

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on June 12, 2008, regarding Conceptual Site Plan CSP-07003 for Konterra Town Center East, the Planning Board finds:

1. **Request:** The subject conceptual site plan (CSP) application is for approval of a mixed-use town center development consisting of 4,500 dwelling units and 5.9 million square feet of a mixture of commercial, retail, office and hotel uses in the M-X-T zone.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Residential, Commercial, Office, Entertainment, Retail and Hotel
Acreage	488	488
Of which Downtown area	-	132
Environs area	-	356
Total Residential Dwelling Units	-	4,500
Of which Multifamily residential units	-	3,740
Single family dwellings	-	760
Total Gross Floor Area (Sq. Ft.)	-	5,900,000
Of which Office	-	3,800,000
Retail/Commercial	-	1,500,000
Hotel (600 rooms)	-	500,000
Public use	-	100,000

3. **Location:** The subject site is located on the east side of I-95, south of Van Dusen Road, north of Muirkirk Road and west of Virginia Manor Road, in Planning Area 60, Council District 1.
4. **Surrounding Uses:** The subject site is the high density core of a larger land holding of approximately 2,200 acres, which straddles both sides of I-95. The site is bounded to the north by the right-of-way (ROW) of Van Dusen Road; to the west by the ROW of I-95; to the east by the ROW of Virginia Manor Road and to the south by the proposed extension of the Intercounty Connector (ICC). Further to the north across Van Dusen Road are properties in the R-R (Rural Residential), R-O-S (Residential Open Space), and I-1 (Light Industrial) Zones; to the west across I-95 is another portion of the Konterra development in the C-R-C (Commercial Regional Center)

Zone; and across Virginia Manor Road, to the east are properties in the E-I-A (Employment and Institutional Area), I-1 and I-3 (Planned Industrial/Employment Park) Zones; and to the south across the proposed extension of the Intercounty Connector are properties in the R-R (Rural Residential) Zone. To the south of the R-R zoned properties is the ROW of Muirkirk Road. A combined 80-foot-wide utility easement of the Potomac Electric Power Company (PEPCO) and Baltimore Gas and Electric Company (BGE) bisects the subject site. The portion of site north of the easement is the smaller part where only residential use is located; the southern portion is the larger part where the mixed-use town center is located. In addition, a 100-foot-wide Washington Suburban Sanitary Commission (WSSC) water main easement traverses the subject site frontage area where the combined utility easement exits the site to the east, toward the existing junction of Van Dusen Road and Virginia Manor Road to the north.

5. **Previous Approvals:** The subject site was the location of a sand and gravel mining operation in the past several decades. In 1984, a Zoning Map Amendment, A-9482, that rezoned the subject site from the R-R Zone to the M-X-T (Mixed Use-Transportation Oriented) Zone was approved (Zoning Ordinance No. 56-1984). Zoning Map Amendment A-9482 contained a larger property of approximately 1,457.7 acres. However, only approximately 488 acres of the larger property was rezoned to the M-X-T Zone. The 1990 *Approved Master Plan and Sectional Map Amendment for Subregion I Planning Areas 60, 61 and 62* retained the property in the M-X-T Zone and envisioned the Konterra development, which includes the subject site and a 253-acre parcel, as a regional mall, with office, retail and residential uses west of I-95 and with the town center on the east side of I-95. The 2002 Approved General Plan identified the Konterra development as a possible future regional center and designated Konterra in the Developing Tier. Since 1990, the reclamation process to restore the site's natural environmental features has been progressing. Konterra is one of the eleven Central Business Area Designations in the County in accordance with CR-71-2007, which is a resolution designating certain areas within Prince George's County as Central Business Areas in compliance with Executive Order 12072. Currently the site is generally graded and ready for development. The site also has an approved Stormwater Management Concept Plan No. 19046-2007-00.
6. **Design Features:** Konterra Town Center East will be developed as a distinct and identifiable place in the region. The Town Center is envisioned as a mixed-use center containing a variety of office types, residential, hotel, civic, retail and commercial components with various supporting and accessory uses that will be important regional destinations for living, working, shopping and entertainment. The 488-acre site has been designed in accordance with prevailing urban design best practices. The entire site has been divided into a 132-acre downtown area and a 356-acre environs area. The downtown area is the dense core of the Konterra Town Center and is made up of a mixture of various uses. The environs area that surrounds the downtown is planned for offices, residential and open space. The major vehicular accesses to the site consist of three access points off Van Dusen Road to the north, one access point off Virginia Manor Road to the east, one access point off the proposed Intercounty Connector extension to the south, and a limited access through a proposed overpass over I-95 to the west to connect Town Center East with the rest of the Konterra Project to the west.

Visions and Goals—Konterra Town Center East will serve as the commercial, residential, cultural, and recreational focal point of Subregion I as acknowledged by previously approved plans and County policies. It will enhance the image of the County as a good place to live, work, play, visit, and shop. This will be achieved through encouraging a diversity of land uses, housing, and employment opportunities, assuring high-quality development to create a vibrant quality of life within the Town Center, its surrounding neighborhoods, and the County at large. Redefining the physical elements that foster a sense of community as well as reexamining the optimum relationship between the individual, the built and natural environments are integral parts of the Konterra Town Center East conceptual site plan. The following key criteria create a flexible and coherent plan that will effectively guide orderly growth in Konterra. Specifically, this CSP is to achieve sufficient density to sustain a fully realized town center program; to establish a distinctive “Sense of Place;” to design for optimum visibility and accessibility; to restore the natural features of the site; to create a vibrant 24-hour sustainable environment; and to create a high-quality pedestrian and bicycle-oriented environment.

Street Pattern—A modified grid street pattern has been proposed for the entire Konterra Town Center East. Two major perimeter roadways in a south-north orientation separate the downtown core area from the rest of the environs area. A combined BGE and PEPCO utility easement defines the north boundary of the downtown core; a stormwater management pond, 100-year floodplain and associated wetland delineate its southern boundary. A central square is the focus of a V-shape green space opening toward the floodplain to the south. The entire Town Center is designed around the central square and the V-shape park. Two street blocks are laid out symmetrically on both sides of the V-shape park. The distance between the streets is 350–600 feet and the distance from the central square to the two perimeter roadways is about 1,200 feet, which is within the normal recommended maximum walking distance of a quarter mile. The block size gradually increases away from the center. More rectangular blocks are used in the environs area where office and residential uses are predominant. Seven street types have been proposed in this CSP as follows:

Street Type	Width of Right-of-Way (Feet)
	100
Boulevard	(4 lanes with landscaped median and bike lane on both sides)
Main Street	76 (2 lanes with on-street parking and bike lane on both sides)
Connector Street A	70 (4 lanes with on-street parking on both sides)
Connector Street B	54 (2 lanes with bike lane on both sides)
Connector Street C	60 (2 lanes with bike lane on both sides)
Connector Street D	44 (2 lanes)
Connector Street E	54 (2 lanes with landscaped median not continued)
Central Street	125-195
(both sides of the V-shape park)	(4 lanes with parking on both sides, landscaped median park)

The streets shown in this CSP include both public and private streets. The specific street type and the technical details of the street cross sections will be decided at the time of preliminary plan of subdivision and detailed site plan review. All public streets are to be built in accordance with the

standards of the Department of Public Works and Transportation (DPW&T). The street pattern of the downtown area is designed based on New Urbanism principles and urban design best practices. Street networks incorporating pedestrian pathways are appropriate to the proposed development and will be flexible for future growth.

Public Open Space—The public open space proposed with this CSP within the downtown core area consists of a town square, central street promenade, various pocket parks and small plazas, and seating/picnic areas. The open space network is interspersed in the street grid and is interconnected by sidewalks and passageways. Within the public open spaces, amenities such as water fountains, art works, kiosks, tree and planter areas, seasonal planter pots, tables with umbrellas (with movable chairs), benches and seat walls, bike racks, litter receptacles and special pavers will be provided. A major green open space can be found within less than 600 feet of any location in the downtown core area. In addition to the green open space, landscaped strips along sidewalks, landscaped medians in various streets, and landscaped islands within the surface parking areas will provide additional tree canopy coverage. A total of approximately 26 acres of green open space will be provided. A minimum of approximately 30 percent coverage of a combination of green open space and tree canopy will be achieved within the downtown area. About four acres of the green open space will be major parks. In addition, a stream valley trail system will be provided along the stream located along the eastern boundary that will provide a pedestrian link to other regional destinations. The details of the proposed green open space and the stream valley trail will be reviewed at the time of detailed site plan review.

Design and Architectural Standards—Design policies and architectural standards have been proposed for the downtown core area. The design policies cover the design of primary activity centers, the pattern of streets and buildings, land use transitions, housing, placement of commercial activity, public space and pedestrian and multi-modal design, arterial streets as edges, civic and quasi-public space and facilities, and a potential stop of the regional transit system. Preliminary bulk restrictions have been proposed for different uses and their combinations including office over retail, residential over retail/commercial, retail, office, flex office/research and development, multifamily with structured parking, multifamily and townhouse residential uses. Architectural standards provide specific design principles for different typologies of the commercial buildings. Standards are provided for façades, plane articulation, awnings and other overhead features for the store front, placement of parking, location of main entrance, visual character, site frontage improvement, etc. The design and architectural standards for the downtown core area meet the CSP purposes and requirements for describing, generally, the architectural form of buildings to be used on the final plan. However, in order to ensure a high quality development, more detailed and additional bulk regulations, architectural standards and other design standards that focus on the urban design character and the urban form of the public realms will be necessary and will be reviewed at the time of detailed site plan.

Parking—A comprehensive parking plan has also been proposed with this CSP. The parking plan includes a complete parking ratio list for different uses, shared parking, parking space dimensions, on-and off-street parking, surface parking lot and parking garage design guidelines, etc. The CSP also provides an estimate of the number of parking spaces that are needed based upon the Urban

upon the Urban Land Institute shared parking calculation formula and Institute of Transportation Engineers' parking generation criteria. Approximately 10,768 parking spaces are recommended for the downtown area and approximately 11,011 parking spaces are recommended for the environs area. Both figures represent "maximum weekday hourly demand;" however, given the nature of this review, staff recommends that the technical aspects of the parking requirements be reviewed at the time of detailed site plan. This review has focused only on the location of parking facilities. Ten surface parking lots have been provided with this CSP within the downtown core area. In addition, on-street parking will also be provided on the major streets. The inclusion of parallel parking along grid streets is satisfactorily used to create the main street character of the urban core/downtown. Additional surface parking lots are also shown in the environs area of this project. Parking garages are provided within the first tier blocks on both sides of the central green. A condition has been proposed to require a parking study at the time of detailed site plan review to demonstrate that the proposed parking arrangements, including the number of parking spaces, geometry and forms of parking are sufficient to serve the proposed mix of uses in the 132-acre downtown core area. The parking for other areas in Konterra Town Center East will be reviewed for sufficiency at the time of each detailed site plan.

Signage—A sign program has been included with this application with the intent to establish a coordinated exterior signage appearance that contributes to the quality of Konterra Town Center East. The sign program also sets up design guidelines and parameters for all sign types encompassing durable materials, careful attention to size, quantity, strategic locations, proper illumination and messaging. The sign program covers 22 sign types that will be utilized in the development. The sign program is comprehensive and meets the requirements for a conceptual site plan. Detailed dimensions and sign face area for each type of sign will be reviewed at the time of detailed site plan review. Staff has concerns with one sign type, which is a primary project identification sign that will be installed on the rooftops of certain important buildings. This auto-oriented type of sign is not normally found in this county, and is somewhat reminiscent of prohibited billboards. In addition, the sign program explicitly prohibits 16 sign types, which is complementary to the prohibited sign list in Part 12 of the Zoning Ordinance.

Lighting Standards—The CSP contains lighting guidelines that provide design objectives, criteria, recommended lighting levels and design principles for lighting fixtures for the exterior lighting for public spaces throughout the entire development. The lighting guidelines cover streetscape lighting along private perimeters, collector and local streets, community entrances, internal streets, residential streets, promenades, town squares, monuments and on-grade parking lots; pedestrian lighting for community parks, neighborhood parks and paseos; landscape lighting to feature trees, site amenities, and site paths; and architectural lighting for retail, restaurant, office and hotel building facades, parking structures and certain residential buildings. The lighting standards will contribute to the high quality of Konterra Town Center East and are acceptable. Details on each type of lighting fixture will be reviewed at the time of detailed site plan.

Infrastructure—The basic facilities and installations needed for the proper functioning of the proposed town are fundamental elements of the CSP. According to the public facility chapter of the CSP, the needed infrastructure elements have been categorized as those provided on-site and those provided off the immediate site of the subject CSP that also provide service to the larger area. The CSP identifies the library and post office as uses that are amenities to the proposed mixed-use development and venues where future residents and employees interact on a regular basis. Libraries and post offices can either be integrated into buildings with other uses or be freestanding sites. As build-out occurs over time, facilities such as fire stations and police stations should be provided within the site, at the perimeter of the site or near the site.

Art Works—Art works are an indispensable part of a complete urban environment. The CSP does not provide any information regarding public art works, especially in the downtown core area of the proposal. A condition has been proposed to require that the applicant provide a chapter to outline basic guidelines regarding the distribution and installation of the type of the public art works to be employed in the proposed Konterra Town Center East.

Green Building Techniques—The proposed conceptual site plan involves the development of a large-scale town center. The sustainability of the development will be one of the critical issues in the subsequent review and approval. In order to facilitate future review of this issue, certain guidelines and parameters should be established through the review of this CSP. The applicant should provide a separate chapter on green building techniques to outline a technical framework for a sustainable development.

Phasing—A very conceptual phasing plan is also included in this CSP. According to the phasing plan, the 132-acre downtown will be developed in two phases. Phase I contains 590 multifamily residential units, 1,191,200 square feet of department store retail and 110,000 square feet of office use. Phase II includes 1,240 multifamily residential units, 200,000 square feet of retail/commercial, and 584,750 square feet of office use. The environs area will be developed in one phase and contains 1,910 multifamily residential units, 760 townhouse units, a 600-room hotel, 108,800 square feet of retail/commercial, 3,105,250 square feet of office and 100,000 square feet of public uses. Since the development of the Konterra Town Center East is completely market-driven, this proposed phasing plan does not represent a reliable, binding guide for the progression of the development. A more detailed phasing plan will be reviewed and approved at the time of detailed site plan review.

7. **Recreational Facilities:** An on-site recreational facility package including quantity, facility type, and location is usually evaluated at the time of conceptual site plan. However, given the size and scale of the proposed development included in this CSP, it is difficult to carry out the normal evaluation for the development due to many variables. The development included in this application may change somewhat over time in response to market forces; however, recreational needs will vary if the mixture of uses changes. In accordance with the current Park and Recreation Facilities Guidelines, a development of 760 single-family dwelling units, and 3,740 multifamily dwelling units, for a total of 4,500 units, in Planning Area 60 requires approximately \$4.5 million worth of recreational facilities to serve this development. The CSP shows locations of two

of two community centers in the north and east portion of the site where the residential pods are located. In the southernmost section of the site, two buildings are also designated for public uses. In addition, a central park which is a linear open space in the middle of the downtown core encompassing a town square and other outdoor rest areas has been proposed as a component of the recreational facility package. A complete evaluation for the design, location and adequacy of the on-site private recreational facilities will be carried out at the time of detailed site plan review.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

a. The proposed Konterra Town Center East contains a diversity of land uses including residential, retail/commercial, office, hotel, entertainment, civic uses and open spaces that will create a vibrant quality of life. The mixture of various uses will allow future residents to live, work, shop and find entertainment venues in the town center within reasonable walking distances. The uses and their mixtures are permitted in the M-X-T Zone. The subject application is in conformance with the requirements of Section 27-546 (d) of the Zoning Ordinance, which requires additional findings in addition to the findings required for the Planning Board to approve a conceptual site plan as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division:

The purposes of the M-X-T Zone as stated in Section 27-542 (a) include the following:

(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;

Comment: The subject site was formerly a sand and gravel mining site that is located at the intersection of the Intercounty Connector and I-95. The proposal is for mixed-use development of a 488-acre town center that will provide a vibrant life style for future residents because the CSP contains various uses and different kinds of housing options. The conceptual site plan proposes 4,500 dwelling units and 5.9 million square feet of various uses that are essential to a vital urban town center. The CSP proposal implements many New Urbanism principles and best urban design practices to promote the orderly development of the subject site. Given its scale, quality and the wide range of uses, Konterra Town Center East will enhance the economic status of Prince George's County and provide desirable employment and living opportunities for citizens of the County.

(2) To conserve the value of land and buildings by maximizing the public

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;

Comment: The subject site was previously zoned for industrial use and has been mined extensively for sand and gravel in the past several decades. The 1990 Subregion I Master Plan and Sectional Map Amendment rezoned the site to the M-X-T (Mixed Use Transportation Oriented) Zone. Since 1990, the reclamation process to restore and enhance its natural environment has progressed. By planning an urban town center on the site, this proposal will conserve and enhance the value of the land. The development of this town center will maximize the public and private development potential inherent in the location of this zone.

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

Comment: The proposed Konterra Town Center East is located between the metropolitan areas of Baltimore and Washington, D.C. and is accessible to major regional highways and the MARC commuter train system. The proposed town center is at the intersection of the ICC and I-95. Because of the nature of the development, various forms of transportation including pedestrian, bicycle, automobiles, and mass transit are necessary to support the planned town center. The site is designed in an urban grid street pattern. Sidewalks, bike lanes and trails have been proposed with the CSP. Additional transportation improvements are envisioned in the latter stages of development. These improvements may include bus connections, transit stops from the MARC station at Muirkirk Road and US 1, and a potential Metro station within the office complex in the environs of Konterra Town Center East. The success of the proposed development hinges on the effective use of various transportation systems.

(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;

Comment: The CSP shows a large scale development which has a mixture of uses that may encourage a 24-hour environment in the ultimate development of the project. The various residential units will generate activity on the site from 6:00–9:00 a.m. and 3:00–10:00 p.m. The office tenants are anticipated to operate on regular 9:00 a.m.–5:00 p.m. business hours. The retail component is expected to generate activity all day, including anticipated service retail uses open from 7 a.m.–10:00 p.m. In addition, entertainment uses such a movie theater or hospitality establishment (commercial hotel) will contribute to a vibrant urban living environment that will facilitate and encourage a 24-hour environment. A 600-room hotel has been proposed only in the environs area. Since a hotel is a critical

hotel is a critical element in creating a dynamic urban environment, staff recommends an additional hotel use be provided in the downtown core area of Konterra Town Center East. A condition has been proposed in the recommendation section of this report to require the applicant to include the hotel use in the downtown core area.

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

Comment: The proposed CSP contains a variety of uses that are critical for a town center. Especially in the downtown core area, most of the proposed uses such as retail, commercial and office will be in one building and in a vertical mixed-use format. The uses in the environs area will be in a horizontal mixed-use format. Detailed design guidelines have been proposed for the downtown area that will create a visually harmonious development. In the environs, appropriate design techniques such as landscaped buffers and berms will be utilized to separate residential uses from other uses. In addition, signage, light standards and design guidelines are also proposed with this CSP in order to achieve a harmonious development.

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

Comment: To create a unique identity and distinctive visual character has been a central goal of this CSP. The CSP follows the best urban design practices with a compact street network. The design focuses on a linear central green open space that radiates from the geographical center of the downtown core area, the “Town Square,” toward the preserved natural open space (a combination of water features and wooded areas) in the southern-most section of the site. Civic and other public uses are laid out around the town square. Additional commercial/retail uses are also arranged around the entire central green area. Visually, the town square will also be the focus of the downtown core area.

(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;

Comment: Development of a project of this size would promote optimum land planning, which would permit the use of economies of scale and a flexible response to the market. The proposal for Konterra locates different uses in close proximity in order to form symbiotic relationships and dependencies among the uses. This creates a whole that is greater than the sum of its parts. The design strategy encompasses a scope beyond individual areas or buildings. Uses within the town center fit within the fabric of the whole. Achieving a sustainable quality of urbanity with diversity of population and activities requires an initial critical mass. This is done by establishing the “urban core/downtown” early and letting it grow over time by addition of its adjacent “environs” areas. Civic and cultural facilities are included to create a balance with the other retail, employment and residential uses. The mixed-use approach creates a harmonious mix

within the M-X-T Zone, substantially more than could be achieved through the construction of this variety of uses as single purpose projects.

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

Comment: The scope of the project and its multiple uses will allow Konterra the flexibility to be responsive to market forces in a variety of sectors. Konterra represents a well-integrated set of complementary uses, which together create a unified sense of place. Phasing development in a realistic and orderly way that establishes the design quality and character of the Town Center at its beginning will provide a framework that will build market demand and credibility necessary to fulfill the Town Center's ultimate vision. This foundation will provide appropriate flexibility to respond to the changing needs of the public and private market sectors, while establishing an attractive, harmonious physical framework for development. The mixed-use and multi-phase development with diverse products, as shown in the conceptual site plan for Konterra, will permit a flexible response to the market. The CSP is in general conformance with this purpose of the M-X-T Zone.

(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.

Comment: The applicant proposes preliminary bulk restrictions with an intent to provide a framework for the detailed design standards that will focus on the urban character and the forms of the public realms at the time of detailed site plan review. Staff agrees with this design-oriented approach and believes that the detailed design standards, which will be prescribed for locations based on the approved street network, will allow freedom of architectural design that will achieve uniqueness for Konterra Town Center and greatly contribute toward the excellence envisioned in the General Plan for Centers.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

Comment: The subject site was rezoned to the M-X-T Zone in 1984 through Zoning Map Amendment A-9482. The 1990 Subregion I Master Plan and Sectional Map Amendment retained the property in the M-X-T Zone. This requirement is not applicable to this CSP.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

Comment: Konterra Town Center East has been designed to be both oriented outward toward surrounding land uses and major transportation arteries and infrastructure being put in place, and to have an inward orientation toward its downtown core area. A viable town center not only depends on an efficient regional transportation system, but also hinges on its internal synergies that are usually arranged around its center. The proposed town center is physically tied to the regional transportation system. The internal center is achieved through the grid pattern of street development and architectural treatment of building elevations. The downtown core area requires that flexibility be inherent in the approach to its development. The outward orientation of the environs area is clearly coordinated with access, exposure and frontage on I-95, the ICC and other major transportation facilities in the area. Along the eastern boundary of the property, the verticality of the uses decreases, which is more compatible with the minimal existing development and zoning. This diversity of outward orientation along the environs and from the core can be a catalyst for not only the proposed Konterra Town Center, but for adjacent properties that will feed off the synergy it creates.

There are presently view corridors into the site from I-95. This occurs near the power lines and northbound along I-95 toward the Town Center. There are few other sites along I-95 that provide windows to allow views into the site. Construction has commenced on the Intercounty Connector which will traverse the southern end of Konterra Town Center and subsequently provide, at locations along its route midway between I-95 and Virginia Manor Road, excellent views into the Town Center. It will be important to the sustainability of the proposed development to maintain these view corridors.

As the development program matures within Konterra Town Center East, higher vertical uses are proposed with visibility from the highways. Although little existing development is proximate to the site, this proposed concept is consistent with the character established across I-95, slightly northeast of the property, but will provide high quality frontage along I-95. Travelers along all nearby roads will get clear views of the evolving skyline of the Konterra Town Center, rising in the middle and along I-95 and scaling down to the north, east, and south to meet the surrounding uses along those roads. From the upper floors of higher buildings there will be dramatic views toward Washington, Baltimore, and the surrounding countryside.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

Comment: Land uses immediately adjacent to the Konterra Town Center site include light industrial and office uses to the east and southeast, residential, research and development, and light industrial uses to the south, southwest, and northeast. The Konterra downtown

Konterra downtown area is being planned and designed for complete compatibility with the environs area, including vehicular access, pedestrian circulation, and complementary high quality architectural design. The Konterra Town Center development would be compatible with these uses and those likely to be developed over time in the proximate areas. The downtown core will serve as the focal point for the Konterra Town Center and proximate properties.

- (5) 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;**

Comment: The Konterra Town Center is envisioned as a new town and is expected to evolve into the center of the northern part of the County. The development is designed as a complete new town with a mix of various uses that will allow future residents to live, work and entertain without traveling elsewhere. The design of the downtown core area incorporates a mix and integration of uses including hotel, retail, dining, anchor department stores, theater, residential, parking and office uses in an urban pedestrian-friendly grid pattern in order to provide complete urban living. The information provided on design principles and standards, the proposed architectural elements, quality and mix of materials demonstrated in the CSP text, illustrative plan and renderings ensure sustainable quality and reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability. Areas are planned with a cohesive structure and this will create, initially and over time, an interesting 24-hour environment in which to live, work, shop and entertain in a harmonious community.

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

Comment: As discussed previously, the Konterra Town Center development will be developed in three phases, which is a very conceptual phasing plan and needs to be further defined at the time of detailed site plan review. According to the phasing plan, the downtown core area will be developed in two phases, with the initial phase including approximately 85 percent of planned retail space (1.4 million square feet). These uses will serve as the catalyst or critical mass for the opening of the project along with 110,000 square feet of office and about 600 residential dwelling units. Phase II of the urban core/downtown will include additional residential, retail and office. The environs could develop concurrently or separately and will be much more market-driven. The placement of parking and access throughout the environs will make these uses self-sufficient and allow effective integration as a result of the pedestrian and vehicular connections to the core and other areas of prior development. The mixed-use nature of the town center development will make the development a self-sufficient entity to allow effective integration of subsequent phases.

- (7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

Comment: As noted in Finding 6 above, this CSP proposes a complete pedestrian circulation plan consisting of sidewalks along all the internal streets within the downtown core area and a trail system which provides connections to and from the urban downtown areas to the environs, transportation facilities, regional parks, amenities, open spaces, etc. The pedestrian system is convenient and is comprehensively designed to connect major destinations within the development and create a pedestrian-friendly environment.

- (8) 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); and**

Comment: The subject application is a conceptual site plan.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

Comment: The CSP is subject to this requirement because the property was retained in the M-X-T Zone by the 1990 Subregion 1 Master Plan and Zoning Map Amendment. The review by the Transportation Planning Section (Masog to Zhang, April 24, 2008) indicates that the application conforms to the above required finding for approval from the standpoint of transportation pending certain improvements recommended by the Transportation Planning Section. Those recommendations have been included at the end of this report.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the**

Program, within the current State Consolidated Transportation Program, or to be approved by the applicant.

Comment: This requirement is not applicable to this conceptual site plan.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 548.**

Comment: The subject site contains approximately 488 acres of land and includes a combination of residential, office, commercial, retail, hotel and other civic uses such as a post office. Even though the application meets almost all requirements in Section 27-544(d), the applicant has elected not to be approved in accordance with the provisions set forth for a Mixed-use Planned Community.

- b. Section 27-548. M-X-T Zone regulations establish additional standards for the development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR**
(2) With the use of the optional method of development—8.0 FAR

Comment: The applicant has proposed to use the optional method of development in Konterra Town Center East. Under the optional method of development, greater densities can be granted, in increments of up to a maximum floor area ratio of eight, for each of the uses, improvements, and amenities. The uses, improvements and amenities proposed in this CSP include:

- Open/arcades—Open air arcades along the perimeter of the building designed for pedestrian use may be utilized when architecturally appropriate.
- Theatres—The theatre provided will contain a minimum of 150 seats and is integral to the design of the downtown area. This will allow an increase of four gross square feet for every square foot of the theater provided.
- Outdoor Plaza—Outdoor plazas of different sizes and types have been provided in the downtown and environs areas. They will potentially add eight square feet for every one square foot of plaza area provided.

- Enclosed Pedestrian Space—This element will be utilized as and when appropriate. In general, these spaces will be more appropriate in the downtown area. Additional amenities will be made available including lights and outdoor furniture.
- Residential—This will potentially increase FAR by one if more than 20 dwelling units are provided with the application. This CSP includes a total of 4,500 dwelling units and is eligible for this bonus.

The CSP proposes the use of the optional method of development and has a FAR above 0.40. The proposed FAR is as follows:

Uses	Square footage
Office	3,800,000 SF
Hotel	500,000 SF, 600 Rooms
Public Building Space	100,000 SF
Retail	1,500,000
Residential	1,748,000 SF
Single-Family	760 DUs
Multifamily	4,488,000 SF, 3,740 DUs
Total	12,136,000 SF
Site: 488 Acres	21,257,280 SF
FAR	0.57

The proposed FAR in this CSP is much lower than the allowable FAR as a result of the provision of additional amenities as discussed above. In order to achieve a “sense of an urban place,” critical mass should be presented to generate enough activities and should have a FAR around 1. For example, the Reston Town Center (similar in scope to this Town Center acreage) will reach a FAR of 0.9 at its build-out. The buildings in the downtown core area should have a minimum two stories. The buildings in certain landmark areas should ideally have a minimum height of six stories. The applicant anticipates significant quantities of existing land will be removed from development over time and be used for regional transportation improvements. This will result in a higher FAR, albeit, within the range noted above.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

Comment: The CSP complies with this requirement.

- (c) **Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

Comment: This requirement is not applicable to this conceptual site plan.

- (d) **Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

Comment: The subject development is subject to the requirements of the *Landscape Manual*. The site's compliance with the requirements of the *Landscape Manual* will be reviewed at the time of detailed site plan review.

- (e) **In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

Comment: The CSP complies with this requirement.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

Comment: This requirement will be reviewed for compliance at time of detailed site plan.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

Comment: The site's compliance with this requirement will be reviewed at the time of preliminary plan of subdivision.

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (1/2) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two**

thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots.

Comment: According to the information provided by the applicant, Konterra Town Center, especially the 132-acre downtown core area, has been envisioned as an urban pedestrian-friendly environment of various integrated mixed uses. The single-family residential units are proposed to be smaller than the required lot size in the M-X-T Zone. Specifically, the application includes single-family attached lots that are around 1,100 square feet. In addition, the applicant also includes the row house concept in the application. The row house dwelling type is essentially a townhouse stick, but has a minimum of 12 dwelling units, but no more than 15 units in a row to emulate traditional urban row house neighborhoods. The Urban Design Section believes that a complete urban environment should have various housing options to meet the housing needs of every social sector and to create dynamic urban neighborhoods. Staff supports smaller lot sizes contingent upon approval of a variance from this requirement at the appropriate stage of development review.

The Urban Design Section also does not oppose, in concept, the row house dwelling type proposed with this CSP. However, staff has concerns about the possibility of a long and monotonous streetscape that row houses may create if they are not carefully designed. In order to provide a variety of streetscapes and avoid visually monotony, no more than 50 percent of single-family attached units should be in the row house format. The elevation design of the row house product should be carefully reviewed at the time of DSP.

- (i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, or a Mixed-Use Planned Community.**

Comments: The preliminary bulk regulations contained in the CSP do not show any building height that is higher than 110 feet.

- (j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site**

or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

Comment: The subject site was rezoned to the M-X-T Zone in 1984 through Zoning Map Amendment A-9482. The 1990 Subregion I Master Plan and Sectional Map Amendment retained the property in the M-X-T Zone that predates 2006.

9. **Landscape Manual:** The proposed development for the first phase of the residential component of Konterra Town Center East is subject to Section 4.1 Residential Requirements, 4.2 Commercial and Industrial Landscape Strip, Section 4.3 Parking Lot Requirements; Section 4.6 Buffering Residential Development from Streets and Section 4.7 Buffering Incompatible Uses of the *Landscape Manual*. Compliance with the Landscape Manual will be reviewed at the time of detailed site plan. As conformance with Section 4.7 can be difficult or impossible to achieve in a vertical or intense horizontal mixed-use environment, staff recommends that the Planning Board find it appropriate, as it has in numerous M-X-T developments in the past, to review future DSPs for strict conformance with Section 4.7 only along the perimeter of the M-X-T zoned area.
10. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance, because the gross tract area is in excess of 40,000 square feet, and there are more than 10,000 square feet of existing woodland on the subject site.
 - a. A Natural Resources Inventory (NRI/050/08) was submitted for this application, and was found to address the requirements for approval. However, the signed NRI is not consistent with the submitted Type I Tree Conservation Plan TCPI/05/08 and CSP regarding the existing woodland area and floodplain buffer. The NRI, TCPI and CSP should be revised to be consistent with each other.
 - b. A Type I Tree Conservation Plan (TCPI/05/08) was submitted and reviewed by the Environmental Planning Section and was found to conform to the requirements of the Woodland Conservation Ordinance subject to certain conditions.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. In a memorandum dated May 21, 2008, the Community Planning North Division noted that the application is consistent with the 2002 Prince George's County Approved General Plan Development Pattern Policies for the Center in the Developing Tier and is in conformance with the land use recommendations in the 1990 Approved Master Plan for Subregion I. The Community Planning North Division provides additional comments that summarize the development recommendations of various plans as follows:

1990 Approved Master Plan for Subregion I

- The plan recommends that Konterra Town Center contain a mixture of housing types from high-rise multifamily to single-family detached dwelling units. The plan further states, "The number of residential units to be constructed is determined by the transportation holding capacity of the Subregion. In addition, there should be an increased emphasis on single-family detached homes in the Town Center than was originally conceived in the conceptual development plan submitted with the M-X-T rezoning application." (Page 131)
- A hypothetical Conceptual Design Plan was created for this plan which contained 12,500 employees and 1,400 dwelling units. The plan states, "...the transportation system will not be able to accommodate the traffic generated without the benefit of extensive Transportation System Management (TSM) measure. In order not to aggravate this problem, it will be necessary to limit development to a maximum of 12,500 employees and 1,400 dwelling units." (Page 133)

2002 Prince George's County Approved General Plan

The 2002 General Plan sets the County's development policies.

- The General Plan identifies Konterra Town Center as a Possible Future Town Center with the following definition (page 47):

"Regional Centers are location for regionally marketed commercial and retail centers, office and employment areas, some higher education facilities, and possibly a sports and recreation complex primarily serving Prince George's County. High-density residential development may be an option at these Centers if the needed public facilities and services, particularly schools and transit, can be provided. Regional Centers should be served by rail or bus mass transit systems." Policy 3 in the Centers and Corridors section identifies a strategy that encourages the placement of new libraries, schools, police substations, recreation centers, and urban parks within centers." (p.53)

Staff Comment: Page 97 of the application, which identifies strategies for addressing

schools, and fire and police stations, states that public facilities such as schools, and fire and police stations should be located outside the M-X-T Zoned area to allow them to serve the growth potential and need of the surrounding communities as well as the Town Center. However, the opportunity to construct a grade school within Konterra Town Center should remain an option as the Planning Department works on developing a policy aimed at creating a variety of urban school models for use in Centers and Corridors as well as in other land-constrained areas of Prince George's County. In addition, the opportunity to place a police substation should remain an option as Konterra Town Center develops.

2007 Adopted Master Plan and Endorsed Sectional Map Amendment for Subregion I

This master plan reiterates the 2002 General Plan policies, strategies, and recommendations for Regional Centers.

- Page I, Plan Highlights, Development Pattern Element, 3rd bullet:

"...and promote mixed-use development in the center and corridor with a strong emphasis on transit-oriented and pedestrian-friendly design in the Developing Tier."

Konterra is the only designated "center" in the Subregion I area by the General Plan.
- Page 9, Development Pattern Elements, Introduction, 1st paragraph:

"... The General Plan places Subregion I within two growth policy tiers, the Developing Tier and Rural Tier and designates one possible future regional center (Konterra Town Center) and one corridor (US 1) within the Subregion I area."
- Page 13, Centers and Corridors (Konterra Town Center and US 1/Baltimore Avenue Corridor), General Plan Guidance:

"Subregion I consists of one designated possible future regional center at Konterra... The Konterra Town Center is identified by the General Plan as a possible future location for regionally marketed commercial and retail centers, residential communities, office and employment areas, some higher educational facilities and possibly sports and recreational facilities primarily serving Prince George's County..."

The community planner concludes that this CSP conforms with the 1990 Approved Master Plan for Subregion I as updated by the 2002 General Plan and to be redefined by the 2007 Adopted Subregion I Master Plan subject to final approval by the District Council.

- b. In a memorandum dated December 27, 2007, the Subdivision Section staff noted that the property has not been the subject of a record plat and development of this site will require a preliminary plan of subdivision. Staff also stated that the site is located in water and sewer service category 5. A water and sewer service category of 4 or better is required prior to approval of the preliminary plan of subdivision.

Comment: The applicant has submitted a preliminary plan of subdivision which is currently pending with the Subdivision Section. The applicant has also been fully informed that a water and sewer service category of 4 or better is required in order to obtain approval of the preliminary plan of subdivision.

- c. The Transportation Planning Section in a memorandum dated April 24, 2008, provided a complete review of the Service Level Standards applicable to this application, and the traffic impact of the two phases proposed by the applicant. Specifically, the subject application 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.

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.

The initial traffic study submittal indicated that the subject property is a regional center, and would be subject to the LOS E standard in accordance with the stated policy in the General Plan for Prince George's County for regional centers within the Developing Tier. Given that the site is not currently a designated regional center (it is identified as a "possible future" regional center on Map 2 of the General Plan), a revised submittal demonstrated the LOS D standard appropriate for the Developing Tier.

The Transportation Planning Section further evaluates the traffic impacts of each proposed phase of the subject application by using the above level of service standards as follows:

Under Phase I, the site is proposed for development with 3,458 multifamily residences, 600 hotel rooms, 1,407,400 square feet of retail space, and 1,203,950 square feet of office space. Once again, the traffic study departs from the guidelines by using trip rates in the Institute of Transportation Engineers' (ITE) Trip Generation Manual instead of the recognized and locally-measured trip rates

published in the guidelines. The guidelines indicate that the rates in the guidelines “should be used in all traffic studies, except where it can be demonstrated by acceptable field data that a more appropriate rate is applicable.” While the ITE Manual is provided as a source in the guidelines, it should be used “for any uses not cited in the guidelines.” The justification provided in the traffic study for using different trip rates is not truly a justification, but more of a citation of a handful of mixed-use developments which may or may not be similar to this site with no data and considerable discussion of internal trip capture.

