

R E S O L U T I O N

WHEREAS, VMD-Upper Marlboro, LLC is the owner of a 37.59-acre parcel of land known as Parcel 6, said property being in the 15th Election District of Prince George’s County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T); and

WHEREAS, on January 5, 2020, VMD-Upper Marlboro, LLC filed an application for approval of a Preliminary Plan of Subdivision for 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-20003 for Hope Village Center (Royal Farms) 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 21, 2021, 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 21, 2021, 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 TCP1-015-2019, and further APPROVED Preliminary Plan of Subdivision 4-20003 for 2 parcels with the following conditions:

1. Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.
2. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (21659-2019-0) and any subsequent revisions.
3. The final plat of subdivision shall grant 10-foot-wide public utility easements along the public rights-of-way abutting the site, in accordance with the approved preliminary plan of subdivision.
4. Prior to certification of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Add TCP1 information to the approval block from the Conceptual Site Plan: 00 approval line - “C. Schneider”, “11/20/2020”, and “CSP-18007” 01 approval line – “4-20003” in the DRD approval column.

- b. Add a “retain/remove” column to the specimen tree chart.
 - c. Remove the current standard woodland conservation worksheet and add the phased woodland conservation worksheet from the original TCP1.
 - d. Show how the remaining woodland conservation requirement will be met for this phase of the development.
 - e. Have the revised plan signed and dated by the qualified professional who prepared it.
5. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*, the applicant and the applicant’s heirs, successors, and/or assigns shall provide, and depict in the detailed site plan prior to its certification, the following facilities:
 - a. Bikeway signage and shared lane markings (e.g., “sharrow”) along the subject site’s frontage of Marlboro Pike, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
 - b. A minimum eight-foot-wide shared-use path along the subject site frontage of MD 223, unless modified by the Maryland State Highway Administration, with written correspondence.
 - c. Standard sidewalks along both sides of all internal roads, public or private, excluding alleys, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
 - d. A separated and marked pedestrian connection connecting the entrance of the future development on the subject site with sidewalks of all frontage roads, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement, with written correspondence.
 - e. A minimum of two bicycle parking racks near the entrance of the future development on the subject site.
6. Total development within the subject property shall be limited to uses that would generate no more than 96 AM and 82 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.
7. Prior to approval of the final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall demonstrate that a business owners association has been established. The draft covenants shall be submitted to the Subdivision Section to ensure the rights of the Maryland-National Capital Park and Planning Commission are included. The liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.

8. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees, shall submit a copy of the recorded deed of conveyance to business owners association for the land as identified on the approved preliminary plan of subdivision.
9. The roadways within the private rights-of-way shown on this preliminary plan of subdivision shall be constructed at the time of building permit, unless otherwise modified at the time of DSP.

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 southeast quadrant of the intersection of Woodyard Road (MD 223) and Marlboro Pike in Rosaryville, Maryland. The property is currently vacant and is known as Parcel 6, described by deed recorded in Liber 21377 folio 394 and consists of 37.59 acres in the Mixed Use-Transportation Oriented (M-X-T) Zone. The property is also located with the Military Industrial Overlay (M-I-O) Zone for height. The site is subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan and SMA). This preliminary plan of subdivision (PPS) includes two parcels, one of which is for commercial development and the other is a private street parcel, and one outparcel for future development. The proposed development is subject to a PPS, in accordance with Section 24-107 of the Prince George's County Subdivision Regulations. The proposed outparcel will require a new PPS prior to the approval of any development.
3. **Setting**—The property is located on Tax Map 100 in Grid B3, in Planning Area 82A, and is zoned M-X-T. Three properties abut the subject site to the east and south, two of which contain churches, and are in the Residential-Agricultural (R-A) Zone. Marlboro Pike and MD 223 flank the site to the north and west. The site will have access to both rights-of-way via proposed private streets. The adjacent property across Marlboro Pike to the north is vacant and zoned Local Activity Center. The adjacent properties across MD 223 to the west consist of single-family dwellings and are zoned Townhouse and Rural Residential (R-R).

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

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Agricultural	Commercial
Acreage	37.59	37.59
Lots	0	0
Parcels	1	2
Outparcel	0	1
Dwelling Units	N/A	N/A
Gross Floor Area	0	4,650
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on November 30,2020.

5. **Previous Approvals**—Conceptual Site Plan CSP-18007 was approved by the Prince George’s County Planning Board on February 6, 2020 (PGCPB Resolution No. 2020-19), subject to four conditions. Three of those conditions affect this PPS review and are analyzed in this resolution.
6. **Community Planning**—The subject site is within the area of the Subregion 6 Master Plan and SMA. Conformance with the 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and Subregion 6 Master Plan and SMA are evaluated, as follows:

Plan 2035

The application is in the Established Communities Growth Policy area designated in Plan 2035. The vision for the Established Communities area is most appropriate for context-sensitive infill and low- to medium-density development (page 20).

Master Plan Conformance

The Subregion 6 Master Plan and SMA recommends Residential Low future land use for the center of the site, commercial land use for the northern portion of the site, and institutional land use for the southern portion of the subject property.

SMA/Zoning

The SMA rezoned the subject property from the R-A Zone to the M-X-T Zone. The site is also located within the M-I-O Zone, Height, Conical Surface - Left Runway Area E, with an approximate height limit of 562 feet. The height for proposed buildings will be further evaluated with the detailed site plan (DSP).

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the Subregion 6 Master Plan and SMA.

7. **Stormwater Management**—Stormwater Management (SWM) Concept Plan 21659-2019-0, reviewed and approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE), was submitted with the subject application. According to the plan, eight micro-bioretenion facilities are proposed to provide stormwater retention and attenuation on-site. The concept approval expires November 21, 2022. Development of the site shall conform with the SWM concept approval and any subsequent revisions, to ensure no on-site or downstream flooding occurs.
8. **Parks**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject PPS is exempt from the mandatory dedication of parkland requirement because it consists of nonresidential development.
9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Subregion 6 Master Plan and SMA to provide the appropriate pedestrian and bicycle transportation facilities.

Previous Approvals

The proposed development is subject to the following prior approval, which includes the following conditions related to bicycle and pedestrian transportation:

CSP-18007

2. **Prior to acceptance of the applicable preliminary plan of subdivision, the following information shall be provided or shown on the plans:**
 - d. **Provide continuous standard sidewalks along both sides of all internal roads, excluding alleys, unless modified with written correspondence by the Department of Public Works and Transportation and the Department of Permitting, Inspections and Enforcement.**

Continuous sidewalks have been provided along all internal roads.

- e. **Provide an 8-foot-wide trail along the property frontage or within the right-of-way of MD 223 (Woodyard Road) consistent with the standards of the Maryland State Highway Administration (SHA), unless modified by SHA.**

An eight-foot-wide trail along the property’s frontage of MD 223 has been provided on the PPS.

- f. Provide an additional pedestrian connection between the residential units and the retail/institutional uses, if feasible. If infeasible, documentation demonstrating why and how the trail cannot be built shall be submitted.**

A pedestrian connection is not feasible at this time, as this PPS does not include residential units.

- g. A preliminary plan of subdivision that includes development along C-605 shall provide pedestrian crossing of MD 223 (Woodyard Road) and master plan roadway (C-605) to enable access to Windsor Park and the residential developments to the west subject to unless modified by the State Highway Administration.**

This PPS does not include development along C-605.

The relevant conditions shown above are reflected on the plans submitted with this PPS application. The pending DSP for this project (DSP-20008) also includes these facilities.

Existing Conditions, Sidewalks and Bike Infrastructure

The PPS does not include a description of proposed pedestrian and bicycle facilities.

The submitted PPS does not include blocks over 750 feet long and therefore, does not need to provide additional walkway facilities and mid-block crossing facilities pursuant to Section 12-121(a)(9).

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to residential areas and a designated local activity center with no current pedestrian or bicycle connections. The subject site will include an eight-foot trail along the frontage of MD 223 and a pedestrian crossing at MD 223 and Marlboro Pike to facilitate future connections.

The required pedestrian and bicycle improvements associated with the proposed development will address goals, policies, and strategies in the MPOT and the Subregion 6 Master Plan and SMA.

Review of Master Plan Compliance

Two master plan trail facilities impact the subject site, a planned side path along MD 223 and a planned shared roadway along Marlboro Pike. This development case is subject to the MPOT, which provides policy guidance regarding multimodal transportation. The Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10), which recommends the following facilities:

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.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The applicant shall provide sidewalks along the subject site frontages; Marlboro Pike, MD 223, and Proposed Streets “A” and “B;” bikeway signage and shared-lane markings (sharrows) along the subject site frontage of Marlboro Pike; a minimum of two bicycle racks at the subject site at a location convenient to the entrance of the future development; and marked and separated pedestrian connection from the proposed streets to the entrance of a future development. These will fulfill the intent of the Complete Streets policies.

A sidewalk along the subject site frontage of Marlboro Pike would not only be consistent with the MPOT Complete Streets policies and Subregion 6 Master Plan and SMA policies, but also the M-X-T Zone site plan findings related to developing a convenient and comprehensively designed pedestrian environment that encourages pedestrian activity. While staff recommended this sidewalk, correspondence from DPIE (Abraham to Leonard, May 15, 2020), indicates that a waiver from constructing the sidewalk along Marlboro Pike was granted. An acceleration/deceleration lane along the frontage of Marlboro Pike is still required. The waiver was granted due to right-of-way constraints and therefore, construction of a sidewalk will not be required for this application.

Review of Area Master Plan Compliance

This development is also subject to Subregion 6 Master Plan and SMA which includes the following recommendations for pedestrian and bicyclist facilities (page 105):

Policy 7: Expand, encourage, and promote hiker/biker/equestrian recreational activities.

Policy 8: Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes.

Policy 9: Provide multiuse trails accommodating hikers, bikers, and equestrians along major stream valley corridors.

The submitted plans include sidewalks along proposed Streets “A” and “B”, and an eight-foot-wide trail along MD 223. The applicant shall provide bicycle parking on the

subject site, as well as separated and marked pedestrian connections be provided and shown on the DSP. Additional pedestrian facilities will be further evaluated with the pending DSP. Moreover, designated space for bicycle parking is provided and included in the pending DSP.

The proposed and required improvements fulfill the intent of the policies above and are in compliance with the Subregion 6 Master Plan and SMA, pursuant to Section 24-121(a)(5).

- 10. Transportation**—The PPS will create a development parcel to allow the development of a food and beverage store with 16 gasoline fueling positions. The parcel is part of a larger development; aside from conveyance lines for the private streets to serve the parcel being created, the remainder of the site is shown as an outparcel.

The PPS is required to create the parcel being developed. Transportation-related findings related to adequacy are made with this application, along with any determinations related to dedication, access, and general subdivision layout. Access and circulation are proposed by means of the streets being dedicated.

The plan was reviewed against prior plan CSP-18007.

Because the proposal is expected to generate more than 50 peak-hour trips, a traffic impact study (TIS) has been submitted. The traffic study was referred to the County (the Department of Public Works and Transportation) and DPIE, as well as the Maryland State Highway Administration (SHA). 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:

- (A) Links and signalized intersections: Level-of-service D, with signalized intersections operating at a critical lane volume of 1,450 or better.
- (B) Unsignalized intersections: The procedure for unsignalized intersection 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 are computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume 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 critical lane volume is computed.

Analysis of Traffic Impacts

The application is a PPS for a plan that includes commercial uses. The trip generation is estimated using trip rates and requirements in the “Transportation Review Guidelines, Part 1” (Guidelines) and *Trip Generation* (Institute of Transportation Engineers). The table below summarizes trip generation in each peak hour that was used in reviewing traffic for the site:

Trip Generation Summary: 4-20003: Hope Village Royal Farms								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Food and Beverage Store/Gas Station	4,650	Square feet	201	201	402	171	172	343
	16	Fueling positions						
Less Pass-By (76 percent AM and PM)			-153	-153	-306	-130	-131	-261
Net Gas/Food and Beverage Store Trips			48	48	96	41	41	82
Total Proposed Trips for 4-20003 (sum of all bold numbers above)			48	48	96	41	41	82
Proposed Trip Cap					96			82

A June 2019 TIS (final update June 2020) with counts taken in June 2019 was submitted and accepted as part of this PPS. Due to the effects of the ongoing COVID-19 pandemic, the process of collecting traffic counts for traffic studies became problematic. In accordance with Planning Board policy adopted on April 9, 2020, applicants were allowed to scope and prepare studies using counts up to three years old that are factored with one to three years of annual traffic growth. That policy expired on September 10, 2020; studies that have been scoped or prepared or otherwise presented for review between April 9 and September 10 using pandemic-factored counts are allowed to be accepted during 2020. In the case of this TIS, it was initially presented for pre-acceptance review in May 2020, and its counts were allowed to be factored in accordance with the Planning Board’s temporary policy.

The following tables represent results of the analyses of critical intersections under existing, background and total traffic conditions:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 223/Marlboro Pike and NB MD 4 ramps	15.6*	12.9*	--
MD 223 and SB MD 4 ramps	52.5*	35.9*	--	--
MD 223 and Marlboro Pike	1,105	1,489	B	E
MD 223 and Marlboro Pike Relocated	future			
MD 223 and Dower House Road	1,469	1,432	E	D
MD 223 and Rosaryville Road	816	934	A	A
MD 223 and site access	future			
Marlboro Pike and site access	future			
*In analyzing unsignalized intersections with all-way stop control, 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 MD 223 and Dower House Road intersection is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program." The project is for the widening of eastbound Dower House Road to include a dedicated right-turn lane and is included in the list of minor SHA projects.

Construction being done by Norbourne Property at MD 223/Marlboro Pike is currently bonded and under construction.

Background traffic has been developed for the study area using a listing of four approved developments in the area and a growth rate of 0.5 percent per year over six years. A second analysis was done to evaluate the impact of background developments. The analysis revealed the following results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 223/Marlboro Pike and NB MD 4 ramps	337.7*	89.8*	--
MD 223 and SB MD 4 ramps	503.8*	+999*	--	--
MD 223 and Marlboro Pike	962	1,400	A	D
MD 223 and Marlboro Pike Relocated	future			
MD 223 and Dower House Road	1,352	1,377	D	D
MD 223 and Rosaryville Road	875	1,006	A	B
MD 223 and site access	future			
Marlboro Pike and site access	future			
*In analyzing unsignalized intersections with all-way stop control, 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 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:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223/Marlboro Pike and NB MD 4 ramps (standards for passing are shown in parentheses)				
Delay Test (50 seconds or less)	337.7*	89.8*	Fail	Fail
Minor Street Volume Test (100 or fewer)	1,407	870	Fail	Fail
CLV Test (1,150 or fewer)	747	519	Pass	Pass
MD 223 and SB MD 4 ramps (standards for passing are shown in parentheses)				
Delay Test (50 seconds or less)	503.8*	+999*	Fail	Fail
Minor Street Volume Test (100 or fewer)	223	805	Fail	Fail
CLV Test (1,150 or fewer)	1,277	1,281	Fail	Fail
MD 223 and Marlboro Pike	1,005	1,433	B	D
MD 223 and Marlboro Pike Relocated (standards for passing are shown in parentheses)				
Delay Test (50 seconds or less)	337.7*	112.0*	Fail	Fail
Minor Street Volume Test (100 or fewer)	49	31	Pass	Pass
MD 223 and Dower House Road	1,381	1,401	D	D
MD 223 and Rosaryville Road	880	1,008	A	B
MD 223 and site access	17.0*	12.5*	--	--
Marlboro Pike and site access	28.1*	32.6*	--	--
*In analyzing unsignalized intersections with all-way stop control, 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.				

It is found that all critical intersections operate acceptably under total traffic in both peak hours except for the southbound MD 4 ramp junction with MD 223. Improvements to address this failing intersection have been bonded and permitted for construction by SHA.

A trip cap consistent with the trip generation assumed for the site, 96 AM and 82 PM peak-hour vehicle trips is required.

Master Plan and Site Access

MD 223 is a master plan arterial facility with a minimum proposed width of 120 feet and a variable right-of-way, which is acceptable as shown on the PPS. C-605/ Marlboro Pike Relocated is a master plan collector facility with a proposed width of 80 feet. While C-605 as presented on the CSP is different from PGAtlas, during review of the CSP the Planning Board found that the alignment shown on the CSP was in substantial conformance with the master plan. The alignment shown on the PPS is consistent with the CSP.

Two private streets are proposed to be conveyed to a business owners association. The right-of-way for these private streets is acceptable as shown. The roadways within these rights-of-way shall be constructed at the time of building permit.

CSP-18007 was approved by the Planning Board on February 6, 2020 (PGCPB Resolution No. 2020-19). The Planning Board approved the CSP with two traffic-related conditions which merit discussion at this time, as follows:

- 3. Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:**
 - a. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):**

MD 4 (Pennsylvania Avenue) at Dower House Road:

- (1) Provide two additional through lanes along both eastbound and westbound MD 4 to the east and west of Dower House Road.**
- (2) On the northbound approach, provide four approach lanes with two left turn lanes, one through lane, and a right-turn lane.**

If the above-listed improvements are to be provided pursuant to the "MD 4 Pennsylvania Avenue" project in the current Prince George's County Capital Improvement Program, the applicant shall, in cooperation with the Prince George's County Department of Permitting, Inspections and Enforcement and/or the Prince George's County Department of Public Works and Transportation, demonstrate the construction and/or financial participation. This information shall be supplied to the Transportation Planning Section at the time of preliminary plan of subdivision.

This condition is being modified at the time of this PPS, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance, to be implemented as a phased condition. As noted earlier, this PPS is for a small portion of the overall property covered by CSP-18007, and it was determined during scoping that the impact of the use proposed would have a minimal impact on the MD 4 and Dower House Road intersection. This condition will become enforceable when Outparcel 1 of the subject PPS is subdivided at a later time.

- b. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access**

permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

MD 223 (Woodyard Road) at Dower House Road:

- (1) On the eastbound Dower House Road approach, provide a dedicated right-turn lane.**

MD 223 at Marlboro Pike:

- (1) Modify the traffic signal to provide east/west split-phased operations.**

The MD 223 and Dower House Road intersection is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program." The project is for the widening of eastbound Dower House Road to include a dedicated right-turn lane and is included in the list of minor SHA projects. At this time, the first portion of the condition is deemed to be satisfied.

With regard to the second portion of the condition, this condition regarding MD 223 and Marlboro Pike is being modified at the time of this PPS, pursuant to Section 27-546(d)(9). The condition may be needed in the future, but it is not required to be implemented at this time because the intersection operates acceptably under total traffic with improvements that are bonded and being constructed by Norbourne Property.

- 4. Prior to approval of the initial detailed site plan proposing development within the site, unless modified at the time of preliminary plan of subdivision, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:**

The applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration (SHA) for signalization at the intersection of MD 223 (Woodyard Road) at the MD 4 (Pennsylvania Avenue) southbound ramps. 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 signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with SHA prior to release of any building permits within the site and complete installation at a time when directed by SHA.

The applicant submitted a Traffic Impact Analysis (TIA), which evaluated the MD 223 and MD 4 intersection, with reconstruction of the MD 223 and MD 4 southbound interchange in mind. The TIA indicates that in this scenario, the intersection passes the unsignalized intersection test. The applicant provided correspondence from SHA dated January 13, 2020 indicating the interchange improvement, including a signal at that location, has been bonded and permitted by

SHA through SHA permit number 12APPG01120. Therefore, the above condition is not being carried forward.

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

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Prince George’s County Council Resolutions CR-23-2001 and CR-38-2002, and it is concluded that the property 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 sewerage, 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 November 16, 2020 (Perry to Heath), incorporated by reference herein.
13. **Public Utility Easement (PUE)**—Section 24-122(a) of the Subdivision Regulations requires that, when utility easements are required by a public utility 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 public utility easements (PUEs) is 10 feet wide along both sides of all public rights-of-way. The required PUE is delineated on the PPS along the subject site frontage on the public rights-of-ways of Marlboro Pike and MD 223. The subject will consist of two internal private streets. Section 24-128(b)(12) of the Subdivision Regulations requires that 10-foot-wide PUEs be provided along one side of all private streets. This required PUE is also shown along both private Streets A and B.

14. **Historic**—A Phase I archeological survey was conducted on the subject property in April 2020 on the three acres where the Royal Farms is proposed to be constructed within the larger 37-acre parcel. A pedestrian survey was conducted across the entire three-acre property. The pedestrian survey did not identify any above ground or exposed cultural resources. A grid was placed over the subject property and shovel test locations were spaced at a 50-foot interval. Thirty-four of the 41 test locations were excavated. The test pits exhibited a plow zone of varying thickness over subsoil. No artifacts were recovered from any of the test pits and no cultural features were identified. Based on the results of the shovel test pit survey, no further work is required. No additional archeological investigations are necessary on the three-acre Royal Farms site. This PPS will not impact any historic sites or resources or known archeological sites.
15. **Environmental**—The following applications and associated plans were reviewed for the subject site:

Background

Review Case Number	Associated Tree Conservation Plan Number	Authority	Status	Action Date	Resolution Number
SE-4553	N/A	County Council	Dormant	2/25/2008	
NRI-164-2006	N/A	Staff	Approved	4/30/2019	N/A
CSP-18007	TCP1-015-2019	Planning Board	Approved	2/6/2020	20-19
4-20003	TCP1-015-2019-01	Planning Board	Approved	1/29/2021	2021-11

Proposed Activity

The applicant is requesting approval of a PPS and a Type 1 Tree Conservation Plan (TCP1-015-2019-01) for Phase 1 (4,650 square feet of commercial development) of a mixed-use development consisting of residential lots, commercial/retail space, and institutional use.

Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010 because the application is for a new PPS.

Master Plan Conformance

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, and within the Established Communities of the General Plan Growth Policy (Plan 2035).

Conformance with Subregion 6 Master Plan

In the Subregion 6 Master Plan, the Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project.

Policy 1: Protect, preserve, and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities.

Approximately 60 percent of the site is within the Green Infrastructure Network and contains Regulated, and Evaluation areas. No network areas or regulated environmental features areas are within Phase 1 covered by this PPS.

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

This development proposal is to construct 4,650 square feet of a commercial development with parking and infrastructure. The application area does have an approved SWM concept plan and letter. The SWM concept plan shows eight micro-bioretenion facilities throughout this phase of the development. This application meets the

environmental site design to the maximum extent practicable and is in conformance with Policy 2.

Policy 4: Protect, restore, and enhance the Chesapeake Bay Critical Area.

The subject property is not located in the Chesapeake Bay Critical Area.

Policy 6: Increase awareness regarding air quality and greenhouse gas (GHG) emissions and the unique role that the Developing and Rural Tiers in Subregion 6 have to play in this effort.

Air quality is a regional issue that is currently being addressed by the Council of Governments.

Policy 7: Encourage the use of green building techniques and community design that reduce resource and energy consumption.

The development applications for the subject property which require architectural approval should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques are encouraged to the greatest extent possible.

Policy 8: Reduce energy usage from lighting, as well as light pollution and intrusion into residential, rural, and environmentally sensitive areas.

Phase 1 of the overall Hope Village Center is adjacent to undeveloped areas to the north and east, on-site natural areas to the south, and existing adjacent residential uses to the west of MD 223. Light intrusion into the on-site natural areas should be directed away and the adjacent off-site residential areas should be protected. Lighting details will be further evaluated with the DSP.

Policy 9: Reduce adverse noise impacts to meet acceptable state noise standards.

The project proposes to construct a commercial facility with associated parking and SWM facilities. No residential uses are proposed. A noise analysis and mitigation plans are not required at this time.

Countywide Green Infrastructure Plan

Approximately 60 percent of the overall site is within the *Countywide Green Infrastructure Network* and contains Regulated, and Evaluation areas. No network areas are within Phase 1 of the PPS nor will any network areas be impacted as part of this phase of the development.

Environmental Review

Natural Resources Inventory Plan/Existing Features

A Natural Resource Inventory, NRI-164-2006, was approved on April 30, 2019, and provided with this application. The overall site contains floodplain, wetlands, streams, and their associated buffers which comprise the primary management area (PMA). Ephemeral streams are also located on-site but are not considered regulated environmental features. There are specimen trees scattered throughout the property. This PPS application is for Phase 1 of the development, which does not contain any regulated environmental features. The TCP1 and the PPS show all the required information correctly in conformance with the NRI. No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-015-2019-01) was submitted with this PPS application.

Based on the TCP1 submitted with this application, the overall site is 37.59 acres in size with 0.39 acre of 100- year floodplain area and 0.03 acre of previously dedicated area for a net tract area of 37.17 acres. The phased woodland conservation worksheet shows that the 2.30 acres application area contains 0.12-acre net tract woodlands, no wooded floodplain, and all 0.12 acre of woodlands will be removed as part of the development. The cumulative woodland conservation requirement for this phase of the development is 5.61 acres. Currently, the worksheet shows that the site will reforest 0.12 acre on this phase. How the remaining 5.49 acres of the woodland conservation requirement for this phase needs to be demonstrated on the plan. None of the 24 on-site specimen trees will be removed as part of this phase of development.

Currently, the TCP1 shows all proposed improvements on-site and off-site. At this time, minor changes are required on the TCP1.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

The overall site contains 24 on-site specimen trees with the ratings of Excellent (specimen tree 23 and 24), good (specimen trees 4, 8, 9, 15, 16, and 21), fair (specimen trees 2, 5, 6, 10, 14, 18, 19, 20, 25, 26, and 27), and poor (specimen trees 1, 3, 11, 17, and 22). Phase 1 of the Hope Village Center subdivision does not contain any specimen trees nor does the application's limit of disturbance. The other phases of Hope Village Center do contain specimen trees. No Subtitle 25 variance application or statement of justification were submitted with this PPS application.

Regulated Environmental Features

The overall site contains regulated environmental features including floodplain, wetlands, streams, and their associated buffers which comprise the PMA. Phase 1 of the overall Hope Village Center subdivision does not contain any regulated environmental features or PMA areas nor does the phase 1 limit of disturbance. The other phases of Hope Village Center do contain regulated environmental features and PMA areas. No impacts to regulated environmental features or PMA were requested as part of this PPS application.

16. **Urban Design**—Conformance with the Zoning Ordinance (Subtitle 27) is evaluated, as follows:

Conformance with the Zoning Requirements

DSP review is required in the M-X-T Zone. The proposed development will be required to demonstrate conformance with the applicable requirements of the Zoning Ordinance, at the time of DSP review, including but not limited to, the following:

- M-X-T Zone requirements in Sections 27-542 through 548;
- Part 11, Off-street Parking and Loading; and,
- Part 12, Signs.

Conformance with the 2010 Prince George's County Landscape Manual

This development in the M-X-T Zone will be subject to the requirements of the Landscape Manual at the time of DSP. Specifically, the site is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. The subject site is 37.59 acres in size and will be required to provide a minimum of 3.759 acres of the tract area in TCC. Conformance with this requirement will be evaluated at the time of DSP.

17. **Planning Board Hearing**—At the Planning Board Hearing on January 21, 2021, citizens provided verbal and written comments on the subdivision proposal and cited concerns regarding traffic, safety, and environmental issues. In particular, concerns regarding traffic at the intersection of MD 223 and MD 4. The applicant submitted an exhibit indicating that adjacent improvements to road infrastructure have been bonded and permitted by the State Highway Administration. This along with verbal comments from the M-NCPPC Transportation section reaffirm that the subdivision will meet transportation adequacy. The applicant also proffered to work with citizens to address concerns regarding safety issues leading up to the Planning Board hearing for the applicants pending Detailed Site Plan DSP-20008. Written and verbal concerns from citizens within the Planning Boards purview were addressed at the hearing.


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, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, January 21, 2021, in Upper Marlboro, Maryland.

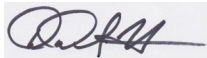
Adopted by the Prince George's County Planning Board this 11th day of February 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:AH:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: February 8, 2021