

R E S O L U T I O N

WHEREAS, Revenue Authority of Prince George's County is the owner of a 17.92-acre parcel of land known as Part of Parcel 1, recorded in Prince George's County Land Records, in Liber 33973 folio 99 and Parcel 2, Balk Hill Village recorded in Plat Book PM 217-92, 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 June 21, 2019, Balk Hill Ventures, LLC filed an application for approval of a Preliminary Plan of Subdivision for nine parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18024 for Woodmore Commons 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 September 26, 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 September 26, 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 TCP1-019-03-03, and further APPROVED Preliminary Plan of Subdivision 4-18024 for nine parcels with the following conditions:

1. Prior to signature approval of this preliminary plan of subdivision, the following revisions shall be made to the plan:
 - a. Revise General Note 1 to provide the correct recording reference for Part of Parcel 1.
 - b. Revise and consolidate the cross sections provided on the plans to show the following:
 - (1) All cross sections shall include a sidewalk and green space abutting the drive aisles.
 - (2) Consolidate the cross sections for 'C' through 'F', to provide a consistent cross section for the loop road showing a 22–24-foot-wide drive aisle with a sidewalk on one side that is a minimum of five feet in width, and contiguous green space.

- c. The values in the Site Statistics table shall be revised to be consistent with the corresponding values in the woodland conservation worksheet for Phase 3.
 - d. Revise tree conservation plan Note#7 to correctly indicate that the site is in Environmental Strategy Area 2 (formerly the Developing Tier) rather than the Developed Tier.
 - e. The woodland conservation worksheet shall be revised as follows:
 - (1) Deduct the Phase 3 amount of “woodland on the net tract for this phase” from the Phase 1 value.
 - (2) Deduct the Phase 3 amount of “woodland cleared on net tract for this phase” from the Phase 1 value.
 - (3) Remove all proposed fee-in-lieu from Phase 3 and indicate that it is either going to be met on-site, or through off-site mitigation on the worksheet and TCP1 plan.
8. Prior to signature approval of the preliminary plan of subdivision (PPS) and Type 1 tree conservation plan (TCP1), an approved stormwater management concept plan and approval letter shall be submitted that are consistent with the limits of Phase 3 of the TCP1 and the PPS.
9. Substantial revision to the uses on the subject property that affect Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.
10. Prior to approval of the final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall:
- a. Dedicate the public right-of-way of Saint Josephs Drive, in accordance with the approved preliminary plan of subdivision.
 - b. A draft Declaration of Restrictive Covenants and/or easement, per Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access for the subject property, shall be submitted to the Maryland-National Capital Park and Planning Commission for review and approval. The limits of the shared access shall be reflected on the final plat, consistent with the approved preliminary plan of subdivision and detailed site plan. Prior to recordation of the final plat, the Declaration of Restrictive Covenants and/or easement shall be recorded in Prince George’s County Land Records, and the Liber/folio of the document shall be indicated on the final plat with the limits of the shared access.
 - c. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
 - d. Grant 10-foot-wide public utility easements along the public rights-of-way of MD 202,

Saint Josephs Drive, Tulson Lane, and Ruby Lockhart Boulevard.

11. The applicant shall provide private recreational facilities within the residential development parcel. The private recreational facilities shall be evaluated by the Urban Design Review Section of the Development Review Division, for adequacy and proper siting during the review of the detailed site plan.
12. All on-site private recreational facilities shall be designed in accordance with the Parks and Recreation Facilities Guidelines.
13. 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 recreational facilities on-site, for approval prior to 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 indicated on the final plat, prior to recordation.
14. 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, prior to issuance of building permits.
15. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions.

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 located in the northeast quadrant of the intersection of MD 202 (Landover Road) and Saint Josephs Drive. This preliminary plan of subdivision (PPS) includes Part of Parcel 1, recorded in Prince George's County Land Records in Liber 33973 folio 99 and Parcel 2, Balk Hill Village recorded in Plat Book PM 217-92.

The subject property is 17.92 acres and is zoned Mixed Use-Transportation Oriented (M-X-T). The application includes nine parcels for the development of 88,000 square feet of commercial and office development, and 284 multifamily dwelling units. The site is currently vacant.