The trip generation for Phase I, maintaining the residential and hotel trip levels shown in the traffic study, is summarized in the table below:

Trip Generation – Phase I	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Residential Trips	149	730	879	736	363	1099
Hotel Trips	230	147	377	188	166	354
Less Internal Trip Capture	-39	-42	-81	-242	-155	-397
Net Residential and Hotel Trips	340	835	1175	682	374	1056
Office Trips	1208	165	1373	243	1184	1427
Less Internal Trip Capture	-9	-12	-21	-56	-52	-108
Net Office Trips	1199	153	1352	187	1132	1319
Retail Trips	467	298	765	1721	1865	3586
Less Internal Trip Capture	-51	-45	-96	-189	-280	-469
Less External Pass-By	-33	-20	-53	-276	-285	-561
Net Retail Trips	383	233	616	1256	1300	2556
Net New Trips – Phase I	1922	1221	3143	2125	2806	4931

Under Phase II, the site is proposed for development with 4,500 townhouse and multifamily residences, 600 hotel rooms, 1,500,000 square feet of retail space, and 3,800,000 square feet of office space. In consideration of the analyses for internal trip capture shown in the traffic study, along with the trip rate discussions presented under Phase I, the following table has been prepared. The trip generation for Phase II (build out of the site), maintaining the residential and hotel trip levels shown in the traffic study, is summarized in the table below:

Trip Generation – Phase II	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Residential Trips	204	994	1198	997	491	1488
Hotel Trips	230	147	377	188	166	354
Less Internal Trip Capture	-45	-44	-89	-257	-162	-419
Net Residential and Hotel Trips	389	1097	1486	928	495	1423

Office Trips	3030	413	3443	737	3598	4335
Less Internal Trip Capture	-9	-18	-27	-58	-60	-118
Net Office Trips	3021	395	3416	679	3538	4217
Retail Trips	485	310	795	1795	1945	3740
Less Internal Trip Capture	-54	-46	-100	-198	-291	-489
Less External Pass-By	-34	-21	-55	-287	-298	-585
Net Retail Trips	397	243	640	1310	1356	2666
Net New Trips – Phase II Build out	3807	1735	5542	2917	5389	8306

The Transportation Planning Section determined that the CSP conforms to the required findings for approval of the conceptual site plan from the standpoint of transportation and recommends approval of this CSP subject to five conditions that have been incorporated into the recommendation section of this report.

In a separate memorandum from the Transportation Planning Section dated June 4, 2008, on review for master plan trail compliance, the Trails Planner identified issues that need further evaluation. Specifically, staff is concerned about trail connections along the stream valley corridor on the eastern edge of Konterra East, the ownership of the proposed roadway network that will have a huge impact on the pedestrian circulation, pedestrian safety, amenities and accessibility.

Comment: The information needed to evaluate the above issues identified by the trails planner will not be available until the detailed site plan stage. A condition regarding cross sections for the roadways in the townhouse section has been included in the recommendation section of this report.

- d. The Environmental Planning Section (EPS), in a memorandum dated May 21, 2008, indicated that the plans as submitted have been found to address the environmental constraints for the site and the requirements of the *Prince George's County Woodland Conservation and Tree Preservation Ordinance*. The Environmental Planning Section provides a comprehensive review of the approval history and the application's conformance with the County's Green Infrastructure Plan and applicable conditions of previous approval. EPS staff recommends approval of this application subject to nine conditions that have been incorporated in the recommendation section of this report
- e. The Department of Parks and Recreation (DPR) in a memorandum dated April 29, 2008, provided a summary of the goals and objectives of the Approved 1990 Subregion I Master Plan regarding parks and recreational facilities. DPR concludes that approximately 175 acres of additional local and 234 acres of additional regional parkland will be needed to serve the population anticipated in the subject CSP by applying the current formula for calculating parkland. However, DPR believes that the proposed development is different from traditional suburban development, on which the current parkland formula is based, and encourages alternative methods of parkland acquisition and facilities development.

and facilities development. DPR concludes that a combination of on-site private recreational facilities, as proposed in the CSP, and off-site dedication of approximately 41 acres of parkland across the street from the existing Fairland Regional Park will benefit the residents of northern Prince George's County and future residents of Konterra Town Center East. DPR further states that future development of the remaining Konterra property will be subject to additional parkland dedication and/or recreational facilities requirements. DPR recommends approval of this CSP subject to three conditions that have been included in the recommendation section of this report.

- f. The Department of Public Works and Transportation (DPW&T) in a memorandum dated January 25, 2008, provided comments on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, storm drainage systems and facilities in order to be in accordance with the requirements of DPW&T. Specifically, DPW&T identified road improvements as follows:

“The proposed interior road system is a mix of County and privately maintained roadways. The County-maintained roadways are to be in accordance with DPW&T standards. The radii of the interior connectors and main streets are to be a minimum of 500 feet. The interior of the roadways must be constructed to ensure that the project is transit ready. Transit services must be accessible within ¼ mile of any developed portion of the project.

“Contee Road is to be extended approximately 900 feet to the west of its termination to the newly proposed Kenilworth Avenue Extended and reconstruction of the existing section of Contee Road east to US 1 is to be built per Master Plan ultimate. A combination of approximately 750 feet of newly constructed road and reconstruction of existing Contee Road is to be built per County urban collector roadway standards from Contee Road connecting it to Van Dusen Road. Approximately 1,400 feet of new roadway is to be built per County urban collector roadway standards from approximately 450 feet west of the westernmost I-95 ramp at the new Contee Road interchange to the proposed relocated Old Gunpowder Road intersection.

“Existing Old Gunpowder Road is to be improved to Master Plan ultimate from the new roadway intersection south to the proposed ICC bridge. Existing Old Gunpowder Road is to be realigned and built per Master Plan ultimate for approximately 1,000 feet north of the proposed new intersection.”

Those issues will be reviewed and enforced at the time of issuance of access permits by DPW&T.

- g. The Maryland State Highway Administration (SHA) had not responded to the conceptual site plan referral request at the time the staff report was written.

- h. The Historic Preservation and Public Facilities Planning Section in a memorandum dated February 6, 2008, stated that the CSP proposal has no effect on archeological or historic resources.
- i. The Special Projects Section, Countywide Planning Division in a memorandum dated April 18, 2008 noted that:

“Fire and Rescue Service- Commercial

“The existing fire engine service at Laurel Fire Station, Company 10 located at 7411 Cherry Lane has a service travel time of 3.22 minutes, which is within the 3.25-minutes travel time guideline.

“The existing paramedic service at Laurel Rescue Squad, Company 49 located at 14910 Bowie Road has a service travel time of 5.95 minutes, which is within the 7.25-minutes travel time guideline.

“The existing ladder truck service at Laurel Fire Station, Company 10 located at 7411 Cherry Lane has a service travel time of 3.22 minutes, which is beyond the 4.25-minutes travel time guideline.

“Fire and Rescue Service-Residential

“The County Fire/EMS Department provides a countywide response time map that visually displays an areas compliance with the 7-minute response time requirement for residential areas. The subject property is within the response time requirement.

“Police Facilities

“The police facilities test is done on a countywide basis in accordance with the policies of the Planning Board. There are 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department and the latest population estimate is 825,520. Using the guideline of 141 square feet per 1,000 residents, 116,398 square feet of space for police is needed. The current amount of space, 267,660 square feet, is above the guideline. The proposed development is within the service area for Police District VI Beltsville.

