

R E S O L U T I O N

WHEREAS, Ludlow King III is the owner of a 45.93-acre parcel of land known as Tax Map 60 in Grid E-3 and is also known as Parcels 27, 276, 272, and Outparcel A, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned Mixed-Use Transportation-Oriented (M-X-T); and

WHEREAS, on October 6, 2011, Ludlow King III filed an application for approval of a Preliminary Plan of Subdivision for 2 parcels and 1 outparcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-10022 for King Property was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on February 23, 2012, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on February 23, 2012, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCPI/001/11/01), and further APPROVED Preliminary Plan of Subdivision 4-10022, King Property, including a Variation from Section 25-122(b)(1)(G) for 2 parcels and 1 outparcel with the following conditions:

1. Prior to signature approval of the preliminary plan, the following corrections shall be made:
  - a. Revise Note 1 to indicate that Mandatory Parkland Dedication is met by on-site private recreation facilities.
  - b. Make the font darker for the label of the proposed Parcel A and B.
  - c. Revise Note 19 to add the approval date of the stormwater concept plan.
  - d. Show the additional three feet of right-of-way (ROW) dedication along the north side of Ruby Lockhart Boulevard to implement the eight-foot-wide sidepath.
  - e. Revise Note 13 to clearly indicate the permitted FAR, density bonus factors utilized and the proposed gross floor area (GFA) on the plan.

- f. Revise Note 9 to reflect the Planning Board approval of the CSP.
  - g. Revise Note 10 to accurately reflect net tract area (gross tract minus flood plain only).
  - h. Add tax map, grid and existing parcel description in general notes.
  - i. Update revision block.
  - j. Update existing/proposed parcel labels for clarification.
2. Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised as follows:
- a. Revise all symbols on the plan to be in conformance with the standard symbols found in the Environmental Technical Manual.
  - b. Revise the labels for the areas currently shown as “excluded preservation” to “woodland retained but not part of requirements” and revise the symbol for these areas to the standard symbol.
  - c. Revise the woodland conservation areas located adjacent to the floodplain, and currently labeled as “excluded preservation,” to be areas of preservation.
  - d. Revise the woodland conservation areas located centrally along the frontage of Ruby Lockhart Boulevard to be areas of “woodland counted as cleared.”
  - e. Using the standard symbols, show and label clearing areas located off-site and in the floodplain.
  - f. Ensure that all proposed woodland conservation areas meet the minimum design criteria per Section 25-122(b) and Section 25-122(b)(E) of the Subdivision Regulations.
  - g. Show all existing and proposed easements and rights-of-way as cleared, or counted as cleared (including the 70-foot right-of-way dedication labeled as I-310).
  - h. Remove the proposed treeline from the plan and the legend.
  - i. Revise the worksheet to reflect all changes made to the plan.
  - j. Replace the notes currently labeled as “maintenance plan for tree save area” and “general notes” with the standard TCPI notes.
  - k. Have the plan signed and dated by the qualified professional who prepared it.

1. Include a site statistics table including the following information: gross tract area, existing 100-year floodplain, net tract area, existing woodland in the floodplain, existing woodland net tract, existing woodland total, existing PMA, and regulated streams (linear feet of centerline).
3. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-001-11-01). The following note shall be placed on the Final Plat of Subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-001-11-01 or most recent revision), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
4. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area (PMA) except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
5. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
6. Prior to approval of the Detailed Site Plan, the applicant shall demonstrate that the proposed off-site sewer alignment to the north through Balk Hill Village is the most environmentally appropriate and viable option to serve the northern portion of the site. This shall include providing information of the status of the Washington Suburban Sanitary Commission (WSSC) review and/ or approval of the proposed off-site sewer alignment to the north through Balk Hill Village.
7. The Detailed Site Plan application package shall include information regarding the status of the WSSC review and/ or approval of the proposed off-site sewer alignment to the north through Balk Hill Village.

8. Prior to approval of the Detailed Site Plan, the proposed off-site sewer connection to the north through Balk Hill Village shall be approved by all appropriate agencies and reflected on the approved Detailed Site Plan DSP-04067, if necessary.
9. Development of this site shall be in conformance with Stormwater Management Concept Plan 21914-2009-00, and any subsequent revisions.
10. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall provide the following:
  - a. Dedicate a ten-foot public utility easement (PUE) along the public right-of-way as delineated on the approved preliminary plan of subdivision.
  - b. Dedicate the Parcel 276 (37,798 square feet) for Ruby Lockhart Boulevard and I-310 right-of-way (57,934 square feet) as shown on the approved preliminary plan.
  - c. Dedicate the additional right-of-way of no more than an additional three feet along the north side of Ruby Lockhart Boulevard as shown on the approved preliminary plan.
  - d. The final plat shall reflect that direct vehicular access to Lottsford Road and Landover Road (MD 202) is denied.
11. Any change of use for the subject site that requires a revision to the approved Conceptual Site Plan, CSP-10004 shall require a new preliminary plan, if determined necessary at the time of the revised CSP.
12. Prior to approval of the Detailed Site Plan, private on-site recreational facilities for Parcel A shall be reviewed for adequacy and proper siting. An appropriate mix of recreational facilities shall be specified at that time and triggers for their construction determined.
13. Prior to approval of final plats, the applicant and the applicant's heirs, successors, and/or assignees, shall submit three original executed Recreational Facilities Agreements (RFA) to The Maryland-National Capital Park and Planning Commission (M-NCPPC) Prince George's County Planning Department, Development Review Division (DRD) for the construction of private recreational facilities on-site. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Maryland.
14. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees, shall submit a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, for the construction of private on-site recreational facilities.
15. Prior to the approval of building permits for Parcel B (nonresidential, Phase II), 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 (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

a. **MD 202 at Lottsford Road:**

- (1) Convert the existing eastbound right-turn lane to a shared through/right-turn lane.
- (2) Convert the westbound shared through/left-turn lane to left-turn only (maintaining two through lanes and two left-turn lanes).
- (3) Changing the existing split signal phasing to concurrent phasing on the Lottsford Road approaches.
- (4) Modify the median and signals accordingly, as required by the operating agency.

b. **Lottsford Road at Campus Way North:**

- (1) Provision of a second southbound left-turn lane along Campus Way.

16. Prior to the approval a detailed site plan for Parcel A or B, the applicant shall submit an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Lottsford Road and Ruby Lockhart Boulevard/Palmetto Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with DPW&T prior to the release of any building permits within the subject property, and complete installation at a time when directed by DPW&T. Such installation shall also include:

- a. The restriping and/or minor widening of the northbound Palmetto Drive approach to provide two approach lanes to the intersection.
- b. The restriping of the southbound Ruby Lockhart Boulevard approach to provide three approach lanes to the intersection.

17. Prior to the approval building permits for Parcel A (residential, Phase I), the applicant shall submit an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Ruby Lockhart Drive and the residential access. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the

applicant shall bond the improvements with DPW&T prior to the release of any residential building permits under Phase I, and complete installation at a time directed by DPW&T.

18. Prior to the approval of the detailed site plan for Parcel B (nonresidential, Phase II), the applicant shall submit an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Ruby Lockhart Drive and the commercial access. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with DPW&T prior to the release of any commercial building permits under Phase II, and complete installation at a time when directed by DPW&T.
19. Total development within the subject property shall be limited to uses which generate no more than 514 AM and 963 PM peak hour vehicle trips. Any development generating an 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. For purposes of staging transportation improvements, Phase I shall be any residential development consistent with the approved conceptual site plan within Parcel A, and Phase II shall be any nonresidential development consistent with the approved conceptual plan within Parcel B.
20. Prior to the approval of building permits for Parcel B (nonresidential, Phase II), the un-built portion of Ruby Lockhart Boulevard between the subject site and St. Josephs Drive shall (a) have full financial assurances, (b) have been permitted for construction through the DPW&T permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.

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

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	M-X-T	M-X-T
Use(s)	Miscellaneous farm structures (to be razed)	Commerical (169,326 sq.ft.), Multifamily (96 units), Duplexes (74 units), Townhouses (40 units)
Acreage	45.93	45.93
Lots	0	0
Outlots	1	1
Parcels	4	2
Dwelling Units	0	210
Public Safety Mitigation Fee	No	No
Variance	No	Yes, 25-122(b)(1)(G)
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on October 28, 2011.

3. **Community Planning**—The 2002 *Prince George’s County Approved General Plan* designates the subject property within 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 centers that are increasingly transit serviceable. The preliminary plan is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier by proposing residential and commercial development. Approval of this application does not violate the General Plan’s growth goals for the year 2025, upon review of Prince George’s County’s current General Plan Growth Policy Update.

The land use proposed by this preliminary plan conforms to the land use recommendations of the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* employment-generating commercial uses and a possible residential component on this development site. The property was rezoned to I-3 by Zoning Map Amendment A-9604-C, in 1988. The 1990 Largo-Lottsford SMA retained this property in the I-3 (Planned Industrial/Employment Park) Zone. The property was reclassified in 2010 to the M-X-T (Mixed Use – Transportation Oriented) Zone by Zoning Map Amendment A-10020-C.

4. **Previous Approvals**—The site was originally a part of the Zoning Map Amendment A-9604-C approved by the District Council on April 15, 1988, rezoning approximately 111.12 acres of the larger Addison-King Property from the R-R (Rural Residential) Zone to the I-3 Zone. The subject property is a portion of that larger property.

The District Council approved a Conceptual Site Plan CSP-96046 for the Addison-King Property, for approximately 109.46 acres on December 3, 1997 which in part included the subject site in its entirety. The Planning Board approved Preliminary Plan of Subdivision 4-97013 and Type I Tree Conservation Plan TCPI/05/97-01 for the Addison-King Property, which covered approximately

110 acres on April 3, 1997. This preliminary plan created Lot 1, which contains the adjoining church to the east, and Outlot A, which is part of this application.

On July 12, 2010, the District Council approved the rezoning of the subject site from the I-3 Zone to the M-X-T Zone through Zoning Map Amendment A-10020-C. The District Council approved the rezoning with eleven conditions (Zoning Ordinance No. 6-2010). The M-X-T Zone requires a conceptual site plan (CSP) and a detailed site plan (DSP) be approved for all uses and improvements. The applicant has submitted Concept Site Plan, CSP-10004 for the proposed mixed-use office and residential development on this site and the CSP was approved by the Planning Board on December 8, 2011.

**Conformance with Zoning Map Amendment A-10020-C**

On February 18, 2010, after review of the Technical Staff Report for Zoning Map Amendment A-10020, the Prince George's County Planning Board did not schedule the application for public hearing. The application was transmitted directly to the District Council/Zoning Hearing Examiner, and the Technical Staff's recommendation constituted the Planning Board's recommendation. The Zoning Map Amendment A-10020-C, for the subject property was approved by the District Council on July 12, 2010 (Zoning Ordinance No. 6-2010) with 11 conditions. The following conditions in **[bold]** are applicable to this preliminary plan of subdivision:

- 1. The applicant shall observe these recommendations [should be observed] during the preparation and review of the Conceptual Site Plan (CSP):**
  - a. The site plan shall provide adequate open space at the perimeter, as determined by the Urban Design Section, to serve as a buffer between the project and adjacent lower-density residential development and the church.**
  - b. Wherever possible, living areas shall be linked to community facilities, transportation facilities, employment areas, and other living areas by a continuous system of pedestrian walkways and bike trails utilizing the open space network.**
  - c. Buffering in the form of landscaping, open space, berming, attractive fencing, and/or other creative site planning techniques should be utilized to protect existing residential areas, particularly those interfaces with the multifamily buildings in Phase 1 and that adjoining the church in Phase 2.**

Conformance to Condition 1 was evaluated at the time of conceptual site plan, and will further be reviewed with the detailed site plan.

- 2. All future submissions for development activities on the subject property shall contain the following:**



- a. **A signed Natural Resources Inventory (NRI).**
- b. **A Tree Conservation Plan that covers the entire subject property.**

The above condition has been addressed. A Type 1 Tree Conservation Plan, TCP1/001/11/01 and an approved Natural Resource Inventory, NRI/010/10/01, were submitted with this preliminary plan and have been reviewed.

3. **At the time of CSP review, the Applicant and staff of the Department of Parks and Recreation shall develop a mutually acceptable package of parkland, outdoor recreational facilities, fees, or donations to meet the future needs of the residents of the planned retirement community.**

Conformance to Condition 3 was evaluated at the time of conceptual site plan.

4. **The Conceptual Site Plan shall show right-of-way along I-308 (Ruby Lockhart Boulevard) and I-310 (the ramp/roadway linking Ruby Lockhart Boulevard and MD 202) consistent with Master Plan recommendations. This right-of-way shall be shown for dedication at the time of Preliminary Plan of Subdivision.**

The above condition has been addressed. Facilities for the I-308 and the I-310 were shown on the conceptual site plan consistently with master plan recommendations. The preliminary plan shows the proposed right-of-way dedication for I-308 and I-310.

- 5.a. **Total development within the subject property shall be limited to uses which generate no more than 514 AM and 963 PM peak-hour vehicle trips. Any development generating a greater impact shall require an amendment of conditions with a new determination of the adequacy of transportation facilities.**
- 5.b. **The applicant shall make these improvements:**
  - (1) **MD 202 at Saint Joseph Drive – Provide a third southbound left-turn lane along the southbound MD 202 approach.**
  - (2) **MD 202 at Lottsford Road – (i) Convert the existing eastbound right-turn lane to a shared through/right-turn lane; (ii) Convert the westbound shared through/left turn lane to left-turn only (maintaining two (2) through lanes and two (2) left-turn lanes; (iii) Change the existing split-signal phasing to concurrent phasing on the Lottsford Road approaches; and (iv) Modify the median and signals accordingly, as required by the operating agency.**
  - (3) **Lottsford Road at Campus Way North – Provide a second southbound left turn-lane along Campus Way.**

- 6. All required transportation facility improvements shall be determined at the time of subdivision approval.**

Conformance to Conditions 4 thru 6 is evaluated with this preliminary plan in the Transportation analysis.

- 7. Prior to the issuance of any commercial building permits within the subject property under Phase II, all required 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.**
- 8. Prior to the approval of the initial Detailed Site Plan, the Applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Lottsford Road and Ruby Lockhart Boulevard/Palmetto Drive. The Applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the Applicant shall bond the improvements with DPW&T prior to the release of any building permits within the subject property, and complete installation at a time when directed by DPW&T. Such installation shall also include the restriping and/or minor widening of the northbound Palmetto Drive approach to provide two approach lanes to the intersection.**
- 9. Prior to the approval of the initial commercial Detailed Site Plan under Phase II, the Applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Ruby Lockhart Drive and the commercial access. The Applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the Applicant shall bond the improvements with DPW&T prior to the release of any commercial building permits under Phase II, and complete installation at a time when directed by DPW&T.**

Conformance to Conditions 7 thru 9 will need to be evaluated and determined at the time of detailed site plan therefore these conditions are not yet applicable at this time and will be enforced in the future.

- 10. There shall be no direct driveway access between the subject property and Landover Road (MD 202).**

The above condition has been addressed. The site proposes two direct vehicular accesses onto Ruby Lockhart Boulevard, one access each from Parcels A and B. The site does not propose any access onto Landover Road and Lottsford Road. Direct vehicular access from the site to Landover Road and Lottsford Road should be denied.

- 11. The Applicant shall provide eight-foot wide sidewalks and designated bike lanes along both sides of the subject site's portion of Ruby Lockhart Boulevard (consistent with approvals for the Woodmore Town Center), unless modified by DPW&T.**

Conformance to Condition 11 is evaluated with this preliminary plan in the Trail analysis.

**Conformance to Conceptual Site Plan, CSP-10004**

On December 08, 2011, the Planning Board reviewed and approved the Conceptual Site Plan, CSP-10004, for the subject property. The conceptual site plan was approved with six conditions and the following conditions in bold are related to the review of this preliminary plan:

- 4. At time of detailed site plan the private on-site recreational facilities shall be reviewed. The following issues shall be addressed:**
  - a. The applicant shall provide a list of proposed private recreational facilities and their cost estimates.**
  - b. The minimum size of the community building and the timing of its construction shall be determined.**
  - c. The developer, his successor and/or assigns shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.**
- 5. The developer, his successor and/or assigns shall contribute a lump sum payment of a \$165,000 to M-NCPPC for the development of recreational facilities in the local area. The fee payment shall be paid prior to the recordation of the record plat to Park Community CG, Account Code 840702.**

Conditions 4 and 5 are further discussed in the Department of Parks and Recreation Section analysis. Conformance to these conditions will be evaluated and determined at the time of Detailed Site plan.

- 6. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant should submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

Condition 6 is carried forward with this preliminary plan and is further discussed in the Environmental analysis.

The preliminary plan conforms to the Zoning Map Amendment, A-10020-C, and Conceptual Site Plan, CSP-10004, if the application is approved with condition.

5. **Urban Design**—The 2010 *Prince George's County Landscape Manual* (Landscape Manual) and the Zoning Ordinance contain the site design guidelines and requirements that are applicable to the review of this preliminary plan.

**Conformance with the Zoning Ordinance**

The proposed floor area ratio (FAR) and detailed bonus incentive information should be provided on the preliminary plan. If a residential density bonus factor under optional method of development in the M-X-T Zone is being used, it should be included in the plan notes. FAR is not expressed as square footage, as is indicated on the submitted preliminary plan of subdivision. The applicant should revise Note 13 on the preliminary plan to clearly indicate the permitted floor area ratio and the proposed gross floor area (GFA) of the development on the plan. This information relates to the analysis of adequate public facilities.

**Section 27-574**—The number of parking spaces required in the M-X-T Zone are to be calculated by the applicant and submitted for Planning Board approval at the time of detailed site plan approval. Detailed information regarding the methodology and procedures to be used in determining the parking requirement is outlined in Section 24-574(b). The preliminary plan is not required to include detailed parking rate information. At time of detailed site plan review, adequate parking should be demonstrated for the residential and commercial portions of the development. Sufficient visitor parking should also be provided. On-street parking should be accommodated within portions of the retirement community, as deemed appropriate at the time of detailed site plan.

**Section 27-548(h)**—Includes additional regulations for townhouses in the M-X-T Zone. The applicant proposes townhouses, duplexes, and multifamily buildings on proposed Parcel A. The following provision relates to the townhouse proposal:

**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...**

The applicant is not proposing fee-simple townhouses on private lots, but rather as a part of one condominium regime. The intent of the lot size provision is to provide an adequate building envelope and yard space to accommodate development of quality townhouses. During detailed site plan review, however, the applicant should illustrate that 1,800-square-foot lots for townhomes could be accommodated with the subject proposal. While the applicant should not be

required to plat those illustrative lots, the lot size provision will inform the site design process to ensure that adequate space is allotted for the development of the proposed townhouses.

### **Conformance with the 2010 Prince George's County Landscape Manual**

The property is subject to the requirements of the 2010 *Prince's George's County Landscape Manual*. Specifically, the site is subject to Section 4.1 Residential Requirements; Section 4.2 Landscaped Strips along Streets Requirement; Section 4.3 Parking Lot Requirements; Section 4.4 Screening Requirements; Section 4.7 Buffering Incompatible Uses; and Section 4.9 Sustainable Landscape Requirements. Compliance with these regulations will be reviewed at the time of detailed design plan review.

### **Other Urban Design Issues**

Urban Design staff has concern regarding the distances between buildings as proposed in the conceptual layout reflected on the tree conservation plan. On proposed Parcel A a ten-foot distance between groupings of townhouses or duplexes does not appear to be adequate. The applicant should provide a minimum distance of 15 feet between groupings of townhomes or duplexes. The need for additional distance between townhomes and duplexes buildings will be evaluated at time of detailed site plan. Providing necessary space between buildings may result in a recommendation for the elimination of dwelling units.

As conceptually proposed, the recreational amenities are acceptable. These facilities will be reviewed at time of detailed site plan and may be modified at that time if substitute facilities provide equal or better recreational value. The minimum size of the clubhouse should be evaluated at time of detailed site plan. The size of the clubhouse illustrated on the plan seems inadequate, at approximately 3,200 square feet, whereas at the time of the conceptual site plan the applicant proffered a 10,000-square-foot clubhouse.

The conceptual design of the commercial retail complex does not have a central organizing theme. The buildings do not appear to have a strong relationship with each other or the adjacent roads, Ruby Lockhart Boulevard or Landover Road (MD 202). At time of detailed site plan, the layout of these buildings will be evaluated further when information about the necessary parking ratio is obtained. These buildings should have a strong relationship with each other and the street. The buildings should also be organized to provide a quality public space that will provide a pleasant outdoor setting for employees and visitors. Buildings should also not be placed too close together, which could potentially block beneficial sun light into buildings.

6. **Environmental**—A Type 1 Tree Conservation Plan, TCP1/001/11/01 and an approved Natural Resource Inventory, NRI/010/10/01, are required and have been reviewed. The subject property was included as a portion of previously approved Type 1 Tree Conservation Plan TCPI/005/97 and Type 2 Tree Conservation Plan TCPII/82/05; however, these plans were never implemented for the subject property. The subject application is not grandfathered with respect to Subtitle 24, Subtitle 25, or Subtitle 27, because the current application is a new preliminary plan.

### **Master Plan Conformance**

The 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* does not indicate any environmental issues associated with this application.

### **Conformance with the Countywide Green Infrastructure Plan**

The 2005 *Approved Countywide Green Infrastructure Plan* indicates that none of the property is within or near the designated network.

### **Previous Zoning Approvals**

Zoning Map Amendment A-10020-C rezoned 46.2 acres from the I-3 zone to the M-X-T Zone. The only environmentally related conditions of approval included the requirement for an NRI and a TCP to be submitted with future submissions for development activity.

### **Environmental Review**

The NRI shows streams, wetlands, and floodplain located on this property. The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Aldephia-Holmdel complex, Collington-Wist complex, Collington-Wist-Urban land complex, Marr-Dodon complex, Udorthents highway, and Widewater and Issue soils. According to available information, Marlboro clay does not occur on or in the vicinity of this site. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. Northeastern portions of this property are located in the Western Branch watershed while the southwestern portions are located in the Southwest Branch watershed; both watersheds are located in the Patuxent River basin. The forest stand delineation (FSD) indicates the presence of one forest stand totaling 31.16 acres and five specimen trees. However, it should be noted that Specimen Tree 5 is located off-site and shown on the NRI because the critical root zone is located on-site.

There is a discrepancy in gross tract site area between the approved NRI and the TCP1 as submitted because the NRI includes Parcel 270 and the TCP1 associated with the subject application does not. The NRI does not need to be revised to address this issue. The site statistics table on the NRI should be shown on the TCP1 and updates to address the site statistics for the area of this application including: gross tract area, existing 100-year floodplain, net tract area, existing woodland in the floodplain, existing woodland net tract, existing woodland total, existing PMA, and regulated streams (linear feet of centerline).

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The woodland conservation threshold (WCT) for this 45.93-acre property is 15 percent of the net tract area or 6.88 acres. The total woodland conservation requirement based on the amount of clearing proposed is 12.60 acres. The woodland conservation requirement is proposed to be satisfied with a combination of preservation, reforestation, and off-site mitigation; however, required revisions

to the plan and the worksheet are necessary, and these may affect the woodland conservation requirement. The existing Outparcel A is currently wooded and will remain wooded to meet some of the woodland requirements. Outparcel A is being proposed to be part of Parcel B and therefore, the woodland will be maintained by the future owner of Parcel B. The outlot designation has been removed.

The plan requires technical revisions to be in conformance with the Woodland and Wildlife Habitat Conservation Ordinance. The woodland conservation worksheet shows 0.59 acres of woodland retained that is not part of any woodland conservation requirement. These areas have been labeled as “excluded preservation” areas on the plan and shown with the preservation symbol. These areas should be labeled as “woodland retained but not part of requirements” as represented in the standard woodland conservation worksheet. These areas also need to be revised to be shown with the standard symbol for “woodland retained but not part of requirements.” Two of these areas can be counted toward the woodland conservation requirement because they are adjacent to the floodplain. Two additional areas currently being counted as “woodland retained but not part of requirements” should be counted as cleared. These two areas are located along the Ruby Lockhart Boulevard frontage and are not connected to any other woodland conservation areas, and do not meet the minimum standards for woodland conservation and will be reviewed at the time of DSP.

The worksheet also accounts for off-site clearing and clearing in the floodplain. These areas also need to be shown using the standard symbols and identified with associated area labels. All woodland conservation areas, that are not adjacent to floodplain or adjacent to woodland conservation on an abutting TCPII, must meet the minimum standards for dimension and area described in Section 25-122(b). If reforestation is proposed adjacent to areas of preservation that do not meet the minimum standard, those areas of preservation can then be counted (if the total woodland conservation areas meet the minimum requirements). However, it should be noted that the minimum distances from proposed buildings as outlined in Section 25-122(b)(E) must be considered when determining the type and location of proposed woodland conservation and will be reviewed at the time of DSP.

There is a portion of the property labeled on the plan as I-310 and is further labeled as a 70-foot-wide right-of-way. All rights-of-way must be counted as cleared for woodland conservation purposes. Because this area is located beyond the limit of disturbance (LOD), it is not clear whether this area has been counted as cleared in the woodland calculations. The plan must be revised to show and label this area as “woodland counted as cleared” and the worksheet must be revised to include this area in the clearing total.

A majority of the symbols shown on the TCP1 appear to be in general conformance with the standard symbols found in the Environmental Technical Manual; however, the existing treeline and the specimen trees proposed to be removed should be revised to be in conformance with the standard symbols. The existing treeline is very difficult to read and should be made darker for plan clarity. The proposed treeline should be removed from the plan and the legend because this line is easily confused with the existing treeline. The specimen tree symbol for trees proposed to

be removed is correctly shown in the legend. The plan should be revised to match the symbols shown in the legend.

The plan currently shows notes labeled as a “maintenance plan for tree save area” and “general notes.” These notes should be replaced with the standard Type 1 TCP notes available in the Environmental Technical Manual. The plans stamped as received on November 7, 2011 were not signed by a qualified professional. All plan revisions must be signed by a qualified professional. After all revisions have been made, have the qualified professional who prepared the plan sign and date the plan, and update the revision box with a summary of the revisions made.

An off-site sewer connection is proposed to the north of the subject site. This connection is proposed to traverse Parcel D and Lots 19, 20 and 21 of the Balk Hill Village Subdivision. A portion of Parcel D is encumbered with reforestation as shown on the approved Balk Hill Village Type 2 Tree Conservation Plan TCPII/82/05. Another portion of Parcel D and a small portion of Lot 20 are encumbered with a conservation easement recorded on plats six and seven of Balk Hill Village (PM 217-97 and PM 229-56 respectively). The extension as shown with this application is in conflict with those approvals.

An Easement document between D.R. Horton, Inc. (the Grantor) and Ludlow King, III (the Grantee), recorded at Liber 29873 Folio 511, was provided by the applicant and stamped as received on November 7, 2011. The easement contains a metes and bounds description and a schedule that graphically shows the location of the easement in relation to the recorded plats for the Balk Hill Village. Because the proposed connection will affect the existing environmental protections established on the Balk Hill Village site, additional information should be provided to demonstrate that no other alternative to the proposed location of the off-site sewer connection is viable. Information on whether this off-site sewer alignment has been reviewed and/ or approved by the Washington Suburban Sanitary Commission (WSSC) should also be provided.

The practicality of installing a sewer connection across the rears of Lots 20 and 21 in Balk Hill Village is a concern because these lots have been developed, retaining walls have been approved, and because a small portion of conservation easement is located on Lot 20. The proposed sewer connection was not accounted for on the approved TCPII for the Balk Hill Village Subdivision (TCPII/82/05). The proposed sewer connections will also impact the PMA established on the Balk Hill Subdivision, as recorded on the plat, and were not considered with the Balk Hill Village approvals.

The connection is proposed to bisect a reforestation area that was recently planted and certified in accordance with Condition 21 of the District Council order for case number SP-04067. The certification was approved by the Environmental Planning Section on August 17, 2011. If it is demonstrated that the proposed sewer connection is the only viable alignment alternative, the Balk Hill Village TCPII will need to be revised to account for the clearing necessary for the installation of the proposed sewer connection. The revision to the Balk Hill Village DSP is needed so that all plans involved correctly reflect what is being proposed to be implemented in the field, the recommended revision to the DSP may be able to be performed as a Planning Director level review and approval.



The connection is also shown to impact an existing conservation easement that was recorded on the plats for the Balk Hill Village. Again, if it is demonstrated that the proposed sewer connection is the only viable alignment option, a revision to the DSP reviewed and approved by the Planning Director or designee, is sufficient to address the proposed impacts to a recorded conservation easement. Impacts to recorded easements are allowed with written permission from the Planning Director or designee, in accordance with Condition 5 of approved preliminary plan (PGCPB Resolution No. 04-33) for Bulk Hill Village.

While the impacts to an approved TCP and conservation easement discussed herein are off-site to the subject application, the sewer extension alignment shown with this application will serve the subject site and is necessary infrastructure to develop this property which provides the nexus for this discussion. If the modification to the sewer extension alignment as shown from the subject property onto the Balk Hill Village property is not granted through a revision to the DSP for Balk Hill Village, staff believes there could be environmental impacts and revisions to the TCP for the subject property. As shown with this application, the alignment is not consistent with the Planning Board and District Council approvals for the development of Detailed Site Plan DSP-04067, Balk Hill Village

The site has frontage along Landover Road (MD 202), a master planned expressway that is regulated for noise. The site is also in close proximity to Lottsford Road, a master planned arterial roadway. The proposed use is a combination of residential, retail, and commercial uses. The submitted plan shows the location of the unmitigated 65 dBA Ldn noise contour according to the Environmental Planning Section's noise model. The unmitigated 65 dBA Ldn noise contour is approximately 362 feet from the centerline of Landover Road (MD 202) and approximately 144 feet from the centerline of Lottsford Road.

Based on the location of the unmitigated 65 dBA Ldn noise contours, no portions of the site proposed for development will be impacted by noise from Lottsford Road, and only commercial uses will be impacted by noise from Landover Road (MD 202). No residential-type uses are proposed to be located within the unmitigated 65-dBA noise contour as shown on the TCP1 as submitted, and only residential-type uses are required to be evaluated for noise.

Landover Road is not a designated scenic or historic road in the vicinity of the subject site. Lottsford Road is a designated scenic road in the vicinity of the subject site; however, because the site does not front directly onto Lottsford Road, an Inventory of Significant Visual Features or viewshed analysis was not required.

7. **Primary Management Area (PMA)**—This site contains regulated environmental features that are required to be protected under Section 24-130 of the Subdivision Regulations. The on-site regulated environmental features include streams and their associated 75-foot-wide buffers, wetlands and their associated 25-foot-wide buffers, and the 100-year floodplain. Section 24-130(b)(5) states:

- (5) **Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Any lot or parcel proposed for development shall provide a minimum of one acre of contiguous land area exclusive of any land within regulated environmental features in a configuration that will support the reasonable development of the property. This limitation does not apply to open space and recreational parcels. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.**

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

A letter of justification and associated exhibits for the proposed impacts were stamped as received on October 31, 2011. The plans and exhibits show the location of two proposed impacts to the PMA totaling 8,712 square feet in order to install a sewer connection and a stormwater management outfall.

**Impact #1** is for a proposed sewer connection to an existing manhole located within a 10-foot public utility easement on the southern portion of Outparcel A. The proposed eight-inch sewer line connection is necessary to serve Parcel 27 (proposed Parcel B) and has been proposed in a location that demonstrates minimization of impacts. The sewer line is proposed to cross a regulated stream; however, areas of fringe wetlands have been avoided. This impact totals 3,920 square feet.

**Impact #2** is for a proposed outfall and overflow spillway associated with a proposed stormwater pond on Parcel 272 (proposed Parcel A). The outfall and spillway are needed to safely convey runoff to the stream in accordance with the approved Stormwater Concept Plan 21914-2009-00. This impact totals 4,792 square feet.

The request for installation of the sanitary sewer connection as well as the stormwater outfall and spillway is supported because they are necessary site utilities for the orderly development of the subject property. Impacts #1 and #2 total 8,712 square feet and cannot be avoided because they are required by other provisions of the county and state codes. The plans show the preservation of the remaining areas of PMA on-site.

### **Primary Management Area Conclusions**

The proposed site design and the statement of justification show that the impacts proposed will provide the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. The proposed two impacts for the installation of a sanitary sewer line connection to an existing line on Outparcel A and for the installation of a proposed stormwater outfall and overflow spillway on Parcel 272 (proposed Parcel A), totaling 8,712 square feet, are recommended for approval.

8. **Variance to Section 25-122(b)(1)(G)**—Type 1 tree conservation plan applications are required to meet all of the requirements of Subtitle 25, Division 2, Section 25-122(b)(1)(G), which includes the preservation of specimen trees. If the specimen trees on-site have a condition rating of 70 or above, every effort should be made to preserve the trees, considering the different species' ability to withstand construction disturbance. The applicant should refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances.

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance or WCO) provided all of the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of COMAR. An application for a variance must be accompanied by a Letter of Justification stating the reasons for the request and how the request meets each of the required findings.

A variance application to Section 25-122(b)(1)(G) of the Woodland and Wildlife Habitat Conservation Ordinance, a statement of justification in support of a variance, and tree removal exhibits were received on October 6, 2011. The specimen tree table on the TCP1 (below) indicates a total of five specimen trees; four are located on-site and one located off-site which has been included because the critical root zone is located on-site. Of the four trees located on-site, two are proposed to be removed. These trees are specimen tree 2, a pin oak 30 inches in diameter, and specimen tree 3, a white ash 45 inches in diameter.

<b>SPECIMEN, CHAMPION, AND HISTORIC TREE TABLE</b>					
<b>No</b>	<b>Common Name</b>	<b>DBH (inches)</b>	<b>Condition</b>	<b>Comments</b>	<b>Disposition</b>
1	Pin Oak	41	Good		Save
2	Pin Oak	30	Fair	Broken Limbs	Remove
3	White Ash	45	Poor	Split Trunk	Remove
4	White Ash	32	Fair		Save
5*	Sassafras	38	Poor	Broken Limbs	Save

\*This tree is located on an adjacent parcel but its critical root zone extends onto Parcel 27

The plans show that the limits of disturbance come in close proximity to the critical root zones of the remaining on-site specimen trees. Additional preservation methods may need to be addressed for the long-term survivability of the remaining specimen trees. This determination can be made during subsequent, and more detailed, development review processes.

Section 25-119(d) contains six required findings, listed in [bold text] below, to be made before a variance from the Woodland and Wildlife Habitat Conservation Ordinance can be granted. The Letter of Justification submitted seeks to address the required findings for the two specimen trees together. The approach to the analysis is appropriate because there are similar concerns regarding the location and condition of both trees.

**(A) Special conditions peculiar to the property have caused the unwarranted hardship**

Condition rating scores were generated for the specimen trees on this site in accordance with Section 4.2.3c of the Technical Manual (which references The Guide to Plant Appraisal prepared by the Council of Tree & Landscape Appraisers and published by the International Society of Arboriculture). The condition rating score for tree 2 is 23 out of 32 indicating that the tree is in fair condition. The condition rating score for tree 3 is 14 out of 32 indicating that the tree is in poor condition.

The trees proposed for removal are located on an existing woodland edge and if left on-site subsequent to development may pose a hazard. The condition and location of the specimen trees proposed for removal are a special condition peculiar to the property.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas**

If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants**

If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant**

This variance application is not for any previous action of the applicant that would require a variance to correct the circumstances. The applicant has not taken action on the site, such as removal of the specimen trees that would require a variance prior to the submission of this application.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property**

The request to remove the trees does not arise from any condition on a neighboring property.

**(F) Granting of the variance will not adversely affect water quality**

Granting the variance to remove the specimen trees will not directly affect water quality because the reduction in tree cover caused by specimen tree removal is minimal. Specific requirements regarding stormwater management for the site will be further reviewed by the Department of Public Works and Transportation (DPW&T).

**Variance Conclusions**

Based on the preceding analysis, the required findings of Section 25-119(d) have been addressed. Staff recommends approval of the removal of specimen trees numbered 2 and 3.

8. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 21914-2009-00, was approved on July 7, 2010 and is valid until July 7, 2013. The concept plan shows the use of several small ponds and one large pond on the northern portion of the site. The use of underdrains has been shown on the southern portion of the site. The approved concept plan contains conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with the approved plan or any subsequent revisions.
9. **Parks and Recreation**—The preliminary plan application has been reviewed by the Department of Parks and Recreation for conformance with the conditions associated with the re-zoning for the property (Case # A-10020), Conceptual Site Plan CSP-10004 approved master plan, the Land Preservation and Recreation Program for Prince George's County, the zoning regulations, and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation.

The preliminary plan proposal consists of Parcels A and B and one Outparcel. All of the residential development is to be located within Parcel A on the north side of proposed Ruby Lockhart Drive extended. The residential development is proposed as the first phase of the development and will be comprised of 210 total units; (96 multifamily units and 114 single-family attached units). The subject property does not abut any of The Maryland-National Capital Park and Planning Commission (M-NCPPC) property but is in the vicinity of Regent Forest Community Park (¾ mile to the northeast) and the proposed new park at Woodmore Town Center (½ mile to the west).

Pursuant to Section 24-134 of the Subdivision Regulations, at time of preliminary plan, mandatory dedication of parkland may be required. The residential component of the development is situated on 25.16 acres of land. Based on the density as proposed, ten percent of the land (2.52 acres) could be required to meet the requirements for Mandatory Parkland Dedication.

In July of 2011, DPR staff met with the applicant to discuss their development proposal on the conceptual site plan. The applicant stated that the residential component of the development will be age restricted (55 and above) and developed as a gated community. The Applicant proposes to provide private on-site recreational facilities for the residents which include a putting green, two tennis courts as well as a clubhouse (approximately 10,000 square feet in size) for active and passive recreation. Pursuant to Section 24-135(b) of the Prince George's County Subdivision Regulations private recreation facilities may be provided to meet the provisions of the required mandatory dedication. The private on-site recreation facilities proposed are acceptable for the fulfillment of mandatory dedications, subject to final review at time of detailed site plan review.

As previously stated, this property was rezoned from I-3 (Planned Industrial/Employment Park) Zone to the M-X-T Zone by Zoning Map Amendment A-10020-C, which was approved by the District Council on August 6, 2010 (Zoning Ordinance No. 6-2010). The resolution contains 11 conditions and Condition 3 relates to recreational facilities:

- 3. At time of CSP review, the applicant and DPR staff shall develop a mutually acceptable package of parkland, outdoor recreational facilities, fees, or donations to meet the future needs of the residents of the planned retirement community.**

Condition 5 of the CSP approval requires the applicant to contribute \$165,000 to M-NCPPC to assist in the development of additional recreational facilities in the area. The monies collected could be used to further enhance nearby parks, such as Regent Forest Community Park or the new Woodmore Town Center Park. The recreation as proposed by the applicant includes the provision of private on-site recreational facilities, along with a developer contribution. This is acceptable and meets the requirement of Condition 3 of Zoning Case A-10020 and approved CSP-10004.

10. **Trails**—This preliminary plan has been reviewed for conformance with Section 24-123 of the Subdivision Regulations, previous approvals, the *Approved Countywide Master Plan of*

*Transportation* (MPOT), and the appropriate area master plan in order to implement planned trails, bikeways, and pedestrian improvements.

As previously stated, this property is subjected to Zoning Map Amendment A-10020-C, which was approved by the District Council on August 6, 2010 (Zoning Ordinance No. 6-2010). The resolution contains 11 conditions and Condition 2 relates to pedestrian walkways and bikeways:

Condition 1b requires that wherever possible, living areas shall be linked to community facilities, transportation facilities, employment areas, and other living areas by a continuous system of pedestrian walkways and bike trails utilizing the open-space network. The subject conceptual site plan shows a sidepath along the north side of Ruby Lockhart Boulevard and five-foot-wide sidewalks on the subject property for the residential use. The sidepath and sidewalks appear to be adequate for the proposed use and they will link the proposed living area to the transportation facilities.

Condition 11 requires the applicant to provide an eight-foot-wide sidewalk on Ruby Lockhart Boulevard and bike lanes in the roadway. Bike lanes are not feasible because Ruby Lockhart Boulevard is a master-planned industrial road and it is not recommended for on-road bike lanes in the *Approved Countywide Master Plan of Transportation* (MPOT). To fulfill the required sidewalk condition, the applicant is proposing an eight-foot-wide sidepath on the north side of Ruby Lockhart and a five-foot-wide sidewalk on the south side of Ruby Lockhart Boulevard. This is consistent with DPW&T plans for the roadway and additional dedication is recommended to implement the sidepath with this application. The sidepath as noted previously will provide a trail connection to the area trail system from the proposed uses on the subject property. This trail system is described in the area master plan and the MPOT.

The County recently approved a set of Complete Street policies that are contained in the MPOT. The proposal does not conflict with the county Complete Streets Policy because it provides standard sidewalks on the subject property that will connect the residential and the office park sections of the site.

It is recommended that the applicant provide bicycle parking because of the proximity to the trail system and planned bicycle lanes. The specific location of any proposed bicycle parking facilities can be reviewed at the time of detailed site plan. Bicycle parking areas should be provided at each office building, and at the proposed recreational amenities area. The parking should be constructed with u-shaped bicycle racks on concrete pads and will be reviewed at the time of detailed site plan.

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Subdivision Regulations.

11. **Transportation**—The applicant proposes a mixed-use subdivision consisting of two large parcels and an outlet. One parcel is proposed for commercial development with 404,400 square feet of

commercial space, with 50 percent of that in general office and 50 percent in retail space. The second parcel is proposed for residential development with 210 units of age-restricted housing. Using trip generation rates in *Trip Generation* (Institute of Transportation Engineers) for Senior Housing—Attached, along with rates in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” the following table summarizing trip generation for the site was developed:

<b>Trip Generation Summary, 4-10022, King Property</b>								
<b>Land Use</b>	<b>Use Quantity</b>	<b>Metric</b>	<b>AM Peak Hour</b>			<b>PM Peak Hour</b>		
			<b>In</b>	<b>Out</b>	<b>Tot</b>	<b>In</b>	<b>Out</b>	<b>Tot</b>
Age-Restricted Housing	210	units	10	18	28	20	15	35
General Office	202,000	square feet	364	40	404	71	303	374
Retail	202,000	square feet	146	93	239	646	646	1292
Less internal trips			-25	-25	-50	-61	-61	-122
Less pass-by for retail			-69	-38	-107	-300	-316	-616
<b>Total</b>			<b>426</b>	<b>88</b>	<b>514</b>	<b>376</b>	<b>587</b>	<b>963</b>

The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, and links in the transportation system:

- MD 202 at McCormick Drive/St. Josephs Drive (signalized)
- MD 202 at Lottsford Road (signalized)
- Lottsford Road at Ruby Lockhart Boulevard/Palmetto Drive (unsignalized)
- Lottsford Road at Campus Way North (signalized)
- St. Josephs Drive at Ruby Lockhart Boulevard (future/signalized)\*
- Ruby Lockhart Drive at site access commercial (future/unsignalized)
- Ruby Lockhart Drive at site access residential (future/unsignalized)

**\*Note:** this is treated as a future intersection because the intersection remained under construction at the time that the counts were done, and it was being operated with only two legs.

The proposal is of sufficient size that it will generate 50 or more vehicle trips, and so a full traffic study was required and submitted by the applicant. The study is dated July 2011, and this document was referred to the Maryland State Highway Administration (SHA) and the Prince George’s County Department of Public Works and Transportation (DPW&T). Comments from DPW&T and SHA have been received. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” also termed the *Transportation Guidelines*. An addendum was received



on December 7, 2011; this addendum was completed to correct the configuration of one intersection, correct or explain some discrepancies that were noted during traffic study review, and provide additional information requested by DPW&T.

The traffic study was based on the MD 202 Corridor Study (1997) to provide transportation adequacy through road improvements, based on the fair-share mechanism recommended in the MD 202 Corridor Study. Two issues were identified with the use of the MD 202 Corridor Study (Study) for a finding of adequate transportation facilities. First, it was found that there was no evidence that the MD 202 Corridor Study had ever been elevated to a status by the District Council which would allow it to be utilized as a basis for a finding of adequacy in the approval of a preliminary plan of subdivision (24-124). Second, the Study indicates that the transportation analysis found in the Study can be considered as empirical evidence in the fulfillment of development requirements for a period of 10 years. As a result, the Study is not relevant beyond 2007.

Late in the process of reviewing this application, the premise for considering approval of this application was changed after considerable discussion. At that point, mitigation consistent with Section 24-124(a)(6) of the Subdivision Regulations was proposed by the applicant, as noted in an attached e-mail transmittal dated February 10, 2012 (Randall to Masog). Given that the applicant's proposed mitigation at two critical intersections was unchanged from the content of the original traffic study, it is deemed that the original study contains the transportation facilities mitigation plan that is required for submittal, and that the plan was provided to the operating agencies for review for the required 30 days. The comments by the operating agencies, as in all mitigation cases, will form the basis of the staff's recommendation.

The subject property is located within the Developing Tier, as defined in the 2002 *Prince George's County Approved General Plan*. 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. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the *Transportation Guidelines*.
- **Unsignalized intersections:** The *Highway Capacity Manual* (Transportation Research Board) 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 following critical intersections, interchanges and links identified above (except as noted above), when analyzed with existing traffic using counts taken in February 2011 and existing lane configurations, operate as follows:

<b>EXISTING TRAFFIC CONDITIONS</b>				
<b>Intersection</b>	<b>Critical Lane Volume (CLV, AM &amp; PM)</b>		<b>Level of Service (LOS, AM &amp; PM)</b>	
	MD 202 at McCormick Drive/St. Josephs Drive	934	911	A
MD 202 at Lottsford Road	1,247	1,146	C	B
Lottsford Rd at Ruby Lockhart Blvd/Palmetto Dr	+999*	78.6*	--	--
Lottsford Road at Campus Way North	789	688	A	A
St. Josephs Drive at Ruby Lockhart Boulevard	Future			
Ruby Lockhart Drive at site access commercial	Future			
Ruby Lockhart Drive at site access residential	Future			
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Transportation Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program." Other parties will make the St. Josephs Drive/Ruby Lockhart intersection operational by adding a third leg and needed traffic controls. Background traffic has been developed for the study area using the approved but unbuilt development in the immediate area and 2.0 percent annual growth rate in through traffic along the study area roadways over a five-year period. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
<b>Intersection</b>	<b>Critical Lane Volume (CLV, AM &amp; PM)</b>		<b>Level of Service (LOS, AM &amp; PM)</b>	
MD 202 at McCormick Drive/St. Josephs Drive	1,742	1,745	F	F
MD 202 at Lottsford Road	1,673	1,821	F	F
Lottsford Rd at Ruby Lockhart Blvd/Palmetto Dr	+999*	876.9*	--	--
Lottsford Road at Campus Way North	1,424	1,663	D	F
St. Josephs Drive at Ruby Lockhart Boulevard	1,315	1,226	D	C
Ruby Lockhart Drive at site access commercial	Future			
Ruby Lockhart Drive at site access residential	Future			
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Transportation Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

In analyzing the total future condition, the applicant has taken several steps:

- a. The applicant has opted to phase the development, with the residential component forming the initial phase, and the commercial component forming the second phase. This will allow phasing of the needed roadway improvements for the area.
- b. The applicant has included the step of reassigning existing and background traffic based on a revised transportation network. The subject property includes a key connection of two ends of Ruby Lockhart Boulevard as mitigation for Phase Two traffic impacts. With this connection in place, it is agreed that traffic in the immediate area of the site would be better able to redistribute onto the available transportation facilities. There may be some relief of existing as well as future traffic bottlenecks.

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed for phase one using the *Transportation Guidelines*, including the site trip generation as described above and the distribution as described in the traffic study, operate as follows:

<b>TOTAL TRAFFIC CONDITIONS—PHASE ONE (RESIDENTIAL ONLY)</b>				
<b>Intersection</b>	<b>Critical Lane Volume (CLV, AM &amp; PM)</b>		<b>Level of Service (LOS, AM &amp; PM)</b>	
	MD 202 at McCormick Drive/St. Josephs Drive	1,744	1,746	F
MD 202 at Lottsford Road	1,675	1,823	F	F
Lottsford Rd at Ruby Lockhart Blvd/Palmetto Dr	+999*	+999*	--	--
Lottsford Road at Campus Way North	1,426	1,666	D	F
St. Josephs Drive at Ruby Lockhart Boulevard	1,300	1,211	C	C
Ruby Lockhart Drive at site access commercial	Future			
Ruby Lockhart Drive at site access residential	21.8*	10.0*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Transportation Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed for phase two using the *Transportation Guidelines*, including the site trip generation as described above and the distribution as described in the traffic study, operate as follows:

<b>TOTAL TRAFFIC CONDITIONS—PHASE TWO (ENTIRE PROPOSAL)</b>				
<b>Intersection</b>	<b>Critical Lane Volume (CLV, AM &amp; PM)</b>		<b>Level of Service (LOS, AM &amp; PM)</b>	
	MD 202 at McCormick Drive/St. Josephs Drive	1,773	1,772	F
MD 202 at Lottsford Road	1,761	1,900	F	F
Lottsford Rd at Ruby Lockhart Blvd/Palmetto Dr	+999*	+999*	--	--
Lottsford Road at Campus Way North	1,468	1,753	E	F
St. Josephs Drive at Ruby Lockhart Boulevard	1,312	1,352	C	D
Ruby Lockhart Drive at site access commercial	15.9*	110.8*	--	--
Ruby Lockhart Drive at site access residential	51.6*	42.5*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Transportation Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

A number of inadequacies in one or both peak hours are noted in the table above. All inadequacies and their related recommendations are summarized below:

**MD 202 and Saint Josephs Drive**—The intersection of MD 202 and Saint Josephs Drive operates below the appropriate standard under total traffic in both peak hours under Phase I

(residential) and II (commercial). In view of the minimal impact of Phase I at this location, the traffic study recommends no improvements at this location. However, this intersection is not critical for Phase I (Parcel A) development.

Under Phase II (Parcel B), no improvements are recommended by the traffic study at this location. Instead, the applicant proposes dedication and construction of a proposed ramp from Ruby Lockhart Boulevard to MD 202 and the completion of Ruby Lockhart Boulevard. This ramp and the full Ruby Lockhart connection is part of a proposed future interchange at MD 202 and St. Josephs/McCormick. Besides being an important component of that interchange, it will take some trips out of the critical movements at the intersection in the short term, and this is the means of mitigating the intersection.

Therefore, the applicant proposes mitigation at the intersection of MD 202 and Saint Josephs Drive. The application meets the geographic eligibility criteria for a Transportation Facilities Mitigation Plan (TFMP) established by the Prince George’s County Council in CR-29-1994, “Guidelines for Mitigation Actions.” The application was found to meet the fifth criterion by virtue of the site being within one-half mile of a bus stop having peak hour headways of 15 minutes or less.

DPW&T and SHA reviewed this proposal, and neither agency opposed the mitigation recommendation. The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
	MD 202 and Saint Josephs Drive			
Background Conditions	F/1742	F/1745		
Total Traffic Conditions	F/1773	F/1772	+31	+27
Total Traffic Conditions w/Mitigation	F/1711	E/1715	-62	-57

The options for improving this intersection to LOS D, the policy level of service at this location, are very limited. Additional through lanes along MD 202 through the intersection could be effective, and the master plan proposes an overpass to connect Saint Josephs Drive with McCormick Drive. Given the size of the proposal versus the potential cost of such structures, however, the applicant has opted for a smaller-scale improvement.

As the CLV at the critical intersection is between 1,450 and 1,813 during both peak hours, the proposed mitigation actions must mitigate at least 150 percent of the trips generated by the subject property, according to the Guidelines. The above table indicates that the proposed mitigation action would mitigate at 200 percent of site-generated trips during the AM peak hour and 211 percent during the PM peak hour. **Therefore, the applicant’s proposed mitigation at**

**MD 202 and Saint Josephs Drive meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulation in considering traffic impacts.**

**MD 202 and Lottsford Road**—The intersection of MD 202 and Lottsford Road operates below the appropriate standard under total traffic in both peak hours under Phase I and II. In view of the minimal impact of Phase I (residential) at this location, the traffic study recommends no improvements at this location.

Under Phase II (commercial), no improvements are recommended by the traffic study at this location. However, notice is taken that the council resolution approving the zoning includes several conditions at this location, including: (A) conversion of the existing eastbound right-turn lane to a shared through/right-turn lane; (B) conversion of the westbound shared through/left-turn lane to left-turn only (maintaining two through lanes and two left-turn lanes); (C) changing the existing split signal phasing to concurrent phasing on the Lottsford Road approaches; and (D) modifying the median and signals accordingly. The applicant also proposes dedication and construction of a proposed ramp from Ruby Lockhart Boulevard to MD 202 and the completion of Ruby Lockhart Boulevard. This ramp and the full Ruby Lockhart connection is part of a proposed future interchange at MD 202 and St. Josephs/McCormick. Besides being an important component of that interchange, it will take some trips out of the critical movements at the intersection in the short term, and this is the means of mitigating the intersection.

Therefore, the applicant proposes mitigation at the intersection of MD 202 and Lottsford Road. The application meets the geographic eligibility criteria for a Transportation Facilities Mitigation Plan (TFMP) established by the Prince George’s County Council in CR-29-1994, “Guidelines for Mitigation Actions.” The application was found to meet the fifth criterion by virtue of the site being within one-half mile of a bus stop having peak hour headways of 15 minutes or less.

DPW&T and SHA reviewed this proposal, and neither agency opposed the mitigation recommendation. The impact of the mitigation actions at this intersection is summarized as follows:

<b>IMPACT OF MITIGATION</b>				
<b>Intersection</b>	<b>LOS and CLV (AM &amp; PM)</b>		<b>CLV Difference (AM &amp; PM)</b>	
MD 202 and Lottsford Road				
Background Conditions	F/1673	F/1821		
Total Traffic Conditions	F/1761	F/1900	+88	+79
Total Traffic Conditions w/Mitigation	F/1601	E/1791	-160	-109

The options for improving this intersection to LOS D, the policy level of service at this location, are very limited. Additional through lanes along MD 202 through the intersection could be

effective; given the size of the proposal versus the potential cost of such a widening, however, the applicant has opted for a smaller-scale improvement.

As the CLV at the critical intersection is between 1,450 and 1,813 during the AM peak hour, the proposed mitigation actions must mitigate at least 150 percent of the trips generated by the subject property, according to the *Transportation Guidelines*. The above table indicates that the proposed mitigation action would mitigate at 182 percent of site-generated trips during the AM peak hour. As the CLV is over 1,813 during the PM peak hour, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property and result in a CLV no greater than 1,813, according to the *Transportation Guidelines*. The above table indicates that the proposed mitigation action would mitigate at 138 percent of site-generated trips during the PM peak hour, resulting in a CLV less than 1,813. **Therefore, the applicant's proposed mitigation at MD 202 and Lottsford Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations in considering traffic impacts.**

**Lottsford Road and Ruby Lockhart/Palmetto**—The intersection of Lottsford Road and Ruby Lockhart/Palmetto operates unacceptably as an unsignalized intersection under total traffic in both peak hours. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. As a result, it is recommended that a signal warrant study be completed at this location prior to the time of detailed site plan. With the installation of a signal and modification of the northbound leg to provide a two-lane approach, along with a three-lane approach on the southbound leg (left-turn lane, shared left/through lane, and right-turn lane) the intersection would operate at LOS D in both peak hours.

**Lottsford Road and Campus Way North**—The intersection of Lottsford Road and Campus Way North operates below the appropriate standard under total traffic in both peak hours under Phase I and II. In view of the minimal impact of Phase I at this location, the traffic study recommends no improvements at this location. Phase I development would include full connection of Ruby Lockhart Boulevard between Saint Josephs Drive and Lottsford Road, and this connection would have a positive impact on traffic at this location.

Under Phase II, the traffic study recommends the provision of a second left-turn lane on the southbound approach. Under total traffic with these improvements in place, it is determined that the Lottsford Road/Campus Way North intersection would operate at LOS D with a CLV of 1,439 in the AM peak hour and LOS D with a CLV of 1,395 in the PM peak hour.

**Ruby Lockhart Boulevard at commercial site access**—The intersection of Ruby Lockhart Boulevard at the commercial site access operates unacceptably as an unsignalized intersection under total traffic in the PM peak hour. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. As a result,

it is recommended that a signal warrant study be completed at this location prior to the time of any detailed site plan within Phase II. With the installation of a signal, the intersection would operate at LOS B or better in both peak hours.

**Ruby Lockhart Boulevard at residential site access**—The intersection of Ruby Lockhart Boulevard at the residential site access operates unacceptably as an unsignalized intersection under total traffic in the AM peak hour. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. As a result, it is recommended that a signal warrant study be completed at this location prior to the time of any building permit within Phase I, Parcel A (residential). With the installation of a signal, the intersection would operate at LOS A in both peak hours.

#### **DPW&T and SHA Comments**

DPW&T had several comments in that agency's memorandum. The December 7, 2011 addendum to the traffic study is a point-by-point response to the memorandum, and the responses are deemed to be satisfactory.

SHA had several comments as noted below:

- SHA noted that trip totals for site trip generation in the study appeared to be erroneous. It was determined that the table was misinterpreted; Phase I and Phase II were not intended to be added, and the Phase I development was explicitly included in the Phase II calculations.
- There was a desire to include a map of background development and to source any trip generation numbers. It is noted that the background development was checked and determined to be consistent with past studies. However, both of these items are useful for agency and for staff review, and should be included in studies.
- SHA raised an issue about the lack of improvements at MD 202/Saint Josephs and at MD 202/Lottsford. As noted earlier, the council resolution approving the rezoning to M-X-T included specific conditions at MD 202/Lottsford Road that have had concurrence by SHA, and these improvements should have been factored into the study.
- Any conditioned improvements should include accommodation for bicycles and pedestrians. This is largely a design issue that needs to be resolved with permitting agencies at the time that improvements are designed and permitted.

#### **Master Plan Roadways**

Ruby Lockhart Boulevard is a master plan commercial/industrial roadway with a proposed width of 70 feet. Appropriate dedication is shown on the submitted plan.



The I-310 facility is a master plan commercial/industrial roadway as well, with a proposed width of 70 feet. This facility is intended to connect northbound MD 202 to Ruby Lockhart Boulevard at such time that the McCormick/St Josephs intersection with MD 202 is converted to a flyover. The proposed right-of-way limits are correctly shown on the submitted plan, and it is shown for dedication. Notably, the District Council order approving A-10020 includes Condition 4 which requires that the right-of-way for I-310 (and I-308 as well) be shown for dedication at the time of preliminary plan of subdivision.

MD 202 is a master plan expressway with a variable right-of-way. While additional right-of-way dedication is not required, given the function and higher speed of traffic along this roadway, it is recommended that no driveway access from this property to MD 202 be shown on any future plans. This should be accomplished through a plat note denying access to MD 202.

The site is intended to be developed as two separate pods, one residential and one commercial. Each pod would access Ruby Lockhart Boulevard by way of its own access point. An early plan showed the residential pod with an access point that was offset by about 110 feet from an access to Woodstream Church. Subsequent plans have altered this access point to be opposite the church access. There are no public streets within either of the development pods. Internal roadway sections will be reviewed at the time of detailed site plan.

**Conformance to Zoning Map Amendment A-10020-C**

The resolution approving the rezoning, A-10020-C, of this site to M-X-T contains a number of transportation-related conditions. The status of each condition is noted below:

- 4. The Conceptual Site Plan shall show right-of-way along I-308 (Ruby Lockhart Boulevard) and I-310 (the ramp/roadway linking Ruby Lockhart Boulevard and MD 202) consistent with Master Plan recommendations. This right-of-way shall be shown for dedication at the time of Preliminary Plan of Subdivision.**

This condition requires that right-of-way for the I-308 and the I-310 facilities be shown on the conceptual site plan, and shall be shown for dedication on the preliminary plan of subdivision. Both facilities are adequately shown on the submitted plan.

- 5.a. Total development within the subject property shall be limited to uses which generate no more than 514 AM and 963 PM peak-hour vehicle trips. Any development generating a greater impact shall require an amendment of conditions with a new determination of the adequacy of transportation facilities.**

This condition establishes a trip cap for the overall property of 514 AM and 963 PM peak hour trips. This subdivision conforms to that condition.

- 5.b. The applicant shall make these improvements:**

- (1) **MD 202 at Saint Joseph Drive – Provide a third southbound left-turn lane along the southbound MD 202 approach.**
- (2) **MD 202 at Lottsford Road – (i) Convert the existing eastbound right-turn lane to a shared through/right-turn lane; (ii) Convert the westbound shared through/left turn lane to left-turn only (maintaining two (2) through lanes and two (2) left-turn lanes; (iii) Change the existing split-signal phasing to concurrent phasing on the Lottsford Road approaches; and (iv) Modify the median and signals accordingly, as required by the operating agency.**
- (3) **Lottsford Road at Campus Way North - Provide a second southbound left turn-lane along Campus Way.**

This condition requires physical improvements at three locations within the study area. This condition is enforceable at the time of the first commercial building permit. It should be noted that the conditioned improvements at MD 202 and Saint Joseph Drive have been constructed by others.

- 6. All required transportation facility improvements shall be determined at the time of subdivision approval.**

This condition affirms that the needed transportation improvements shall be determined at the time of subdivision approval, and that is done herein.

- 7. Prior to the issuance of any commercial building permits within the subject property under Phase II, all required 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.**

This condition sets bonding and permitting requirements for needed roadway improvements. This condition is not yet applicable, and will be enforced in the future.

- 8. Prior to the approval of the initial Detailed Site Plan, the Applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Lottsford Road and Ruby Lockhart Boulevard/Palmetto Drive. The Applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the Applicant shall bond the improvements with DPW&T prior to the release of any building permits within the subject property, and complete installation at a time when directed by DPW&T. Such installation shall also include the restriping and/or**

**minor widening of the northbound Palmetto Drive approach to provide two approach lanes to the intersection.**

This condition requires submittal of a signal warrant study at the time of the initial detailed site plan. Given that the current review is for a subdivision plan, this condition is not yet applicable, and will be enforced in the future.

9. **Prior to the approval of the initial commercial Detailed Site Plan under Phase II, the Applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Ruby Lockhart Drive and the commercial access. The Applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T, and examine alternatives to signalization for reducing delays from the minor street approaches. If signalization or other traffic control improvements are deemed warranted at that time, the Applicant shall bond the improvements with DPW&T prior to the release of any commercial building permits under Phase II, and complete installation at a time when directed by DPW&T.**

This condition requires submittal of a signal warrant study at the time of the initial commercial detailed site plan. Given that the current review is for a subdivision plan, this condition is not yet applicable, and will be enforced in the future.

10. **There shall be no direct driveway access between the subject property and Landover Road (MD 202).**

This condition requires that there be no direct driveway access between the site and MD 202. No such access is shown on the plan, and is proposed to be memorialized by means of a plat note.

**Transportation Conclusions:**

Based on the preceding findings, it is determined that adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations.

12. **Schools**—The residential portion of this preliminary plan was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003 and concluded the following:

**Residential**

**Impact on Affected Public School Clusters  
 Single-family Attached Units**

<b>Affected School Clusters #</b>	<b>Elementary School Cluster 3</b>	<b>Middle School Cluster 2</b>	<b>High School Cluster 2</b>
Dwelling Units	114	114	114
Pupil Yield Factor	0.140	0.113	0.108
Subdivision Enrollment	16	12.5	11
Actual Enrollment	4,572	5,564	12,737
Total Enrollment	4,588	5,576.5	12,748
State Rated Capacity	4,836	5,430	13,026
Percent Capacity	95%	103%	98%

**Multi-family Units**

<b>Affected School Clusters #</b>	<b>Elementary School Cluster 3</b>	<b>Middle School Cluster 2</b>	<b>High School Cluster 2</b>
Dwelling Units	96	96	96
Pupil Yield Factor	0.137	0.064	0.088
Subdivision Enrollment	13	6	8
Actual Enrollment	4,572	5,564	12,737
Total Enrollment	4,585	5,570	12,745
State Rated Capacity	4,836	5,430	13,026
Percent Capacity	94.5%	102.6%	97.8%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

County Council Bill CB-31-2003 established 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 (WMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31- 2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$8,565 and \$14,682 to be paid at the time of issuance of each building permit.

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

**Nonresidential**

The commercial portion of this preliminary plan of subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002). This portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

13. **Fire and Rescue**—The residential portion of preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations and is within the recommended response times.

**Residential**

The proposed development is within the 7-minute required response time for the first due fire station using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire/EMS Department.

<b>First Due Fire/EMS Company #</b>	<b>Fire/EMS Station</b>	<b>Address</b>
6	St. Joseph’s	2901 St. Joseph’s Drive

Pursuant to County Council Resolution CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01 (e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in County Council Bill CB-56-2005

**Nonresidential**

The commercial portion of the preliminary plan has been reviewed for the adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/Beyond
6	St. Joseph's	Engine	2901 St. Joseph's Drive	2.22	3.25	Within
33	Kentland	Ladder Truck	7701 Landover Road	3.28	4.25	Within
46	Kentland	Paramedic	10400 Campus Way South	4.00	4.25	Within
6	St. Joseph's	Ambulance	2901 St. Joseph's Drive	2.22	7.25	Within

**Capital Improvement Program (CIP)**

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site. The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure."

14. **Police Facilities**—The subject property is located in Police District II, Bowie, Maryland. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Prince George's County Planning Department on October 6, 2011.

**Residential**

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 10/06/2011	10/2010–9/2011	7 minutes	8 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls were met on October 12, 2011.

The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in County Council CB-56-2005. Pursuant to County Council Resolution CR-69-2006, the Prince George's County Council and the County Executive suspended the

provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn police personnel staffing levels.

**Nonresidential**

The proposed development is within the service area of Police District II, Bowie, Maryland. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the July 1, 2009 (U.S. Census Bureau) county population estimate is 834,560. Using the 141 square feet per 1,000 residents, it calculates to 117,672 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.

15. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 4. Category 3 must be obtained for subject property for water and sewer through the administrative amendment procedure, prior to recordation of a final plat.

Water lines in Landover Road and Lottsford Road abut the property. A sewer line in Landover Road abuts Outparcel A. Water and sewer line extensions may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC).

16. **Health Department**—The Prince George's County Health Department has evaluated the proposed preliminary plan of subdivision and has no comments to offer.

17. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The preliminary plan of subdivision correctly delineates a ten-foot public utility easement (PUE) along the public rights-of-way as requested by the utility companies.

18. **Historic**—A Phase I archeological survey was completed on the 46.16-acre King Property in April and May 2009. A draft report, Phase I Archeological Survey of a 45-Acre +/- Portion of the King Property Located Near the Intersection of Lottsford Road and Landover Road (MD 202) in Prince George's County, Maryland (Development Case No. A-10020), has been received by Historic Preservation Section (M-NCPPC) and a review letter was sent on December 7, 2010. The Phase I archeological survey of the King property identified three farm-related outbuildings: the base of a silo, a well, and an animal pen. A total of 293 STPs were excavated across the site and

only 13 contained cultural materials. Three archeological sites were designated, 18PR975, 18PR976, and 18PR977. Site 18PR975 is a small scatter of window glass that was collected from the plow zone. Site 18PR976 is an artifact scatter around several farm outbuildings. Site 18PR977 is a low-density and highly dispersed 19th century artifact scatter that was probably related to a nearby residence that was located on an adjoining property. No further work was recommended on sites 18PR975, 18PR976, and 18PR977.

Due to the lack of stratigraphic integrity and the limited research potential of sites 18PR975, 18PR976, and 18PR977, no additional archeological work is necessary on the King property. Four copies of the final Phase I archeological report for the King Property were received and accepted as complete on January 18, 2011.

19. **Residential Conversion**—The subject application is proposing 210 residential units and 404,000 square feet of commercial space in the M-X-T Zone. The Zoning Map Amendment, A-10020-C, and the Conceptual Site Plan, CSP-10004 approved a mixed-use development for the site. If the applicant proposed a change of use for the subject site that required a revision to the approved conceptual site plan, CSP-10004, then an evaluation of a new preliminary plan should be determined at the time of the revised CSP.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

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 Bailey, seconded by Commissioner Squire, with Commissioners Bailey, Squire, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, February 23, 2012, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of March 2012.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator