

STATEMENT OF JUSTIFICATION
BA/WRPR College Park, LLC

Preliminary Plan of Subdivision

4-17021

August 7, 2017

Prepared for:

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Site Description

The development proposes approximately 362,000 square feet of residential in 393 dwelling units, approximately 81,706 square feet of retail/entertainment uses and a 700 plus structured parking facility along with on-street parking of approximately 15 spaces. The subject property is currently developed with the former College Park Quality Inn and other buildings having approximately 53,000 square feet. All of the parcels proposed for redevelopment are zoned MUI pursuant to the Central US 1 Corridor Sector Plan ("Sector Plan"). The surrounding properties are also zoned MUI to the north and northeast, MUI to the east and southeast across US 1, MUI to the south and R-18 to the southwest across Guildford Drive, MUI west of the property, and R-10 northwest of the property.

A. Section 24-121 - Planning and Design Requirements:

The Preliminary Plan of Subdivision ("PPS") has been designed and prepared in accordance with all pertinent requirements in this section and will conform to all requirements in the Zoning Ordinance and the Subdivision Ordinance that are applicable to the property, as well as the Sector Plan which proposes mixed use development. The proposal is essentially "vertically mixed use" with an approximate 1.77 FAR.

Section 24-122 - Public Facilities Requirements:

(a) When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.

(b) Land for public facilities shown on the General Plan, functional master plans and/or area master plans, and watershed plans shall be reserved, dedicated, or otherwise provided for.

(c) Stormwater management facilities, existing or proposed as part of the development, shall have sufficient capacity to convey surface water runoff.

RESPONSE: The PPS shows and provides for all necessary utility easements. All existing road right-of-ways are shown and no new rights-of-way are proposed. A Stormwater Concept Plan has been submitted.

B. Section 24-122.01 - Adequacy of Public Facilities:

(a) The Planning Board may not approve a subdivision plat if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" and "Guidelines for the Analysis of the Traffic Impact of Development Proposals." The Planning Board shall require adequate public facilities, as provided in this Section and in Division 4 of this Subtitle.

RESPONSE: This PPS has been designed to conform with this section and Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the Sector Plan in order to ensure the adequacy of transportation facilities, including the provision of planned trails, bikeways, and pedestrian improvements, public facilities, public safety, and traffic impacts. School Surcharge Fees and/or Public Safety Fees will be paid at the time of building permit for the applicable residential dwelling units.

Transportation Adequacy - The PPS is focused on the proposed multi-family residential development which proposes a totals referred to herein. The Sector Plan proposes no additional improvements or right-of-way dedication to US 1 or the streets of Guildford, Hartwick or Calvert which border the subject property. A sidewalk circulation system is provided to connect the various uses internally and externally as required by Section 24-123 (6) of the Subdivision Regulations.

A Traffic Impact Analysis has also been provided which shows that all signalized study intersections operate within the allowable CLV threshold in the existing, background and total traffic conditions. Based on the results and recommendations of the traffic study, the Calvert Square project will satisfy the APFO requirements of Prince George's County Guidelines.

(b) Water and sewerage.

(1) The location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.

RESPONSE: The subject property is within Water and Sewer Systems Area 3 and thus adequate public water and sewer is available. There will also be adequate on-site fire hydrant coverage and or fire lanes in addition to buildings which are designed in accordance with the latest building codes with respect to fire suppression requirements.

(c) Police facilities.

(1) Before any preliminary plat may be approved, the Planning Board shall find that:

(A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or

(B) An adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines"; or

(C) That improvements participated in or funded by the subdivider, including participation in a specific Public Facilities Financing and Implementation Program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the "Guidelines."

RESPONSE: Police service is available from Police District 1 in Hyattsville, and the Applicant asserts there is no inadequacy with regard to police facilities.

(d) Fire and rescue facilities.

(1) Before any preliminary plat may be approved, the Planning Board shall find that:

(A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or

(B) An adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines", provided, however, that if construction of such improvements has not commenced within nine (9) years after the first year the project is fully funded in an adopted County Capital Improvement Program, the preliminary plat may not be considered and approved by the Planning Board based upon future construction until such facilities are actually constructed; or

(C) That improvements participated in or funded by the subdivider, including participation in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the "Guidelines."

(2) Before any preliminary plat may be approved, if the location of the property proposed for subdivision is outside the appropriate service area of the Ten Year Water and Sewerage Plan or is in the Rural Tier, the Planning Board shall require the subdivider to provide water storage tanks, the availability of water tanker trucks, or other appropriate source of water for fire extinguishing purposes.

RESPONSE: Fire and Rescue service is provided by Battalion 4, Company 812 College Park VFD, and the Applicant asserts there is no inadequacy with regard to fire and rescue facilities.

C. Sec. 24-135. - Fee in lieu and recreational facilities.

(a) Fee in Lieu. The Planning Board may require the payment of a fee in lieu of dedication equal to five percent (5%) of the total new market value of the land as stated on the final assessment notice issued by the State Department of Assessments and Taxation when it finds that dedication of parkland is unsuitable or impractical due to size, topography, drainage, physical characteristics, or similar reasons, or if adequate open space has been acquired and is available to serve the subdivision. The fee shall be paid prior to recording the subdivision and shall be used by the Commission to purchase or improve parkland for the benefit of the future

residents. Preliminary plans approved prior to the effective date of this legislation shall not be subject to this change.

(b) Recreational Facilities. Recreational facilities may be provided instead of land or fees in any residential zone, provided that a plan for such recreational facilities is approved by the Planning Board after determining that:

(1) Such facilities will be superior, or equivalent, to those that would have been provided under the provisions of mandatory dedication;

(2) The facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means, that such instrument is legally binding upon the subdivider and his heirs, successors, and assigns, and that such instrument is enforceable, including enforcement by the Planning Board;

RESPONSE: The PPS notes that the Applicant will provide private on-site recreational facilities in-lieu-of land or fees in accordance with Section 24-135(b). Exhibit A includes a tabulation of that shows the proposed facilities will meet or exceed the requirements.

D. Section 24-131 – Unsafe Land:

(a) The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes. The Planning Board shall require that proposed subdivisions conform to the following:

(1) When the County Soils and Geological Map indicates that a portion of the land is unsafe, the Board may permit it to be platted as part of a lot in which there is sufficient land to erect a building within the building lines established by the zone in which the property is located, plus an additional twenty-five (25) foot setback between the structure and the unsafe area, which shall be indicated on the final plat with a building restriction line.

(2) If the unsafe land has, by subsequent change, become safe for building construction, upon appropriate findings by the Planning Board, the building restriction line may be removed by the recording of a new final plat approved by the Board.

(3) When the applicant proposes remedial actions to correct or alleviate unsafe soil conditions, the Planning Board shall refer such proposals to the Chief Building Inspector for a determination of whether such measures are sufficient to protect the health and safety of future residents. The Board may approve the platting of such land, upon recommendation of the Chief Building Inspector, provided that covenants are attached to incorporate the remedial actions.

(4) The Planning Board may require that the owner(s) of any property on which unsafe conditions have been found to exist shall notify any potential purchaser of such conditions.

RESPONSE: There are no unsafe conditions on the property.

CONCLUSION:

For all the reasons noted herein and evidenced by the accompanying plans for this application, the Applicant requests approval of its Preliminary Plan of Subdivision.


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