“School Facilities

“The pupil yield rates used in this analysis are those used in Montgomery County, Maryland for similar types of developments. The Konterra housing types are significantly different than any types of existing housing in Prince George’s County. The density and unit type proposed are similar to urban style housing in Montgomery County, therefore their pupil rates were used in the analysis.

“County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,870 and \$13,493 to be paid at the time of issuance of each building permit.

“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.”

The Special Projects Section concludes that the existing or programmed public facilities are adequate to serve the proposed conceptual site plan. However, the data above are presented for informational purposes only, as there is no finding of adequacy for public facilities other than roads required in connection with the subject conceptual site plan.

- j. This CSP was also referred to the city of Laurel due to Konterra’s close proximity to the city. In a memorandum dated October 19, 2007, the city did not provide any specific comments citing limited time for review as the reason. However, the Mayor and City Council support the transportation improvements associated with this project.
12. As required by Section 27-276 (b), the subject conceptual site plan satisfies all criteria for M-X-T Zone approval in Part 3, Division 2; the conceptual site plan and proposed development meet the purposes and applicable requirements of the M-X-T Zone; the conceptual site plan meets all requirements stated in the definition of the use; and represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/05/08), and further APPROVED Conceptual Site Plan CSP-07003 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this conceptual site plan, the applicant shall:
 - a. Provide an additional hotel use in the downtown core area or relocate the proposed hotel into the downtown core.
 - b. Revise the Type I Tree Conservation Plan as follows:

- (1) Revise the TCPI as necessary so that both the NRI and the TCPI reflect the same acreage of existing woodland and woodland within the floodplain.
- (2) Revise the worksheet to meet the woodland conservation requirement through the use of on-site and off-site conservation and remove the use of fee-in-lieu.
- (3) Add reforestation within the 100-foot RTE buffer and add the following note to the plans: "The TCPII shall provide two interpretive signs along the edge of the reforestation area to gain public interest and awareness of reforestation efforts and RTE habitat." The display of the signs shall be subject to SHA and/or DPW&T approval.
- (4) Remove soils from the plan.
- (5) Show the existing tree line clearly on the plan.
- (6) Remove woodland preservation from the ICC right-of-way and update the worksheet accordingly.
- (7) Provide a note on the plan that states who will be constructing the portions of the ICC that are on the subject property. If the applicant is constructing the roadways, the woodland shall be shown as cleared. If the applicant is not constructing the roadways, the woodland shall be shown as retained not part of requirements. The woodland in the right-of-way shall not be shown as woodland conservation. The worksheet shall be adjusted accordingly.
- (8) Provide hatching and labels to indicate areas of clearing, areas of woodland retained not part of requirements, and reforestation.
- (9) Provide a summary table on the cover sheet of the TCP and tables on each sheet, similar to the preservation area table currently shown on the plan, and provide acreages of areas to be cleared, areas of woodland to be retained not part of requirements, and reforestation.
- (10) Provide a note below the specimen tree table indicating how the specimen trees were located.
- (11) Add the following note: "Off-site woodland conservation shall be provided within the Anacostia watershed to the fullest extent possible. The applicant shall show due diligence in seeking locations in the watershed. Only after all options have been exhausted can off-site mitigation outside the watershed be used. The use of fee-in-lieu to meet the requirements will only be considered during future reviews if the funds are targeted for specific mitigation projects."

- (12) Include in the worksheet all woodland clearing for off-site impacts.
 - (13) Have the revised plan signed and dated by the qualified professional who prepared the plan.
 - (14) Add the following note to the plan:
“ At least 45% of the residential units shall be for-sale units.”
- c. Eliminate all impacts on the TCPI that are not associated with road crossings, stormwater outfalls and utility connections.
 - d. Show the unmitigated 65 dBA Ldn, based on the Phase I noise study prepared by VHB, Inc., and the remainder of the noise study shall be submitted to the record (a description of the assumptions used in the study and the background traffic counts used in the modeling).
 - e. Provide a chapter to outline basic guidelines regarding the distribution and installation of public art works in the Konterra Town Center development.
 - f. Provide a chapter to outline basic guidelines regarding green building techniques and elaborate on how to achieve a sustainable town center development.
 - g. Provide a cross section for the roads accessing the townhouse units.
 - h. Provide a conceptual location of the stream valley trail on the site plan. The exact location of the stream valley trail will be decided at time of detailed site plan review for the site that contains the stream valley.
2. Prior to certificate approval of the CSP and prior to submittal of the first DSP, the applicant shall:
 - a. Revise the NRI as necessary so that both the NRI and the TCPI reflect the same acreage of existing woodland. Revise the NRI as necessary to reflect any changes to the floodplain based on an approved floodplain study.
 - b. Revise the CSP and TCPI to reflect the expanded buffer shown on the NRI
 3. Prior to acceptance of the first detailed site plan, the applicant shall:
 - a. Submit a detailed stream corridor assessment that documents the current conditions of the streams located on-site and downstream to the point where the main channel crosses Ammendale Road. The stream corridor assessment shall be conducted using the Maryland Department of Natural Resources’ protocol. In addition, the Anacostia River Basin Stormwater Retrofit Inventory and the Anacostia Watershed Restoration Action Strategy shall be evaluated by the applicant for potential mitigation sites for both stream restoration

restoration and woodland conservation and this analysis shall be included in the submittal. The assessment shall then be submitted to M-NCPPC staff, so that it can be deemed complete, prior to the development of recommendations for mitigation.

- b. Submit a recommendation for stream restoration methods and their locations based on the complete assessment. The methods shall include, but not be limited to natural re-establishment of stream buffers and stabilization of the channel using natural methods wherever possible. Prior to the final preparation and submission of the stream restoration plan, the applicant shall coordinate a meeting with the Department of Public Works and Transportation and M-NCPPC to discuss the integration of the stream restoration efforts with the stormwater management facilities proposed. The areas of stream restoration shall be evaluated separately for consideration as woodland conservation areas, both on-site and off-site. Reflect the recommendations that result from the above analysis on subsequent detailed site plan design submittals. The recommendations and/or options implemented shall not exceed the extent of any required mitigation.
 - c. The initial submittal package for the first DSP shall contain an illustrative plan that shows how the stormwater management ponds will be designed as amenities. The ponds shall be established outside of the existing regulated buffers, except for the outfall structures and associated grading, and the regulated buffers shall be re-established. The illustrative plans shall be reflected on the Detailed Site Plan and the associated landscape plan.
4. At the time of detailed site plan approval, the review shall address the following major areas of concern:
- a. The design of the downtown core area of approximately 132 acres shall be characterized by a cohesive network of buildings and urban spaces creating a pedestrian-oriented walkable community convenient to public transportation, automobile and other transit modes. This area shall encompass a grid of streets and blocks, with a predominantly vertically integrated mix of uses. Retail, residential, office, dining and hospitality shall be included in the detailed site plan for the first phase. The required design submittal elements of Section 27-282, inclusive of architecture, buildings, structures, heights, signage, lighting, setbacks, streets, footprints, recreational areas and/or facilities, open space, landscaping, entrance and/or gateway features, exterior amenities, sightlines, parking, paths, walkways, intersections, etc. shall be provided by illustrative depictions and written standards in a manner sufficiently definitive and flexible to ensure the desired design character required by the approved CSP will be implemented.

The first DSP shall include detailed design standards that will regulate the urban design character and the urban form of the public realms throughout the entire downtown area. The design standards shall be location-specific based on the approved street network in order to achieve high quality development as envisioned by the CSP. The design standards shall cover all physical aspects of the future built downtown core area such as, but not limited to,

streetscape, open space/plazas, architecture (height, elevations, setback, materials, fenestration and articulation), retail storefronts, street corner conditions, building and parking/loading relationships, green building technology, signage, lighting, structured parking, and accent paving. The approved design standards shall establish design and review parameters that will serve as the basis for review of all subsequent plans.

- b. The facility type, quantity, location and materials of the on-site recreational facilities. The recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.
 - c. Parking in the downtown core area includes both structured and surface facilities. A comprehensive parking study shall be provided to demonstrate that the proposed parking for various mixed-uses will be sufficient for the intended uses.
 - d. The elevation design of the row house product. The row house elevations shall be of high quality and of various visual treatments. The side and rear elevations of those high visible units shall also be treated in terms of design materials comparable with the front elevations.
 - e. The design and the layout of the central park and the streetscape around it. Detailed layout and design information of the central park and the surrounding streetscape shall be provided with the first DSP that covers the downtown core area. A specific chapter shall be included in the design guidelines that establish design parameters for review and approval of the architecture surrounding the central park, including, but not limited to, design, materials, color, street furniture, signage, lighting, shadow and wind analysis, detailed planting schedule and hardscape.
5. The initial submittal package for the first DSP shall contain information regarding any reclamation work performed prior to May 2007, in a format similar the CNA, Inc. letter, to fully document the presence of fill materials on-site. A full soils report shall also be submitted that addresses the soil structure, characteristics and foundation stability. The study shall, at a minimum, clearly define the limits of past excavation and indicate all areas where fill has been placed. All fill areas shall include borings, test pits, and logs of the materials found. The existing borings and test pits in fill areas shall be deep enough to reach undisturbed ground.
6. The applicant shall dedicate approximately 41 acres of parkland to the Maryland-National Capital Park and Planning Commission, that is located on the west side of I-95 and north of the proposed Intercounty Connector (ICC), as shown on the Exhibit A attached to DPR's memorandum. The conveyance of 41 acres of open space to MNCP&PC is an amount of land premised on the proposal of 4500 dwelling units in Konterra Town Center East. Subject to Planning Board approval, the Applicant may count some portion of the dedicated parkland toward satisfying the parkland dedication requirements for Konterra Town Center West residential development or other residential development (up to a total of 4500 dwelling units) on proximate land owned by the Applicant, if this number of dwelling units is not constructed as part of Konterra Town Center East.

East.

7. Land to be conveyed shall be subject to the following conditions:

- a. An original, special warranty deed along with a metes and bounds description of the property to be conveyed to the M-NCPPC (signed by the WSSC Assessment Supervisor) shall be submitted to the DPR for review and approval along with the final plat of subdivision of any portion of CSP-07003, including the residential component. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
- b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
- c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the DPR. If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, the M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.
- i. No stormwater management facilities, tree conservation or utility easements shall be

proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

8. Prior to the issuance of any building permits within the subject property, the following road improvements shall either Option 1 (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 or Option 2; the improvement shall be fully funded for construction in the applicable CTP or CIP:
 - a. US 1 and Contee Road: Add one additional through lane westbound along Contee Road. Modify signals, signage, and pavement markings as needed.
 - b. US 1 and Muirkirk Meadows Drive: Add a second left-turn lane along eastbound Muirkirk Meadows Drive. Modify signals, signage, and pavement markings as needed.
 - c. US 1 and Ritz Way: Add two additional left-turn lanes along northbound US 1. Modify signals, signage, and pavement markings as needed.
 - d. Van Dusen Road and Contee Road: Add a second left-turn lane along westbound Contee Road. Add an exclusive left-turn lane along northbound Van Dusen Road. Modify signals, signage, and pavement markings as needed.
 - e. Old Gunpowder Road and Greencastle Road: Add a left-turn lane along northbound Old Gunpowder Road. Install signalization if warranted, with warrants to be determined by the submittal of a traffic signal warrant study, prior to the approval of the initial detailed site plan for infrastructure.
 - f. I-95 and Contee Road: Construct the I-95/Contee Road interchange with the general design consistent with the SHA-approved alternative and with lane use consistent with the lane use shown on Exhibit 12A of the January 2008 traffic study.
 - g. Contee Road Extended (also referred to as Kenilworth Ave West): Construct the extension of Contee Road from the I-95/Contee Road interchange to Old Gunpowder Road. Provide signalization and lane usage consistent with the traffic study, with final alignment of the Contee Road Extended/Old Gunpowder Road intersection to be determined by DPW&T at the time of the initial detailed site plan for infrastructure.
 - h. Kenilworth Avenue Extended "East" shall be constructed beginning at the terminus of the Contee Interchange and ending at the second project entrance into Konterra Town Center East (Perimeter Drive East). This will form a roadway connection of Virginia Manor Road to the I-95/Contee Road interchange is to be constructed on-site as a part of Phase I, with approval of the design of this link to be made by DPW&T at the time of the initial detailed

detailed site plan for infrastructure. This roadway shall be constructed within the dedicated right-of-way for the A-56 and the A-6 facilities.

9. Prior to the issuance of any building permits for uses generating more than 3,143 AM and 4,931 PM peak hour trips within the subject property, defined within this condition as Phase II, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates, the following road improvements shall (a) have full financial assurances, or (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. MD 198 and Bond Mill Road/Old Gunpowder Road: Restripe the southbound Bond Mill Road approach to provide exclusive left-turn, through, and right-turn lanes. Modify signals, signage, and pavement markings as needed.
 - b. MD 198 and Sweitzer Lane: Restripe the northbound Sweitzer Lane approach to provide exclusive left-turn and right-turn lanes, and a shared through/left-turn lane. Modify signals, signage, and pavement markings as needed.
 - c. US 1 and Ritz Way: Add a third eastbound left-turn lane along Ritz Way, with provision for three receiving lanes along northbound US 1. Modify signals, signage, and pavement markings as needed. This improvement will not be required if a Regional Center designation is approved for Konterra Town Center via the Subregion I Master Plan.
 - d. Van Dusen Road and Contee Road: Provide an exclusive left-turn lane and a shared through/left-turn lane along westbound Contee Road. Add a second exclusive left-turn lane along northbound Van Dusen Road. Modify signals, signage, and pavement markings as needed. This improvement will not be required if a Regional Center designation is approved for Konterra Town Center via the Subregion I Master Plan.
 - e. MD 198 and Van Dusen Road: Add a second left-turn lane along westbound MD 198, with provision for two receiving lanes along southbound Van Dusen Road. Add a second northbound through lane along Van Dusen Road south of Route 198, for a length to be determined based on traffic geometrics and sufficient stacking requirements as determined by the responsible permitting agency. Modify signals, signage, and pavement markings as needed.
 - f. Van Dusen Road and Cherry Lane: Add a second left-turn lane along southbound Van Dusen Road. Add a second northbound through lane along Van Dusen Road, with provision for two receiving lanes along northbound Van Dusen Road north of the intersection south of Route 198, for a length to be determined based on traffic geometrics and sufficient stacking requirements as determined by the responsible permitting agency. Modify signals, signage, and pavement markings as needed.

13. The transportation improvements expressed herein shall remain in full force and effect unless otherwise modified pursuant to agreement initiated by the Transportation Planning Section of M-NCPPC, the SHA, the DPW&T and conveyed to the applicant, and provided any such change maintains the levels of adequate transportation facilities approved herein.
14. A traffic phasing analysis will be submitted and reviewed during the processing of the Detailed Site Plan for each phase. This traffic phasing analysis will define the improvements required for phase 1A, 1B, IIA, and IIB. These above mentioned traffic conditions will be modified to adjust the timing trigger and extent of these improvements for each phase. This phasing analysis will not exceed 5,541 AM Peak trip cap and the 8,306 PM Peak trip cap, unless a future revision to the Conceptual Site Plan and Preliminary Plan of Subdivision are processed.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Clark and Vaughns voting in favor of the motion, and with Commissioner Parker absent at its regular meeting held on Thursday, June 12, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of July 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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