

R E S O L U T I O N

WHEREAS, Karington LLC is the owner of a 11-acre parcel of land known as part of Outparcels A and B, said property being in the 7th Election District of Prince George’s County, Maryland, and being zoned Employment and Institutional Area (E-I-A); and

WHEREAS, on July 16, 2018, Karington LLC filed an application for approval of a Preliminary Plan of Subdivision for 66 lots and 3 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-17027 for South Lake (formerly Karington) 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 January 10, 2019, for its review and action in accordance with the Land Use Article of the 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 January 10, 2019, 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 Type 1 Tree Conservation Plan TCP1-048-02-04, and further APPROVED Preliminary Plan of Subdivision 4-17027 for 66 lots and 3 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:
  - a. Provide an inset on the PPS, which reflects staff’s “Exhibit for Typical Minimum Lot Layout.” Modifications to the “Typical Minimum Lot Layout” may be considered at the time of detailed site plan.
  - b. Remove the ‘B’ (22–24-foot-wide) and ‘C’ (34-foot-wide) private street cross sections.
  - c. Revise the general notes to indicate that the mandatory parkland dedication requirements, in addition to those provided under Preliminary Plan of Subdivision 4-04035, may be satisfied with private on-site recreational facilities. At the time of detailed site plan, the applicant shall demonstrate that adequate private on-site recreational facilities have been provided to satisfy the mandatory dedication requirement for the dwelling units proposed in this PPS.

- d. Revise the number of parcels shown on the PPS and in the general notes to be consistent.
2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:
  - a. Show the limits of the current PPS on the plan.
  - b. Revise the QR code approval block to reference the subject PPS number.
3. A substantial change to the uses or site layout on the subject property that affects Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to the approval any building permits.
4. Development of this site may be in conformance with approved Stormwater Management Concept Plan 26947-2002-03 and any subsequent revisions.
5. **Old Central Avenue at Site Access:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration for a possible signal at the intersection of Old Central Avenue at the site 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 the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.
6. **US 301 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to the Maryland State Highway Administration (SHA) for the intersections of northbound and southbound US 301 (Robert Crain Highway) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA.
7. **MD 214 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage, or model homes), the applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration (SHA) for a possible signal at the intersection of MD 214 (Central Avenue) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency. In addition, the applicant shall add, to the

northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.

8. **MD 214 at Church Road:** Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:
  - a. The restriping of the westbound right-turn lane along MD 214 to operate as a shared through/right-turn lane.
  - b. The restriping of the northbound approach of Church Road to operate as one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane, along with any signal modifications to reflect the change in lane use.
9. Total development within the subject property shall be limited to uses, which generate no more than a total of 48 AM and 56 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
10. At the time of detailed site plan, details of the private street cross sections shall be provided, and final design shall be consistent with the overall approved South Lake (Karington) development.
11. In accordance with Conditions 1c, 20, and 22 and pursuant to Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
12. Prior to approval of the final plat (other than for public road infrastructure), the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Development Review Division (DRD), to ensure that the rights of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department are included. The Liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.
13. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following, which shall be included in the declaration of covenants:
  - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision and Zoning Section of the Development Review Division, Upper Marlboro, Maryland.

- b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
  - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
  - d. Any disturbance of land to be conveyed to a HOA shall be in accordance with an approved site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
  - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, in accordance with the approved detailed site plan.
14. Prior to acceptance of a detailed site plan (DSP), a geotechnical soils report and proposed grading plan shall be submitted. If a slope analysis is required as a result of the review of the geotechnical report, it shall also be submitted during the review of the DSP, but no later than 55 days prior to the Prince George's County Planning Board hearing. The unmitigated safety factor line shall be shown on all plans, if applicable. Any buildings within 25 feet of the unmitigated safety factor line shall be relocated outside. If a mitigated safety factor line is determined, all buildings shall be located at least 25 feet from that line.
15. The final plat shall contain the following note:
- “The subject property contains areas of Marlboro clay that are subject to a safety factor line. All buildings are subject to a 25-foot building restriction line from the safety factor line in accordance with Section 24-131 of the Subdivision Regulations as shown on a detailed site plan.”
16. Prior to issuance of any building permit for units within this Preliminary Plan of Subdivision, 4-17027, the following improvements shall be in place, under construction, or bonded and permitted:
- a. At US 301/Trade Zone Avenue, if the US 301 CIP/CTP project is fully funded at time of building permit issuance, the applicant and the applicant's heirs, successors, and/or assignees shall pay to Prince George's County, a fee calculated as  $\$950.78 \text{ per residential building permit} \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd Quarter, 1989})$  as its share of costs for improvements to US 301.

- b. At US 301/Trade Zone Avenue, if the US 301 CIP/CTP project is not fully funded at time of building permit issuance, the applicant and the applicant's heirs, successors, and/or assignees shall bond and permit the following transportation facilities mitigation plan improvement prior to issuance of building permits:
    - (1) Construct a third eastbound left-turn lane along Trade Zone Avenue onto northbound US 301; and
    - (2) Construct a third receiving lane along northbound US 301 with the appropriate length to be determined by the operating agency.
17. Prior to approval of each final plat, the applicant shall demonstrate that public and private streets, connecting this development to the external public street system, have been dedicated and/or platted to support the associated development.
18. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public and private rights-of-way.
19. In accordance with Conditions 1c, 20, and 22, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of the private recreational facilities on-site prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber/folio reflected on the final plat prior to recordation.
20. In accordance with Condition 1c, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private on-site recreational facilities within the common open space land. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department for adequacy, proper siting, and triggers for construction with the review of the detailed site plan.
21. In accordance with Conditions 1c, 20, and 22, prior to issuance of any residential 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 for the construction of recreational facilities on-site.
22. In accordance with Condition 1c, prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant's heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC), pursuant to the requirements of Preliminary Plan of Subdivision 4-04035, approved on January 25, 2018. Land to be conveyed shall be subject to the following:

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

approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

23. In accordance with Conditions 1c, 20, and 22, prior to approval of a detailed site plan for residential development (not infrastructure), private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, shall be located within the community to be reasonably accessible to the proposed attached dwellings and shall be demonstrated on the plans.

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 with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is 11 acres and is known as part of Outparcels A and B recorded in Plat Book REP 215 89–90 on October 26, 2006. The property is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert Crain Highway) within the Employment and Institutional Area (E-I-A) Zone.

The subject site is a re-subdivision of land (11 acres), which is part of an overall development, previously known as “Karrington,” consisting of 381.52 acres. The overall site is the subject of Zoning Map Amendment A-9284-C, which established the property in the E-I-A Zone with conditions. Conceptual Site Plan CSP-02004 was approved pursuant to Section 27-515 of the Prince George's County Zoning Ordinance (CB-13-2002), which allowed the overall 381.52-acre property to develop as a mixed-use planned community, subject to the Mixed Use-Transportation Oriented (M-X-T) zoning regulations. Preliminary Plan of Subdivision (PPS) 4-04035 was subsequently approved for the overall site (381.52 acres) for 800 lots and 110 parcels for the development of 1,294 dwelling units, 390 hotel rooms, and 675,000 square feet of retail and office space. The current application is for a portion (11 acres) of the original PPS 4-04035 and supersedes the previous approval for that portion of the overall site.

The application is for 66 lots for the development of 66 dwelling units (37 single-family attached and 29 single-family detached). This represents an increase of units for the overall development, whereas the prior 1,294 dwelling units approved in PPS 4-04035 will remain and the units included herein will increase the total unit count by allowing an additional 66 dwelling units in the subject area of the overall development.

3. **Setting**—The subject site is located on Tax Map 70, Grid C-3 & D-3 in the E-I-A Zone and consists of 11 acres. It is located within the overall South Lake (aka Karrington) development and bounded to the north, west, south, and east by land that is currently vacant but planned for mixed-use retail, office, and residential development pursuant to PPS 4-04035. To the north, PPS

4-04035 was approved for open space; to the west, single family attached dwellings are approved; single-family attached and multifamily attached dwellings are approved to the south; and multifamily parcels are also approved to the west.

4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

Zone Use(s)	<b>EXISTING</b>		<b>APPROVED</b>	
	E-I-A		E-I-A	
	Mixed-Use	Planned Community	Mixed-Use	Planned Community
	Vacant			
Acreage		11		11
Lots		0		66
Outparcels		2		0
Parcels		0		7
Dwelling Units:		0		66

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee on July 27, 2018.

5. **Previous Approvals**—The overall 381.52 square foot property was the subject of a Zoning Map Amendment (A-9284-C) establishing the E-I-A Zone for the property. On July 8, 2002, the Prince George’s County Council adopted CB-013-2002, which defined and permitted a mixed-use planned community in the E-I-A Zone.

On June 12, 2003, the Planning Board approved Conceptual Site Plan CSP-02004 for the site (PGCPB Resolution No. 03-135(C)) for the development of the property in accordance with the M-X-T Zone standards. Section 27-500(c) of the Zoning Ordinance, as amended by Council Bill CB-013-2002, required the development to comply with the requirements of Part 10, which contain regulations including lot sizes, building groups, and units in a row. The use of private roads and alleys for vehicular access is permitted on the property in accordance with the M-X-T Zone standards. On January 27, 2004, the District Council affirmed the Planning Board’s decision (PGCPB Resolution No. 03-135 (C)) subject to conditions. It is important to note that the development of this property is subject to all of the previous approvals for development, with the exception of PPS 4-04035, which is superseded by the instant PPS for the development of the property. The following seven conditions of approval are applicable to the subject PPS:

4. **MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed –upon timetable for construction with the appropriate operating agency:**



- a. **The addition of a northbound left-turn lane along Church Road.**
  - b. **The addition of an eastbound left-turn lane along MD 214**
  - c. **The addition of a westbound left-turn lane along MD 214.**
  - d. **Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.**
6. **US 301 at Old Central Avenue: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.**
7. **US 301 at site entrance/median crossover: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it a time when directed by SHA. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed –upon timetable for construction with the appropriate operating agency:**
- a. **The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. **The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301.**
  - c. **The construction of a northbound left-turn lane approaching the median crossing.**
  - d. **The construction of a southbound right-turn lane along the southbound US 301 approach.**

Conditions 4, 6, and 7 were brought forward and amended as conditions under PPS 4-04035 (PGCPB Resolution No. 04-247(C/2)(A/2)) and are further discussed in the Transportation finding.

- 15. All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.**

This condition has been addressed with the review of the tree conservation plan (TCP) filed with this application, and previous approvals.

- 20. The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8 ½ x 11 – inch sheets.**

There are no primary management area (PMA) impacts with this application.

- 23. The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George’s County “Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments.”**

A geotechnical report was prepared in 2004 and submitted with PPS 4-04035, which was resubmitted with this application. The subject property contains areas of Marlboro clay that are subject to a 1.5 safety factor line which may limit the placement of structures and will be reviewed at the time of detailed site plan (DSP), at which time an updated geotechnical report shall be provided. The applicant shall show the location of the mitigated 1.5 safety factor line on the Type 2 tree conservation plan (TCP2) and DSP prior to approval and adjust the lot layout so that the lots are located entirely outside of the limits of the mitigated 1.5 safety factor line, if applicable.

The final plat will contain the following note to ensure that this information is daylighted for future owners:

“The subject property contains areas of Marlboro Clay that are subject to a safety factor line. All buildings are subject to a 25-foot building restriction line from the safety factor line in accordance with Section 24-131 of the Subdivision Regulations as shown on a detailed site plan.”

- 25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the**

**Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located and submitted within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

The 65 dBA Ldn noise contour is shown 311 feet from the MD 214 centerline and there are no impacted lots or parcels within the boundary of this PPS. Outdoor activity areas shall be mitigated to less than 65 dBA Ldn and interior areas must be mitigated to less than 45 dBA Ldn. The applicant shall submit a Phase II noise study prior to acceptance of the DSP that identifies appropriate mitigation measures. The 65dBA Ldn noise contour from US 301 is outside the limits of this PPS and is not applicable.

On November 15, 2016, the County Council adopted CB-073-2016. The bill provides, in Part 10, Subdivision 1, Section 27-544(e)(1), that “for property that is located in the E-I-A Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.” Consequently, on February 16, 2017, the Planning Board approved a reconsideration of PPS-04035 for 800 lots and 110 parcels representing an increase of 337 lots and 24 parcels. Subsequently, the Planning Board approved a second reconsideration on January 25, 2018 (PGCPB Resolution No. 04-247 (C/2(A/2))) for the adjustment of access, circulation, and master plan trail alignment. The amended and corrected conditions of approval which remain applicable to this site have been carried forward as conditions of approval of this application and are discussed further.

6. **Community Planning**—This property is part of an approved, yet unbuilt, residential neighborhood and commercial area located outside of a Regional Transit District and Local Center. *Plan Prince George’s 2035 Approved General Plan* (Plan 2035), therefore, classifies this property as Established Communities. The vision for this community is context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met.

**Master Plan and Sectional Map Amendment/Zoning**—Comprehensive Design Plan CDP-9006 established the E-I-A Zone for the subject property. The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (Bowie and Vicinity Master Plan and SMA), retained the subject property in the E-I-A Zone. However, Council Bill CB-13-2002, adopted by the Prince George’s County Council on May 21, 2002, approved development of the subject property as a Mixed-Use Planned Community subject to M-X-T standards. The master plan reflects this change by recommending mixed-use future land use for this site. Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the subdivision conforms to the land use recommendation of the master plan.

7. **Stormwater Management**—An approved Stormwater Management (SWM) Concept Plan and Letter (26947-2002-03) was submitted with the subject application, which expires on May 8, 2020. The Site/Road Plan Review Division of the Prince George’s County Department of

Permitting, Inspections and Enforcement (DPIE) will review the project for conformance with the current provisions of the Prince George's County Code that address the state regulations. Development must conform to the approved SWM concept plan, or subsequent revisions, to ensure that on-site or downstream flooding does not occur.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the Bowie and Vicinity Master Plan and SMA, Conceptual Site Plan CSP-02004, Preliminary Plan of Subdivision 4-04035, Detailed Site Plan DSP-05042, the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, and Sections 24-134 and 24-135 of the Subdivision Regulations; as policies in these documents pertain to public parks and recreational facilities.

The mandatory dedication of parkland for the entire South Lake subdivision (also known as Karington), per Section 24-134 of the Subdivision Regulations, was previously addressed with the approval of PPS 4-04035, which reflects the provisions of parkland dedication for the Collington Branch Stream Valley Park and on-site recreational facilities, including trail and trailhead facilities, in order to meet the mandatory dedication requirement. Although the land has not yet been dedicated or facilities constructed, the conditions to provide the dedication and facilities shall remain in affect under PPS 4-04035.

Notwithstanding the previous conditions which have not yet been satisfied, the developer adding additional dwelling units increases density and, therefore, may require additional dedication of parkland, fees, and/or recreational facilities, in addition to those previously approved with 4-04035. The applicant is retaining the recreational facility/open space area previously approved (PPS 4-04035, Parcel 32) and located on Block A. However, the land area for this facility has been reduced from the previous approval to accommodate 37 lots within this PPS. At the time of DSP, the applicant shall demonstrate that adequate private on-site recreational facilities have been provided to satisfy the mandatory dedication requirement for the dwelling units included in this PPS.

It is noted that the subject PPS reflects a note that mandatory dedication has been previously satisfied with the land dedication and facilities required with the approval of 4-04035. However, the dedication of parkland and construction of any facilities has not yet occurred, and any credit would need to be verified with a calculation showing an excess of land dedication and/or recreational facilities that may be credited for the units included in this PPS. The note provided on the PPS shall be revised to indicate the provision of private on-site recreational facilities for the purpose of meeting the mandatory parkland dedication requirements for this PPS, along with dedication and facilities planned with PPS 4-04035. The applicant provides that South Lake is planned for an overall comprehensive recreational facilities package with amenities covered under both 4-04035 and 4-17027 which will be available for all residents. Towards that effort, the applicant provided the following list of approved park dedication and recreational facilities.

**Approved with PPS 4-04035:**

- Dedicated land for Stream Valley Park –Parcel 87 and 88. The area of dedication will be consistent with the PGCPB Resolution No. 04-247(C/3)(A/2).
- Passive Recreation (Sitting Area) – Parcel 1
- Park (Lake), Pool Site - Parcel 33
- Pool Site or Amphitheater - Parcel 34
- Passive Recreation – Parcel 84
- Pool Site, with Community Center – Parcel 85
- Passive Recreation – Parcel 86
- Open Space - Parcels 89, 108, 109 & 110
- Passive Recreation – Parcel A, Block A
- Passive Recreation – Parcels A & B, Block B
- 10-foot-wide Alternative Master Planned Trail: Approximately 2,150 feet in length. The length of the trail along the Maryland State Highway Administration right-of-way is an additional approximately 1,800 feet in length.
- Trailhead Facility
- Passive Recreation - Parcel 32 (area reduce per PPS 4-17027)

The Planning Board finds that the stream valley parkland dedication, trail, trailhead, and private on-site recreational facilities contribute to the overall comprehensive recreational facilities for South Lake which are adequate to serve the residents. However, to address the needs of the increase in the residential population included with this PPS, the provision of private on-site recreational facilities is required, if needed, which shall be demonstrated at the time of DSP. The subject application has met the requirements of Section 24-134(a)(3)(D), together with any additional private on-site facilities deemed required at the time of DSP, which specifically provide that:

**Any resubdivision of property on which land was previously dedicated or fee in lieu paid. The applicant shall be credited to the extent that land dedication or fees would otherwise be required upon such resubdivision.**

9. **Trails**—This PPS has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 Bowie and Vicinity Master Plan and SMA for implementation of planned trails, bikeways, and pedestrian improvements that may affect the property.

The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site as reflected on the plans. However, that realignment is outside the boundary of this PPS and the conditions of approval for the reconsideration concerning the trail are not applicable to this site.

**Review Comments (Master Plan Compliance and Prior Approvals):**

Both the MPOT and the Bowie and Vicinity Master Plan and SMA recommend a master plan trail along Collington Branch. This trail has been constructed in the Balmoral development to the south of the South Lake development and has been approved for construction through several other developments. The MPOT (page 20) includes the following text regarding the Collington Branch Stream Valley Trail:

“This trail will extend from MD 214 south through this property to Upper Marlboro. It will serve the developing residential communities on the west side of US 301. It will also connect to the Western Branch Trail near Upper Marlboro. Several segments of this trail have either been constructed or approved for construction through recent development proposals.”

The reconsideration of 4-04035 approved in 2018 relocated the stream valley trail along internal streets within the overall Karington/South Lake development. Although outside the boundaries of the current application, the submitted plans reflect this alignment along with a cross section for this master plan trail. The Complete Streets section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

Consistent with these policies, a note has been added to the plans that sidewalk access will be provided to all units. The sidewalk network will be evaluated in more detail at the time of the DSP.

10. **Transportation**—The development occupies approximately 11 acres of the original Karington PPS area. Because the original PPS was approved with a trip cap (Condition 28 of PPS 4-04035) and additional residential density is included, a new traffic impact study (TIS) for the subject application was necessary. The application is supported by a traffic study dated June 2018, along with an additional analysis dated December 1, 2018, using counts dated December 2017. The study was provided by the applicant and referred to the Maryland State Highway Administration (SHA), the Prince George’s County Department of Public Works and Transportation (DPW&T), the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) and the City of Bowie. The additional analysis dated December 1, 2018 has been provided to SHA for comments on the improvements included with this application. The findings outlined below are based upon a review of these materials and analyses conducted, consistent with the “Transportation Review Guidelines, Part 1” (Guidelines).

The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site:

Trip Generation Summary, 4-17027, South Lake								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Residential	66	units						
Towns/Two Over Two	37	units	5	21	26	20	10	30
Single Family Detached	29	units	4	18	22	17	9	26
Total Residential			9	39	48	37	19	56
Less Internal			0	0	0	0	0	0
<b>Net Residential Trips</b>			<b>9</b>	<b>39</b>	<b>48</b>	<b>37</b>	<b>19</b>	<b>56</b>
<b>Trip Cap for Subject PPS</b>					<b>48</b>			<b>56</b>

The site is part of a larger site that was originally subdivided pursuant to PPS 4-04035. The trip cap associated with that plan will remain intact, and the trips for the subject site are summarized in the above table. These trips represent an increase of the overall cap, thereby necessitating the submitted traffic study. The trips associated with the cap for PPS 4-04035 are considered an entitlement and are included within Background for the subject site. The net new trips for the subject site are generated by the additional residential dwellings included within the site by the subject PPS.

The traffic generated by this PPS would impact the following eight intersections, interchanges, and links in the transportation system:

- MD 214 and Church Road
- MD 214 and Old Central Avenue

- Old Central Avenue and site access
- US 301 SB and Old Central Avenue
- US 301 NB and Old Central Avenue
- US 301 SB and Wawa Crossover/site access
- US 301 NB and Wawa Crossover
- US 301 and Trade Zone Avenue

### **Existing Traffic**

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. 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 by the Guidelines.

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume (CLV) is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this 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 critical intersections, interchanges, and links identified above, when analyzed existing traffic counts taken with December 2017 and existing lane configurations, operate as follows:



<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 and Church Road	1,301	1,110	C
MD 214 and Old Central Avenue	779	567	A	A
Old Central Avenue and site access	future	future	--	--
US 301 SB and Old Central Avenue	48.4*	>50*	--	--
US 301 NB and Old Central Avenue	>50*	>50*	--	--
US 301 SB and Wawa Crossover/site access	>50*	>50*	--	--
US 301 NB and Wawa Crossover	>50*	>50*	--	--
US 301 and Trade Zone Avenue	1471	1,289	E	C
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

**Background Traffic**

Background traffic has been developed for the study area using several approved but unbuilt developments within the study area. A 0.5 percent annual growth rate for a period of six years has been assumed. As noted earlier, the Karington development as approved under PPS 4-04035 has been included as background. The analysis also takes into account any improvements to be done under that PPS for the reason that, for instance, the site access improvements are needed to provide a fair base for comparing the impact of additional residential units and the additional trip under Total Traffic. Nevertheless, the additional residential trips included in the subject plan will be subject to the same conditions, as appropriate, as the underlying PPS. The critical intersections, when analyzed with background traffic, operate as follow:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 and Church Road	1,338	1,494	C
MD 214 and Old Central Avenue	1,316	1,145	D	B
Old Central Avenue and site access	859	961	A	A
US 301 SB and Old Central Avenue	>50*	>50*	--	--
US 301 NB and Old Central Avenue	>50*	>50*	--	--
US 301 SB and Wawa Crossover/site access	>50*	>50*	--	--
US 301 NB and Wawa Crossover	>50*	>50*	--	--
US 301 and Trade Zone Avenue	1,843	1,714	F	F
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

**Total Traffic**

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above, operate as follows:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Church Road	1,344	1,505	D	E
MD 214 and Old Central Avenue	1,340	1,161	D	C
Old Central Avenue and site access	888	990	A	A
US 301 SB and Old Central Avenue	>50*	>50*	--	--
-US 301 SB and Old Central Avenue	1,112	1,607	B	F
US 301 NB and Old Central Avenue	>50*	>50*	--	--
-US 301 NB and Old Central Avenue	1,852	1,454	F	E
US 301 SB and Wawa Crossover/site access	>50*	>50*	--	--
-US 301 SB and Wawa Crossover/site access	1,037	1,419	B	D
US 301 NB and Wawa Crossover	>50*	>50*	--	--
-US 301 NB and Wawa Crossover	1,915	1,593	F	F
US 301 and Trade Zone Avenue	1,844	1,715	F	F
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The following transportation improvements are required as a means of addressing inadequacies noted in the table above for total traffic:

**MD 214 and Church Road:** The westbound right-turn lane along MD 214 shall be restriped to operate as a shared through/right-turn lane. Also, the northbound approach of Church Road shall be restriped. The approach is currently striped as a double left-turn and a shared through/right. The approach shall be restriped to one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane, along with any signal modifications to reflect the change in lane use. With the changes, the intersection would operate with a CLV of 1,237 (LOS D) in the AM peak hour and a CLV of 1,344 (LOS D) in the PM peak hour. It must be noted that Condition 22 of PPS 4-04035 includes more extensive improvements at this location, and that condition remains in place.

**MD 214 and Old Central Avenue:** With the improvements in Condition 27 of PPS 4-04035, the intersection would operate with a CLV of 1,029 (LOS B) in the AM peak hour and a CLV of 856 (LOS A) in the PM peak hour.

**Old Central Avenue and site access:** It is noted that the operating conditions for this intersection include the improvements in Condition 23 of PPS 4-04035.

**US 301 and Old Central Avenue (both intersections):** These unsignalized intersections operate with excessive delay, and both fail the three-part test in at least one peak hour to trigger the study of signalization. This requirement for signal warrant studies will be carried forward and applied to this site. Condition 24 of PPS 4-04035 includes an additional left-turn lane at this location, and that condition remains in place. It is noted, however, that upon review of past materials regarding this left-turn lane, this portion of Condition 24 was intended to be attached to Condition 27 and not this one. This is discussed further in the Prior Conditions section.

**US 301 and WAWA Crossover (both intersections):** These unsignalized intersections operate with excessive delay, and both fail the three-part test in at least one peak hour to trigger the study of signalization. Due to the intended phasing of the overall project, the applicant states that the site access will not be in place as the area of the subject plan is developed; therefore, the impacts identified will not occur until a later phase of Karington (4-04035). The Planning Board finds that, until the southern site access is constructed pursuant to PPS 4-0435, the only traffic that will affect operations and possible signal warrants would be traffic from the existing WAWA at that location.

**US 301 and Trade Zone Avenue:** The applicant has assumed the widening of southbound US 301 to three lanes, while assuming that northbound US 301 remains at two lanes. As discussed earlier, there is a project for the widening of US 301, between MD 214 and MD 725, shown in the current County Capital Improvement Program (CIP). This project is intended to provide “a third through lane north and south bound” plus “further widening, as needed, at Trade Zone Avenue” (Prince George’s County FY2018-2023 Approved Capital Improvement Program Budget, page 120) and other intersections in the corridor to provide satisfactory levels of service. To that end, the applicant has proffered mitigation in accordance with Section 24-124(a)(6) of the Subdivision Regulations and provided a transportation facilities mitigation plan (TFMP) in accordance with the “Transportation Review Guidelines.” The application meets the geographic eligibility criteria for a TFMP established by the Prince George’s County Council in CR-29-1994, “Guidelines for Mitigation Actions.” The application was found to meet the third criterion by virtue of the mitigation being proposed along US 301. The improvements needed to achieve LOS D or better in both peak hours at US 301/Trade Zone Avenue would involve potential right-of-way acquisition, and for that reason a lesser set of improvements is approved.

The improvements involve construction of an eastbound triple left-turn lane along Trade Zone Avenue, with the length to be determined by the DPW&T/SHA, and a free-flowing right turn lane. In order to facilitate the triple left-turn, a third receiving lane shall be constructed along northbound US 301 to receive the triple left-turn, with the length of the receiving lane and taper to be determined by the SHA. The Planning Board finds that, at

the time of permitting of these improvements, the applicant investigate the feasibility of converting the northbound right-turn lane to a right-through lane and make the conversion if deemed acceptable by SHA. The current right-turn lane serves fewer than five vehicles per hour, and there is a strong likelihood that traffic would use that lane as a through lane given that the applicant will need to construct the third northbound lane on the opposite side of the intersection to receive the three lanes turning from Trade Zone Avenue.

<b>IMPACT OF MITIGATION</b>				
<b>Intersection</b>	<b>LOS and CLV (AM &amp; PM)</b>		<b>CLV Difference (AM &amp; PM)</b>	
US 301 and Trade Zone Avenue				
Background Conditions	F/1843	F/1714		
Total Traffic Conditions	F/1844	F/1715	+1	+1
Total Traffic Conditions w/Mitigation	F/1803	F/1583	-41	-132

As the CLV at the critical intersection is over 1,813 during the AM peak hour, the mitigation actions must mitigate at least 100 percent of the trips generated by the subject property and bring the CLV to 1,813 or better, according to the Guidelines. The above table indicates that the mitigation action would mitigate more than 100 percent of site-generated trips during the PM peak hour and bring the CLV to less than 1,813. As the CLV at the critical intersection is between 1,450 and 1,813 during the PM peak hour, the 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 mitigation action would bring the intersection to a policy LOS D. Therefore, the required mitigation at US 301 and Trade Zone Avenue meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations in considering traffic impacts.

**Master Plan Right-of-Way Dedication**

The property is adjacent to MD 214, a master plan expressway facility. Sufficient right-of-way in accordance with master plan recommendations has previously been dedicated or deeded in this area, and no additional right-of-way is required of this plan.

**Circulation**

Vehicular access and circulation, including fire access, is acceptable.

**Prior Conditions**

Several transportation-related other conditions were approved as a part of PPS 4-04035. The status of these conditions is summarized below:

- ††[24] **22.** MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- a. The addition of a northbound left-turn lane along Church Road.
  - b. The addition of an eastbound left-turn lane along MD 214.
  - c. The addition of a westbound left-turn lane along MD 214.
  - d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.

This condition concerns improvements at MD 214 and Church Road. It was determined that a lesser set of improvements would be sufficient to serve the subject site. It is noted that this condition will remain as written for PPS 4-04035.

- ††**23.** Old Central Avenue at Site Access: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site 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 the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

This condition requires improvements at Old Central Avenue and the site access. This condition is carried forward, as written with this PPS.

- ††[26] **24.** US 301 at Old Central Avenue: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. ††In addition, the applicant shall add, to the northbound approach of

**Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.**

This condition requires traffic signal warrant studies at the two intersections of US 301 and Old Central Avenue, and the warrant study requirements shall be carried forward with this PPS. The condition also includes a physical improvement for an additional left-turn lane along Old Central Avenue, and for the reason discussed earlier will not be carried forward.

- ††[27] **25.** **US 301 at site entrance/median crossover: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, †other than for infrastructure, model homes, or signage, within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, †other than for infrastructure, model homes or signage, within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
- a. **The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. **The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301**
  - c. **The construction of a northbound left-turn lane approaching the median crossing.**
  - d. **The construction of a southbound right-turn lane along the southbound US 301 approach.**
  - e. **†Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).**

This condition involves signal studies and physical improvements at the Wawa crossover along US 301. For reasons discussed earlier, this condition is not carried forward.

††[28] 26. US 301 widening:

- a. **Prior to the issuance of any permits, ~~†other than for infrastructure, signage, or model homes,~~ within †[~~Phase I (other than construction buildings and model homes)~~] Phase II, as defined in the trip cap condition contained in this report, the following road improvement shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of a new US 301 southbound lane ~~†to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.~~ beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue, to tie into the existing third southbound lane that already exists at Queen Anne Road, for a total distance of approximately 2,800 feet.**
- b. **Prior to the issuance of any permits within †[~~Phase II~~] Phase I that require the construction of a new access point(s) along southbound US 301, as defined in the trip cap condition contained in this report, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of new acceleration/deceleration lanes along †[~~northbound~~] southbound US 301 at the site entrance(s).**
- c. **The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction of the respective Phases, the applicant shall pay to Prince George's County a sum calculated as  $\$725,094.25 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ . This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined prior to signature approval of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Condition 28A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements less the cost of the SHA mandated access improvements.**

This condition concerns improvements to southbound US 301 by adding an additional lane. Given the proposed phasing of this development within Phase I of the overall Karington site and the fact that no parcels within this development have US 301 frontage, this condition will not become enforceable for the subject PPS. Nevertheless, this application includes additional density, and that density has trip impacts along US 301 that were never considered when this condition was written more than 12 years ago. While the existing trips under PPS 4-04035 have entitlement, the additional development needs to pay or make improvements as well. While this condition will not be carried forward with this approval, a similar condition to address development not covered is included.

- ††[29] **27.** **MD 214 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.**

This condition concerns improvements at MD 214 and Old Central Avenue. This is the location where most trips from the initial access to Karington (including the subject subdivision) will enter the regional highway system. This condition is carried forward with this PPS. Furthermore, the physical improvement for an additional left-turn lane along northbound Old Central Avenue, which is shown on Condition 24, appears to have been intended to be part of this condition. Therefore, this condition will be written with the signal warrant study and the physical improvement.

- ††[30] **28.** **Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips ††[or is within 1,400 linear feet of the proposed MD 214/Hall Road intersection]. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**



This condition contains the trip cap for the overall site. Part of the purpose of the subject PPS is to add dwelling units and increase the overall trip cap for Karington, and all of that increase is within the limits of the subject subdivision. While this condition will remain as written, a conventional trip cap is included for the subject PPS. As noted earlier, the trip cap associated with PPS 4-04035 would continue to remain an entitlement associated with the area of Karington outside of the area of the subject plan, and a separate trip cap is written for the subject application. It is emphasized that the two trip caps together have been tested for transportation adequacy.

**††[30] [32] 29. Prior to ~~\*[signature approval of the preliminary plan]~~ detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.**

This condition refers to several street types within the original Karington site. The subject PPS has several street and alley types that are deemed to be acceptable, with conditions. While this condition stands as written for PPS 4-04035, it will not be carried forward onto the new plan.

**††[31] [33] 30. Prior to approval of the final plat of subdivision, the applicant, his successors and/or assignees shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately-funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan (other than infrastructure), transportation planning and DPW&T staff shall review bus routing plans.**

This condition is a specific requirement related to a finding of mitigation for PPS 4-04035. Mitigation is not a factor in the recommendation for the subject subdivision, and this condition will not be carried forward to this plan.

**††~~[32]~~ ~~[34]~~ 31. Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.**

This condition indicates that plats for lots fronting on US 301 and MD 214 must show that direct access to those facilities is denied. While the subject plan fronts on MD 214, no individual lots have frontage. The subject plan does not front on US 301.

Based on the preceding findings, adequate transportation facilities will exist to serve the subject site, as required in accordance with Section 24-124 of the Subdivision Regulations.

11. **Public Facilities**—Public facilities for water and sewerage, police, and fire and rescue are adequate to serve the subdivision, in accordance with Section 24-122.01 of the Subdivision Regulations, which are further outlined in memorandums dated July 19, 2018 (Branch to Onyebuchi) and December 12, 2018 (Mangalvedhe to Onyebuchi), incorporated by reference herein.
12. **Schools**—This PPS was 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* (Council Resolutions CR-23-2001 and CR-38-2002), and it was determined that a school facilities surcharge of \$12,000 per dwelling unit for residential development, applicable at the time of permitting, may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.
13. **Use Conversion**—The total development included in this PPS is for 66 lots and 3 parcels for the development of 66 single-family dwelling units in the E-I-A Zone. If a substantial revision to the mix of uses, site layout or substantial plan amendments on the subject property is proposed that affects Subtitle 24 adequacy findings as set forth in the resolution of approval, that revision shall require approval of a new PPS prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public 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 PPS delineates a ten-foot-wide public utility easement along both sides of all public rights-of-way. A 10-foot-wide public utility easement (PUE) has also been provided along one side of all private rights-of-way in accordance with the requirements of Section 24-128(b)(12) of the Subdivision Regulations
15. **Historic**—A Phase I archeological survey was conducted and completed on a portion of the overall Karington development in 2002 at the request of the Maryland Historical Trust (MHT) through the Section 106 process, and further analyzed and evaluated in 2003 as part of

PPS 4-04035. MHT provided the applicant with a map of specific areas of the property that were to be subjected to the Phase I study. The portion of the property surveyed included the area within the subject application. Seven archeological sites were identified (18PR627–18PR633) which are further detailed, along with other historical data pertaining to the subject property, in a memorandum dated December 11, 2018 (Stabler and Smith to Onyebuchi) which is incorporated by reference herein.

The subject property is located along Collington Branch and several of its tributaries. Numerous prehistoric resources have been along this waterway. The probability of finding additional prehistoric archeological resources within portions of the overall Karington (South Lake) property not previously surveyed is high. The area within the subject application was previously surveyed for archeological resources and, therefore, no additional archeological investigations are necessary on the area included in this application. There are no historic sites or resources on, or adjacent to, the subject property.

16. **Environmental**—This PPS covers 11 acres of a larger 381.52-acre tract that was approved under PPS 4-04035. The 11 acres covered by this PPS has a Natural Resources Inventory Equivalency Letter (NRI-104-2018) which was issued on July 5, 2018. The overall 381.52-acre site has previously approved Tree Conservation Plans (TCP1-048-02-03 and TCP2-126-05-02). The current application is located entirely within the limits of disturbance (LOD) approved on both the TCP1 and the TCP2. The current application includes an ‘-04’ revision to TCP1-048-02, which shows the approved/updated lotting pattern.

Woodland clearing for the 11 acres covered by this application will occur in accordance with the previously approved TCPs. According to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), the limits of this application contain Marr-Dodon complexes.

Unsafe soils containing Marlboro clays are mapped within the limits of this application. A previously prepared geotechnical report dated July 2005, by Independent Consultants and Engineers, Inc. was submitted. The slope analysis within the report shows improved factors of safety from development due to cuts resulting in plateaus or flattening of slopes, and fills placed below Marlboro clay deposits that will prevent slippage. The only mitigated 1.5 safety factor line is located outside of the limits of this PPS based on the 2005 geotechnical report.

Staff from DPIE stated that a soils report is required prior to submission of the DSP. If the soils report determines a new unmitigated 1.5 safety factor line, that line shall be reflected on the TCP2 prior to approval of the DSP. Any buildings proposed within 25 feet of the 1.5 safety factor line shall be relocated outside of that setback, unless a slope stability study to determine a new mitigated 1.5 safety factor line is submitted and approved by appropriate staff. DPIE also commented that a new floodplain study will be required. Any changes to the existing 100-year floodplain shall be reflected on the PPS and TCP1 prior to signature approval and all future development plans prior to certification.

This site is mapped as forest interior dwelling species (FIDS) habitat and is located within a Sensitive Species Protection Review Area (SSPRA) based on a review of the SSPRA GIS layer prepared by the Maryland Department of Natural Resources Natural Heritage Program (DNRNHP), and as such the timing of impacts to streams and wetlands may be regulated by the state as part of the nontidal wetland permitting process.

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035. The site is also located in the 2006 Bowie and Vicinity Master Plan and SMA. Based on the layout, the project demonstrates conformance with the applicable policies and strategies of the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan*, because the development envelope preserves the mapped Regulated Area associated with on-site streams and their buffers. The project was found to be in conformance with the applicable environmental policies within Plan 2035, the master plan, and the *Countywide Green Infrastructure Plan*.

The Planning Board finds this application to be in conformance with the environmental requirements of Subtitle 24 (Subdivision Regulations), Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance).

The site has an approved SWM Concept Plan (26947-2002-03) that is in conformance with the current code and is valid until May 8, 2020. The approved concept plan is consistent with the PPS.

Minor technical corrections to the TCP1 are required for conformance with the Prince George's County Woodland and Wildlife Conservation Ordinance. The limits of the current application shall be added to the plan. The QR code approval block shall be updated to reflect the current PPS number (4-17027).

17. **Urban Design**—The subject property is located in the E-I-A Zone and Section 27-500(c) is applicable as follows:

- (c) **A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10.**

Under Part 10-Mixed-Use Zones, Division 2, Subdivision 1, Section 27-544(e) specifically provides regulations for a Mixed-Use Planned Community regarding the type and maximum percentage of the required uses, specific design standards for single family detached, multifamily dwelling units and open space. However, Section 27-544(e)(1) reads as follows:

- (1) **A Mixed Use Planned Community shall conform to the purposes, regulations, and required findings and review process set forth in Division 2 of this Part, for the M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.**

Conformance with the advisory regulations will be further reviewed at the time of the required DSP.

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

As required by Section 27-544, development in the M-X-T Zone is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The development's conformance with the requirements of the Landscape Manual will be further evaluated at the time of DSP review.

However, some of the proposed street cross-sections shown on the PPS do not provide room for shade trees, as well as sidewalks and lighting, along private streets as required by Section 4.10 of the Landscape Manual. The City of Bowie may annex the subject property and accept dedication of the private streets as public. If that happens, then all roads and alleys to be dedicated to the City will have to be designed according to their standards. Nonetheless, providing revised street cross-sections that address the Landscape Manual requirements and that are consistent with those provided and approved with the overall South Lake development may be required and result in revised cross sections. Therefore, the 'B' (22-24 feet wide) and 'C' (34 feet wide) private street cross sections shown on the PPS shall be removed with final design to be determined at the time of DSP.

#### **Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose 5,000 square feet or greater of gross floor area or disturbance, and require a grading permit. The subject site is zoned E-I-A and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP review.

#### **Other Urban Design Comments**

Section 27-544(e)(1) allows M-X-T regulations to be advisory only. During the review of the first reconsideration of PPS-04035, staff worked with the applicant to create lot layout standards. The applicant submitted an exhibit (Staff's Exhibit 1) that demonstrated the typical minimum lot layout for townhouses in this development. The PPS provides a single-family attached lot consistent with the exhibit. The exhibit is carried forward as a condition with this PPS approval.

18. **City of Bowie**—On September 17, 2018, the City of Bowie voted to recommend approval of PPS 4-17027 subject to five conditions. A referral memorandum from the City of Bowie was received on October 17, 2018 (Robinson to Hewlett). Conditions 2–5 of the City of Bowie's

memorandum are addressed as Conditions 6–9 of this resolution. Condition 1 of the memorandum seeks to limit the overall number of dwelling units to 1,360. However, the Planning Board finds it appropriate that this limitation may be conditioned by the City of Bowie as part of their annexation agreement with the applicant.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, January 10, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 31st day of January 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:JO:gh