements.

Section 27-545(b) provides the following bonus incentives for optional method of development:

- a. Open Arcade: Three additional square feet for each one square foot of open arcade provided.
- b. Enclosed pedestrian space: Four additional square feet for each one square foot of open enclosed pedestrian space provided.
- c. Theater: Four additional square feet for each one square foot of theatre provided.

- d. Residential use: Additional floor area equal to a floor area ratio (FAR) of 1 when 20 or more dwelling units are proposed.
- e. Rooftop activities: One additional square foot for each one square foot of landscaped roof top provided.
- f. Outdoor plaza: Eight additional square feet for each one square foot of outdoor plaza provided.

The previously approved Conceptual Site Plan for this site employed the optional method of development for the M-X-T Zone. The subject revision to the Conceptual Site Plan proposes to earn bonus incentives of additional floor area for providing residential uses and an outdoor plaza. The maximum floor area allowed without the use of the optional method of development is 780,225 square feet. The applicant is proposing a maximum of 1,084,000 square feet (293,775 additional square feet). The proposed square footage meets the requirements of the optional method of development.

8. **Conceptual Site Plan:** The conditions of the previous revision to the Conceptual Site Plan, SP-96049/01, as they relate to the subject application are discussed below:
- 1. **Prior to certification of the Conceptual Site Plan, the applicant shall ensure that the total development within the subject property shall be limited to 410,000 square feet of general office space and 402,000 square feet of retail space; or different uses generating no more than the number of peak hour trips (824 AM peak hour trips, 1,487 PM peak hour trips, and 1,680 Saturday peak hour trips) generated by the above development. This development shall be considered in phases for the purpose of staging transportation improvements in accordance with preliminary plan of subdivision 4-97121, and the required off-site transportation improvements shall be consistent with those which are identified in the resolution approving same. Phase I is defined to contain 150,000 square feet of general office space and 402,000 square feet of retail space; or different uses generating no more than the equivalent number of peak hour trips generated by the above development. Phase II shall include any development on the subject property beyond that identified above.**

The applicant has constructed 380,000 square feet of retail. The above approved office space will not be constructed. The applicant is amending the Conceptual Site Plan to add a residential component and reduce the office component. The above condition is being modified as follows to reflect the new uses:

The applicant shall ensure that the total development within the subject property shall be limited to 441,000 square feet of retail space, 30,000 square feet of office space, 500+ apartments and 25,000 square feet of live/work units; or different uses generating no more than the number of peak-hour trips (824 AM peak-hour trips, 1,487 PM peak-hour trips and 1,680 Saturday peak-hour trips) generated by the above development. This development shall be considered in phases

for the purpose of staging transportation improvements in accordance with Preliminary Plan of Subdivision 4-97121 and the required off-site transportation improvements shall be consistent with those which are identified in the resolution approving the same. Phase I is defined to contain 402,000 square feet of retail space and Phase II is defined to contain 500+ apartment units, 25,000 square feet of live/work units, a 5,000 square foot clubhouse, 25,000-39,000 square feet of retail space and 10,000-30,000 square feet of office space; or different uses generating no more than the equivalent number of peak hour trips generated by the above development.

9. **Preliminary Plan:** Compliance with the Preliminary Plan is discussed in Finding 12.d.
10. **Landscape Manual:** The proposal is subject to the requirements of Section 4.2 (Commercial and Industrial Landscape Strip), Section 4.3 (Parking Requirements), and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. Compliance with the *Landscape Manual* will be reviewed in detail at the Detailed Site Plan stage.
11. **Woodland Conservation Ordinance:** Compliance with the requirements of the Woodland Conservation Ordinance is discussed in detail in Finding 12.c.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are as follows:
 - a. In a memorandum dated April 2, 2004, the Community Planning Division stated that there are no master plan or General Plan issues related to this Conceptual Site Plan. The proposal is in conformance with the land use recommendation of the 1989 Approved Langley Park-College Park-Greenbelt Master Plan. The application is located in a Corridor in the Developing Tier. The vision for corridors is mixed residential and nonresidential uses at moderate intensities to high densities and intensities, with a strong emphasis on transit-oriented development. The master plan recommends a mixture of three land uses—office, employment, and retail—for this site. The master plan also states that a different mix of development could be accommodated, if a traffic study is accommodated and accepted by the State Highway Administration and the county staff and shows adequate levels of service.
 - b. In a memorandum dated April 12, 2004, the Department of Environmental Resources has stated that the proposal is consistent with approved stormwater concept plan #9256-2002. The stormwater management concept plan must be revised prior to the Detailed Site Plan.
 - c. In a memorandum dated April 28, 2004, the Environmental Planning Section has stated that there are no environmental features on the property with the exception of 100-year floodplain. The floodplain is located in Phase I. There are no scenic or historic roads in the vicinity of the site. The property is in the Little Paint Branch watershed of the Anacostia River basin and in the Developing Tier of the 2002 adopted General Plan. A Type I Tree Conservation Plan, TCPI/44/96-01, was reviewed and conditions of approval have been added for minor revisions. The woodland conservation requirement for this

