



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-05016

| Application | General Data |
|--|---------------------------------------|
| Project Name: ADDISON ROAD SOUTH PROPERTY Location: Between Addison Road and Rollins Avenue, south of Central Avenue and north of Walker Mill Road. Applicant/Address: Addison Road South, LLC. Elm Street Development 175 Admiral Cochrane Drive, Suite #204 Annapolis, MD. 21401 | Date Accepted: 03/31/05 |
| | Planning Board Action Limit: 09/18/05 |
| | Plan Acreage: 33.04 |
| | Zone: R-55 Existing M-U-I |
| | Lots: 197 |
| | Parcels: 19 |
| | Planning Area: 75A |
| | Tier: Developed |
| | Council District: 07 |
| | Municipality: Capitol Heights |
| 200-Scale Base Map: 202SE06 | |

| Purpose of Application | Notice Dates |
|---|--|
| MIXED USE RESIDENTIAL SUBDIVISION WITH LIVE/WORK UNITS | Adjoining Property Owners Previous Parties of Record Registered Associations: 02/24/05 (CB-58-2003) |
| | Sign(s) Posted on Site and Notice of Hearing Mailed: 08/09/05 |

| Staff Recommendation | | Staff Reviewer: Whitney Chellis | |
|----------------------|--------------------------|---------------------------------|------------|
| APPROVAL | APPROVAL WITH CONDITIONS | DISAPPROVAL | DISCUSSION |
| | X | | |

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-05016
Addison Road South, Lots 1-197 and 19 parcels

OVERVIEW

The subject property is located on Tax Map 73, Grid C-2, and is known as Parcels 155 and 158. The property is currently zoned R-55 and is approximately 33.04 acres and located within the Addison Road Metro (ARM) Town Center. The applicant has filed a request to change the underlying zone from R-55 to M-U-I, pursuant to Section 27-548.26(b) of the Development District Overlay Zone section of the Zoning Ordinance. The rezoning application is a request as part of CSP-05002, currently scheduled before the Planning Board prior to the review of this preliminary plan. Approval of this preliminary plan is contingent on the approval of the rezoning. This preliminary plan has been reviewed for conformance to the M-U-I Zone and the Addison Road Metro (ARM) Town Center plan, as discussed further.

Development of this site is subject to the ARM Town Center Development District Plan. Being part of the larger ARM plan, the development must integrate with existing and future developments to support the objectives of the ARM plan. One of the concepts for the ARM plan is to create a pedestrian-oriented, mixed-use town center to serve the local community and Metro riders. The ARM plan envisions the creation of an urban environment to support pedestrian activities and a sense of community around the Addison Road Metro Station. The ARM plan provides specific recommendations regarding type and orientation of improvements and circulation. The applicant's proposal at this preliminary plan of subdivision stage establishes the foundation to ensure conformance to the ARM plan through further stages of development.

The preliminary plan proposes a mixed-use development of 16 single-family dwelling units, 167 townhouse units, and 14 townhouse live/work units. A total of 197 lots and 19 parcels are proposed. A staff condition of the conceptual site plan recommends that Lots 108 through 125, which are proposed as townhouse lots on this preliminary plan of subdivision, be revised to small lot single-family detached dwelling lots. The reduction in the number of dwelling units will be determined with the review of the required detailed site plan. The final plat of subdivision will be reflective of this revision as approved with the detailed site plan. This revision is recommended to increase the amount of mixed housing types on the site and relates to compatibility with the abutting R-R Zone to the south.

The applicant proposes to develop a mix of private and public streets and alleys to serve the development. The use of this diversity of streets and alleys is authorized pursuant to Section 24-128(b)(8) of the Subdivision Regulations. Specifically, the regulation allows that within a Development District Overlay Zone the Planning Board may approve a subdivision with private rights-of-way, easements and alleys (CB-6-2005). One of the important guidelines of the ARM plan is to provide streetscapes that are not dominated by vehicles, driveways and garages. At the time of review of the DSP, a more critical review of the dwelling unit orientations and the appropriate access for individual lots (townhouse, single-family and live/work units) should occur. This review should be done in coordination with the Department of Public Works and Transportation (DPW&T) and the Fire Department for street and alley standards to adequately serve the residences.

Development within the Addison Road Metro Town Center Development District requires the approval of a detailed site plan (DSP) in accordance with Part 3, Division 9, of the Zoning Ordinance. At the time of DSP review, further conformance with the development standards and guidelines will be determined. Review will include the location of structures, landscaping, and architectural review. Methods for the modification of those standards, if necessary, are provided in the ARM plan. That request can be made a part of the review process of the DSP. The regulations allow for flexibility at the time of detailed site plan in regard to setbacks, size, height, lot size, density, and other dimensional requirements in the M-U-I Zone.

Section 24-121(a)(4) of the Subdivision Regulations requires that residential lots adjacent to an existing arterial roadway be platted with a lot depth of 150 feet. Addison Road South is an urban arterial road requiring lot depths of 150 feet from the right-of-way. Rollins Avenue is an urban primary residential street; the lots fronting Rollins Avenue are not subject to this standard. The applicant has proposed Lots 88 through 107 fronting on Addison Road South; these lots have been designed to accommodate the required 150-foot lot depth at the rear lot line. No variation is required for these lots.

The plan conforms to the purposes and recommendations for the approved Addison Road Metro town center and vicinity sector plan. That plan focuses on the Metro station as the core of the sector plan. The town center concept was approved for the area as a focal point for the community. The form of the development for the area is a broad mix of uses arranged in a compact development. The area immediately surrounding the town center is suitable for medium-density housing; the future residents will provide a market to support revitalization of the existing commercial activities. The Addison Road community selected the town center proposal after an evaluation of several alternative development scenarios for the Metro core: suburban shopping area, town center, and major metropolitan center.

SETTING

This 33.04-acre property is located between Addison Road and Rollins Avenue, south of Central Avenue and north of Walker Mill Road. The site is characterized by terrain sloping toward the northeast and southwest. To the north of the subject property is an existing structure owned by Prince George’s County and used for social services; the eastern edge of the property has frontage on Addison Road; to the south of the property is a vacant parcel of land zoned R-55; and to the west of the property is R-55-zoned property that was recently approved as Detailed Site Plan DSP-04082 for Brighton Place. To the west of the property, across Rollins Avenue, is the Rollins Avenue Neighborhood Park, an M-NCPPC undeveloped public park.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

| | EXISTING | PROPOSED |
|---------|------------------|--|
| Zone | R-55 | M-U-I |
| Use(s) | Generally vacant | Single-family dwellings (16) Townhouses dwellings (167) Townhouse/live work units (14) |
| Acreage | 33.04 | 33.04 |
| Lots | 0 | 197 |
| Parcels | 2 | 19 |

2. **Environmental**—The Environmental Planning Section has reviewed the above-referenced Preliminary Plan of Subdivision 4-05016 and TCPI/15/05, stamped as received by the Environmental Planning Section on July 11, 2005, for conformance with the preliminary plan. The plans as submitted have been found to address the environmental constraints for the subject property. The Environmental Planning Section recommends approval of Preliminary Plan 4-05016 and has found conformance with TCPI/15/05, to be approved with CSP-05002. However, the review of variations for impacts to the expanded buffer located on this site, is a function of the preliminary plan process.

The site is characterized by terrain sloping toward the northeast and southwest and draining into unnamed tributaries of the Cabin Branch and the Anacostia River watershed in the Anacostia River basin. A review of the available information indicates that there are streams, 100-year floodplain, wetlands, highly erodible soils, and areas of severe and steep slopes on the site. There are no Marlboro clays found to occur on the site.

Addison Road is an arterial roadway regulated for noise. The preliminary plan demonstrates the unmitigated 65dBA noise contour. Prior to the issuance of building permits for proposed residential or mixed-use structures, the applicant should submit certification by a professional engineer with competency in acoustical analysis to the Environmental Planning Section demonstrating that the design and construction of building shells within the noise corridors will attenuate noise to interior noise levels of 45 dBA (Ldn) or less.

The primary soil types found to occur on the subject property, according to the Prince George's County Soils Survey, are Collington series, Galestown and Westphalia. These soil series generally exhibit slight to moderate limitations to development when found on steep slopes. Based on the information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Developed Tier as delineated on the adopted General Plan.

Addison Road Metro Town Center and Vicinity Requirements

The subject property is located within Subarea 4 of the sector plan. There are no specific environmental requirements or design standards that require review for conformance.

Environmental Review

The Subdivision Ordinance requires the preservation of the expanded stream buffer in a natural state (Section 24-130(b)(6) and (7)) unless the Planning Board approves a variation request. The preliminary plan as submitted shows a limit of disturbance and a delineation of the regulated areas. The preliminary plan also shows the expanded buffer correctly and provides the appropriate background information regarding how the buffers were delineated.

All disturbances not essential to the development of the site as a whole are prohibited within the expanded stream buffer. Essential development may include such features as public utility lines (including sewer and stormwater outfalls) and road crossings, which are mandated for public health and safety. Nonessential activities are those, such as grading for lots, stormwater management ponds, and parking areas, which do not relate directly to public health, safety or

welfare. Impacts to the expanded buffer require variations to the Subdivision Regulations. A variation request was submitted for review on July 11, 2005, for the purpose of constructing a road and installing a stormwater quantity control pond with associated outfalls.

The plans demonstrates that the proposed 60-foot-wide right-of-way running north and south to generally connect the site would cause impacts to the expanded buffer due to grading. The current design is a marked improvement over the design originally proposed, which showed the extension of a master planned roadway across the main stem of the stream. Due to the significant impacts to the expanded buffer, the Environmental Planning Section did not support that original proposal. The plan also shows the stormwater management outfalls that will be needed for the proposed stormwater ponds and also require the approval of a variation.

The impacts necessary to install the stormwater management outfalls and public utilities have been reviewed and are recommended for approval because they are essential to the development of the site as a whole. The plan also shows impacts to the expanded buffer for the clearing and grading associated with the construction of a roadway necessary for general circulation. These types of impacts are also appropriate because they are essential to the development of the property. However, the impacts for road connection as proposed should be further evaluated at the time of review of the detailed site plan to reduce the impacts proposed to the greatest extent possible.

Variation Requests Impact Areas: A, B, C, and D.

There are four areas of impact shown on the Impact Areas Exhibit dated July 7, 2005.

Area A impacts 4,529 square feet of the environmental buffer. This impact is a reduction of the previous request and is a result of the relocation of the master planned public roadway. The original location would have caused significantly greater impacts.

Areas B and C proposes impacts of 3,568 square feet and 1,561 square feet, respectively, to accommodate outfall pipes and associated riprap from a stormwater management pond.

Area D proposes impacts of 4,470 square feet to accommodate a proposed sewer line to connect to an existing sewer line.

Section 24-130 of the Subdivision Regulations restricts impacts to these buffers unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. Each variation is described individually below. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations, the impacts were discussed collectively.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this

Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

The approval of the applicant's request does not have the effect of nullifying the intent and purpose of the Subdivision Regulations. In fact, strict compliance with the requirements of Section 24-130 could result in practical difficulties to the applicant that could result in the applicant not being able to develop this property as proposed.

(1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;

The variations requested are for impacts to the expanded stream buffer. The approval of these impacts will not create conditions detrimental to the public safety, health, or welfare or injurious to other property; and will provide the necessary utilities and structures to protect public safety, health and welfare. The design has been substantially revised to reduce the overall impacts.

(2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

The conditions of the property are unique with respect to the placement of the existing stream and the expanded buffer and the required placement of the necessary road crossing and stormdrain outfalls. The stream traverses an area between two properties, which separate the connection of Brooks Drive extended. This stream provides the closest opportunity for stormwater discharge.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;

No other variances, departures, or waivers are required with respect to stormwater discharge. All appropriate federal and state permits must be obtained before the construction can proceed. Because there are state permitting processes to review the proposed impacts to nontidal wetlands, wetland buffers, and Waters of the U.S., the construction proposed does not constitute a violation.

(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;

Due to the configuration of this site, the location of the stream and the 100-year floodplain, and the fact that no other reasonable options are possible that would further reduce or eliminate the number and extent of the proposed impacts while allowing for the development of the property consistent with the ARM plan, staff recommends approval of the variations.

Staff recommends approval of the variations for impact areas A, B, C and D.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The Type I Tree Conservation Plan (TCPI/15/05) has been reviewed and was found to conform to the requirements of the Woodland Conservation Ordinance.

The minimum woodland conservation requirement for the site is 6.22 acres of the net tract. An additional 9.10 acres are required due to the removal of woodlands on site, for a total woodland conservation requirement of 15.32 acres. The plan shows the requirement being met with 2.09 acres of on-site preservation and 13.23 acres of off-site mitigation at a location to be determined with the review of the detailed site plan. This proposal is consistent with the recommendations of the General Plan for the Developed Tier.

Water and Sewer Categories

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

3. **Community Planning**—The subject property is located within Planning Area 75B and in the 2000 Addison Road Town Center and Vicinity Sector Plan for Subarea 4-Addison Road South. The development as proposed, with the approval of CSP-05002 to rezone the property to the M-U-I Zone, conforms to the land use recommendations of the ARM plan. If the conceptual site plan is denied or requires substantial alterations to this preliminary plan, a new preliminary plan of subdivision may be required.

The subject property is located in a designated Community Center and the Developed Tier as identified in the 2002 *General Plan*. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. Community Centers are concentrations of activities, services and land uses that serve the immediate community. These typically include a variety of public facilities and services—integrated commercial, office and some residential development—and can include mixed-use and higher intensity redevelopment in some communities. The proposed development is south of Central Avenue, a designated Corridor, and less than one-quarter mile from the Addison Road Metro Station (a designated Community Center). The development is consistent with the Community Center vision as described above.

4. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the conceptual site plan application for rezoning from the R-55 Zone (with a D-D-O, Development District Overlay) to the M-U-I (Mixed-Use Infill) Zone in conjunction with the preliminary plan of subdivision and the requirements for the fulfillment of the mandatory dedication of parkland (Section 24-134 of the Subdivision Regulations). The plan was reviewed for compliance with the requirements and recommendations of the approved Prince George's County General Plan, approved sector plan and sectional map amendment for the Addison Road Metro Town Center and Vicinity, and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities.

The subject property is located in Subarea 4 (Addison South) of the Addison Road Metro Town Center Plan. Phase 1 of the Conceptual Site Plan is 17.13 acres in size and is proposed for development of 83 townhouses, 8 live/work units, and 16 single-family houses. Using current occupancy statistics for single-family dwelling units, this phase of development would result in a

population of 300 residents in the new community. Phase 2 of the conceptual site plan is 15.9 acres in size and is proposed for development of 84 townhouses and 6 live/work units; this phase of development will generate 252 residents. Therefore, this preliminary plan, which includes both phases of the conceptual site plan, would generate a total of 552 residents.

The Town Center Development Plan recommends a grid network of streets with a centrally located minipark. Because property ownership is fragmented, with various owners, the centrally located minipark has been transformed into several “pocket parks” to be owned and maintained by homeowners associations.

The Prince George’s County General Plan establishes objectives related to the public parkland. The objectives are a minimum of 15 acres of M-NCPPC local parkland should be provided per 1,000 population (or equivalent amenity in terms of parks and recreation service) and 20 acres of regional, countywide and special M-NCPPC parkland per 1,000 populations. By applying the General Plan standards for projected population in the new community (552 residents), staff has determined that 8.3 acres of local and 11 acres of regional public parkland suitable for active recreation are needed to serve the proposed community. The applicant is not proposing any parkland dedication. The applicant shows open space areas on the plan, but these areas are unsuitable for public parkland due to their size and locations.

According to Section 24-135(b) of the Subdivision Regulation, the mandatory dedication of parkland from the subject subdivision would be 2.3 acres. The subject subdivision will generate 552 new residents in the District Heights community. The level of service analyses shows that this community is in “high need” for parkland acreage and in “high need” for outdoor recreation facilities.

The Planning Board approved the Brighton Place subdivision, located to the west and north of the subject site, in July 2005. At the time of review and approval of the Brighton Place Detailed Site Plan DSP-04082 for 128 single-family and townhouse dwelling units, the Planning Board approved a combination of private recreational facilities on site (playground) and a contribution of \$100,000 for the development of the Rollins Avenue Neighborhood Park, located directly across Rollins Avenue from the subject site. The park is 17.5 acres in size and is currently undeveloped. It was determined at the time of approval of the Brighton Place DSP-04082 by the Planning Board that a central recreational area in Rollins Avenue Neighborhood Park would be of a greater value to the residents of the overall sector plan area than scattered recreational facilities under the control of the several different homeowners associations.

There are no funds in the Capital Improvement Program (CIP) for development of the Rollins Avenue Neighborhood Park. However, the \$100,000 required through the approval of the DSP for Brighton Place is to be placed in a fund specifically for the development of that park. DPR staff determined that phase one construction of the park would require at least \$400,000.

Finding 12 of PGCPB Resolution 05-162, File DSP-04082 for Brighton Place, states the following:

“With the development of the subject property (Brighton Place) and the development proposed on the adjacent property, known as Addison Road South (Preliminary Plan 4-05016), staff believes that a central recreational area would be of greater value to the overall sector plan than scattered recreational facilities under the control of several different homeowners associations. The applicant has agreed to the concept of providing a donation to the Department of Parks and Recreation for development of the Rollins

Avenue Neighborhood Park. In addition, the applicant has agreed to provide a tot-lot within the community that would serve the youngest future residents of the development. Staff has included a condition that requires the applicant to donate a portion of the money that would normally be bonded for the on-site recreational facilities. In addition, staff recommends that a crosswalk and appropriate signage be shown on the plans, as well as the street tree and paving plans.”

Condition 1 of PGCPB Resolution 05-162, DSP-04082 for Brighton Place states the following:

“Prior to the approval of the final plat, the applicant shall provide evidence of a contribution to the M-NCPPC Department of Parks and Recreation in the amount of \$100,000 for the development of the Rollins Avenue Neighborhood Park.”

Staff recommends that the applicant should provide a package of on-site recreational facilities that includes a contribution for the construction of the public recreational facilities in the Rollins Avenue Neighborhood Park and develop private on-site recreational facilities. As with the review of the detailed site plan for the Brighton Place subdivision, the location and amount of private on-site recreational facilities and the amount of contribution for the development of the Rollins Avenue Neighborhood Park should be determined with the review of the detailed site plan for this site.

5. **Trails**—The adopted and approved Addison Road Metro Town Center and Vicinity Sector Plan recognizes that bicycle and pedestrian facilities are important in promoting nonmotorized access to the Addison Road Metro. Standard sidewalks, wide sidewalks, or trails are recommended along all major roads due to their ability to facilitate continuous pedestrian movement to the town center and Metro. Sidewalks are recognized as an important component of transit-oriented development.

The sector plan also recommends a grid street system in the town center area. This type of street grid is pedestrian and bicycle-friendly because it disperses traffic along numerous routes and tends to promote slower driving speeds. Part of this proposed grid is reflected on the submitted plan. The plan also reflects several vehicular and pedestrian connections to the adjacent Brighton Place development. Approvals for Brighton Place (4-04011 and DSP-04082) require an extensive network of internal sidewalks, some of which will connect to the subject site. The following sidewalk connections were required for Brighton Place:

- a. A six- to eight-foot-wide sidewalk along Rollins Avenue.
- b. Six-foot-wide sidewalks along street A and street C.
- c. Standard sidewalks along both sides of all other internal roads.
- d. A crosswalk connecting street A to the Rollins Avenue Neighborhood Park.

All of the conditions above are subject to the approval of the DPW&T.

Although no master plan trails impact the subject site, staff is recommending a comprehensive network of standard sidewalks, wide sidewalks, and internal paths on the site in order to accommodate pedestrian movement and encourage nonmotorized access to Metro. All sidewalk recommendations are per the concurrence of DPW&T. Further evaluation at the time of review of the DSP should occur to ensure safe pedestrian and bicycle movements. The DSP should also

evaluate methods of promoting slower vehicular speeds within the neighborhoods and alerting motorists to pedestrian movements.

Recommendations for pedestrian access include:

- a. Standard sidewalks along both sides of all internal roads.
- b. An eight-foot wide sidewalk along the subject site's entire frontage of Rollins Avenue. This wide sidewalk is shown on the submitted preliminary plan and will connect to a planned wide sidewalk at Brighton Place.
- c. An eight-foot wide sidewalk along the subject site's entire frontage of Addison Road. Addison Road is the main vehicular and pedestrian route to the Metro from the south.
- d. A designated pedestrian connection in the vicinity of Parcel I from the subject site to Addison Road, details to be determined at the time of detailed site plan. This connection may entail a sidewalk/stairway connection from the sidewalks on the subject site to Addison Road. The Addison Road Metro Station is approximately one-half mile to the north of the subject site along Addison Road.
- e. Staff supports the provision of a pedestrian connection through the site from Street C (in Brighton Place) to the eastern edge of the subject site at Parcel I. This will provide a direct pedestrian connection through the site from the planned six-foot-wide sidewalks in Brighton Place. Staff recommends that this connection be at least six-feet wide, as it will be one of the primary pedestrian routes through the site and to Metro. This connection will also provide pedestrian access to Addison Road for the residents of the adjacent Brighton Place development.

Additional recommendations and modifications to the internal pedestrian network may be made at the time of detailed site plan.

6. **Transportation**— The subject property consists of approximately 33.04 acres of land in the R-55 zone. The property is located generally between Addison Road and Rollins Avenue and south of MD 214. The applicant proposes to develop the property under the M-U-I Zone with 197 residences, of which 14 would be live/work units. The M-U-I Zone is implemented through the sector plan and in the sectional map amendment for the Addison Road Metro (ARM) Town Center and vicinity. The applicant has filed a conceptual site plan to request the M-U-I Zone and to allow review of the preliminary site plan for conformance with concepts in the sector plan and the M-U-I Zone.

The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated April 2004 that was referred for comment; comments from the county Department of Public Works and Transportation (DPW&T) are attached. Comments from the State Highway Administration (SHA) were not received at the time of preparation of this referral and will be provided and addressed when received. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

Growth Policy—Service Level Standards

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

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections subject to meeting the geographical criteria in the *Guidelines*.

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

Analysis of Traffic Impacts

The traffic study for this site examined the site impact at seven intersections, as noted:

- MD 214/Addison Road (signalized)
- MD 332/Rollins Avenue (unsignalized)
- Rollins Avenue/site access point (future/unsignalized)
- Addison Road/site access point (future/signalized)
- Walker Mill Road/Rollins Avenue (signalized)
- Walker Mill Road/MD 458 (signalized)
- Walker Mill Road/Addison Road (signalized)

The existing conditions at the study intersections are summarized below:

| EXISTING TRAFFIC CONDITIONS | | | | |
|-------------------------------------|-----------------------------------|-------|------------------------------------|----|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| MD 214 and Addison Road | 1,261 | 1,395 | C | D |
| MD 332 and Rollins Avenue | 39.1* | 60.6* | -- | -- |
| Rollins Avenue and site access | future | | | |
| Addison Road and site access | future | | | |
| Walker Mill Road and Rollins Avenue | 542 | 617 | A | A |
| MD 458 and Walker Mill Road | 498 | 607 | A | A |
| Walker Mill Road and Addison Road | 1,416 | 1,388 | D | D |

*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.

The area of background development includes 19 approved but unbuilt developments in the area. Traffic growth of one percent per year was assumed along the major facilities. There are no programmed improvements in the county Capital Improvement Program (CIP) or the state Consolidation Transportation Program (CTP). Background conditions are summarized below:

| BACKGROUND TRAFFIC CONDITIONS | | | |
|--|-----------------------------------|-------|------------------------------------|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) |
| MD 214 and Addison Road | 1,527 | 1,960 | E F |
| MD 332 and Rollins Avenue | 847.4* | +999* | -- -- |
| Rollins Avenue and site access | future | | |
| Addison Road and site access | future | | |
| Walker Mill Road and Rollins Avenue | 642 | 746 | A A |
| MD 458 and Walker Mill Road | 556 | 681 | A A |
| Walker Mill Road and Addison Road | 1,652 | 1,716 | F F |
| *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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. | | | |

The site is proposed for development as a residential subdivision. The traffic study is based upon 199 townhouses. The current plan includes 16 single-family residences, 167 townhouse residences, and 14 live-work units (live-work units are analyzed using traditional townhouse trip rates). This quantity of development would generate 139 (28 in, 111 out) AM peak hour vehicle trips and 159 (103 in, 56 out) PM peak-hour vehicle trips. With the trip distribution and assignment as assumed, the following results are obtained under total traffic:

| TOTAL TRAFFIC CONDITIONS | | | |
|--|-----------------------------------|-------|------------------------------------|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) |
| MD 214 and Addison Road | 1,545 | 1,979 | E F |
| MD 332 and Rollins Avenue | 974.1* | +999* | -- -- |
| Rollins Avenue and site access | 11.2* | 11.5* | -- -- |
| Addison Road and site access | 1,477 | 1,818 | E F |
| Walker Mill Road and Rollins Avenue | 663 | 761 | A A |
| MD 458 and Walker Mill Road | 556 | 681 | A A |
| Walker Mill Road and Addison Road | 1,674 | 1,727 | F F |
| *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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. | | | |

The traffic study identifies an inadequacy at two existing signalized intersections, one existing unsignalized intersection, and one future signalized intersection within the study area. The needed findings and/or improvements under consideration are further discussed below.

MD 214/Addison Road

The applicant proposes the addition of an eastbound right-turn lane along MD 214. This improvement is proposed as mitigation in accordance with the Guidelines for Mitigation Action and the requirements of that portion of Section 24-124. The applicant proposes to employ mitigation by means of criterion (1) in the Guidelines for Mitigation Action, which was approved by the District Council as CR-29-1994 (the site also meets criterion (3), and may also meet criterion (2)). The impact of the proposed mitigating improvement at this intersection is summarized as follows:

| IMPACT OF MITIGATION | | | | |
|---------------------------------------|-----------------------|---------|--------------------------|------|
| Intersection | LOS and CLV (AM & PM) | | CLV Difference (AM & PM) | |
| MD 214/Addison Road | | | | |
| Background Conditions | E/1,527 | F/1,960 | | |
| Total Traffic Conditions | E/1,545 | F/1,979 | +18 | +19 |
| Total Traffic Conditions w/Mitigation | E/1,545 | F/1,774 | N/A | -205 |

As the CLV at MD 214/Addison is between 1,600 and 1,813 during the PM peak hour, the proposed mitigation action must mitigate at least 150 percent of the trips generated by the subject property, according to the guidelines. The above table indicates that the proposed action would mitigate in excess of 1,000 percent of site-generated trips during the PM peak hour, and it would provide LOS E (the policy LOS within the Developed Tier) during the AM peak hour. Therefore, the proposed mitigation at MD 214 and Addison Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.

The mitigation plan was reviewed by DPW&T and SHA. DPW&T had no specific comments. SHA has not provided comments to date. It is noted that during review of preliminary plan of subdivision 4-04081 for Glenwood Hills, SHA did approve of this identical improvement as mitigation. Nonetheless, unless a written indication is received from SHA expressing acceptance of the mitigation proposed at this location prior to the Planning Board hearing, the transportation staff cannot recommend approval based on this mitigation action.

MD 332/Rollins Avenue

The applicant proposes the possible signalization at this intersection, along with the addition of a left-turn lane on the westbound approach. The analysis indicates that this intersection operates unacceptably as an unsignalized intersection. 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 if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. This intersection operates with a single lane on each approach, with Rollins Avenue coming into the

intersection to create a “T” intersection. Much of the delay results from left-turning and right-turning traffic on Rollins Avenue queuing at the intersection.

DPW&T indicated that the applicant should explore the provision of a second northbound approach lane along Rollins Avenue and stated that the westbound left-turn lane can be accommodated on the existing roadway. SHA has offered similar comments in the past; however, no SHA comments have been received to date. It is noted that with signalization but no physical widening, the MD 332/Rollins Avenue intersection operates at LOS C with a CLV of 1,247 in the AM peak hour and at LOS F with a CLV of 1,656 in the PM peak hour. A physical improvement is therefore needed; the issue concerns which improvement the agencies prefer. Given the relatively large turning movements from Rollins Avenue at this location, it is agreed by staff that separate northbound left-turn and right-turn approach lanes are needed along Rollins Avenue at MD 332. However, the existing right-of-way is very limited in size, with a privately owned undeveloped lot on the west and a public school—Lyndon Hills Elementary School—on the east. Nonetheless, a complex condition giving some flexibility in this regard was recommended for preliminary plan 4-04011, and a similar condition will be recommended in this case.

Walker Mill Road/Addison Road

The applicant proposes the reconfiguration of this intersection to have the westbound approach of the intersection operate as an exclusive left-turn lane and a shared right-turn/left-turn lane. With this change in place, this intersection would operate at LOS E, with a CLV of 1,497 in the AM peak hour, and LOS E, with a CLV of 1,479 in the PM peak hour. In their comments, DPW&T indicated a need to lengthen the southbound left-turn lane as well.

Addison Road/site entrance

The applicant indicates that this intersection is to be signalized, but the analysis merely leaves the intersection operating at LOS F in the PM peak hour. It is noted that the site plan and subdivision plan both propose placement of this access point opposite existing Wilburn Drive. The traffic study did not appear to include counts at this location even though the location map of the development clearly places the study intersection at Addison Road and Wilburn Drive. Staff has adjusted the analysis to consider turning movements from Wilburn Drive (based on an older traffic count) and has determined that with the provision of signalization and separate northbound and southbound left-turn lanes along Addison Road that the intersection will operate at LOS E or better in both peak hours.

Plan Comments

The ARM plan is recommended as a strategy for creating a transit-oriented town center in the area of the Addison Road Metrorail Station. From the standpoint of transportation, that plan includes several primary elements:

- a. Continued endorsement of the longstanding planned roadway facilities to serve the town center: MD 214, Addison Road, and Brooks Drive/Rollins Avenue Extended as arterial facilities; MD 332 (Old Central Avenue) as a collector facility; and Rollins Avenue as a primary facility.
- b. Use of a modified grid pattern within the town center to connect proposed uses to the above facilities.

- c. Establishment of two intersecting commercial main streets, with a north-south one extending southbound from Addison Plaza and MD 214 just west of Yolanda Avenue and an east-west one extending westbound from Addison Road at the Metrorail station entrance.

The subject plan takes a significant step toward the realization of the ARM plan, but with a few changes. Adequate dedication is shown along Rollins Avenue. A modified grid pattern is effectively used. Another adjacent site known as Brighton Place (preliminary plan 4-04011 and detailed site plan DSP-04082) included the future north-south main street.

During review of the subject plan, it was determined that the Brooks Drive/Rollins Avenue Extended facility would incur great difficulty in obtaining the needed environmental permits for a stream crossing in the area separating the two properties that encompass this site. Discussions with the county Department of Public Works and Transportation (DPW&T) indicated that they did not believe that this crossing was essential to the development of the site. After lengthy discussions, it was determined that the north-south main street should become the new extension of Brooks Drive rather than routing this north-south roadway into a three-way intersection with Brooks Drive on environmentally critical areas. By doing this, the Brooks Drive facility could be downgraded to a primary-type facility to the south of the subject property. In response, the Brighton Place site plan has been modified so that the north-south street can connect to the Brooks Drive primary facility shown on the subject plan. It was a change that was deemed to have little net impact on adjacent properties for the following reasons:

- a. The point at which the master plan right-of-way leaves the subject property was moved slightly east on the adjacent property to the south, away from existing development and away from the flat, open area along Rollins Avenue where additional development could be placed.
- b. The right-of-way has been reduced from 120 feet to 60 feet, reflecting the change in function of this roadway. This reduces direct right-of-way needed for the roadway as well as setbacks and lot depth requirements along it.

The minor alignment shift and the downgrading of the function of the Brooks Drive arterial are generally consistent and have very little impact on the implementation of the approved ARM plan.

Additionally, the plan reflects a grid pattern on the portion of the site adjacent to Addison Road, and extends an important east-west connection from the Brighton Place property, to the west. Therefore, it is determined that the plan is in general conformance with the sector plan. However, there is a need to address several issues at the time of detailed site plan:

- a. The north-south main street (at the southern portion of the site) ends at a private street that extends west to Rollins Avenue. To ensure ease of public maintenance, it is advisable to have the private street at the southern end of the subject property (providing access to Lots 108 thru 125) become a public secondary street.
- b. The access points onto Rollins Avenue on the northern portion of the property are very close together. DPW&T has requested that all access points onto Addison Road (as well as those onto Rollins Avenue) include left-turn and right-turn lanes along the primary roadway to serve each access point. It is not apparent that both the northern and the southern access points can operate safely so close together with the necessary turn lanes. The northern access point should be closed, unless otherwise demonstrated safe.

- c. Likewise, the private roadway adjacent to the southern property line of Parcel 391 is very close to a planned public street connection along the northern property line Parcel 391. This would further support the closure of the private street abutting the southern property line of Parcel 391 to ensure that both planned public street connections onto Addison Road can operate safely.
- d. A number lots within the subdivision are served only by alleys. The final layout should be reviewed further from the standpoint of public safety to ensure that all planned residences will be adequately served by emergency vehicles.

The existing plan takes a significant step toward the realization of the ARM plan. Adequate dedication is shown along Rollins Avenue and Addison Road. A modified grid pattern is effectively used, incorporating a mix of public and private streets. The future north-south main street is incorporated into the plan. The east-west primary street shown at the northern end of the subject property on the ARM plan was moved about 200 feet north on preliminary plan 4-04011; this will continue across Parcel 391. Other grid elements of the ARM plan are incorporated as appropriate.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions.

However, the staff approval of the applicant’s proposed mitigation at the intersection of MD 214 and Addison Road is based upon a reasonable expectation that SHA, as the operating agency, will concur with improvements proposed. Prior to the Planning Board hearing, evidence must be provided that SHA agrees with the improvements proposed by the applicant. If evidence is not provided, staff will be compelled to change its recommendation to disapproval of the use of mitigation and consequently recommend disapproval of the preliminary plan of subdivision for a failure to meet the requirements of Section 24-124 of the Subdivision Regulations, in accordance with District Council guidelines on the use of mitigation.

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

Finding

Impact on Affected Public School Clusters

| Affected School Clusters # | Elementary School Cluster 7 | Middle School Cluster 4 | High School Cluster 4 |
|----------------------------|-----------------------------|-------------------------|-----------------------|
| Dwelling Units | 199 sfd | 199 sfd | 199 sfd |
| Pupil Yield Factor | 0.24 | 0.06 | 0.12 |
| Subdivision Enrollment | 47.76 | 11.94 | 23.88 |
| Actual Enrollment | 36,283 | 10,786 | 16,960 |
| Completion Enrollment | 268.56 | 67.50 | 135.60 |
| Cumulative Enrollment | 61.20 | 15.30 | 30.60 |

| Affected School Clusters # | Elementary School Cluster 7 | Middle School Cluster 4 | High School Cluster 4 |
|----------------------------|-----------------------------|-------------------------|-----------------------|
| Total Enrollment | 36,660.52 | 10,880.74 | 17,150.08 |
| State-Rated Capacity | 39,607 | 10,375 | 14,191 |
| Percent Capacity | 92.56 | 104.87 | 120.85 |

Source: Prince George’s County Planning Department, M-NCPPC, December 2004

These figures are correct on the day the referral memo was written and reflect the number of dwelling units originally submitted with this application. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution of approval will be the ones that apply to this project and will reflect the dwelling units approved.

County Council Bill CB-31-2003 establishes a school facilities surcharge and then as adjusted by the percentage change in the Consumer Price Index for All Urban Consumers in the amount of \$7,161 per dwelling if a building is located between I-495 and the District of Columbia; \$7,161 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,276 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision for the adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(B)(E) of the Zoning Ordinance.

The Prince George’s County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station, Seat Pleasant Company 8, using the “Seven Minute Travel Times and Fire Station Locations Map” provided by the Prince George’s County Fire Department.

The Fire Chief has reported that the current staff complement of the Fire Department is 98.99 percent, which is within the standards stated in CB-56-2005.

The Fire Chief has reported by letter, dated 08/01/05, that the department has adequate equipment to meet the standards stated in CB-56-2005.

9. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District III. In accordance with the methodology established by CB-56-2005, the Prince George’s County Police Department reports that the average yearly response times for that District are 19.68 minutes for nonemergency calls, which meets the standard of 25.00 minutes, and 8.51 minutes for emergency calls, which meets the standard of 10.00 minutes.

The Police Chief has reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the academy, for a total of 1,345 personnel, which exceeds the standard of 1,278 officers, or 105 percent.

10. **Health Department**—The Health Department has reviewed the preliminary plan and has the following comments to offer:
- a. The abandoned shallow well found within the confines of the above-referenced property must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to raze permit approval.
 - b. The location of the septic system should be located on the preliminary plan and the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit.
 - c. A raze permit is required prior to the removal of any of the structures on site. A raze permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structures on site must be removed and properly stored or discarded prior to the structures being razed. A note needs to be affixed to the preliminary plan that requires that the structures are to be razed and the well and septic systems properly abandoned before the release of the grading permit.
 - d. An area of major trash/rubble fill was found along the north slope of the western section of the stream. An environmental engineering firm with expertise in identifying hazardous material should be available during the excavation and grading of this area to identify any material that has the potential of being hazardous. The trash/rubble must be removed and properly disposed. A grading permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits.
11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan 10853-2005-00 has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan or any subsequent revisions. The location, size, type and buffering of these facilities should occur with the review of the detailed site plan due to the highly visible location.
12. **Historic Preservation**—Phase I (Identification) archeological investigations are recommended on the above-referenced property. The residences of J.E. Berry, Jr., and Albert B. Berry were located just north and northeast, respectively, of the subject parcel, as shown on the 1861 Martenet map (they are no longer standing). The Berrys were large landholders in the antebellum period. Also, a portion of Cabin Branch runs in the southeast corner of the property. Prehistoric archeological sites have been found in similar environmental settings.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994) and report preparation should follow MHT guidelines and the American Antiquity or Society of Historical Archeology style guide. Archeological excavations should be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
 - a. General Note 19 to reflect that the public/private road system is permitted pursuant to Section 24-128(b)(8) of the Subdivision Regulations.
 - b. General notes to accurately reflect that the number of parcels proposed is 19, not 25.
 - c. General notes to reflect that mandatory dedication is to be fulfilled by fee-in-lieu and/or the construction of recreational facilities as determined by the Planning Board.
 - d. Add a note requiring that the structures are to be razed and the well and septic systems properly abandoned before the release of the grading permit.
 - e. Conform to CSP-05002, to include revisions to the lotting pattern.
2. A Type II tree conservation plan shall be approved with the detailed site plan.
3. Development of this site shall be in conformance with Stormwater Management Concept Plan 10853-2005-00 and any subsequent revisions.
4. In conformance with the adopted and approved Addison Road Metro Town Center and Vicinity Sector Plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following, subject to the approval of the Department of Public Works and Transportation, and reflected on the detailed site plan:
 - a. Provide an eight-foot wide sidewalk along the subject site's entire frontage of Rollins Avenue.
 - b. Provide an eight-foot wide sidewalk along the subject site's entire frontage of Addison Road.
 - c. Provide a six- to eight-foot-wide sidewalk connection from Street "C" (Brighton Place) through Parcel "BB," and to the eastern edge of the subject site at Parcel I, as located on the submitted plan.
 - d. Provide a designated pedestrian connection from the subject site to Addison Road in the vicinity of Parcel I. The exact location will be determined at the time of detailed site plan.
 - e. Provide standard sidewalks along both sides of all internal roads.
5. Prior to the issuance of building permits for proposed residential and mixed use structures, the applicant shall submit certification by a professional engineer with competency in acoustical analysis to the Environmental Planning Section demonstrating that the design and construction of building shells within the noise corridor of Rollins Avenue and Addison Road South will attenuate noise to interior noise levels of 45 dBA (Ldn) or less.

6. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall include the entire expanded buffer, except for areas of proposed variations, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

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

7. Prior to the issuance of any permits that impact jurisdictional wetland, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
8. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/15/05). The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/15/05), or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

9. Review of the detailed site plan shall include the following:
 - a. Impacts to the expanded buffer proposed for connection of the 60-foot-wide public right-of-way, north of the southern portion of the property, shall be further evaluated to reduce the impacts to the extent possible.
 - b. A critical review of the dwelling unit orientation as it relates to appropriate access for individual lots (townhouse, single-family and live/work units). This review should be done in coordination with the Department of Public Works and Transportation (DPW&T) and the Fire Department for street and alley standards to adequately serve the residences.
 - c. The location, size, type and buffering of the stormwater management facilities.
10. Prior to the approval of a grading permit for the site, the applicant shall submit evidence from the Health Department that the following issues have been addressed:
 - a. The abandoned shallow well found within the confines of the above-referenced property must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department.
 - b. The abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place and sealed.
 - c. An environmental engineering firm with expertise in identifying hazardous material shall be available during the excavation and grading of the area of trash/rubble fill, along the north slope of the western section of the stream, to identify any material that has the potential of being hazardous. The trash/rubble must be removed and properly disposed

by a licensed waste company and reclamation of any contaminated soils has occurred under the direction of the Health Department

11. The applicant, his heirs, successors and/or assignees, shall provide one of the following or a combination of both as determined appropriate at the time of review of the detailed site plan:
 - a. Provide private on-site recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines* and shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the detailed site plan.
 - b. The applicant shall contribute to the M-NCPPC Department of Parks and Recreation for the development of the Rollins Avenue Neighborhood Park. The applicant shall provide evidence of the payment to M-NCPPC prior to the approval of the final plat.
12. As determined appropriate with the review of the detailed site plan with the provision of private on-site recreational facilities, the applicant shall provide the following:
 - a. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to DRD for construction of recreational facilities on homeowners association land, for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the County Land Records.
 - b. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land, prior to the issuance of building permits.
13. Prior to the approval of building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
14. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archeological literature) for those lands determined to be subject. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.
15. Prior to approval of a detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff are needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. Report editorial style shall follow the *American Antiquity* or *Society of Archaeology* style guide.

16. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 13.14± acres of land (Parcels A-F and AA-GG). Land to be conveyed shall be subject the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

17. **MD 332 and Rollins Avenue:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Provision of separate northbound left-turn and right-turn approach lanes along Rollins Avenue, to be constructed according to SHA standards.
 - b. Submission at the time of detailed site plan of an acceptable traffic signal warrant study to SHA (and DPW&T, if necessary) for the intersection of MD 332 and Rollins Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by SHA, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by

SHA. The requirement for this signal warrant study may be waived by SHA if that agency determines in writing that there are sufficient recent studies available to make a determination regarding a signal.

- c. Provision of separate westbound through and left-turn approach lanes along MD 332, to be constructed according to SHA standards.

The improvements in a. above may be waived by SHA in consultation with M-NCPPC transportation planning staff only if (a) it is determined by SHA that adequate right-of-way to construct the needed improvements is not available, and (b) it is determined by SHA that the signalization identified in b. above is warranted and will operate acceptably with the one-lane approach along Rollins Avenue. The status of these improvements shall be provided and reviewed during review of the detailed site plan.

18. **MD 214 at Addison 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. The construction of an eastbound right-turn lane along MD 214.
19. **Walker Mill Road at Addison 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. The modification of westbound Walker Mill Road to provide an exclusive left-turn lane and a left-turn/right-turn lane.
20. **Addison Road and site entrance/Wilburn Drive:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Provision of separate northbound and southbound left-turn approach lanes along Addison Road, to be constructed according to DPW&T standards.
 - b. Submission at the time of detailed site plan of an acceptable traffic signal warrant study to DPW&T for the intersection of Addison Road and site entrance/Wilburn Drive. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by DPW&T.
21. The following access and circulation issue shall be addressed at the time of detailed site plan:
 - a. The possible use of a public secondary street instead of a private street at the southern end to connect the end of the north-south main street to Rollins Avenue.

- b. The elimination of the more northerly access point onto Rollins Avenue.
- c. The elimination of the more northerly access point onto Addison Road.
- d. The use of alleys to serve several lots within the subdivision, and the need to ensure that all planned residences will be adequately served by emergency vehicles.

STAFF RECOMMENDS APPROVAL OF VARIATIONS TO SECTION 24-130 OF THE SUBDIVISION REGULATIONS.