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Preliminary Plan 4-06126

Application	General Data
Project Name: Hall Station Location: The southwestern quadrant of the intersection of Central Avenue (MD 214) and Hall Road Applicant/Address: Cenhall, LLC 4640 Forbes Blvd, Suite 300 Lanham, MD 20760 Property Owner: Cenhall, LLC 4640 Forbes Blvd, Suite 300 Lanham, MD 20760	Date Accepted: 2/22/2008
	Planning Board Action Limit: 5/2/2008
	Plan Acreage: 14.6
	Zone: L-A-C
	Gross Floor Area: 92,000
	Lots: 39
	Parcels: 5
	Planning Area: 74B
	Tier: Developing
	Council District: 04
	Election District: 07
	Municipality: N/A
	200-Scale Base Map: 202NE13

Purpose of Application	Notice Dates
Mixed use. 110 Residential Dwelling Units, 92,000 square feet of commercial and institutional space.	Adjoining Property Owners Previous Parties of Record Registered Associations: 12/12/2007 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 3/17/2008

Staff Recommendation	Staff Reviewer: Ivy R. Thompson
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APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-06126
Hall Station

OVERVIEW

The subject property consists of 14.6 acres of land zoned Local-Activity-Center (L-A-C). The property is located on Tax Map 70, Grid B-2 and is known as Parcel 27. The subject property is currently undeveloped. The subject application is to subdivide the property into five parcels and 39 lots for a mixed-used development consisting of 42,000 square feet of office and retail space, a 50,000-square-foot library, and 110 dwelling units including 40 town homes and 70 attached two-family dwellings. Proposed Parcel A will contain the two-family dwellings, parking and the residential open space. The office/retail use will be constructed on Parcels B through D and the library on Parcel E. The development is to be served by a proposed off-site stormwater management facility (Parcel 82), which is adjacent to proposed Parcel A. The subject site is located in the southwestern quadrant of the intersection of Central Avenue (MD 214) and Hall Road in Council District 4. The applicant is requesting two variations. A variation request to Subdivision Regulation Section 24-121(a)(3) to allow the subject property access onto Central Avenue, an arterial roadway, and Subdivision Regulation Section 24-121(a)(4) to allow residential lot depths less than 150 feet along an arterial roadway.

BACKGROUND

The subject property was reviewed as part of a revised basic plan (Zoning Map Amendment A-9838-C), which was approved by the District Council on July 25, 2005, with conditions and considerations related to the approval of the comprehensive design plan. A final decision was issued by the District Council on August 29, 2007, on the revised basic plan of Zoning Map Amendment A-9838-C. A comprehensive design plan (CDP) for a Local Activity Center (Village Center), CDP-0602, is concurrently under review.

SETTING

The property is located primarily on the north side of Central Avenue (MD 214), south side of Hall Road, and west of the railroad crossing. The properties adjacent to the site are zoned Rural Residential (R-R) with single-family residences. The properties to the north of Hall Road are also zoned R-R with Single-Family Residences.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

Zone Use(s)	EXISTING L-A-C Vacant	PROPOSED L-A-C Retail/Institution/Residential (42,000-sf/50,000-sf/110 units)
Acreage	14.6	14.6
Parcels	2	5
Lots	0	39
Dwelling Units	0	110
Public Safety Mitigation Fee		No

2. **Community Planning**—This application is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low-to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

This application conforms to the 2006 Bowie and vicinity master plan’s land recommendation for mixed-use development. The 2006 Bowie and vicinity sectional map amendment retained the basic plan approved by the District Council on July 25, 2005, for the Local Activity Center (L-A-C) Zone. The plan describes a mixed-use development as a “Traditional Neighborhood Design (TND) Development: A mixed-use residential development that is comprehensively designed as a whole similar to the type of residential communities built in the early 20th century.” In addition to the residential component, a TND includes a mixture of supporting neighborhood commercial, recreational and public uses, and open spaces that are typically located in the center of the development or at the intersection of important roadways.

This application does not provide a variety of housing as stated in the master plan. However, the applicant is providing housing alternatives to what is currently available in the surrounding community. The current preliminary plan does not show bicycle lane linkages as stated in Condition 10 of the basic plan approval. This issue, in addition to those addressed in the 2006 approved Bowie and vicinity master plan (page 10), should be addressed prior to the approval of the specific design plan.

3. **Urban Design**—The property is subject to basic plan requirements. Specifically, the following conditions with respect to urban design, comprehensive design plan, and specific design plan considerations of Basic Plan A-9838 are applicable to the review of preliminary plan of subdivision:

5. **Construction of the library shall proceed concurrently with the construction of the first phase of the project. For purposes of this Ordinance, the first phase of the project shall include the grading, clearing, excavation, infrastructure, and adding utilities for the library and the entire site. Further, permits for the Credit Union are the only permits that may be pulled prior to permits for the library. It is envisioned that allowing the pulling of permits for the Credit Union will expedite clearing of the site and**

the ultimate building of the library. However, the library shall be the second permit issued for the site. No other permits may be pulled until construction of the library has begun.

- 7. The following uses shall not be permitted in the commercial envelope:** Refer to the District Council order for the exhaustive list of uses prohibited by Condition 7.
- 8. Automated teller machines shall be permitted as an accessory use. All automated teller machines shall be located within the building envelope secure of the principal use, so that the automated teller machine area is secure.**
- 14. All structures shall be fully equipped with an automatic fire suppression system, in accordance with National Fire Protection Association (NFPA) Standard 13 and all applicable County regulations.**
- 18. Prior to the issuance of any permit which impacts wetlands, buffers, streams, waters of the U.S., or waters of the State, the applicant shall provide the Natural Resources Division (NRD) with evidence that all Federal and State approvals have been obtained.**
- 19. Prior to the approval of a Preliminary Plat of Subdivision, the applicant shall secure approval of a Conceptual Stormwater Management Plan by the County Department of Environmental Resources (DER), Watershed Protection Branch.**

Conclusions:

The specific design plan review should address a cohesive design for vehicular access, circulation, parking and pedestrian circulation. The auto, truck, and pedestrian traffic should be separated to the extent possible. Pedestrian access should be provided throughout the site, such that pedestrians can safely and conveniently access the entire site without the use of an automobile. The common pedestrian space and common focal points should be provided. A street as shown in Parcel A to serve the proposed town homes has a width of only 18 feet. A private street that provides access to the townhouses in a comprehensive design zone should have a minimum 22-foot-pavement width.

The stormwater management pond to be constructed on the adjacent property should be designed as an amenity. To the extent possible, passive recreational facilities around the stormwater management pond and wetlands located along the eastern property line should be explored at the time of specific design plan.

Conformance with the *Landscape Manual*

The application is subject to the requirements of Section 4.2 Commercial and Industrial Landscaped Strip Requirements, 4.3 Parking Lot Requirements, 4.4 Screening Requirements, and Section 4.7 Buffering Incompatible Uses of the *Landscape Manual*. The site's conformance with the *Landscape Manual* will be reviewed at time of specific design plan approval. Along the property's northeast boundary areas where the subject site is adjacent to the existing single-family

detached houses in the R-R Zone, a Type A Section 4.7 bufferyard is required. The plan has provided enough setbacks to accommodate the required bufferyard.

4. **Environmental**—The 14.6-acre Hall Road Property is characterized by a relatively flat terrain, with elevations ranging from 102 feet at the western terminus, to 88 feet above sea level in the southeast corner. Collington Branch, which is located to the west of the subject property, flows into Western Branch, and finally the Patuxent River. The Natural Resources Inventory (NRI) previously indicated that 100-year floodplain existed on the property, based on information submitted by the applicant, but no streams, wetlands or wetland buffers are located on Parcel 27. The NRI has been revised to remove the 100-year floodplain. The property is situated within the Patuxent River basin.

According to the 1967 “Prince George’s County Soil Survey,” the soils on the site primarily belong to the Adelphia, Monmouth, and Shrewsbury soil series. Adelphia soils pose few difficulties to development. Monmouth soils have erodibility factors in excess of 0.35 and are thus considered highly erodible if associated with steep slopes, which are not present on the subject property. Shrewsbury soils are considered hydric and may limit development due to high water tables, flooding hazards and poor drainage. Marlboro Clay is known to occur in the vicinity, but the elevations identified on this property are below those where it typically occurs.

The subject property is bounded on the north by Hall Road, which is classified as a primary road, which is not generally regulated for noise; and on the south by Central Avenue (MD 214), an expressway (E-1) which is regulated for noise impacts for residential uses. The Pope’s Creek railroad track is located approximately 178 feet east of the subject property. Railroads are generally regulated for noise and vibration impacts when adjacent to residential developments.

Of the 14.6 total acres proposed in the CDP application, about 0.21 acres (9,147.6 square-foot) of the site is forested. Sites with less than 10,000 square feet of woodland are generally exempt from the requirements of the Woodland Conservation Ordinance; however, in this instance the abutting parcel is being used to meet the stormwater management requirements, so a The Tree Conservation Plan (TCP) is required to show the off-site impacts and how they will be mitigated. The Tree Conservation Plan (TCPI/004/08) shows the “off-site” impacts for the construction of a stormwater management pond and the connection to an off-site sanitary sewer. The applicant has agreed to mitigate the off-site clearing at a rate of 1:1 (one acre of mitigation for one acre of clearing) instead of bringing the abutting parcel into the subject application. Due to the level of development proposed, the unusual shape of the parcel, and the minimal amount of land within the green infrastructure network, this is an appropriate solution.

According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, a Sensitive Species Project Review Area (SSPRA) as delineated on the SSPRA GIS layer is found to occur in the vicinity of this property. No designated scenic or historic roads are affected by this development. The site is in the Developing Tier according to the approved General Plan. The site contains small regulated areas, evaluation areas, and network gaps as designated by the Countywide Green Infrastructure Plan on the eastern portion of the site.

MASTER PLAN CONFORMANCE

At the time of approval of the revised basic plan, the master plan in effect was the 1991 Bowie-Collington-Mitchellville and vicinity master plan. The 1991 master plan recommended development of the Hall Road site under the L-A-C Zone, which requires a zoning application. The subject property was retained in the R-R Zone by the 1991 sectional map amendment.

The current master plan for this area is the Bowie and vicinity approved master plan and sectional map amendment (February 2006). The 2006 sectional map amendment retained the subject property in the R-R Zone, and carried forward the 1991 master plan proposal for an L-A-C mixed-use development at the Hall Road/Central Avenue site. In the approved 2006 master plan and sectional map amendment, the Environmental Infrastructure Section contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in BOLD is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve and enhance the identified green infrastructure network within the master plan area.

Strategies:

- 1. Use designated green infrastructure network to identify opportunities for environmental preservation and restoration during the review of land development proposals.**

The CDP plan was reviewed and found to be in conformance with the Green Infrastructure Plan. The preliminary plan submitted is in conformance with that plan.

- 2. Protect primary corridors (Patuxent River and Collington Branch) during the review of development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors to restore and enhance environmental features and habitat. Protect secondary corridors (Horsepen Branch, Northeast Branch, Black Branch, Mill Branch, and District Branch), to restore and enhance environmental features and habitat.**

Collington Branch is designated in the approved master plan as a primary corridor, meaning that development within this watershed should seek to protect, enhance or restore the resource. The TCPI shows the main stem of Collington Branch on Parcel 2 along with an extensive area of wetlands. This area is considered “off-site” and any proposed clearing for utility connections will be mitigated at a ratio of one acre for each acre of disturbance. No portion of Collington Branch or its tributaries exist on-site.

Approval of the CDP was recommended subject to a condition that at time of preliminary plan, environmental features related to the Collington Branch primary stream corridor and the PMA would be preserved to the greatest extent possible. Protection of sensitive environmental areas related to this primary corridor is a priority. This condition will be addressed later in this memorandum.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Strategies:

- 1. Implement the strategies contained in the Western Branch Watershed Restoration Action Strategy (WRAS).**

2. **Add identified mitigation sites from the WRAS to the countywide database of mitigation sites.**
3. **Encourage the location of necessary off-site mitigation for wetlands, streams and woodland within sites identified in the WRAS and within sensitive areas that are not currently wooded.**

The Western Branch Watershed Restoration Action Strategy (WRAS) has identified no sites in need of restoration on or adjacent to the subject property.

4. **Ensure the use of low impact development techniques to the extent possible during the development process.**

Low-impact development (LID) techniques will be reviewed later in the development review process. The Stormwater Management Concept Plan (46304-2006-02) signed as approved on October 9, 2007, shows no use of low-impact development techniques, but focuses on a stormwater management pond located on Parcel 82 which is to be developed as an amenity, although it is not included in the limits of the CDP. A stormwater management concept approval letter (46304-2006-04) approved on December 12, 2007, was also submitted, but it includes no information concerning LID techniques.

The plan contains extensive areas of impervious surfaces that are not provided with infiltration opportunities. The plan should be revised to break up the areas of impervious surfaces, provide larger islands of shade, and provide additional opportunities for low-impact stormwater management techniques.

5. **During the development review process evaluate streams that are to receive stormwater discharge for water quality and stream stability. Unstable streams and streams with degraded water quality should be restored, and this mitigation should be considered as part of the stormwater management requirements.**

Collington Branch and the tributary which is adjacent to the eastern boundary of this property were evaluated during the Western Branch Watershed Restoration Action Strategy project. No additional investigation is needed at this time.

6. **Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications.**

The landscape plan for this site shall be reviewed for the application of conservation landscaping techniques at time of SDP review. It is recommended that the landscape plan submitted with the specific design plan demonstrate the use of conservation landscaping techniques that reduce water consumption and minimize run-off resulting from the use of fertilizers or chemical application to the greatest extent possible, and that the U.S. Fish and Wildlife Service publication "Native Plants for Wildlife Habitat and Conservation Landscaping – Chesapeake Bay Watershed" shall be used as a guide in developing the landscaping for the entire site.

7. **Minimize the number of parking spaces and provide for alternative parking methods that reduce the area of impervious surfaces.**
8. **Reduce the area of impervious surfaces during redevelopment projects.**

The plan proposes the use of shared parking for the commercial uses, however, extensive parking lots and areas of impervious surfaces are proposed. The design allows limited opportunities for the micromanagement of stormwater. As discussed above, the plan should be revised to break up the areas of impervious surfaces, provide larger islands of shade, and provide additional opportunities for low-impact stormwater management techniques.

Policy 3: Protect and enhance tree cover within the master plan area.

Strategies:

- 1. Encourage the planting of trees in developed areas and established communities to increase the overall tree cover.**
- 2. Provide a minimum of ten percent tree cover on all development projects. This can be met through the provision of preserved areas or landscape trees.**
- 3. Establish street trees in planting strips designed to promote long-term growth and increase tree cover.**
- 4. Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.**

The preliminary plan is limited to the L-A-C Zoned Parcel 27. This parcel was originally issued a letter of exemption from the Woodland Conservation Ordinance due to its site characteristics; there are slightly less than 10,000 feet of woodlands on-site on Parcel 27. But the limit of disturbance (grading envelope) for development activity proposed includes Parcel 82 (labeled on the TCPI as “Cenhall Parcel One”), which is wooded, and includes grading of more than 5,000 square feet. Because this area requires mitigation, a TCPI was submitted to show how this will be achieved.

To meet the intent of Policy 3 above, a minimum amount of tree canopy cover should be provided on the portion of the site that is exempt. At time of specific design plan, the landscape plan should be reviewed for conformance with requirements related to landscaping.

Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

Strategies:

- 1. Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.**
- 2. Encourage the use of alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.**

The use of green building techniques and energy conservation techniques should be evaluated at time of specific design plan review. It is recommended that prior to acceptance of the review

package of the SDP, it should be evaluated to ensure that it includes a statement from the applicant regarding how green building techniques and energy conservation methodologies have been incorporated to the greatest extent possible.

Policy 5: Reduce light pollution and intrusion into rural and environmentally sensitive areas.

Strategies:

- 1. Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations and car lots so that light intrusion on adjacent properties is minimized. Limit the total amount of light output from these uses.**
- 2. Require the use of full cut-off optic light fixtures should be used for all proposed uses.**
- 3. Discourage the use of streetlights and entrance lighting except where warranted by safety concerns.**

The site is proposed to contain both residential and commercial uses on the same site. As such, light pollution is a particular problem. In addition, the site is adjacent to an environmentally sensitive area (Collington Branch and its tributaries). Lighting in the new development should use full cut-off optics to ensure that light pollution is minimized. At time of specific design plan, the use of lighting technologies that limit the total light output and reduce sky glow and off-site glare should be demonstrated. Full cut-off optic light fixtures should be used throughout the development. On the commercial portions of the site, particular attention should be paid to the positioning and levels of lighting fixtures to eliminate light spill-over to the residential portions of the site.

It is recommended that prior to acceptance of the review package of the SDP, it be evaluated to ensure that it includes a lighting plan which addresses the use of alternative lighting technologies which minimize light intrusion into the residential areas both on-site and off-site and into environmentally sensitive areas off-site. The full cut-off optic light fixtures shall be used throughout the development and shall be directed downward to reduce glare and light intrusion. On the commercial portions of the site, particular attention shall be paid to the positioning and levels of lighting fixtures to eliminate light spill-over to the residential portions of the site.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

Strategies:

- 1. Evaluate development proposals using Phase I noise studies and noise models.**
- 2. Provide for adequate set backs for projects located adjacent to existing and proposed noise generators.**
- 3. Provide for the use of approved attenuation measures when noise issues are identified.**

For the proposed commercial and institutional uses on the site, noise impacts are not a major concern. For the residential uses proposed, the structural shell should be evaluated to ensure that

State of Maryland interior noise standards are met, and that acceptable exterior noise levels are achieved in outdoor activity areas.

It appears that the outdoor activity area in the center of the proposed townhouses will be provided mitigation from the noise on Central Avenue by the proposed structures and from the noise from the railroad tracks by structures and distance. A Phase II noise study is needed to ensure that the proper materials are used in the construction of the townhouses to reduce the interior noise levels to 45 dBA Ldn or less.

It was recommended that prior to certification of the CDP, the unmitigated 65 dBA (Ldn) contour shall be placed on the CDP and the TCPI and it shall appear on all future plan applications. The location of the contour shall be based on a Phase I noise study prepared by the applicant and be based on the ultimate right-of-way for Central Avenue, as determined by the State Highway Administration (SHA) and the centerline of the Pope's Creek railroad tracks located east of this site.

It was further recommended that at time of specific design plan, a Phase II noise study shall be submitted which includes recommendations for reducing noise to meet State of Maryland interior and exterior noise standards for all impacted residential areas, and any recommended noise mitigation measures shall be shown on the plans; and that prior to the approval of building permits for residential uses, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.

CONFORMANCE WITH THE GREEN INFRASTRUCTURE PLAN

The following policies support the stated measurable objectives of the Countywide Green Infrastructure Plan, based on the policies of the Environmental Infrastructure Chapter of the General Plan.

Policy 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

The subject property contains regulated areas, evaluation areas, and network gaps areas as identified in the Countywide Green Infrastructure Plan, which cover a small portion of the property, adjacent to Collington Branch. Preservation and enhancement of these resources will be discussed in detail later in this memorandum.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Preservation of water quality in this area will be provided through the protection of the off-site Patuxent River Primary Management Area and the application of best stormwater management practices for stormwater management. It is recommended that low impact development stormwater management methods be applied on this site, to the fullest extent possible.

Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

The development is conceptual at the present time. In future applications, the use of environmentally sensitive building techniques to reduce overall energy consumption should be addressed.

Policy 5: Reduce light pollution and intrusion into residential, rural and environmentally sensitive areas.

As noted above, lighting should use full cut-off optics to ensure that off-site light intrusion into residential and environmentally sensitive areas is minimized.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

As noted, above, transportation-related noise impacts to this site from MD 214, which is classified as an expressway, and from the adjacent railroad may be extensive, and will require mitigation for residential uses. Residential uses or outdoor activity areas that are proposed within the 65 dBA Ldn noise contour will require mitigation.

CONFORMANCE WITH THE DISTRICT COUNCIL'S FINAL DECISION ON A-9838-C

A final decision was issued by the District Council on August 29, 2007, on the revised basic plan of Zoning Map Amendment A-9838-C. The decision contains a list of conditions and considerations on the approved rezoning of the property to be applied at various review points in the process.

The following are staff's analysis of the environmental conditions, limitations and considerations from the Council Decision. The text from the final decision has been shown in BOLD typeface, while the evaluation has been shown in standard typeface.

Conditions of the Final Decision for Revised Basic Plan A-9838-C

- 17. Prior to Comprehensive Design Plan approval, a limited forest stand delineation shall be reviewed and approved by the M-NCPPC Natural Resources Division, to determine whether the subject property is subject to County Woodland Ordinance requirements.**

A Natural Resources Inventory (NRI/083/05) was reviewed and signed for the subject property. A revised NRI (NRI-083-05/01) which includes an FSD for Parcel 82 and adjacent Parcel 27 was signed on January 14, 2008. The subject parcel is exempt from the ordinance because it contains less than 10,000 square feet of regulated woodlands. The abutting parcel being used for stormwater management will be mitigated at a rate of one acre of mitigation for each acre of clearing.

- 18. Prior to the issuance of any permit which impacts wetlands buffers, streams, waters of the U.S. or water of the State, the applicant shall provide the Natural Resources Division with evidence that all Federal and State approvals have been obtained.**

This condition will be carried forward in the review of any future application relative to the development of this property, and applied at time of permitting. Off-site impacts to wetlands and wetland buffers are proposed for utility connections east of the subject property.

- 19. Prior to the approval of a preliminary plan of subdivision, the applicant shall secure**

approval of a Conceptual Stormwater Management Plan by the County Department of Environmental Resources (DER), Watershed Protection Branch.

The review of conceptual stormwater management plans has shifted from the Department of Environmental Resources to the Department of Public Works and Transportation. An approved stormwater management concept approval letter and associated plans have been submitted.

- 20. Prior to approval of a Comprehensive Design Plan, the applicant shall secure approval of a variation for wetland and buffer impacts from the appropriate agencies. Particular attention shall be given to documenting all efforts to avoid and minimize impacts.**

Because this site is located within the Patuxent River basin, variations are not required from local agencies for wetland and wetland impacts related to the PMA, but a letter of justification for proposed impacts must be submitted at time of preliminary plan application. The letter of justification must fully explain all efforts to avoid or minimize impacts to the delineated PMA.

Approval of variation for impacts to isolated wetland and wetland buffers, not incorporated into the delineated PMA, prior to the approval of the comprehensive design plan is usually impractical because the detailed engineering required to fully describe the proposed impacts has not yet been completed. Impacts to wetlands, and required variations, should also be deferred until preliminary plan. Any approvals granted under this CDP for conceptual disturbance to regulated areas are subject to future approval by the Planning Board and state and federal agencies, and the applicant proceeds at their own risk.

It was recommended that at least 30 days prior to any Planning Board hearing on the preliminary plan, the applicant shall submit a letter of justification for impacts proposed to the PMA, and a variation request for any impacts to isolated wetlands and wetland buffers located outside of the PMA; and that all efforts shall be made and documented to avoid and minimize impacts.

It was further recommended, that prior to the issuance of any permits for disturbance associated with the development of this site, including stormwater management, which impact wetlands, wetland buffers, streams or waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Planning Department.

Considerations of the Final Decision for Revised Basic Plan A-9838-C

- 3. The stormwater management pond to be constructed on the adjacent property should be designed as an amenity. To the extent possible, passive recreational facilities around the stormwater management pond and wetlands located along the eastern property line should be explored at the time of Specific Design Plan.**

The comprehensive design plan and illustrative plan indicate that Parcel 82 is separate from the CDP, but the development of Parcel 82 as a stormwater management pond is integral to development of this site. The CDP text provides few details with regard to the design of the stormwater management pond, as an amenity. Any passive recreational facilities proposed should minimize impacts to the PMA and/or wetlands.

As noted above, the stormwater management pond must be designed as an amenity and low impact development techniques must be incorporated into the parking lot design. Because the

added techniques will not change the overall concept of the treatment of stormwater significantly, a revision to the concept approval is not necessary, however, staff from the Department of Public Works and Transportation and M-NCPPC must meet to discuss the overall changes to the site design to incorporate low-impact development techniques prior to the public hearing on the preliminary plan.

It was recommended that at least 30 days prior to any hearing on the preliminary plan, the application shall coordinate a meeting between staff from the Department of Public Works and Transportation and the Environmental Planning Section, M-NCPPC, to discuss conceptual revisions to the overall site plan to accommodate low-impact development techniques, tree canopy and other environmentally sensitive design features. The agreed upon conceptual design shall then be developed into a technical design at time of specific design plan review.

Conformance with Recommended Conditions of Approval for CDP-0602

The Environmental Planning Section recommended approval of Comprehensive Design Plan CDP-0602 and Type I Tree Conservation Plan TCPI/004/08 subject to conditions. Conformance with these recommended conditions in the current application are evaluated below.

- 1. At the time of preliminary plan, environmental features related to the Collington Branch primary stream corridor and the PMA shall be preserved to the greatest extent possible. Protection of sensitive environmental areas related to this primary corridor is a priority.**

Disturbance to the PMA is proposed at the eastern end of the property, and onto adjacent properties for the connection to a sanitary sewer pipe located in the Collington Branch stream valley. The impacts proposed have been minimized to the extent possible

A letter of justification dated March 24, 2008, was submitted for impacts proposed to the 100-year floodplain, nontidal wetlands and wetlands buffers on the eastern end of the site, associated with Collington Branch.

- 2. The specific design plan shall show the use of low-impact development stormwater management techniques, such as bioretention, french drains, depressed parking lot islands and the use of native plants, applied on this site to the greatest extent possible. In addition, the plan shall show the locations of, and details for, several informational kiosks that describe the use of low-impact development techniques and the green building design techniques for the library. The stormwater management pond shall be designed as an amenity with appropriate native plants and extensive landscaping to enhance the visual aesthetics of the off-site pond. All of the details described in this condition shall be shown on the SDP.**
- 3. The landscape plan submitted with the specific design plan shall demonstrate the use of conservation landscaping techniques that reduce water consumption and minimize run-off resulting from the use of fertilizers or chemical application to the greatest extent possible. The U.S. Fish and Wildlife Service publication "Native Plants for Wildlife Habitat and Conservation Landscaping – Chesapeake Bay Watershed" shall be used as a guide in developing the landscaping for the entire site.**
- 4. The landscape plan submitted at time of specific design plan application shall**

demonstrate the following:

- a. **A minimum of 20 percent tree canopy coverage on the portion of the property that is subject to the CDP. Tree canopy is measured using ten-year growth credits based on the size of the trees at time of planting. The tree canopy calculations shall be shown on the TCP II and the landscape plan.**
 - b. **Planting strips designed to promote long-term growth of trees and increase tree canopy coverage. These strips should be considered for bio-retention.**
 - c. **A distribution of tree planting throughout the site to provide shade to the maximum amount of impervious area.**
5. **Prior to acceptance of the review package of the SDP, it shall be evaluated to ensure that it includes a statement from the applicant regarding how green building techniques and energy conservation methodologies have been incorporated to the greatest extent possible.**
 6. **Prior to acceptance of the review package of the SDP, it shall be evaluated to ensure that it includes a lighting plan which addresses the use of alternative lighting technologies which minimize light intrusion into the residential areas both on-site and off-site and into environmentally sensitive areas off-site. The full cut-off optic light fixtures shall be used throughout the development and shall be directed downward to reduce glare and light intrusion. On the commercial portions of the site, particular attention shall be paid to the positioning and levels of lighting fixtures to eliminate light spill-over to the residential portions of the site.**

The conditions cited above will be addressed at the time of specific design plan application and review.

7. **Prior to certification of the CDP, the unmitigated 65 dBA (Ldn) contour shall be placed on the CDP and the TCP I and it shall appear on all future plan applications. The location of the contour shall be based on a Phase I noise study prepared by the applicant and be based on the ultimate right-of-way for Central Avenue, as determined by SHA and the centerline of the Pope's Creek railroad tracks located east of this site.**

The unmitigated 65 dBA (Ldn) noise contour has been placed on the preliminary plan and the TCP I.

8. **At time of specific design plan, a Phase II noise study shall be submitted which includes recommendations for reducing noise to meet State of Maryland interior and exterior noise standards for all impacted residential areas, and any recommended noise mitigation measures shall be shown on the plans.**

The condition cited above will be addressed at time of specific design plan application.

9. **Prior to the approval of building permits for residential uses, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.**

The above condition will be addressed prior to the issuance of permits.

- 10. At least 30 days prior to any Planning Board hearing on the preliminary plan, the applicant shall submit a Letter of Justification for impacts proposed to the PMA, and a variation request for any impacts to isolated wetlands and wetland buffers located outside of the PMA. All efforts shall be made and documented to avoid and minimize impacts.**

A letter of justification for impacts proposed to the PMA was submitted on March 24, 2008. The impacts proposed are necessary for sanitary sewer connections to the proposed development, and have been minimized to the extent possible.

- 11. Prior to the issuance of any permits for elements associated with the development of this site, including stormwater management, which impact wetlands, wetland buffers, streams or waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Planning Department.**

The above condition will be addressed at time of permit review.

- 12. At least 30 days prior to any hearing on the preliminary plan, the applicant shall coordinate a meeting between staff from the Department of Public Works and Transportation and the Environmental Planning Section, M-NCPPC, to discuss conceptual revisions to the overall site plan to accommodate low impact development techniques, tree canopy and other environmentally sensitive design features. The agreed upon conceptual design shall then be developed into a technical design at time of Specific Design Plan review.**

Due to timing consideration for this project, the Environmental Planning Section has agreed to defer the timing of the requested meeting to a minimum of 30 days prior to the submittal of the Specific Design Plan, and the applicant has agreed to accommodate low impact development techniques, tree canopy and other environmentally sensitive design features in the technical design of the specific design plan.

- 13. Prior to signature approval of the CDP, the TCP I shall be revised as noted below and the TCP I submitted with the preliminary plan shall also reflect the following revisions:**
 - a. Revise the woodland conservation worksheet to calculate the off-site woodlands as cleared and a mitigation requirement of one acre for each acre cleared.**
 - b. Remove the reforestation area from the parcel east of the railroad track or provide a commitment to include it in a mitigation bank.**
 - c. Add the following note to the plan: "The subject property (Parcel 27) is exempt from the Woodland Conservation Ordinance. The purpose of this Type I Tree Conservation Plan is to account for the off-site clearing on Parcel 82."**
 - d. Have the plan signed and dated by the qualified profession who prepared it.**

A revised TCP I was submitted. The woodland conservation worksheet on the revised TCP I still do not correctly reflect how the woodland conservation requirement on the site should be calculated, or how the requirement is being met. Prior to signature approval of the preliminary plan, the TCP I should be revised to correctly reflect the determination of the woodland

conservation requirements for the site using the standard woodland conservation worksheet, and indicate how the requirement will be fulfilled. The TCP I should be signed and dated by the qualified profession who prepared it.

ENVIRONMENTAL REVIEW

The site is generally suitable for the proposed development. Specific mitigation measures will be further analyzed during the development process by the Washington Suburban Sanitary Commission for installation of water and sewer lines, by the Department of Public Works and Transportation for the installation of street, the installation of stormwater management facilities, and general site grading and foundations. The Washington Suburban Sanitary Commission, and the Department of Public Works and Transportation may require additional soils reports during the permit process review.

Water and Sewer

The property is located within Water and Sewer Category 4. Category 3 must be obtained on the entire property before the approval of the final plat. A water line in Hall Road abuts the property. A sewer line is in close proximity to the property. An on-site system may be required. Water and sewer line extensions are required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission before approval of a final plat. This development will be served by public systems.

5. **Parks**—In accordance with Section 24-134 (a) of the Prince George’s County Subdivision Regulations, the Park Planning and Development Division of the Department of Parks and Recreation recommends to the Planning Board that the applicant provide adequate, private recreational facilities on-site in accordance with the standards outlined in the *Parks and Recreational Facilities Guidelines*. The applicant should allocate appropriate and developable areas for the private recreational facilities on homeowners associations open space land, which is to be reviewed by the Urban Design staff as part of the specific design plan for adequacy and proper siting.
6. **Trails**—The approved Bowie and vicinity master plan designates MD 214 and Hall Road as master plan bike/trail corridors. Policy 3 of the Bicycle, Pedestrian and Trail Facilities Section recommends that bicycle-friendly roadways are developed in conformance with the latest standards and guidelines. Strategies one and two under policy three recommend that roads be developed or retrofitted to include on-road bicycle facilities in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities, to the extent practical and feasible. In keeping with these recommendations, staff recommends the provision of “Share the Road with a Bike” signage along both Hall Road and MD 214. MD 214 currently already includes wide paved shoulders to safely accommodate cyclists. Hall Road is currently a narrow, two-lane open section road.

Policy 2 states, “Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development.” The submitted CDP includes a conceptual network of pedestrian connections. This appears to be comprehensive and extends throughout the subject site. This network includes pedestrian accommodations along Hall Road, as well as to and between the library, commercial/office space, and the adjacent residential development. The specific design plan should, at a minimum, provide the level of pedestrian connections that are shown conceptually on the comprehensive design plan.

The approved Basic Plan A-9838 includes the following wording regarding the pedestrian network:

A pedestrian system will be developed to provide safe and adequate movement between the two retail “pods,” within the “pods” themselves, and between the center and the residential communities to the north.

The basic plan also indicates that access to the activity center from the surrounding community will be from Hall Road with the following wording:

Access to the area should be from Hall Road. (This will require upgrading a portion of Hall Road to a 70-foot-wide right-of-way.)

Staff recommends the provision of an eight-foot wide sidewalk along Hall Road as this will be the primary access point to the center from the existing residential communities to the north. Sidewalk connections and widths will be evaluated more fully at the time of specific design plan.

The approved Bowie and vicinity master plan recommend that both Central Avenue (MD 214) and Hall Road be designated as a Class III bikeway with appropriate signage. The right-of-way for Central Avenue (MD 214) is maintained by the Maryland State Highway Administration (SHA) and the right-of-way for Hall Road is maintained by the Prince George’s County Department of Public Works and Transportation (DPW&T). If additional road frontage improvements are required by DPW&T, a wide asphalt shoulder or wide outside curb lane should be considered to accommodate bicycle traffic.

Each agency should have the opportunity to review the proposed locations for the signage to ensure they are acceptable. The developer would purchase the signs from the state and install them along Central Avenue (MD 214) in accordance with the state’s Manual on Uniform Traffic Control Devices dealing with the section on bicycle facilities. DPW&T requires a financial contribution of \$210 for signage along Hall Road. Two notes should be placed on the final plat requiring that both a financial contribution of \$210 to the DPW&T for the placement of this signage and the installation of the signs purchased from SHA will take place prior to the issuance of the first building permit.

7. **Transportation**—On November 14, 2005, the District Council approved Basic Plan A-9838, with conditions and considerations, in Ordinance 60-1989. The approval of the basic plan by the District Council was predicated on 20 conditions and 6 considerations, including the following pertaining to transportation:

15. **The Basic Plan shall be revised to show one access point on MD 214 and three points on Hall Road, subject to the approval by the State Highway Administration.**

16. **Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

A. **Provide an additional continuous westbound through lane from east of Devonwood Drive to west of Church Road. At the intersections, this lane shall be striped to allow through and right-turn movements.**

- B. Provide a traffic signal, if warranted. Warrants shall be determined by the submittal of an acceptable traffic signal warrant study to SHA for this intersection. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by SHA at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by SHA.**

- C. Provide exclusive southbound right-turn and left-turn approach lanes, an exclusive eastbound left-turn lane, and an exclusive right-turn lane in accordance with SHA access requirements.**

TRAFFIC STUDY ANALYSIS

In November 2007, staff received a traffic study in support of the comprehensive design plan (CDP) phase of the subject property. In February 2008, staff received a similar study in support of the subject preliminary plan of subdivision application. It is worth mentioning that subsequent to the submission of the CDP, the applicant has proposed a modification to the plan resulting in approximately 30 fewer trips during either peak hour. However, for the purposes of the traffic impact analyses, the original (and more conservative) trip estimates were used in the findings of adequacy for the subject application.

The study identified the following intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 214 & Church Road	D/1,331	B/1,143
MD 214 & Jennings Mill Road-Devonwood Drive	B/1,099	A/866
Devonwood Drive & Hall Road **	B/12.4 Seconds	A/10.0 Seconds
Hall Road & Pointer Ridge Drive **	B/11.4 Seconds	A/10.7 Seconds
MD 214 & Hall Road **	F/511.2 Seconds	F/73.4 Seconds
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service E, which is deemed acceptable, corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1.450 or less is deemed acceptable as per the guidelines.		

The study cited 12 approved background developments that collectively will impact the above intersections during the morning and evening peak hours. Additionally, a regional growth rate of one percent was applied to the through traffic along MD 214 for two years, to reflect a 2009 build-out. A second analysis of the background developments with growth factored in was done, and revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 214 & Church Road With improvements by Oak Creek Club	F/1,746 E/1,539	F/1,731 C/1,273
MD 214 & Jennings Mill Road-Devonwood Drive	D/1,325	B/1,139
Devonwood Drive & Hall Road **	B/12.6 Seconds	A/10.0 Seconds
Hall Road & Pointer Ridge Drive **	B/12.2 Seconds	A/12.8 Seconds
MD 214 & Hall Road (signalized by Karrington Dev.)	C/1273	C/1159

The following uses were assumed in the traffic study:

- 40,744 square feet of retail
- 158 townhouses
- 50,000-square-foot library

Using the “Guidelines For The Analysis Of The Traffic Impact Of Development Proposals,” as well as the Institute of Transportation Engineer’s (ITE) Trip Generation Manual (7th edition), the proposed development would add 207 (88 in, and 119 out) AM peak-hour trips and 677 (350 in, 327 out) PM peak-hour trips at the time of full build-out. The study assumed a 60 percent trip reduction rate due to the effect of pass-by traffic. This rate reduction is consistent with staff’s guidelines.

As was the case for the background analyses, the study assumed full build-out up to the year 2009. Applying a growth rate of 1 per year for through traffic along MD 214 and combining the site-generated traffic along with background developments, the following results were determined:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 214 & Church Road With improvements by Oak Creek Club	F/1,746 E/1,539	F/1,731 C/1,273
MD 214 & Jennings Mill Road-Devonwood Drive	D/1,325	B/1,139
Devonwood Drive & Hall Road **	B/12.6 Seconds	A/10.0 Seconds
Hall Road & Pointer Ridge Drive **	B/12.2 Seconds	A/12.8 Seconds
MD 214 @ Site Access	B/1,111	B/1,143
Hall Road @ Commercial Site Access **	B/10.0 Seconds	B/11.9 Seconds
Hall Road @ Residential Site Access **	B/11.0 Seconds	B/11.8 Seconds
MD 214 & Hall Road (signalized by Karrington Dev.)	C/1,330	C/1,230

Based on the results shown in the aforementioned table, all of the intersections were shown to operate at adequate levels of service.

STAFF REVIEW AND COMMENTS

Upon review of the applicant's traffic study, staff concurs with its findings and conclusion. In addition to the planning staff, the November 2007 study was reviewed by two other agencies, the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T). In a December 13, 2007, memorandum to staff (Issayans to Burton), DPW&T expressed concerns regarding the timing of the signalization of the Hall Road-MD 214 intersection. Specifically, it questioned whether the Karrington development will be able to provide the improvement in time for the projected 2009 build-out of the subject development. A similar concern was echoed regarding the proposed improvements (by the Oak Creek developers) at Church Road and MD 214. In both cases, DPW&T recommended that the applicant should also be conditioned to provide the same improvements at the afore-mentioned intersections.

In addition to the applicant participating in road improvements by others, DPW&T also suggested that the development be limited to a partial (right-in, right-out) access on MD 214 rather than the full movement access that was assumed in the traffic study. The rationale was that MD 214 functions as a high-speed facility, and combined with the fact that there is a nearby existing signalized intersection, through which the proposed development could be accessed.

In a January 22, 2007, memorandum to staff (Foster to Burton), SHA expressed its concurrence with all of the traffic study findings. Unlike DPW&T, SHA supported the need for a full movement access on MD 214 with the caveat that the eastbound left turn lane has sufficient length to support the left turn movement. From an operational perspective, SHA emphasized the

importance of providing adequate acceleration and deceleration lanes along MD 214 as well as at the driveways on Hall Road. Like DPW&T, SHA also supports the idea of the applicant being conditioned to provide improvements at MD 214 and Church.

While staff fully supports both DPW&T and SHA's position regarding sharing of the improvements at the intersections of MD 214 with Church Road and Hall Road, staff would have required the applicant to provide improvements regardless, since those improvements were used as the basis of the applicant's adequacy finding.

Regarding the proposed access to Central Avenue (MD 214), the applicant has filed a variation request pursuant to Section 24-121(a) (3) based on MD 214 being an expressway. Section 24-113 of the Subdivision Regulations contains four required findings [text in bold] to be made before a variation can be granted.

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

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**
- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

In the justification for this variation request, the applicant presents the argument that the property fronts on two roads: MD 214 and Hall Road. The granting of the variation will not be detrimental to the public safety, or health, or welfare, or injurious to other property. The subject property is a triangular shaped parcel located at the intersection of Central Avenue (MD 214) and Hall Road (P-300). The stated transportation strategies in the Bowie and Vicinity Master Plan and Sectional Map Amendment for this specific intersection of Central Avenue and Hall Road is "to avoid or minimize adverse impacts on residential development located on the north side of Central Avenue," (pg. 45, Approved Bowie and Vicinity Master Plan and Sectional Map Amendment). In response to the strategies for roadway improvements stated in the Master Plan, the Hall Station Village Activity Center proposes its primary access point onto Central Avenue, with three secondary access points onto Hall Road, which is unique to this property and is not applicable to other properties in this area because it is specifically addressed as part of the approved master plan. The variation does not constitute a violation of any other applicable law, ordinance or

regulation. The genesis of the concept for the proposed access to the development is a stated strategy of the approved the Bowie and Vicinity Master Plan. The access point onto Central Avenue will conform to the Master Plan's strategy by providing the primary access point to serve the retail and library portion of the development, thereby minimizing traffic impacts at the Central Avenue/Hall Road intersection and the residential development along Hall Road. If the strict letter of the regulations were to be followed, denying direct access onto Central Avenue (MD 214), all of the proposed development's traffic would channel onto Hall Road, possibly resulting in adverse impacts to the area's residential development. Staff concurs that should access to MD 214 be denied, then all of the traffic to and from the site would be via Hall Road. The concentration of the site traffic on Hall Road could have an adverse impact on the area's residential development. Staff agrees with this assessment and therefore is in general support of this variation request. The Maryland State Highway Administration, in its January 22, 2007, letter to staff (Foster to Burton), also supports this request.

TRANSPORTATION STAFF FINDINGS

The proposed developments would generate 174 (82 in, and 92 out) AM peak-hour trips and 645 (328 in, 317 out) PM peak-hour trips at the time of full build-out, as determined using "The Guidelines for the Analysis of the Traffic Impact of Development Proposals," as well as the Institute of Transportation Engineer's (ITE) Trip Generation Manual (7th edition). The traffic generated by the proposed developments would impact the following intersections:

- MD 214 and Church Road
- MD 214 and Jennings Mill Road-Devonwood Drive
- MD 214 and Site Access
- Hall Road and Site Access 1
- Hall Road and Site Access 2
- Devonwood Drive and Hall Road
- Hall Road and Pointer Ridge Drive
- Hall Road and MD 214

None of the aforementioned intersections is programmed for improvement with 100 percent construction funding within the next six years in the current (FY 2007–2012) Prince George's County Capital Improvement Program (CIP).

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

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;

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.

All of the intersections identified above, when analyzed with the total future traffic as developed using the Guidelines, and ITE's Manual, were found to be operating adequately except the following:

- MD 214 @ Church Road
- MD 214 @ Hall Road

At least two other developers were conditioned to provide improvements at one or both of the intersections. However, since those improvements were used by this applicant in making an adequacy finding, this applicant will also be required to provide similar improvements. Those improvements are to be implemented at the intersection of MD 214 and Hall Road and at the signalized intersection of Church Road and MD 214. The improvements at the intersection of MD 214 and Hall Road shall include:

The provision of a shared left/through/right lane on the southbound Hall Road approach; a left turn, two through and a right turn lane on the eastbound approach; a double left turn, and a shared through-right turn lane on the northbound approach; a left turn, two through and a right turn lane on the westbound approach; the installation of a traffic signal subject to SHA requirements

The improvements at the signalized intersection of Church Road and MD 214 shall include: The provision of a double left turn, two through lanes and a shared through-right turn lane on the eastbound approach; a separate left, through and right lanes on the southbound; a double left turn, two through lanes and a shared through-right turn lane on the westbound approach; a double left turn, a through lane and a right turn lane on the northbound

The intersections identified above will both operate acceptably as a result of the improvements proffered by the applicant. All of the remaining intersections previously identified will operate adequately, provided all of the improvements in the traffic study are implemented.

TRANSPORTATION STAFF CONCLUSIONS

The Transportation Planning Section concludes that the staging of development will not be an unreasonable burden on available public facilities as required by Section 24-124 of the Prince George's County Code if the application is approved with conditions.

8. **Lot Depth Variation**—The applicant submitted a variation request to allow for residential lot depths of less than 150 feet along an arterial expressway. The applicant states that the design of the proposed development “creates a centralized location for the recreational area, increasing its accessibility for residences. The less intense residential townhouse lots were located at the perimeter of the property, along the adjoining residentially zoned property to the northeast and along the proposed stormwater management facility to the east.”

There are two proposed Lots that do not comply with the requirements of Subdivision Regulation Section 24-121(a)4, Lot 29 and Lot 30. Proposed Lot 29 is approximately 140 feet from Central Avenue (MD 214) and proposed Lot 30 is approximately 100 feet from Central Avenue (MD 214). The fronts of both of the proposed lots open to proposed open space. The rears of proposed Lots 29 and 30 are adjacent to a proposed stormwater management facility and walking trails. The sides of proposed Lot 29 are attached to proposed Lots 28 and 30 respectively. The left side of proposed Lot 30 fronts Central Avenue (MD 214). This side of the Lot will contain a planted buffer and a decorative screen wall to separate the residences from Central Avenue

(MD 214). Section 24-113 of the Subdivision Regulations contains four required findings [text in bold] to be made before a variation can be granted.

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

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**
- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property. The subject property is a triangular shaped parcel located at the intersection of Central Avenue (MD 214) and Hall Road (P-300). The purpose of the design of the preliminary plan is to cluster the complimentary developments and gradually decrease the intensity of the development based upon its use. The more intense attached two-family dwellings are located adjacent to the office and retail uses. The less intense townhouse lots were located at the perimeter of the property, along the adjoining residentially zoned property to the northeast and along the planned stormwater management pond to the east. Both proposed Lots 29 and 30 are located in this area which is within 150 feet of Central Avenue (MD 214). The variation does not constitute a violation of any other applicable law, ordinance or regulation. If the strict letter of the regulations were to be followed, it could result in the elimination of the two proposed lots, which would have an adverse impact on the proposed development. Staff concurs with the applicant's justification that a proposed planted buffer per the *Landscape Manual* and a decorative wall in conformance with the design standards and guidelines recommended as part of the pending comprehensive design plan for Hall Station serves as adequate protection and screening from traffic nuisances. Staff is in support of the variation request with the condition that this relationship is reviewed as part of the specific design plan.

9. **Fire and Rescue Services**— This preliminary plan of subdivision was reviewed for adequacy of fire and rescue services for residential development in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Regulations. Public Facilities staff have determined that this preliminary plan is within the required seven-minute response time for the first due fire station Bowie Company #43, using the Seven-Minute Travel Times and Fire Station

Locations Map provided by the Prince George’s County Fire Department. Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn fire and rescue personnel staffing levels. The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

For Commercial development, the existing engine service at Pointer Ridge Fire Station, Company 43, located at 16408 Pointer Ridge Drive has a service travel time of 3.03 minutes, which is within the 3.25-minute travel time guideline. The existing paramedic service at Pointer Ridge Fire Station, Company 43, located at 16408 Pointer Ridge Drive, has a service travel time of 3.03 minutes, which is within the 7.25-minute travel time guideline. The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road has a service travel time of 11.49 minutes, which is beyond the 4.25-minute travel time guideline. The existing ladder truck service located at Marlboro, Company 45 is beyond the recommended travel time guideline. The nearest fire station Pointer Ridge Company 43 is located at 16408 Pointer Ridge Drive, which is 3.03 minutes from the development. This facility would be within the recommended travel time for ladder truck service if an operational decision to locate this service at that facility is made by the county. The above findings are in conformance with the Adopted and Approved Public Safety Master Plan 1990 and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

- 10. Police Facilities—The subject property is located in Police District II. The response time standard for priority calls is 10 minutes and 25 minutes for nonpriority calls. The times are based on a rolling average for the proceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on February 22, 2008.

Reporting Cycle	Previous 12 Month Cycle	Priority Calls	Non-priority
Acceptance Date February 22, 2008	01/07 - 01/08	10 minutes	17 minutes
Cycle 1	03/08	9 minutes	14 minutes
Cycle 2			

The response time standards of 10 minutes for priority calls and 25 minutes for nonpriority calls were met on February 22, 2008. The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police personnel staffing levels.

The approved 2002 General Plan addresses the provision of public facilities that will be needed to serve existing and future county residents. The plan includes planning guidelines for police and they are:

Station space per capita: 141 square feet per 1,000 residents

The police facilities test is conducted 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 II, Bowie.

11. **Public Schools**—The 110 town houses proposed are projected to generate 27 elementary students, 7 middle school students, and 13 high school students. The Prince George’s County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,870 per dwelling if a building is located between I-495 and the District of Columbia; \$7,161 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$13,493 per dwelling for all other buildings. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.
12. **Library Facilities**—The site plan indicates a proposed 50,000-square-foot library with a community meeting room. The provision of this library branch is in accord with the approved Bowie-Collington and vicinity master plan which specifically recommended that a South Bowie Regional library branch be placed on this site on Central Avenue at Hall Road. This proposed library was also listed in the approved 2007-2012 Capital Improvement Program. The project number is HL719313.

The District Council has approved Zoning Case A-9838-C which states that construction of the library shall proceed concurrently with construction of the first phase of the project. If the applicant constructs the library, the construction shall conform to the building program approved by the Prince George’s County Memorial Library system.

13. **Stormwater Management**—A Stormwater Management Concept Plan, 46304-2006-04, was approved by the Department of Public Works and Transportation on December 12, 2007, and expires on December 12, 2010. Copies of the stormwater management concept approval, CSD #46304-2006-04, letter and plan were submitted with this application. Development of the site must be in accordance with this approved plan and any revisions.
14. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Hall Station property and has no comments to offer.
15. **Archeology**—A Phase I archeological survey was completed on the 18.1-acre Hall Station Property in January 2008. The property was divided into three survey areas, A, B, and C. Area A consists of 14.6 acres, Area B consists of a 2.3 acre parcel between the Conrail Railroad tracks to the east, Central Avenue to the south and Areas to the west. Area C is a 1.26 acre tract located between Collington Branch on the east and the railroad tracks to the west. Four copies of the final report, A Phase I Archeological Investigation of the Hall Road Property, Prince George’s County, Maryland, Preliminary Plan 4-06126, were received and were accepted by Historic Preservation staff on April 9, 2008. One archeological site, 18PR926, consisting of the remains of a late 19th- to early 20th-century brick and concrete block foundation and a wood-framed building, was identified in the eastern portion of the study area to the west of the railroad tracks. Due to the lack of intact cultural deposits and the disturbed nature of the project area, no further work was recommended on site 18PR926. Staff concurs that no additional archeology work is necessary on the Hall Road Property. However, staff recommends that interpretive signage be developed that discusses the development of the small community around the railroad stop of Hall’s Station and the saw and grist mill business that was once located on the subject property.

16. **Historic Preservation**—This proposed subdivision will have no effect on historic resources.
17. **City of Bowie**—The City of Bowie scheduled two public hearings regarding the subject application. The City's Bowie Advisory Planning Board (BAPB) conducted a public hearing on Tuesday, April 8, 2008, about Preliminary Plan 4-06126 Hall Station and recommended disapproval to the City Council. The Board's reasoning was based on the testimony of one individual who lives on the north side of Hall Road, and whose property is not in the City of Bowie. It was the first time that we know of, that this person attended any of the Hall Road public hearings. His concern was with the future widening of Hall Road and the accommodation of pedestrian access (sidewalks) on the north side of Hall Road, from Devonshire Estates, east toward Pointer Ridge Drive, (per F. Stevens e-mail dated April 11, 2008). The Bowie City Council is scheduled to discuss the subject application on Monday, April 21, 2008. A representative from the City of Bowie is expected to be present to communicate to the Planning Board the outcome of that public hearing.

RECOMMENDATION

Therefore, staff recommends APPROVAL of 4-06126 and variations to 24-121 (a) (3) and 24-121 (a) (4) subject to the following conditions:

1. A minimum of 30 days prior to submittal of the specific design plan, the applicant shall coordinate a meeting between staff from the Department of Public Works and Transportation and the Environmental Planning Section, M-NCPPC, to discuss conceptual revisions to the overall site plan to accommodate low impact development techniques, tree canopy and other environmentally sensitive design features. The specific design plan shall reflect revisions to CDP and the preliminary plan to accommodate low impact development techniques, tree canopy, and environmentally sensitive design features.
2. Prior to signature approval of the preliminary plan, the TCP I shall be revised as follows:
 - a. Revise the woodland conservation worksheet to correctly reflect the determination of the woodland conservation requirement for the site using the standard woodland conservation worksheet, and indicate how the requirement will be fulfilled.
 - b. Have the plan signed and dated by the qualified profession who prepared it.
3. Preliminary Plan of Subdivision 4-06126 shall be in conformance to the approved Comprehensive Design Plan CDP-0602 for this site and any conditions attached to the approval of CDP-0602 applicable to the Preliminary Plan of Subdivision 4-06126.
4. As part of the approval of the specific design plan, the applicant shall revise the minimum pavement width to 22 feet for the proposed street that serves the townhouses.
5. The applicant and the applicant's heirs, successors, and/or assigns shall provide the installation of one "Share the Road with a Bike" sign in accordance with state requirements. However, prior to the Planning Board conditioning the placement of the signs, SHA should have the opportunity to review the proposed locations to ensure they are acceptable. The developer would purchase the signs from the state and install them in accordance with the state's Manual on Uniform Traffic Control Devices dealing with the section on bicycle facilities. A note shall be placed on the final plat that installation will take place prior to the issuance of the first building permit.

6. The applicant and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit. If additional road frontage improvements are required by DPW&T, a wide asphalt shoulder or wide outside curb lane should be considered to accommodate bicycle traffic.
7. The applicant, the applicant's heirs, successors, and/or assigns, shall provide an eight-foot-wide sidewalk along the subject site's entire frontage of Hall Road, unless modified by DPW&T.
8. The specific design plan shall, at a minimum, provide the level of pedestrian connections that are shown conceptually on the comprehensive design plan.
9. At the time of final plat of subdivision, the applicant shall be conditioned to dedicate all rights-of-way for MD 214 and Hall Road as identified on the preliminary plan.
10. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors and/or assignees:
 - a. At the intersection of MD 214 and Hall Road:
 - Provide a shared left/through/right lane on the southbound Hall Road approach
 - Provide a left turn, two through and a right turn lane on the eastbound approach
 - Provide a double left turn, and a shared through-right turn lane on the northbound approach
 - Provide a left turn, two through and a right turn lane on the westbound approach
 - Install a traffic signal subject to SHA requirements
 - b. At the signalized intersection of Church Road and MD 214:
 - Provide a double left turn, two through lanes and a shared through-right turn lane on the eastbound approach
 - Provide a separate left, through and right lanes on the southbound
 - Provide a double left turn, two through lanes and a shared through-right turn lane on the westbound approach
 - Provide a double left turn, a through lane and a right turn lane on the northbound
 - c. At the intersection of MD 214 and Site Access:
 - Provide a separate left and right lane on the southbound approach

- Provide a left turn and two through lanes on the eastbound approach
 - Provide a right turn, and two through lanes on the westbound approach
 - Install a traffic signal subject to SHA requirements
- d. At the intersections of Hall Road and both site accesses:
- Provide a separate left and through lane on the westbound approach
 - Provide a shared through and right turn lane on the eastbound approach
 - Provide a shared left and right turn lane on the northbound approach
11. Development of this property shall be limited to a mix of uses where the net new trips shall not exceed 207 AM peak-hour trips and 677 PM peak-hour trips. Any development generating a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
12. Development of this site shall be in conformance with the Stormwater Management Concept Plan No. 46304-2006-04 (approved December 12, 2007) and any subsequent revisions.
13. As part of the first specific design plan approval, the applicant, his heirs, successors, and/or assignees shall obtain Historic Preservation Commission or Historic Preservation staff approval for an interpretive sign, its location, design, and trigger for installation.
14. The applicant shall provide adequate, private recreational facilities on-site in accordance with the standards outlined in the *Parks and Recreational Facilities Guidelines*.
15. The applicant shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Section of DRD for adequacy and property siting in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*, at the time of specific design plan approval.
16. Prior to the approval of building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
17. The land to be conveyed to a homeowner's association or other entity shall be subject to the applicable conditions as follows:
- a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.

- d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowner's association shall be in accordance with an approved specific design plan or shall require the written consent of the DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, and utility placement and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowner's association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowner's association for stormwater management shall be approved by DRD.
 - h. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent land, owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to M-NCPPC, without the review and approval of DPR.
 - j. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
18. The applicant, his heirs, successors and/or assignees shall submit three original, executed recreational facilities agreements (RFA) to DRD for construction of recreational facilities on homeowners land, three weeks prior to the submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records.
 19. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land, prior to the issuance of building permits.
 20. The applicant and the applicant's heirs, successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreation facilities.
 21. Prior to the approval of the specific design plan the applicant shall show the bicycle linkages and the proposed pedestrian linkage to the trail along the stormwater management facility on the adjacent property.
 22. As part of the approval of the specific design plan the applicant shall provide a plant buffer and

decorative wall along Central Avenue in conformance with the design standards and guidelines of the approved comprehensive design plan for Hall Station.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN TCPI/004/08