site was met with a fee-in-lieu of 6.24 acres, 3.36 acres of on-site reforestation and 2.88 acres of off-site credits. A stormwater management concept plan has been submitted. Since I-95/495 is a traffic noise generator, traffic noise impacts are anticipated and regulated for this type of use. Conditions of approval have been added to provide noise mitigation measures at the time of the review of the Type II Tree Conservation Plan.

- d. In a memorandum dated April 20, 2004, the Subdivision Section has stated that the property is the subject of Record Plat REP 198@01. The subject Conceptual Site Plan would require a lot line adjustment plat prior to building permit approval. There are no specific conditions in the approved Preliminary Plan 4-97121, relating to this stage of development. Conditions of approval of the Preliminary Plan impose a maximum trip cap. If the applicant proposes development that exceeds the approved trip cap, a new Preliminary Plan will be required. Compliance with the trip cap condition is addressed in Finding 12.h.
- e. In a memorandum dated April 2, 2004, the State Highway Administration stated that they have no objection to the Conceptual Site Plan approval for future locations of on-site improvements. However, the State Highway Administration would like to comment further on the various transportation improvements required by the previous conditions of approval.
- f. In a memorandum dated May 10, 2004, the Historic Preservation and Public Facilities Planning Section has stated that the subject Conceptual Site Plan application includes the site of the Brown's Tavern (Historic Site #66-1). The proposal does not effectively integrate the Historic Site within the proposed plan. The section has recommended various design options for enhancing the character of the historic site and integrating it into the overall plan. Conditions of approval have been added to explore the various design options at the Detailed Site Plan stage.
- g. A referral was sent to the City of College Park. In a letter dated June 2, 2004 (Schum to Hewlett), the City recommended approval of the application with three conditions.
- h. In a memorandum dated May 24, 2004, the Transportation Planning Section provided the following comments:

"The Transportation Planning Section has reviewed the Conceptual Site Plan application referenced above. The subject property consists of approximately 44.78 acres of land in the M-X-T Zone. The property is located on the west side of US 1 north and south of its intersection with Yuma Street. A portion of the property is already developed with 371,256 square feet of retail space. The applicant proposes to develop the remainder of the property with a mix of office, retail, and residential uses.

"The adequacy of transportation facilities is potentially an issue in the review of the Conceptual Site Plan for this site. Specifically, the subject property was placed in the M-X-T Zone by means of a Sectional Map Amendment. In this circumstance, the

transportation staff is required to find that:

“transportation facilities which are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.’ (Sec. 27-546(d)(8))

“The applicant prepared a traffic impact study dated December 1997, prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The Transportation Planning Section reviewed the study as a part of its review of the preliminary plan for this site, and the findings and recommendations that were made were based upon a review of all relevant materials available at that time.

“By way of traffic memoranda from the applicant dated April 13, 2004, and April 26, 2004, the applicant has addressed the outstanding transportation conditions associated with the site, as well as conformance to the trip cap on which the original conceptual and preliminary plans were based. The April 13 item was referred to the State Highway Administration (SHA) for comment, as the improvements are all along state highways, and comments are attached.

“Review Comments

“During the original scoping of the traffic analysis in 1996, there was considerable discussion between the staff and the applicant's consultant over the inclusion of two intersections to the south of the Capital Beltway. Due to the size of the impact of the entire project on these intersections, staff believed that these intersections needed to be analyzed as a part of an adequacy finding for this application. In the end, it was agreed to analyze these intersections within the context of a staged development. The initial phase of the project that was agreed upon in 1996, involving 75,000 square feet of general office space, 402,000 square feet of retail space and a 6-room hotel, was analyzed using the intersections along US 1 between the Capital Beltway and Sunnyside Avenue. The second phase, involving the remaining 335,000 square feet of general office space, was assumed to occur beyond six years, and was analyzed using the full study area, including the two critical intersections south of the Capital Beltway.

