

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Zoning Map Amendment Application No. A-9960 requesting a rezoning from the R-R (Rural Residential) to the M-X-T (Mixed Use Transportation) Zone in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on December 9, 2004, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is located about 120 feet north of Berry Road (MD 228) about 2,300 feet east of the MD 210 (Indian Head Highway)/Berry Road intersection. The site is triangular in shape and is bisected by Manning Road. It is about 12.5 acres in size and is undeveloped and wooded.
- B. **History:** The site has been in the R-R Zone since prior to the last comprehensive rezoning of the area in 1993. At that time, the Subregion V Sectional Map Amendment retained the property in the R-R zone (CR-60-1993).
- C. **Master Plan Recommendation:** The 2002 General Plan places the property in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The 1993 Subregion V Master Plan recommends office and light manufacturing/business park employment uses for the western nine acres of the property. The eastern four acres are recommended for low-suburban residential uses with a density of up to 1.6 dwellings per acre.
- D. **Neighborhood and Surrounding Uses:** The neighborhood boundaries identified for this application are:

North—Livingston Road (MD 373)
East—Bealle Hill Road
South—Berry Road (MD 228)
West—Indian Head Highway (MD 210)

The middle one-third of the neighborhood is developed with single-family residential development in the R-R Zone, on lots ranging from one-half acre to two acres in size. With the exception of some scattered residential development along Bealle Hill Road, the eastern third of the neighborhood remains largely undeveloped. This portion of the neighborhood is in the R-A and R-L Zones with permitted densities equivalent to one- to two-acre lots. In the northern part of the neighborhood, on the south side of Livingston Road, are some older commercial businesses in the C-S-C Zone.

Much of the undeveloped land in the western portion of the neighborhood is in the M-X-T (Mixed-Use Transportation Oriented) Zone. Specifically, immediately to the west of the subject site is an undeveloped, 57.5-acre parcel in the M-X-T Zone, and to the east of the subject site is an undeveloped 13-acre parcel in the M-X-T Zone. Immediately south of Berry Road is a 26-acre parcel of land in the M-X-T Zone developed with the Manokeek Village Center

- E. **Request:** The applicant is the owner of the M-X-T-zoned parcels to the east and west of the subject site. Access to those sites was limited by the State Highway Administration to Manning Road East, which bisects the subject property. The applicant purchased the subject site and has shown the site as providing access to those sites (Pods 2 and 3) in Conceptual Site Plan 99050, which was approved by the Planning Board on July 27, 2000. Because the site serves as a connection between the two M-X-T sites, the applicant requests this rezoning to create a more unified development scheme.

The applicant has submitted an Illustrative Plan with this application. The plan proposes a residential component, a live/work component, and a community center on the western portion of the property and a retail center with office pad sites on the eastern portion of the property.

- F. **Zoning Requirements:**

Section 27-213; Criteria for approval of the M-X-T Zone.

- (1) **The District Council shall only place land in the M-X-T Zone if at least one (1) of the following two (2) criteria is met:**
- (A) **Criterion 1. The entire tract is located within the vicinity of either:**
- (i) **A major intersection or major interchange (being an intersection or interchange in which at least two (2) of the streets forming the intersection or interchange are classified in the Master Plan as an arterial or higher classified street reasonably expected to be in place within the foreseeable future); or**
- (ii) **A major transit stop or station (reasonably expected to be in place within the foreseeable future).**
- (B) **Criterion 2. The applicable Master Plan recommends mixed land uses similar to those permitted in the M-X-T Zone.**

The entire tract is located within the vicinity of a major intersection and proposed future interchange. The site is located about 2,300 feet from the intersection of Indian Head Highway and Berry Road. The Subregion V Master Plan classifies Indian Head Highway as an existing expressway south of Berry Road and a freeway north of Berry Road. Berry Road itself is classified as an expressway. The subject site is the location for the access to 70 acres of M-X-T-zoned land in the vicinity of this intersection. Manning Road East provides the only access to the M-X-T-zoned land from Berry Road. The subject property is therefore clearly within the vicinity of a major intersection and meets the requirements of this criterion.

- (2) **Prior to approval, the Council shall find that the proposed location will not substantially impair the integrity of an approved General Plan, Area Master Plan, or Functional Master Plan and is in keeping with the purposes of the M-X-T Zone. In approving the M-X-T Zone, the District Council may include guidelines to the Planning Board for its review of the Conceptual Site Plan.**

The planning chronology for this area is important to understanding the evolution of decisions pertaining to the existing property classified in the M-X-T Zone (referred to as the TSC/Muma property below) and the adjacent property that is the subject of application A-9960. The property subject to this application was acquired from former owner Mr. Vincent by TSC/Muma (the applicant in this case) to provide road access to their larger property holdings classified in the M-X-T Zone in 1993.

1974 Master Plan for Subregion V:

- Area encompassing both properties recommended for employment land uses along the then-proposed Outer Beltway freeway right-of-way.

1979 Accokeek, Tippet and Piscataway SMA:

- TSC/Muma (including the 70 acres to the east and west of the subject property)—Rezoned from the R-R to the E-I-A Zone per SMA Change P-15 (The southern boundary of the E-I-A Zone was the proposed Outer Beltway right-of-way.)
- Subject Property (Vincent)—Retained in the R-R Zone

1982 General Plan and Master Plan of Transportation:

- Deleted the Outer Beltway as a road proposal in the southern part of the county.

Late 1980s Maryland State Highway Administration Transportation Program

- TSC/Muma—SHA decides to relocate MD 228 from Charles County to MD 210 through the E-I-A Zone property in Accokeek as a divided, four-lane road.

1992 Subregion V Preliminary (May) and Adopted (November) Master Plan/SMA:

- TSC/Muma—Proposed a smaller employment area located west of Manning Road and on the north side of the proposed MD 228 right-of way; low-suburban residential land uses east of Manning Road on the north side of MD 228 and low-suburban or large-lot residential south of MD 228. The SMA recommended rezoning E-I-A to R-R and R-A Zones. The redefined employment area recommendations were to be implemented via a new/revised E-I-A Comprehensive Design Zone application.
- Vincent—Recommended for low-suburban residential use; SMA to retain the R-R Zone.

1993 Subregion V Master Plan/SMA Approved by Council Resolution CR-60-1993:

- TSC/Muma—CR-60-1993, Plan Amendment 12 approved mixed-use development for the north and south side of MD 228 west of Manning Road and for the north side of MD 228 east of Manning Road. Low-suburban or large-lot residential land use for southern parts of the property. SMA rezoned E-I-A to M-X-T, R-R and R-A Zones.
- Vincent—CR-60-1993 approved low-suburban residential land use/SMA retained the R-R Zone.

The boundary between the existing M-X-T Zone on the TSC/Muma property and the R-R Zone on the Vincent property (subject to application A-9960) is the result of a Council amendment to the proposed master plan and SMA at the end of the approval process. The Planning Board had recommended employment land use for the area encompassing both properties on the northwest side of Manning Road East and Low-Suburban residential land use for both properties on the

southeast side. The Council approved a request for mixed land uses and the M-X-T Zone on the TSC/Muma property that had not been recommended by the Planning Board in the transmitted master plan/SMA proposal. There were no requests for rezoning on the Vincent property and no testimony at public hearings regarding it. As such, the boundary between the M-X-T Zone and R-R Zone in this area was determined by ownership patterns in 1993, when the master plan and SMA were approved by the County Council.

The subject application (A-9960) consists of two tracts of approximately five and seven acres divided by Manning Road East that are located between the existing road and the two large parcels. The two adjoining larger parcels already classified in the M-X-T Zone are 57 and 13 acres, respectively, and have been approved for development of a senior housing complex (up to 800 units), commercial retail, and office land uses. The approved site plan for the existing M-X-T Zone (CSP-99050) indicates access roads across these two smaller tracts of land (A-9960) to intersect with Manning Road East. The applicant acquired these smaller tracts between the approved development proposal and Manning Road East to provide access because of State Highway Administration access restrictions associated with the other adjoining road (MD 228). Allowing the owner to incorporate the extra land area acquired to provide access into the larger development area is consistent with master plan concepts for future land use and development.

On the northwest side of Manning Road East, the master plan recommends mixed-use development and employment (Office/Light Manufacturing/Business Park) land use as part of a larger recommended business area extending to the north. Expansion of the existing M-X-T zoning onto the adjoining portion of this rezoning application would be consistent with the land use recommendations of the master plan.

On the southeast side of Manning Road East, the master plan recommends low-suburban residential land use at up to 1.6 dwelling units per acre and mixed-use development.

This application is located in the Accokeek Development Review District. The Accokeek Development Review District Commission (ADRDC) reviewed this application at several meetings in early 2004 and submitted comments by letters dated May 13, 2004, and June 10, 2004. Issues that were of concern in the ADRDC meetings were (1) whether there was a need for more commercial zoning or development in Accokeek, and (2) the compatibility of expanded commercial development with the existing residential land uses on Manning Road East.

The request for the M-X-T Zone will not substantially impair the General Plan or the Subregion V Master Plan. The subject property clearly lies within an area determined to be appropriate for the M-X-T Zone. The rezoning of this property will provide for the orderly development of this property as well as the properties already approved for the M-X-T Zone. Furthermore, the applicant proposes to limit the total development of this and adjoining M-X-T zoned property in the same ownership, to the development already approved as part of Conceptual Site Plan 99050.

At the time of detailed site plan approval, the compatibility of the proposed M-X-T Zone with the existing residential community will be addressed by a condition requiring the provision of a 100-foot wide wooded buffer and the careful orientation of buildings and/or walls and parking lots to minimize the impacts of parking areas on the adjoining residential neighborhood.

The proposed rezoning meets the following purposes of the M-X-T Zone:

Sec. 27-542. (a) The purposes of the M-X-T Zone are:

- (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 Subregion V Master Plan provided for the orderly development of land near the Indian Head Highway/Berry Road intersection by placing land in the M-X-T Zone and using Manning Road East to provide access to the M-X-T development. The rezoning of the subject property will complete this development. With the recommended conditions, the rezoning of the eastern portion of the site will promote orderly development of the area, while minimizing its impacts on the adjoining residential 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 proposed rezoning conforms to the goal of concentrating development potential in areas recommended for mixed uses.

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

The subject property will have access to a major intersection in conformance with this purpose.

- (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;**

Approval of the requested rezoning will facilitate a 24-hour environment.

- (5) To encourage diverse land uses which blend together harmoniously;**
- (6) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**
- (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;**
- (8) To permit a flexible response to the market; and**

(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 mixture of uses and flexibility permitted by the M-X-T Zone will permit and encourage the purposes listed above. The conceptual site plan and detailed site plan approval process required for development in the M-X-T Zone will provide for an opportunity to examine future development proposals in greater detail and to determine their conformance with the purposes of the M-X-T Zone. As part of the conceptual site plan and detailed site plan approval process, the Planning Board will determine that:

- The proposed development has an outward orientation that either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;
- The proposed development is compatible with existing and proposed development in the vicinity;
- 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;
- If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;
- The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;
- On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial).

Due to the potential for more intense development and a 24-hour environment, consideration should be given at the time of conceptual site plan approval to doubling the normal requirement for bufferyards between M-X-T uses and land uses in adjoining R-R-zoned properties. On the eastern portion of the site, a 100-foot wide wooded buffer will buffer the existing residential community from the impacts of the proposed development.

The Illustrative Plan shows a desire to provide a community-oriented use as well as a mixture of commercial and residential uses. A more prominent location for the community center could provide for a gateway use that sets the tone for the entire community, both existing and proposed.

(3) Adequate transportation facilities.

(A) Prior to approval, the Council shall find that transportation facilities

that are existing, are under construction, or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.

(B) The finding by the Council of adequate transportation facilities at this time shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The applicant prepared a traffic impact study dated December 2003. The study has been prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The traffic study was referred to the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). Neither agency provided comments.

Growth Policy—Service Level Standards

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

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

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

Staff Analysis of Traffic Impacts

The following intersections have been analyzed in the traffic study:

- MD 228 and Manning Road (signalized)
- MD 210 and MD 228 (signalized)
- Manning Road and site access 1 (planned future roundabout)
- Manning Road and site access 2 (future unsignalized)
- Manning Road and site access 3 (future unsignalized)

Existing conditions are summarized as follows:

EXISTING CONDITIONS		
	Critical Lane Volume	Level of Service

Intersection	(AM & PM)		(AM & PM)	
	MD 228 and Manning Road	1,052	1,202	B
MD 210 and MD 228	981	1,013	A	B
Manning Road and site access 1	planned			
Manning Road and site access 2	planned			
Manning Road and site access 3	planned			
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.</p> <p>**The Planning Board has no standard for evaluating roundabouts. Delay measured both in seconds and LOS is reported for information purposes.</p>				

In assessing background traffic, the traffic consultant worked with the transportation staff to develop a complete list of background developments. Therefore, the assessment of traffic generated by background development is acceptable. Through traffic volumes were also increased by 2.5 percent per year to account for growth in through traffic along MD 210 and MD 228. Background conditions are summarized as follows:

BACKGROUND CONDITIONS				
Intersection	Critical Lane Volume		Level of Service	
	(AM & PM)		(AM & PM)	
MD 228 and Manning Road	1,395	2,021	D	F
MD 210 and MD 228	1,317	1,286	D	C
Manning Road and site access 1	planned			
Manning Road and site access 2	planned			
Manning Road and site access 3	planned			
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.</p> <p>**The Planning Board has no standard for evaluating roundabouts. Delay measured both in seconds and LOS is reported for information purposes.</p>				

The traffic study assumes the development of the following:

- 85,800 square feet of retail space
- 80,000 square feet of general office space
- a 7,500-square-foot recreation community center
- 24 elderly housing units

These uses taken together (assuming a 6 percent% pass-by rate for the retail) are estimated to generate 221 AM (181 in, 40 out) and 579 PM peak hour vehicle trips (242 in, 337 out), according to the rates given in the guidelines. Retail uses are allowed to assume that a portion of the trips generated are already on the road (i.e., pass-by trips). Total traffic conditions are

summarized below:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 228 and Manning Road	1,618	2,582	F	F
MD 210 and MD 228	1,331	1,300	D	D
Manning Road and site access 1	6.8**	12.2**	A	B
Manning Road and site access 2	8.9*	11.8*	--	--
Manning Road and site access 3	8.3*	8.3*	--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.</p> <p>**The Planning Board has no standard for evaluating roundabouts. Delay measured both in seconds and LOS is reported for information purposes.</p>				

It is noted that failing operating conditions are found at the MD 228/Manning Road intersection, and the traffic study has made recommendations that the following improvements be provided:

1. Widen the southbound approach of Manning Road to provide four approach lanes: two left-turn lanes, one through lane, and one right-turn lane.
2. Operate the dual left-turn lanes along the westbound MD 228 approach.
3. Modify the island in the southwest quadrant of the intersection to eliminate the eastbound free right turn along MD 228, and restripe to provide two receiving lanes for the westbound left turns.
4. Restripe the shoulder of westbound MD 228 to provide an exclusive right-turn lane.
5. Eliminate the split-phasing of the MD 228/Manning Road signal.

With all of these changes, the MD 228/Manning Road intersection would operate at LOS D, with a CLV of 1,354, in the AM peak hour. In the PM peak hour, the intersection would operate at LOS D with a CLV of 1,440.

Plan Comments

The site has been the subject of two preliminary plan applications, 4-01064 and 4-01065. Dedication of roadways within the subject property will be in accordance with those plans.

While the subject property is not adjacent to the intersection of two master plan arterial (or higher) facilities, it is in the vicinity of the MD 210/MD 228 intersection of the F-11 and E-7 facilities. Furthermore, it is adjacent to other property that is also zoned M-X-T.

Recommendations

Based on the preceding comments and findings, the Transportation Planning Section found that the applicant has shown that transportation facilities which are existing, under construction, or for which 100 percent construction funding is contained in the county CIP or the state CTP will be adequate to carry anticipated traffic which would be generated by the proposed rezoning. This finding is applicable if the application is approved with the following conditions:

1. **MD 228 at Manning Road:** 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 operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Widening of the southbound approach of Manning Road to provide four approach lanes: two left-turn lanes, one through lane, and one right-turn lane.
 - b. Operation of the dual left-turn lanes along the westbound MD 228 approach.
 - c. Modification of the island in the southwest quadrant of the intersection to eliminate the eastbound free right turn along MD 228, and restriping to provide two receiving lanes for the westbound left turns.
 - d. Restriping the shoulder of westbound MD 228 to provide an exclusive right-turn lane.
 - e. Elimination of the split-phasing of the MD 228/Manning Road signal.
2. Total development within the subject property shall be limited to uses which generate no more than 221 AM and 579 PM peak-hour vehicle trips.

G. Environmental Issues

This 12.54-acre site in the R-R Zone is located on both sides of Manning Road approximately 300 feet north of its intersection with Berry Road (MD 228). A review of the available information indicates that streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on the property. However, there is an area of wetlands located near the southwestern corner of the site. Transportation-related noise associated with MD 228 has been found to impact this site. The soils found to occur according to the Prince George's County Soil Survey include Beltsville silt loam and Aura gravelly loam. These soils have limitations with respect to perched water tables, impeded drainage, and a hard stratum that will need to be addressed during the building phase of the development but will not affect the site layout or this rezoning application. According to available information, Marlboro clay does not occur on this property. 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 in the vicinity of this application. This property is located in the Mattawoman Creek watershed of the Potomac River basin and in the Developing Tier as reflected in the adopted General Plan.

This site was previously reviewed in conjunction with the approvals of Preliminary Plan of Subdivision 4-01065 and Type I Tree Conservation Plan TCPI/25/01.

Findings and Recommendations

1. This site was previously reviewed in conjunction with Preliminary Plan of Subdivision 4-01065, at which time a Detailed Forest Stand Delineation (FSD) was submitted and found to be acceptable in accordance with the requirements for an FSD as found in the Prince George's County Woodland Conservation and Tree Preservation Technical Manual.

Discussion: No additional information is required with respect to the Forest Stand Delineation.

2. The 12.54-acre property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the property is larger than 40,000 square feet in size, there are more than 10,000 square feet of existing woodlands, prior applications proposed more than 5,000 square feet of woodland clearing, and there is a previously approved Type I Tree Conservation Plan, TCPI/25/01. Although a TCP is not required to be submitted with this application, revisions to the currently approved TCPI may be necessary during the review of subsequent applications for conceptual site plan and/or preliminary plan of subdivision. In addition, a Type II Tree Conservation shall be approved in conjunction with any detailed site plans and/or grading permits.

The approved Type I Tree Conservation Plan, TCPI/25/01, for this property has a 20 percent Woodland Conservation Threshold (WCT) as opposed to a 15 percent WCT for the proposed M-X-T Zone. Because the previously approved TCPI has a WCT of 20 percent it is recommended that the WCT remain at 20 percent for this property. This is reasonable because an area of regulated wetlands exists on the site and this area could be used to meet the requirements.

Recommended Condition: The Woodland Conservation Threshold for this property shall remain at 20 percent.

3. Although streams, 100-year floodplain, severe slopes in excess of 25 percent, and steep slopes between 15 and 25 percent with highly erodible soils are not found on this property, there is an area of wetlands found at the southwestern corner of the site. The previously approved Preliminary Plan of Subdivision, 4-01065, and Type I Tree Conservation Plan, TCPI/25/01, clearly identified and protected the wetland area and the associated 25-foot buffer from grading impacts. All future plans should continue to provide protection to this wetland and associated 25-foot buffer.

Recommended Condition: The wetland area located at the southwestern corner of this property shall be protected from grading disturbances throughout the development process. During the review of all subsequent plans the wetland and the 25-foot buffer shall be shown on all plans and shall be protected by a platted conservation easement.

4. Based on the Environmental Planning Section noise model, transportation-related noise impacts associated with MD 228 extend into this site. The approximate location of the 65 dBA Ldn noise contour is 400 feet from the centerline of MD 228. Residential development proposed within the 65 dBA Ldn noise contour would require noise attenuation measures such as, but not limited to, earthen berms, walls, and/or structural modifications to mitigate the adverse noise impacts.

Recommended Condition: All conceptual site plans, preliminary plans of subdivision, detailed site plans and/or tree conservation plans proposing residential development on this site shall include a Phase I and/or Phase II noise study as appropriate, show the location of the 65 dBA Ldn noise contour (mitigated and unmitigated), and show that all state noise standards have been met for interior areas of residential and residential type uses.

Comment: The Woodland Conservation Threshold for the M-X-T Zone is 15 percent. The wetlands area in the southwestern portion of the site takes up far less than 15 percent of the property. If the property is rezoned to the M-X-T Zone, the 20 percent threshold required for the R-R Zone will become irrelevant, and there do not appear to be any other compelling reasons to require a threshold greater than that required for other M-X-T-zoned properties.

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 recommends to the District Council for Prince George's County, Maryland that the above-noted application be APPROVED, subject to the following conditions:

1. **MD 228 at Manning Road:** 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 operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Widening of the southbound approach of Manning Road to provide four approach lanes: two left-turn lanes, one through lane, and one right-turn lane.
 - b. Operation of the dual left-turn lanes along the westbound MD 228 approach.
 - c. Modification of the island in the southwest quadrant of the intersection to eliminate the eastbound free right turn along MD 228, and restriping to provide two receiving lanes for the westbound left turns.
 - d. Restriping the shoulder of westbound MD 228 to provide an exclusive right-turn lane.
 - e. Elimination of the split-phasing of the MD 228/Manning Road signal.

2. The total combined development of the western portion of the subject property and Pod 2 on CSP-99050 shall not exceed the total development approved for Pod 2 on DCP-99050. The total combined development of the eastern portion of the subject property and Pod 3 on CSP-99050 shall not exceed the total development approved for Pod 3 on CSP-99050
3. The wetland area located at the southwestern corner of this property shall be protected from grading disturbances throughout the development process. During the review of all subsequent plans the wetland and the 25-foot buffer shall be shown on all plans and shall be protected by a platted conservation easement.
4. All conceptual site plans, preliminary plans of subdivision, detailed site plans and/or tree conservation plans proposing residential development on this site shall include a Phase I and/or Phase II noise study as appropriate, show the location of the 65 dBA Ldn noise contour (mitigated and unmitigated), and show that all state noise standards have been met for interior areas of residential and residential type uses.
5. The conceptual site plan shall show the proposed community center in a more prominent location.
6. At the time of detailed site plan approval, consideration shall be given to doubling the landscaping requirement between land uses in the M-X-T Zone and those on adjacent R-R-zoned land.
7. At the time of conceptual site plan approval, a 100-foot buffer of existing woodlands shall be retained along the northern boundary of the eastern portion of the subject property to buffer the existing residential use. Prior to the approval of A-9960, the illustrative plan shall be revised to reflect this condition. At the time of detailed site plan approval, buildings and/or walls and parking lots shall be oriented to minimize the impacts of parking areas on the adjoining residential neighborhood.

* * * * *

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 Eley, seconded by Commissioner Hewlett, with Commissioners Eley, Hewlett, Vaughns and Squire voting in favor of the motion, and with Commissioner Harley absent at its regular meeting held on Thursday, December 9, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of January 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:CW:rmk

(Revised 8/9/01)