The subject PPS includes two parcels on the north and seven parcels on the south side of Ruby Lockhart Boulevard. Vehicular access from Ruby Lockhart Boulevard to the north and south is to be consolidated to one access driveway, and easements provided pursuant to Section 24-128(b)(9) of the Subdivision Regulations, to avoid potentially hazardous or dangerous traffic situations. The request for the use of access easement is discussed further in this resolution.

3. **Setting**—The property is located on Tax Map 60, in Grid E-3, and is in Planning Area 73. The 17.92-acre site consists of two existing parcels (Part of Parcel 1 and Parcel 2), which are unimproved and located on the north side of MD 202 (Landover Road), on both sides of Ruby Lockhart Boulevard, and on the east side of Saint Josephs Drive.

To the west of Part of Parcel 1 is Saint Josephs Drive and property beyond zoned M-X-T and developed with commercial uses. The property north of Parcel 1 is zoned M-X-T and developed with office uses. To the west of Parcel 2 is Saint Josephs Drive with a church in the Rural Residential Zone beyond. To the east of both parcels is vacant land zoned M-X-T. Parcel 2 is bound by Landover Road to the south.

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

| | EXISTIN | APPROVED |
|----------------------------|----------------|-------------------------------|
| Zone | M-X-T | M-X-T |
| Use(s) | Vacant | Residential/Commercial/Office |
| Acreage | 17.92 | 17.92 |
| Gross Floor Area (sq. ft.) | 0 | 88,000 |
| Dwelling Units | 0 | 284 |
| Parcels | 2 | 9 |
| Outparcels | 0 | 0 |
| Variance | No | No |
| 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 on July 12, 2019.

5. **Previous Approvals**—The subject site has a Zoning Map Amendment A-9956-C (123.20 acres) which rezoned the property from Planned Industrial/Employment Park (I-3) to M-X-T, and was originally approved by the District Council on July 23, 2002, with 14 conditions. Subsequently, the District Council approved a request to amend Conditions 5 and 10 on February 26, 2018. The majority of the conditions have been addressed through previous approvals and existing development on the property. The following conditions are pertinent to the current application and warrant discussion:

5. **The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.**

This condition caps the peak-hour trips for the property at 1,013 AM peak-hour trips and 1,058 PM peak-hour trips. The development of this project, together with other properties covered by A-9956-C, are within the trip cap, which is further discussed in the

Transportation findings.

- 10. Prior to the acceptance of a detailed site plan for development of the twenty (20) acres (Parcels 1 and 2), the Applicant shall provide written confirmation that it has held a community meeting with stakeholders which shall include an invitation to at least representatives from St. Joseph's parish and Balk Hill Homeowners association.**

The applicant will be required to provide documentation of the required notice prior to acceptance of a detailed site plan (DSP) for the subject property.

The property is a part of Conceptual Site Plan CSP-03001 that covers 125.4 acres of a larger mixed-use development, approved by the Prince George's County Planning Board on September 11, 2003. Subsequent to the approval of CSP-03001, a PPS (4-03094) for 125.4 acres was approved by the Planning Board (PGCPB Resolution No. 04-33) in 2004, and DSP-04067 was approved in 2006, for 125.4 acres. In those prior approvals, the subject site was identified as property to be conveyed to the Revenue Authority of Prince George's County and no development was proposed for these two parcels. After the District Council's approval of the revised conditions attached to A-9956-C, the applicant filed CSP-03001-01 for development of 65,000 to 100,000 square feet of commercial space, and 284 multifamily dwelling units on the subject site. CSP-03001-01 was approved on May 30, 2019 (PGCPB Resolution No. 19-71), with one condition, which is not relevant to this PPS. The District Council received an appeal of this CSP and has scheduled a public hearing on the application for September 23, 2019. This PPS (4-18024), which is a portion of the larger property approved with PPS 4-03094, will supersede that approval for Parcels 1 and 2. Any substantial modification made by the District Council to CSP-03001-01 may impact the ability to move forward with the development proposed as part of this PPS, and may require the approval of a new PPS.

6. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan* (Plan 2035) locates the subject site in the Established Communities area. The vision for the Established Communities area is to accommodate context-sensitive infill and low- to medium-density development.

The 1990 *Approved Master Plan Amendment and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* (Largo-Lottsford Master Plan and SMA) recommends employment land uses on the subject property and Land Use Alternatives on a small portion of the property. The Land Use Alternatives classification is identified as where residential development would need to be carefully incorporated into the overall development pattern.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application is not required to conform to the employment land use recommendation of the master plan because the District Council approved ZMA A-9965-C, which changed the zoning from the I-3 Zone to the M-X-T Zone, in 2002. Subsequently, the Planning Board approved CSP-03001 to allow residential, retail, and commercial development.

7. **Stormwater Management**—The site has an unapproved Storm Water Management (SWM) Concept Plan (No. 56766-2018) that is currently under review with Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). However, it is noted that the site area and limits of disturbance for this SWM concept are inconsistent with that of the TCP1. Specifically, it appears that the multifamily development and associated parking and circulation located on Parcel 11 is missing from the SWM concept plan. The SWM concept plan must be revised and expanded to include the same site area and site improvements as reflected on Phase 3 of the TCP1. A condition of approval requires the revision and approval of the SWM concept plan, prior to signature approval of the PPS and TCP1.

At the September 26, 2019 Planning Board hearing, the applicant stated that there is a pending SWM concept plan (45273-2018) for the Phase 3 residential component, which will be submitted in lieu of a revision and expansion to SMW Concept Plan No. 56766-2018. Both SWM Concept Plan numbers shall be reflected on the PPS.

Development must be in conformance with an approved plan, or subsequent revisions, to ensure that on-site or downstream flooding does not occur.

8. **Parks and Recreation**—The PPS was reviewed and evaluated for conformance with the requirements and regulations of the Largo-Lottsford Master Plan and SMA, the *Formula 2040 Functional Master Plan for Parks, Recreation and Open Space*, the Subdivision Regulations, and CSP-03001-01, as they pertain to public parks and recreation.

The subject property is not adjacent to any existing Maryland-National Capital Park and Planning Commission (M-NCPPC) owned parkland. The current PPS approval calls for subdividing the two parcels into nine, with Parcel 11 to be used for residential development, and the remaining parcels to be used for commercial and office uses.

Based on the information provided, the plans indicate that the residential parcel (Parcel 11) is 7.2 acres in size, and will be developed with 284 multifamily residential units. Section 24-134 of the Subdivision Regulations requires mandatory dedication of parkland on all residential subdivisions. The mandatory dedication requirement for this development is approximately 1.08 acres. However, mandatory dedication of parkland is not recommended due the size, shape, and utility of the land to be dedicated.

It is determined that, per Section 24-135(b) of the Subdivision Regulations, the mandatory dedication requirements can be met by the provision of on-site private recreational facilities. The on-site recreation facilities package for the residential development shall be reviewed and approved at time of the applicable DSP for residential portion of the project.

The provision of on-site private recreational facilities will address the recreational needs of the future residents of this development.

9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Largo-Lottsford Master Plan and SMA, in order to

implement planned trails, bikeways, and pedestrian improvements. The submitted subdivision includes nine parcels with commercial, office, and multifamily residential uses. Because the site is not within a designated center or corridor, it is not subject to Section 24-124.01 (Adequate Public Pedestrian and Bikeway Facilities Required in County Centers and Corridors) of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2.”

The subject site is located in the M-X-T Zone. Section 27-542(a) of the Zoning Ordinance lists the purposes of the M-X-T Zone. The following statements are related to pedestrian and bicycle transportation:

Sec. 27-542. - Purposes.

- (a) **The purposes of the M-X-T Zone are:**
 - (2) **To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential commercial, recreational, open space, employment, and institutional uses;**
 - (4) **To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The sidewalk and trail network built to support this development will be reviewed in detail at the time of DSP. Prior to the acceptance of a DSP, an exhibit shall be provided that indicates how the pedestrian and bicycle facilities will contribute to creating a walkable community that encourages pedestrian activity and reduces automobile use.

One master plan trail impacts the subject site. A shared-use sidepath is recommended along MD 202 (Landover Road). The MPOT describes a sidepath as an off-road bidirectional multiuse facility adjacent to major roads.

This facility has not yet been implemented along the frontage of the subject site. While the right-of-way along MD 202 has been fully dedicated, the applicant will be required to build the MD 202 sidepath as part of their frontage improvements, unless modified with written documentation from the Maryland State Highway Administration (SHA).

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.

Sidewalks shall be provided along all road frontages, consistent with these policies. Sidewalk access is also required from the public rights-of-way to all building entrances. The sidewalk network within the site will be evaluated in more detail at the time of DSP. Bicycle parking is appropriate at the commercial, office, and multifamily buildings. The location and amount of bicycle parking can be determined at the time of DSP.

The submitted plans include cross sections of access easements for the internal drives. Each cross section includes a sidewalk section ranging from 5 feet wide (easement cross sections D, F, and G) to 13 feet wide (easement cross section E). The easements will contribute to a comprehensive walking and bicycling network within the site. The pedestrian and safety amenities will be further reviewed at the time of DSP.

The MPOT also includes a policy regarding trail connectivity in new development:

POLICY 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.

The submitted plans indicate a pedestrian and bicyclist connection to the east of the subject site.

There are multiple prior approvals that cover the subject site. Basic Plan A-9956-C includes the following pedestrian recommendation:

9. All public sidewalks shall comply with applicable ADA standards and be free of above ground utilities and street trees.

All sidewalks internal to and fronting on the subject site will be reviewed for Americans with Disabilities Act (ADA) standards at the time of DSP.

There are currently 5- to 6-foot-wide sidewalks along the subject site's frontage on Saint Josephs Drive. An 8-foot-wide sidewalk is required, unless modified with written documentation by DPIE.

CSP-03001-01 included the following condition of approval related to pedestrian and bicycle transportation.

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:

a. Revise the site plan to show potential pedestrian access to the adjacent M-X-T-zoned property to the east, approximately 460 feet south of the right-of-way for Ruby Lockhart Boulevard (to

correspond to a driveway between Parcels 1 and 3 as shown on Detailed Site Plan DSP-18024 for Woodmore Overlook Commercial).

The basic plan for Woodmore Overlook included a condition that bicycle lanes and an eight-foot-wide sidewalk be provided along Ruby Lockhart Boulevard. This would be the same improvements as was constructed at Woodmore Town Center. However, it is noted that the road classification changes from a Major Collector to an Industrial Road east of Saint Josephs Drive, and the right-of-way is reduced by 20 feet. An April 25, 2019 email from the DPIE Associate Director, Mary Giles, explained that the County is going to require parallel parking along one side of the road, inroad bicycle lanes along both sides, two travel lanes, and standard five-foot wide sidewalks along both sides of Ruby Lockhart Boulevard.

At a separate meeting on the evening of April 25, 2019, Mary Giles confirmed that these are improvements that DPIE recommends and will be required along Ruby Lockhart Boulevard for both the Woodmore Overlook and Balk Hill developments.

The subject site's frontage along Ruby Lockhart Boulevard shall include a standard five-foot-wide sidewalk and a designated bicycle lane.

10. **Transportation**—This PPS is within an area of a previously approved PPS (4-03094) for Balk Hill. Balk Hill was approved for the development of 393 dwelling units and 348,480 square feet of commercial development. The land area for Balk Hill outside the boundaries of the subject PPS has been developed. The overall trip cap was established at the time of zoning (ZMA A-9956-C), with a total trip cap for the site of 1,015 trips during the AM peak-hour and 1,058 trips during the PM peak-hour. The development within this PPS 4-18024 includes a mix of uses which will not exceed the trips analyzed in the previous PPS, or the overall trip established by A-9956-C.

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 D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

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 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.

The table below summarizes trip generation in each peak-hour that will be used in reviewing conformance with the trip cap for the site:

| Trip Generation Summary: 4-18024: Woodmore Commons | | | | | | | | |
|--|--------------|----------------------|--------------|------------|-------------|--------------|------------|-------------|
| Land Use | Use Quantity | Metric | AM Peak Hour | | | PM Peak Hour | | |
| | | | In | Out | Tot | In | Out | Tot |
| Existing Development (Balk Hill) | | | | | | | | |
| Residential – Detached plus Manor Residences | 333 | units | 50 | 200 | 250 | 197 | 103 | 300 |
| Residential – Attached | 60 | units | 8 | 34 | 42 | 31 | 17 | 48 |
| Specialty Retail/Office | 20,000 | square feet | 0 | 0 | 0 | 26 | 26 | 52 |
| Total Trips Existing | | | 58 | 234 | 292 | 254 | 146 | 400 |
| Proposed Development for 4-18024 | | | | | | | | |
| Multifamily Residences | 284 | units | 29 | 119 | 148 | 111 | 59 | 170 |
| Option 1: Retail Plus Office | | | | | | | | |
| Medical Office | 30,000 | square feet | 69 | 17 | 86 | 36 | 78 | 114 |
| Retail | 50,000 | square feet | 110 | 67 | 177 | 165 | 178 | 343 |
| Less Pass-By (40 percent per Guidelines) | | | -44 | -27 | -71 | -66 | -71 | -137 |
| Net Trips for Retail | | | 66 | 40 | 106 | 99 | 107 | 206 |
| Option 2: Retail Only | | | | | | | | |
| Retail | 80,000 | square feet | 119 | 73 | 192 | 231 | 250 | 481 |
| Less Pass-By (40 percent per Guidelines) | | | -48 | -29 | -77 | -92 | -100 | -192 |
| Net Trips for Retail | | | 71 | 44 | 115 | 139 | 150 | 289 |
| Both Options 1 and 2: Super Gas Station and Convenience Store | | | | | | | | |
| Super Gas Station and Convenience Store | 8,000 16 | square feet pumps | 225 | 224 | 449 | 183 | 184 | 367 |
| Less Pass-By (76 percent) | | | -171 | -170 | -341 | -139 | -140 | -279 |
| Net Trips for Super Gas Station/Store | | | 84 | 84 | 168 | 44 | 44 | 88 |
| Total Proposed Trips for 4-18024/Option 1 | | | 194 | 254 | 448 | 279 | 243 | 522 |
| Total Proposed Trips for 4-18024/Option 2 | | | 184 | 247 | 431 | 294 | 253 | 547 |
| Proposed Trips for 4-18024 | | | | | 448 | | | 547 |
| Total Existing Plus Proposed for Woodmore Commons | | | | | 740 | | | 947 |
| Trip Cap – A-9956-C | | | | | 1013 | | | 1058 |

The applicant provided a trip generation memorandum as a part of the submittal, and the numbers in the table above differ slightly from that submittal. The retail space in the submittal was analyzed using the 9th Edition of *Trip Generation* (Institute of Transportation Engineers), and in the table above, the 10th Edition of the same publication was used. The differences do not alter the conclusion that the plan is consistent with the trip cap established by the rezoning.

This site was the subject of PPS 4-03094; this plan does not contain an explicit trip cap condition. In the process of reviewing this plan against that underlying PPS, it was noted that the adequacy determination was consistent with the trip cap in the ZMA. The resolution attempted to show that the development proposed was consistent with the zoning trip cap with a table (page 14 of PGCPB Resolution No. 04-33). For this reason, and because the uses have not substantially changed since the prior PPS was reviewed in 2003, this PPS does not require a new traffic study; only the provided trip generation report is required as a means of substantiating compliance with prior trip caps.

Master Plan Roadways

Ruby Lockhart Boulevard is a master plan commercial/industrial roadway with a width of 70 feet. The current right-of-way is adequate, and no additional dedication is required from this plan. MD 202 is a master plan expressway with a variable right-of-way. The current right-of-way is adequate, and no additional dedication is required from this plan.

Saint Josephs Drive is a master plan collector roadway with a width of 80 feet. The current right-of-way is adequate. While no additional dedication was required, the plan shows additional dedication along Saint Josephs Drive, as requested by the County.

Prior Approvals

Prior application A-9956-C, contains transportation-related conditions. There are no additional conditions from the prior PPS 4-03094 that need to be carried forward on this plan. The status of the transportation-related conditions from A-9956-C are described below:

- 1. The following improvements shall be funded by the Applicant, with the timing to be determined at the time of preliminary plan of subdivision:**
 - a. The construction of Campus Way as an arterial facility within the limits of the subject property.**
 - b. The construction of St. Joseph's Drive as a collector facility within the limits of the subject property.**

These facilities have been constructed.

- 2. The Applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the Applicant shall provide a second eastbound left turn lane along MD 202 at the**

McCormick Drive/St. Joseph's Drive intersection. These improvements shall be either directly provided by the Applicant, or shall be funded by the Applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis to be determined at the time of preliminary plan of subdivision.

This was reiterated at the time of PPS 4-03094 and was addressed through conditions on that plan; the needed improvements have been constructed.

3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:

- a. **Campus Way, an arterial facility with a right-of-way of 120 feet.**
- b. **St. Joseph's Drive, a collector facility with a right-of-way of 80 feet.**
- c. **A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.**

This was confirmed during review of PPS 4-03094; all required rights-of-way have been dedicated.

4. The Applicant shall study the planned Campus Way/St. Joseph's Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.

This condition was enforceable at the time of PPS 4-03094, and this intersection was studied further at that time.

5. The development of the subject property shall be limited to 20,000 square feet of retail space, 328,480 square feet of general office space, and 393 residences, or other permitted uses which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.

On March 27, 2018, the District Council enacted a Final Conditional Zoning Approval which amended Conditions 5 and 10. Condition 5 was amended as follows:

The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak-hour vehicle trips.

This trip cap was reviewed in the Trip Generation Summary table, and it is determined that the development proposed is consistent with the zoning trip cap.

Prior application CSP-03001, contained one transportation-related condition. The status of the

transportation-related condition is described below:

3. **If determined to be desirable and needed at the time of preliminary plan, the preliminary plan shall reflect an extension of Ruby Lockhart Boulevard beyond Saint Joseph's Drive to the west property line as a 70-foot right-of-way.**

This was done at the time of PPS 4-03094 and is reflected on this plan.

Vehicular Access and Easements—All parcels within the subdivision have frontage on a public right-of-way. Shared vehicular access to the public street and throughout the site is to be provided by easements authorized pursuant to Section 24-128(b)(9), to avoid potentially hazardous or dangerous traffic situations. No public or private streets are provided within the subdivision. There are two development pods included with this PPS, one north and one south of Ruby Lockhart Boulevard.

The development south of Ruby Lockhart Boulevard includes Parcels 3–9. There are three types of easements needed to form a cohesive pattern of circulation for the development. The first is a boulevard type treatment from the site access with Ruby Lockhart Boulevard, extending southward into the site; the second is a loop road that provides access and circulation to all the parcels within the south development pod; and the third is a service type access easement, which provides a connection to the rears of the anticipated development on Parcels 6 and 7, along the easternmost property line that connects to the boulevard. These easements shall provide a defined and consistent circulation pattern for vehicular and pedestrian traffic into and throughout the site. The CSP-03001-01 Planning Board Resolution (No. 19-71) contains the following finding regarding the expectations for the development of the access easements:

The internal driveways into the site should reflect a boulevard type of treatment in keeping with the mixed-use development proposed and the zoning of the site as M-X-T. A cross-section exhibit of the driveways has been provided on the plan but does not adequately portray how the driveways will incorporate urban, pedestrian oriented amenities such as sidewalks, street trees, and landscaping in keeping with a mixed-use zone site. This exhibit will need to be updated and shown on the PPS in order to adequately evaluate the spatial relationships associated with the driveways, surrounding parcels proposed and any associated access easements.

The cross section provided and labeled “Access Easement ‘A’ Section” is appropriate for the boulevard treatment, which provides the only entry to the southern commercial development pod. The easement shall, however, be revised to clearly delineate the length of the easement at the time of DSP.

The loop road begins at the end of the boulevard easement and loops around the site and connects back to the boulevard. This easement section shall be designed to provide continuous sidewalks a minimum of five feet wide along at least one side of the travel lanes, with a contiguous green space, clearly defining the area of the continuous access easements for vehicular and pedestrian flow through the site.

A cross section for the access, which services the rears of Parcels 6 and 7, has not been provided. It is anticipated that this easement will be for service vehicles, and a cross section for this area of the access easement shall be provided at the time of acceptance of the DSP. Prior to certificate approval for the DSP, for Parcels 7 and 9, the length of this easement shall be determined.

The development north of Ruby Lockhart Boulevard includes Parcels 10 and 11. The access easement cross section to Parcels 10 and 11 is shown in "Access Easement 'G' Section." This is an appropriate cross section for this access easement. All other access easement cross sections shall be deleted from the PPS.

Access and circulation on the site are acceptable. All easements provided shall include both the vehicular and pedestrian travel areas. The exact location and details of all easements will be further refined at the time of DSP, when buildings are proposed. All easements shall be shown on the final plat of subdivision. The easements approved pursuant to Section 24-128(b)(9) are supported for the following reasons:

- MD 202 is a master plan expressway facility, and SHA is unwilling to grant driveway access to serve this site. The denial of access from MD 202 is approved.
- Saint Josephs Drive between MD 202 and Ruby Lockhart Boulevard is a busy facility. The applicant states, that individual driveways onto this section of Saint Josephs Drive would present a safety issue. The use of the easement to serve Parcels 3–9 is appropriate.
- The use of the easement from Ruby Lockhart Boulevard to serve Parcels 10 and 11 is appropriate due to safety concerns. Separate driveways to serve Parcels 10 and 11 would result in many driveways within a short spacing along Ruby Lockhart Boulevard.
- It is noted that Parcel 10 will also be served by a driveway from Saint Josephs Drive; this section of Saint Josephs Drive is not as heavily travelled as the section south of its intersection with Ruby Lockhart Boulevard, and the safety concern is not as pronounced along this section.

Access is shall be denied along MD 202 and along Saint Josephs Drive between MD 202 and Ruby Lockhart Boulevard.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision as required, in accordance with Section 24-124.

11. **Schools**—This PPS has been reviewed for its impact on school facilities, in accordance with

Section 24-122.02 of the Subdivision Regulations, and Council Resolution CR-23-2003. The results are as follows:

Impact on Affected Public School Clusters
 Multifamily Units

| Affected School Clusters # | Elementary School Cluster #4 | Middle School Cluster #4 | High School Cluster #4 |
|----------------------------|------------------------------|--------------------------|------------------------|
| Dwelling Units | 284 | 284 | 284 |
| Pupil Yield Factor | 0.119 | 0.054 | 0.074 |
| Subdivision Enrollment | 34 | 15 | 21 |
| Actual Enrollment in 2018 | 10,847 | 5,049 | 7,716 |
| Total Enrollment | 10,812 | 5,052 | 7,738 |
| State Rated Capacity | 13,348 | 5,374 | 8,998 |
| Percent Capacity | 81% | 94% | 86% |

County Council Bill CB-31-2003 allows for the establishment of a school facilities surcharge with an annual adjustment for inflation. The current school facilities surcharge amount is \$16,698, to be paid at the time of issuance of each building permit.

The commercial portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

12. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewer, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated August 19, 2019 (Saunders Hancock to Turnquest), incorporated by reference herein.
13. **Use Conversion**—The total development included in this PPS includes 284 multifamily dwelling units, and 88,000 square feet of commercial and office development in the M-X-T Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses 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), when utility easements are required by a public company, the subdivider shall 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 standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on public rights-of-way Ruby Lockhart Boulevard, which bisects the

development, Saint Josephs Drive to the west, MD 202 to the south, and Tulson Lane to the north. The required PUEs are delineated on the PPS.

15. **Historic**—The subject property was surveyed for archeological resources in 2005, and no sites were identified. No additional archeological investigations are required. This plan will not impact any historic sites, resources, or known archeological sites.
16. **Environmental**—This project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 that came into effect on September 1, 2010, because the application is for a new PPS. This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

2014 Plan Prince George's 2035 Approved General Plan

The site is located within the Environmental Strategy Area (ESA) 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035.

Largo-Lottsford Approved Master Plan and Adopted Section Map Amendment (July 1990)

In the Largo-Lottsford Master Plan and SMA, the Environmental Envelope section contains goals, objectives, and guidelines. The following guideline has been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

19. **Tree save areas shall be established to act as noise or visual buffers along major transportation corridors and between conflicting land use zones, tree save areas (and the canopy dripline) shall be adequately protected during the grading and construction phase of the plan. This includes fencing, flagging or bonding if necessary.**

The site is situated at the intersection of MD 202 (Landover Road) and Saint Josephs Drive, which are major transportation corridors into the surrounding community. Although no woodland preservation or retention of existing woodlands are proposed with this application, this project will be subject to buffering and screening requirements as referenced in the 2010 *Prince George's County Landscape Manual* (Landscape Manual) at the time of DSP review.

Countywide Green Infrastructure Plan

The 2017 *Countywide Green Infrastructure Plan* (Green Infrastructure Plan) was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017), in May 2017. According to the approved Green Infrastructure Plan, the property is entirely mapped as an evaluation area within the designated network of the plan. This area corresponds with the existing woodland on the site. There are no regulated environmental features mapped on-site, which are typically associated with regulated areas within the green infrastructure network. The green infrastructure elements mapped on the subject site correspond with existing woodland that will be impacted. The site is subject to the WCO as well as the current SWM requirements and meets the zoning requirements and the intent of the growth

pattern established in the general plan.

Natural Resources Inventory/Existing Conditions

An approved Natural Resources Inventory (NRI) was submitted with the review package, NRI-151-2018, which was approved on November 13, 2018. The NRI shows that no streams, wetlands, or floodplain are found to occur on the 17.2 acres that are the focus of this application. It is noted that the total site acreage on the NRI did not include the acreage of the dedication along Saint Josephs Drive, which has been included in this PPS for a total of 17.92 acres.

The forest stand delineation indicates the presence of one forest stand totaling 14.90 acres and no specimen trees. No revisions are required for conformance to the NRI.

Woodland Conservation

The site is subject to the provisions of the WCO because there are approved tree conservation plans for the property; TCP1-019-03 and Type 2 Tree Conservation Plan TCP2-082-05. A revision to the TCP1 has been submitted with this application.

The TCP worksheet has been broken down into three phases based on the most recently approved TCP2-082-05-04 because this plan has been used for permitting purposes and is more accurate as conditioned by CSP-03001-01. The worksheet has removed Parcels 1 and 2 from previously approved Phase 1 and placed them into Phase 3. However, the worksheet did not deduct the 14.90 acres of woodlands from the “woodland on the net tract for this phase” value, or from the “woodland cleared on net tract for this phase” value from Phase 1 when it was transferred to Phase 3, as required. The worksheet must be revised accordingly. The woodland conservation threshold for the overall 117.89-acre property is 15 percent of the net tract area, or 17.32 acres. The approved plan will clear all of the remaining woodland within Parcels 1 and 2, and to meet the requirement generated by this clearing, 7.97 acres entirely, with fee-in-lieu payments. As previously stated, this plan is not grandfathered from the provisions of the WCO and the environmental technical manual. Per Section 25-122(c), payment of fee-in-lieu is the lowest priority for meeting a woodland conservation requirement. In addition, per Section 25-122(d)(8), fee-in-lieu may be used to meet the conservation requirements after all other options are exhausted, and if the total conservation requirement is one acre or less. Fee-in-lieu may be provided for meeting conservation requirements that total one acre or larger if the project generating the requirement is located in the Developed Tier. This site is within ESA 2 (formerly the Developing Tier) with a total conservation requirement in excess of one acre; therefore, it is not eligible for fee-in-lieu. All fee-in-lieu must be removed from the worksheet and the worksheet must be amended to show the requirements being met through off-site or on-site attenuation, in accordance with the code.

The TCP1 plan requires additional technical corrections to be in conformance with the WCO, which are included as conditions of approval of this application.

17. **Urban Design**—Conformance with the following Zoning Ordinance regulations is required for the site development at the time of the required DSP review including, but not limited to, the following:

- Section 27-544 regarding regulations in the M-X-T Zone;
- Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
- Section 27-548 regarding regulations in the M-X-T Zone;
- Part 11, Off-street Parking and Loading; and,
- Part 12, Signs

Section 27-548(g) of the Zoning Ordinance reads, as follows:

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

All parcels will have frontage on Saint Josephs Drive, MD 202, or Ruby Lockhart Boulevard. Access will be from Ruby Lockhart or Saint Josephs Drive, in conformance with this requirement.

Conformance with the 2010 Prince George's County Landscape Manual

In accordance with Section 27-544(a) of the Zoning Ordinance, the development is subject to the Landscape Manual. Specifically, this property is subject to the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Conformance with the applicable landscaping requirements will be determined at time of DSP review.

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 project that proposes more than 5,000 square feet of gross floor area or disturbance, and requires a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. For a property of 17.92 acres, the required tree canopy coverage would be 1.79 acres. Compliance with this requirement will be further evaluated at the time of DSP.

Other Design Issues

The approved CSP-03001-01 shows a gateway feature at the corner of Saint Josephs Drive and MD 202. The lot layout shows two rectangular parcels (3 and 5) in this corner that may need to be adjusted to accommodate future development that will meet the goals of the M-X-T Zone for outward oriented development, and to allow for the anchoring of a design feature that will act as a gateway to one of Prince George's County's Downtowns. Conformance with CSP-03001-01 will be further evaluated at time of DSP.

The PPS shall note or show the potential pedestrian access to the adjacent M-X-T-zoned property to the east, approximately 460 feet south of the right-of-way for Ruby Lockhart Boulevard (to

correspond to a driveway between Parcels 1 and 3, as shown on DSP-18024 for Woodmore Overlook Commercial). Again, connectivity issues will be further evaluated at time of DSP.

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, September 26, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of October 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:AT:gh