“The conceptual plan is acceptable from the standpoint of layout, access, and circulation. There are several transportation-related conditions associated with the past approvals. Review of these issues has been the bulk of the transportation staff's review for this site, and the comments are summarized below:

“CSP-96049:

“Condition 1: This condition establishes the trip cap which has been the basis for the transportation adequacy review which was done at the time of subdivision, along with all

plan reviews since that time. The following must be noted:

- “a. At the time that the IKEA store was considered, 403,000 square feet of retail space under the trip cap was subsumed by that building, and the current north portion of the site was assigned the remaining 410,000 square feet of office space. Therefore, the trip cap for the new uses being considered by this plan would correspond to 410,000 square feet of office.
- “b. The following new uses are proposed:
 - 10,050 square feet of restaurant space
 - 3,800 square feet drive-in bank
 - 25,150 square feet retail
 - 30,478 square feet office
 - 506 apartment units
- “c. The apartments would generate 263 AM and 304 PM peak-hour trips. The office space would generate 61 AM and 56 PM peak-hour trips.
- “d. The retail, bank, and restaurant uses would generate 232 AM and 586 PM peak-hour trips. It is generally recognized, and reflected in the Planning Board’s guidelines, that many trips to such uses are actually passing the site and would be on the adjacent roadway whether the use was there or not. These types of trips are termed ‘pass-by’ trips, and it is assumed that 40 percent of the trips in this case are pass-by trips (although many convenience-type uses would be expected to be even higher). Discounting total trips to reflect pass-by trips, the retail, bank, and restaurant uses would generate 140 AM and 352 PM peak-hour trips.
- “e. The total trip generation by the current proposal would be 464 AM and 712 AM peak-hour trips.
- “f. The trip cap for the subject site corresponding to 410,000 square feet of office space was 820 AM and 759 PM peak-hour trips. Therefore, the site is within the established trip cap for the site.

“Condition 2: This condition requires that a revised traffic study be done at the time of preliminary plan. This was done.

“Conditions 3 and 4: These conditions relate to off-site transportation improvements and will be addressed further under the preliminary plan discussion.

“Condition 5: This condition required that the preliminary plan address the status of Yuma Street adjacent to and within the subject property, as well as access to adjacent uses that would be virtually surrounded by development on the site. This was done at the time of preliminary plan, and the access plan for the overall site works quite well as constructed to

date.

“Preliminary Plan of Subdivision 4-97121:

“Condition 15: See Condition 1 of the CSP.

“Condition 16: This condition established a set of off-site transportation improvements associated with Phase I of the project. Phase I was developed as the IKEA store which currently exists, and all transportation improvements associated with this condition have been constructed.

“Condition 17: This condition established a site of off-site transportation improvements associated with Phase II of this project, which was originally assumed to be 410,000 square feet of office space and now encompasses the current proposal. There have been changes in the area since the original set of improvements was established, and the required improvements need modification, as discussed further below:

“17a: This condition requires an additional northbound through lane at the US 1/Sunnyside Avenue intersection. It has been determined by the applicant that the intersection currently operates at Level-of-Service (LOS) D in both peak hours. SHA does concur with the deletion of this improvement. Furthermore, discussions with SHA officials indicate that, due to the presence of multiple driveways to the north of the intersection, tapering a third lane back to two lanes would pose a safety issue. Therefore, the applicant proposes deleting Condition 17a, and the information provided justifies this change.

“17b: This condition requires improvements at the US 1/Edgewood Road intersection. The improvements have been implemented, or were determined to be otherwise unneeded due to other improvements completed within the I-95/I-495/US 1 interchange. Therefore, there is no need to carry forward this condition.

“17c: This condition requires improvements at the US 1/Cherry Hill Road intersection. The improvements listed as 17c(1) and 17c(2) have been implemented. That leaves condition 17c(3), which requires provision of a second northbound left-turn lane along US 1. This improvement has been the subject of considerable interest, and the major findings are summarized below:

- “1. Implementation of the dual left-turn lanes would require the acquisition of right-of-way on the east side of US 1.
- “2. SHA has had extended discussions with the landowner in an attempt to acquire access controls and right-of-way over a number of years, and these discussions have not been fruitful.
- “3. This applicant is willing to fund the improvement, and has prepared road construction plans and a detailed cost estimate as a good faith effort to reinitiate

the right-of-way acquisition process. The estimated cost is \$1,383,853 for the improvements, per a cost estimate dated April 16, 2004.

- “4. If the needed right-of-way and temporary construction easements cannot be obtained, the applicant proposes to pay the full cost of the improvement to the county as a fee-in-lieu.
- “5. SHA has reviewed this proposal and the cost, and agrees to this. Therefore, Parts (1) and (2) of the condition need not be carried forward. Part (3) should remain, with a provision to allow the payment of the full cost of the improvement as a fee-in-lieu to Prince George’s County.

“17d: This condition currently requires the provision of three through lanes northbound and southbound through the I-95/I-495/US 1 interchange. Also, it requires that the loop ramp in the southeast quadrant of the interchange be replaced by a slip ramp from the eastbound-to-southbound ramp in the southwest quadrant. During the first phase, however, SHA, in discussions with the Federal Highway Administration (FHWA), determined that it was desirable to retain the existing loop ramp and widen it. Furthermore, FHWA determined that the traffic volumes did not warrant an additional through lane through the interchange; rather, modifications to the interchange have been designed to provide dedicated approach lanes to the loop ramps in the southwest and northeast quadrants. The applicant proposes to widen the loop ramp in the southeast quadrant of the interchange, and SHA agrees with this proposal. Therefore, the condition should be modified to reflect this change.

“The transportation staff has no further comments on the plans submitted. In consideration of the above findings, therefore, the transportation staff finds that the subject application does indeed conform to the approved subdivision plan. Furthermore, from the standpoint of transportation the current proposal is generally consistent with the approved Conceptual Site Plan. In support of this determination, the following condition, covering the needed Phase II improvements for the development, is recommended:

- “1. “Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
 - “a. US 1 at Cherry Hill Road: Provide a second left-turn lane from northbound US 1 onto westbound Cherry Hill Road. In the event that SHA ascertains that the right-of-way or construction easements needed for the implementation of this improvement cannot be obtained, the applicant will be allowed to pay the full cost of this improvement as a fee-in-lieu to Prince George’s County. The amount of the payment will be based upon construction plans and a cost estimate prepared by the applicant and approved by SHA, and will be subject to an inflation factor if the cost estimate is more than one year old at the time of payment. The

payment shall be made as a lump sum to the County prior to issuance of building permits.

- “b. I-95/US 1 Interchange: Widen the loop ramp from southbound I-95/I-495 to northbound US 1 to provide two lanes on the ramp. This improvement shall be designed in accordance with SHA standards, and shall include any signage or pavement markings deemed necessary by SHA at that location.

“These improvements shall be designed to SHA/County standards as applicable. These improvements may be modified as required by the Federal Highway Administration or the State Highway Administration for any permits associated with modifications to the I-95/US 1 interchange. Any modifications shall provide equivalent service levels.”

- i. In another memorandum dated May 26, 2004, the Transportation Planning Section made the following additional comments:

“The Transportation Planning Division has reviewed the conceptual site plan application referenced above. The subject property consists of approximately 44.78 acres of land in the M-X-T zone. The property is located on the west side of US 1 north and south of its intersection with Yuma Street. A portion of the property is already developed with 371,256 square feet of retail space. The applicant proposes to develop the remainder of the property with a mix of office, retail, and residential uses.

“This memorandum is provided as an addendum to the May 24 memorandum.

“As noted in the previous memorandum, the adequacy of transportation facilities is potentially an issue in the review of the conceptual site plan for this site. This memorandum provides clarification that transportation facilities are indeed adequate with the changes being requested. Specifically, the following must be noted:

- “1. The proposal, combined with the existing development on the site, is consistent with the cap that was established under the original CSP-96049 and 4-97121 applications. A finding of adequacy was made for the site during the approval of both applications. Consequently, there is a presumption that the original finding of adequacy is still valid, given no changes in the general transportation network that would invalidate the previous findings, and given that the subject property at the original density has been assumed as background development for all proposals that have been reviewed since.
- “2. A new comprehensive traffic study was not done for this case for the reason cited above.
- “3. The applicant has provided documentation that the US 1/Sunnyside Avenue intersection operates at level-of-service (LOS) B, with a critical lane volume

(CLV) of 1,067 during the AM peak hour without the additional northbound through lane. Similarly, it operates at LOS D with a CLV of 1,400 during the PM peak hour. For that reason, it was recommended that the condition for the additional northbound through lane at this location be dropped.

- “4 The applicant has not proposed deletion of the second northbound left-turn lane at the US 1/Cherry Hill Road intersection, but has rather offered to provide the full cost of the improvement as a fee-in-lieu if the right-of-way cannot be made available as an option to implementation. This improvement was deemed to provide adequacy in review of the previous cases. It should be noted that with the second northbound left-turn lane in place, the intersection would operate at LOS C with a CLV of 1,154 during the AM peak hour, and LOS E with a CLV of 1,565 during the PM peak hour. It should be noted that although the subject property is within the developing tier, this intersection is within the developed tier.

“Therefore, in addition to the findings provided in the previous memorandum, it is determined that the proposed changes to the transportation conditions are either consistent with the previous finding of transportation adequacy or provide adequacy in accordance with Sec. 27-546(d)(8).

“The condition recommended in the May 24, 2004, memorandum should remain.”

In a supplemental memorandum dated June 9, 2004, the Transportation Planning Section provided the following additional information:

“The adequacy of transportation facilities is potentially an issue in the review of the conceptual site plan for this site. Specifically, the subject property was placed in the M-X-T zone by means of a Sectional Map Amendment. In this circumstance, the transportation staff is required to find that:

‘transportation facilities which are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.’ (Sec. 27-546(d)(8))

The applicant prepared a traffic impact study dated December 1997, and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The Transportation Planning Section reviewed the study as a part of its review of the preliminary plan for this site, and the findings and recommendations that were made at that time were based upon a review of all relevant materials available at that time.

“By way of traffic memoranda from the applicant dated April 13, 2004 and April 26,

2004, the applicant has addressed the outstanding transportation conditions associated with the site as well as conformance to the trip cap on which the original conceptual and preliminary plans were based.

“This memorandum is written primarily to support the applicant’s request for the reconsideration of Condition 17 in the resolution approving Preliminary Plan of Subdivision 4-97121. Secondly, it is written to supplement the record for the Conceptual Site Plan. There is little additional information in this memorandum beyond the past two memoranda. However, it is provided to ensure that the conditions on the conceptual plan, along with the reconsidered preliminary plan, are identical.

“Review Comments

“It is noted here that compliance with the original CSP-96049 has been discussed at length in two prior memoranda. The information in this memorandum pertains to Condition 4 in the conceptual plan resolution, which relates to off-site transportation improvements for the subject property. This is reviewed as Condition 17 in the preliminary plan and discussed below:

“Preliminary Plan of Subdivision 4-97121:

“Condition 17: This condition established a site of off-site transportation improvements associated with Phase II of this project, which was originally assumed to be 410,000 square feet of office space and now encompasses the current proposal. There have been changes in the area since the original set of improvements was established, and the required improvements need modification, as discussed further below:

“17a: This condition requires an additional northbound through lane at the US 1/Sunnyside Avenue intersection. It has been determined by the applicant that the intersection currently operates at Level-of-Service (LOS) D in both peak hours. SHA does concur with the deletion of this improvement. Furthermore, discussions with SHA officials indicate that, due to the presence of multiple driveways to the north of the intersection, tapering a third lane back to two lanes would pose a safety issue. Therefore, the applicant proposes deleting Condition 17a, and the information provided justifies this change.

“17b: This condition requires improvements at the US 1/Edgewood Road intersection. The improvement listed as 17c(3) has been implemented. The other improvements require further discussion:

“1. Condition 17c(2) was originally required in order to support the slip ramp configuration that have served traffic turning north onto US 1 from the inner loop of the Capital Beltway. This slip ramp is proposed to be replaced in favor of widening the existing loop ramp that accommodates this movement. This condition would have actually included a fourth through lane northbound at

Edgewood, and this is not needed under the planned configuration.

- “2. Condition 17c(1) requires a third southbound through lane at Edgewood Road. Per SHA comments, this will be retained but will be written into the overall improvements for the I-95/I-495/US 1 interchange. SHA currently believes that this improvement will reduce the queues on southbound US 1; furthermore, there are already three southbound through lanes south of Edgewood Road to act as receiving lanes.

“17c: This condition requires improvements at the US 1/Cherry Hill Road intersection. The improvements listed as 17c(1) and 17c(2) have been implemented. That leaves condition 17c(3), which requires provision of a second northbound left-turn lane along US 1. This improvement has been the subject of considerable interest, and the major findings are summarized below:

- “1. Implementation of the dual left-turn lanes would require the acquisition of right-of-way on the east side of US 1.
- “2. SHA has had extended discussions with the landowner in an attempt to acquire access controls and right-of-way over a number of years, and these discussions have not been fruitful.
- “3. This applicant is willing to fund the improvement, and has prepared road construction plans and a detailed cost estimate as a good faith effort to reinstate the right-of-way acquisition process. The estimated cost is \$1,383,853 for the improvements, per a cost estimate dated April 16, 2004. The applicant has proffered \$1.85 million in order to cover the full cost of the construction of the improvements, right-of-way acquisition, and other streetscape improvements.
- “4. If the needed right-of-way and temporary construction easements cannot be obtained, the applicant proposes to pay the full cost of the improvement to the County as a fee-in-lieu.
- “5. SHA has reviewed this proposal and the cost, and agrees to this.

“Therefore, parts (1) and (2) of the condition need not be carried forward. Part (3) should remain, with a provision to allow the payment of the full cost of the improvement as a fee-in-lieu to Prince George’s County. It is currently anticipated that these funds will be deposited into a supplemental capital improvement project that will be introduced for purpose of relieving congestion along the US 1 corridor in the vicinity of the project.

“17d: This condition currently requires the provision of three through lanes northbound and southbound through the I-95/I-495/US 1 interchange. Also, it requires that the loop ramp in the southeast quadrant of the interchange be replaced by a slip ramp from the eastbound-to-southbound ramp in the southwest quadrant. During the first phase, however, SHA, in discussions with the Federal Highway Administration (FHWA), determined that it was desirable to retain the existing loop ramp and widen it. Furthermore, FHWA determined that the traffic volumes did not warrant an additional through lane through the interchange; rather, modifications to the interchange have been designed to provide dedicated approach lanes to the loop ramps in the southwest and

northeast quadrants. The applicant proposes to widen the loop ramp in the southeast quadrant of the interchange, and SHA agrees with this proposal. Therefore, the condition should be modified to reflect this change.

“Therefore, in addition to the findings provided in the previous memorandum, it is determined that the proposed changes to the transportation conditions are either consistent with the previous finding of transportation adequacy or provide adequacy in accordance with Sec. 27-546(d)(8) and Sec. 24-124. The following condition is proposed as a replacement to Condition 17 of the resolution for preliminary plan 4-97121. The following condition, with a modification to the lead-in paragraph to recognize that the current plan covers Phase II, should also be made a condition of approval for CSP-96049/02:

“17. Prior to the issuance of any building permits within the subject property under Phase II, as defined in Condition 1 above, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:

“a. *I-95/US 1 Interchange:*

- “1. Eliminate the island that separates the southbound US 1 traffic between the inner and outer loop (including overhead sign modifications) in order to provide a dedicated right-turn lane to the loop ramp in the southwest quadrant.
- “2. Realign and widen the loop ramp from southbound I-95/I-495 to northbound US 1 to provide two lanes on the ramp as a T-intersection. This improvement shall be designed for one-lane operation in accordance with SHA standards, and shall include appropriate signalization and any signage or pavement markings deemed necessary by SHA at the location, with conversion to the signalized intersection at such time as two lanes become operational.
- “3. Provide three lanes along US 1 northbound to provide a dedicated right-turn lane to the loop ramp in the northeast quadrant of the interchange.
- “4. Widen southbound US 1 to provide a third through lane, approximately 250 feet in length, between the loop ramp in the southwest quadrant and Edgewood Road. There are already three southbound through lanes along US 1 south of Edgewood Road to receive the additional through lane.

“b. *US 1 at Cherry Hill Road:* Provide a second left-turn lane from northbound US 1 onto westbound Cherry Hill Road. In the event that SHA ascertains that the

right-of-way or construction easements needed for the implementation of this improvement cannot be obtained, the applicant shall participate in providing improvements to the intersection by contributing the full cost of this improvement, including right-of-way, as a fee-in-lieu to Prince George's County. The total amount of the fee-in-lieu payment shall be in the amount of \$1,850,000. The payment shall be made as a lump sum to the County prior to issuance of building permits and, together with the construction of the improvements set forth herein, shall constitute the applicant's entire obligation toward road improvements necessary for development of the subject property."

In light of additional evidence presented at the Planning Board hearing, some minor modifications were made to the required transportation improvements, as reflected in Condition 9 below.

- j. In a memorandum dated May 12, 2004, the Transportation Planning Section (trails coordinator) has stated that discussions are underway between the Department of Parks and Recreation, the Planning Department, the Beltsville Agricultural Research Center, the community, and IKEA regarding a possible extension of the existing Paint Branch Stream Valley Trail under the Capital Beltway, along the Little Paint Branch, and to the existing Little Paint Branch Stream Valley Trail north of Sellman Road. The applicant should provide a public use easement for a trail connection from the possible future extension of the Paint Branch Stream Valley Trail onto the subject site. The exact location of this easement will be determined at the time of the Detailed Site Plan and should be at a location agreeable to the Department of Parks and Recreation, the Planning Department and the applicant.
- k. In a memorandum dated May 26, 2004, the Department of Parks and Recreation has stated that national and state standards for the provision of parkland call for the provision of 15 acres of local parkland for every 1,000 residents. The standards also recommend an additional 20 acres of regional parkland for every 1,000 residents. Only 11 acres of parkland per 1,000 residents are currently available in the Beltsville community. By applying these standards, staff has concluded that a minimum of 15 acres of additional local parkland should be provided to serve the anticipated population of the new development.

The applicant proposes to construct a 5,000-square-foot club house and outdoor plazas in the project area. No information about the type of recreation amenities to be provided in the club house or plazas has been provided. DPR staff believes that the clubhouse should not be considered a recreational facility. In their experience such facilities are typically provided for marketing purposes and serve as meeting or party rooms and are limited to the members only. The recreational value of the outdoor plaza cannot be determined at this time since its size and location are not specified.

The Department has recommended conditions of approval for developing a mutually acceptable recreational package. Conditions of approval have been added to require the same.

13. As required by Section 27-276(b) of the Zoning Ordinance, the subject Conceptual Site Plan SP-96049/02 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/44/96-01), and further APPROVED Conceptual Site Plan CSP-96049/02 for the above-described land, subject to the following conditions:

1. The applicant shall ensure that the total development within the subject property shall be limited to 441,000 square feet of retail space, 30,000 square feet of office space, 500+ apartments and 25,000 square feet of live/work units; or different uses generating no more than the number of peak hour-trips (824 AM peak-hour trips, 1,487 PM peak-hour trips, and 1,680 Saturday peak-hour trips) generated by the above development. This development shall be considered in phases for the purpose of staging transportation improvements in accordance with Preliminary Plan of Subdivision 4-97121, and the required off-site transportation improvements shall be consistent with those which are identified in the resolution approving the same. Phase I is defined to contain 402,000 square feet of retail space, and Phase II is defined to contain 500+ apartment units, 25,000 square feet of live/work units, a 5,000 square foot clubhouse, 25,000–39,000 square feet of retail space, and 10,000–30,000 square feet of office space; or different uses generating no more than the equivalent number of peak-hour trips generated by the above development.
2. Prior to certification of the Conceptual Site Plan:
 - a. The TCPI/44/96-01 shall be revised to show the following:
 - (1) Proposed building footprint locations, parking lots and easements in the new design for Phase II.
 - (2) Revisions signed and dated by a qualified professional.
 - (3) The 65 dBA Ldn noise contour from I-95/495.
 - b. The applicant shall submit a copy of the approved/proposed Stormwater Management Concept Plan for Phase II.
3. The following information shall be included in the Detailed Site Plan application:
 - a. A color and material board for the various buildings and pedestrian treatments.
 - b. Detailed information on the architectural/landscape treatments for the internal courtyards, pedestrian areas and plazas.

- c. Design alternatives/details that increase the visual interest of the large expanse of brick piers and hedges along US 1.
- d. Information on design details, colors and materials of the proposed monument sign.
- e. Landscape/design treatments for the driveway between the multifamily residential development and the live/work units to reduce the appearance of an “alley.”
- f. Detailed information on the recreational facilities for the multifamily development.
- g. Detailed information on the type of residential units proposed (one bedroom, two bedroom, three bedroom).
- h. Location of the proposed bus stop, pedestrian connections and crosswalks.
- i. Detailed information on emergency fire access to the rear of the residential portion of the site.
- j. At the time of Detailed Site Plan, a written summary shall be provided explaining the consideration given and the action taken regarding each of the following:
 - (1) Providing direct pedestrian access from US 1 and IKEA Centre Drive to the retail development.
 - (2) Providing a vertical element at the corner of US 1 and IKEA Centre Drive.
 - (3) Limiting the use of split-face block on the retail to the base only.
 - (4) Ensuring that retail buildings have a minimum window area of 40 percent along a street.
 - (5) Providing an on-site bus stop with shelter.
 - (6) Developing a Traffic Demand Management Strategy that includes, but is not limited to, initiating or contributing to new shuttle service on US 1 and utilizing existing shuttle services such as Shuttle UM, TheBUS, CTC, in order to further lower vehicular trips.
 - (7) Screening all parking from the street with a landscape hedge.
 - (8) Identifying Brown’s Tavern Commemorative Park as a city-owned property and providing appropriate integration and access to this facility from the proposed development.

- (9) Seeking an agreement with the University of Maryland (UM) that prohibits UM students and staff residing in the project from obtaining on-campus parking permits.
 - (10) Providing a recreational area with play equipment for children.
4. Prior to submission of the first Detailed Site Plan, the applicant shall meet with staff of the Historic Preservation Section for the purpose of discussing options to enhance the character of the site of Brown's Tavern and to integrate it more successfully into the overall plan. Possible options shall include those below and other creative treatments that would achieve the same objectives:
 - a. The parking area adjacent to the historic site deleted.
 - b. Retail pad site to the north relocated to provide for additional open space between the pad site, its parking and the Historic Site.
 - c. A landscape plan for the open space adjacent to the Historic Site.
5. Prior to submission of the first Detailed Site Plan, the applicant shall meet with the Department of Parks and Recreation staff to develop a mutually acceptable package of outdoor recreational facilities and/or fees to provide for the future recreational needs of residents of the proposed community. The minimum value of outdoor recreational facilities to be provided shall be based on the following formula:

Step 1: $(N \times P) / 500 = M$
Step 2: $M \times S = \text{Value of facilities}$

Where:
N = Number of units in project
P = Population per dwelling unit by Planning Area
M = Multiplier
S = Standard value of facilities for population of 500

Additional facilities or a fee shall be provided to meet the needs of residents for facilities that cannot be provided on-site, such as trails or ball fields. The applicant shall specify the total number of proposed dwelling units in the residential portion of the planned development.
6. During the review of the Detailed Site Plan and TCPII, the plan shall show how outdoor activity areas are protected from noise levels above the state standard of 65 dBA Ldn.
7. Prior to approval of grading permits for Phase II, evidence that the woodland conservation fee-in-lieu has been paid shall be provided.

8. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.
9. Prior to the issuance of any building or (as related to Condition 17a(2) only) use and occupancy permits within the subject property under Phase II, as defined in Condition 1 above, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:
 - a. *I-95/US 1 Interchange:*
 - (1) Eliminate the island that separates the southbound US 1 traffic between the inner and outer loop (including overhead sign modifications) in order to provide a dedicated right-turn lane to the loop ramp in the southwest quadrant.
 - (2) Realign and widen the loop ramp from southbound I-95/I-495 to northbound US 1 to provide two lanes on the ramp as a T-intersection. This improvement shall be designed for one-lane operation in accordance with SHA standards and shall include appropriate signalization and any signage or pavement markings if deemed necessary by SHA. At such time as two lanes become operational on this ramp, funds for the construction of the traffic signal shall be available in the proposed capital improvement project and the signal shall be constructed by others.
 - (3) Provide three lanes along US 1 northbound to provide a dedicated right-turn lane to the loop ramp in the northeast quadrant of the interchange.
 - (4) Widen southbound US 1 to provide a third through lane, approximately 250 feet in length, between the loop ramp in the southwest quadrant and Edgewood Road. There are already three southbound through lanes along US 1 south of Edgewood Road to receive the additional through lane.
 - b. *US 1 at Cherry Hill Road:* Provide a second left-turn lane from northbound US 1 onto westbound Cherry Hill Road. In the event that SHA ascertains that the right-of-way or construction easements needed for the implementation of this improvement cannot be obtained, the applicant shall participate in providing improvements to the intersection by contributing the full cost of this improvement, including right-of-way, as a fee-in-lieu to Prince George's County.
 - c. The total amount of the fee-in-lieu payment to establish the proposed capital improvement project shall be in the amount of \$1,850,000. The payment shall be made as a lump sum to the county prior to issuance of building permits to satisfy the traffic signal portion of Condition 9a(2), Condition 9a(4), and Condition 9b, and, together with

the construction of the improvements set forth in Conditions 9a(1), 9a(2), and 9a(3) herein, shall constitute the applicant's entire obligation toward road improvements necessary for development of the subject property. In the event SHA determines that the improvement in 9a(4) is necessary and desirable, the applicant shall construct the improvement with a concomitant reduction in the fee-in-lieu payment.

10. The applicant shall enter into an agreement with the City of College Park to provide funding for landscaping in the US 1 median within the limits of the frontage of the subject property, as deemed appropriate by the State Highway Administration, not to exceed \$55,000.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 17, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of July 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator