

R E S O L U T I O N

WHEREAS, TSC/MUMA is the owner of a 57.47-acre parcel of land known as Outlot 2, Record Plat VJ189@9, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on August 15, 2001, TSC/MUMA, Mattawoman, L.P. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-01063 for Manokeek, Lot 11 was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on January 10, 2002, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on January 10, 2002, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/52/97-01), and further APPROVED Preliminary Plan of Subdivision 4-01063, Manokeek, for 1 lot, including a variation from Section 24-130 with the following conditions:

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/52/97-01). The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/52/97-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

2. A Type II Tree Conservation Plan shall be approved in conjunction with the Detailed Site Plan.
3. Prior to signature approval of the Preliminary Plan, the Type I Tree Conservation Plan shall be revised to remove all wetland buffer impacts not approved with the variation

request and the Woodland Conservation Worksheet shall be revised to reflect the reduced acreage of woodland clearing.

4. A Phase II Noise Study shall be prepared for all residential living and use areas located within the 65 dBA noise contour and shall be submitted as part of the Detailed Site Plan submission. The study shall include noise attenuation measures to mitigate the exterior noise levels to 65 dBA or less in outdoor residential use areas and to attenuate interior noise levels for residential living areas to no more than 45 dBA.
5. The applicant, his heirs, successors and/or assignees shall provide an internal trail system, subject to the following:
 - a. All internal paths/trails shall be a minimum of six feet wide and asphalt.
 - b. Appropriate signage and pavement markings shall be provided in order to ensure safe pedestrian crossings at the Berry Road and Manning Road intersection.
6. Total development within the subject property shall be limited to 800 units of senior housing and 70,000 square feet of mixed retail and office space; or different uses allowed under the governing Conceptual Site Plan which generate no more than the number of peak hour trips (244 AM peak hour trips and 366 PM peak hour trips) generated by the above development. Community facilities, skilled care facilities, and incidental office and retail space which are not public but are developed within the senior housing community shall be considered a part of the 800-unit community. Any development which generates a greater impact than that identified herein above shall require a new preliminary plat of subdivision with a new determination of the adequacy of transportation facilities.
7. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the SHA access permit process, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:

MD 228 at Manning Road:

- a. Prior to the approval of the Detailed Site Plan, the applicant shall submit the results of State Highway Administration (SHA) and the County Department of Public Works and Transportation (DPW&T) of a traffic signal warrant study for the intersection of MD 228 and Manning Road. If deemed warranted by the SHA and the DPW&T, the applicant shall bond the signal with the appropriate agency prior to the release of the initial building permit, and install the signal if directed prior to the release of the bonding for the signal.
- b. Provide the following lane configuration at MD 228 and Manning Road:
 - (1) Along the westbound approach, two through lanes and an exclusive

right-turn lane (exclusive left-turn lanes are being built along eastbound and westbound MD 228 as part of the project which is being completed).

- (2) Along the southbound Manning Road approach, an exclusive through lane, dual left-turn lanes and an exclusive right-turn lane. Per direction of the SHA, the right-turn lane should be designed as a free-flow channelized lane.

Manning Road at Senior Living/Retail entrance (north of MD 228):

- a. Provide a roundabout, or a similar intersection design that provides sufficient capacity and safety, with design details to be coordinated with the SHA and the DPW&T. A consideration in the design should be the potential continuation of Manning Road as C-526 to the north to serve the properties which make up Employment Area E.
8. At the time of final plat approval, the applicant shall dedicate right-of-way along Manning Road as shown on the submitted preliminary plan. Improvements within the dedicated right-of-way shall be determined by DPW&T.
9. In addition to normal review, the Detailed Site Plan review shall consider:
 - a. The proximity of the residential structures to the power lines, with a goal of maximizing that distance.
 - b. Landscaping necessary to minimize the visual impact of the development on adjoining properties.
 - c. Building height and views.
10. Development of the site shall be in conformance with Stormwater Concept Plan 8004410-2000-01, or any revisions thereto.
11. The applicant, his successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
12. Submission of three original, executed Recreational Facilities Agreements (RFA) to the Development Review Division (DRD) of the Prince George's County Planning Department for their approval, three weeks prior to a submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
13. Submission to DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to

applying for building permits.

14. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.
15. The land to be conveyed to a homeowners association shall be subject to the following:
 - a. A copy of an unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The land to be conveyed shall not be filled or disturbed in any way without prior written consent of the DRD.
 - d. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - e. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent land owned by, or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - g. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to M-NCPPC, without the review and approval of DPR.
 - h. The Planning Board or its designee, shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed
16. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board.

17. The following notes shall be placed on the final plat:
 - a. An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws. @
 - b. Access is provided by an easement created pursuant to Section 24-128(b)(9) of the Subdivision Regulations. @

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the northeast quadrant of the intersection of Indian Head Highway (MD 210) and Berry Road (MD 228) in Accokeek.
3. Environmental Issues and Variation Request A review of the available information indicates that streams, wetlands, and wetland buffers are found to occur on the property while there are no areas of 100-year floodplain. No areas of steep slopes with highly erodible soils or areas of severe slopes have been found to occur on the property. MD 228, which is located along the southern property line, and MD 210, which is located along the western property line, have been identified as noise generators which would have adverse noise impacts on any residential development. The soils found to occur according to the Prince George's County Soil Survey include Beltsville silt loam and Aura gravelly loam, which have limitations with respect to perched water tables, impeded drainage, and a hard stratum. Marlboro clay is not found to occur in the vicinity of this property. The sewer and water service categories are S-4 and W-4. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled Ecologically Significant Areas in Anne Arundel and Prince George's Counties, @ December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of the property. This property is located in the Mattawoman Creek watershed.

A Forest Stand Delineation (FSD) for proposed Lot 11 was submitted and reviewed in conjunction with the review of Preliminary Plan of Subdivision 4-97091 and Conceptual Site Plan CSP-99050. The FSD was found to satisfy the requirements for a Detailed Forest Stand Delineation in accordance with the Woodland Conservation and Tree Preservation Technical Manual. Conditions at the site have not changed sufficiently to necessitate revisions to the previously submitted FSD. No additional information is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland; and there is a previously approved Type I Tree Conservation Plan (TCPI/52/97). TCPI/52/97 was approved with CSP-99050 and has been reviewed for conformance with this Preliminary Plan of Subdivision. TCPI/52/97-01 is recommended for approval subject to the condition that it is revised to remove all wetland buffer impacts not approved with the variation request. In addition, the Woodland Conservation Worksheet should be revised to reflect the reduced acreage of woodland clearing.

MD 228 and MD 210 have been identified as noise generators that will impact the residential components of the subdivision. The location of the 65 dBA noise contour as shown on the Preliminary Plan of Subdivision as revised on November 28, 2001, has been reviewed by the Environmental Planning Section and found to be accurately reflected on the plan. The approved Conceptual Site Plan (CSP-99050) shows several residential buildings within the limits of the 65 dBA noise contour. Condition 5 of PGCPB No. 00-142 states:

AThe applicant shall submit a detailed Noise Study for review and approval in conjunction with the Preliminary Plan of Subdivision for development of Pod 2 which clearly reflects the limits of the 65 dBA noise contours for MD Routes 210 and 228 at the residential areas of Pod 2. The study shall propose noise attenuation measures for all residential areas which are located with the 65 dBA noise contours.@

Due to the level of detail available with the submittal of the Preliminary Plan of Subdivision, Condition 5 above has been addressed conceptually at this time. However, the full intent of the condition with regard to adverse noise impacts on the proposed residential areas has not been addressed because a noise study submitted did not adequately address the noise impact on residential structures. The study was required to ensure that adequate noise attenuation measures would be ensured for all residential structures. This issue is best addressed at the time of Detailed Site Plan when architecture can be reviewed. At the time of Detailed Site Plan review the specific location, orientation, and construction materials for the residential units will be identified and the location of exterior residential use areas will also be identified. At that time the details will be available to fully address the noise impacts to the extent necessary to carry out the full intent of the approval condition. A Phase II Noise Study should be prepared for all residential living and use areas located within the 65 dBA noise contour and submitted as part of the Detailed Site Plan submission. The study should include noise attenuation measures to mitigate the exterior noise levels to 65 dBA or less in outdoor residential use areas and to attenuate interior noise levels for residential living areas to no more than 45 dBA.

Streams, wetlands, and wetland buffers are found to occur on this property. These areas are to be protected in accordance with Section 24-130(b)(6) and Section 24-130(b)(7) of

the Subdivision Ordinance. The wetland and wetland buffer on this property run from the southern property line to the northern property line, effectively severing the western third of the property from the access point located along the eastern property line. The approved conceptual site plan (CSP-99050) proposes several impacts to these protected areas. The variation request dated November 29, 2001, has addressed only one impact to the wetland buffers on this property. The variation request has been reviewed in accordance with Section 24-113(a) of the Subdivision Ordinance for the one wetland buffer impact for the proposed road and utility crossing along the northern property boundary.

- a. **The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property.** Comment: The granting of this variation will eliminate the need to access the western portion of the property from MD 210 and MD 228, which would create significant public safety concerns from the perspective of the Transportation Planning Section and the Maryland State Highway Administration. Therefore, the proposed wetland buffer impact will not be detrimental to the public safety, health, or welfare, or injurious to other property.
- b. **The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.** Comment: Because the Transportation Planning Section and the Maryland State Highway Administration have clearly indicated that access from this property to MD 228 or MD 210 is not acceptable and the western-third of the property is severed from access by the wetlands and wetland buffers, there would be no reasonable access to approximately 19 acres of the site if this variation were not granted.
- c. **The variation does not constitute a violation of any other applicable law, ordinance, or regulation.** Comment: The granting of this variation will not constitute a violation of any other applicable law, ordinance, or regulation because the wetland and wetland buffer impacts will require wetland permits from the United States Corps of Engineers and/or the Maryland Department of Environment, prior to the issuance of any grading permits impacting the wetland or wetland buffer.
- d. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.** Comment: This oblong-shaped property, which runs in an east-west direction, is bounded on the north by private ownership, bounded on the east by Manning Road, bounded on the south by MD

228, and bounded on the west by MD 210. The wetland runs from the southern property line to the northern property line, effectively severing approximately one-third of the acreage from the eastern access. If the variation were not approved it would result in a significant hardship due to the loss of nearly one-third of the developable area.

The preliminary plan has been revised to include only one impact to the wetlands and wetlands buffer. Any other impacts proposed in the future would require the approval of a variation request in conjunction with a new preliminary plan of subdivision. The one variation is approved.

4. Community Planning CThe 1993 Subregion V Master Plan specifically recommends mixed-use development for the subject property. Along the northwest side, the property adjoins MD 210. The southeast side adjoins MD 228. The northeast part of the property adjoins land recommended for employment land use as part of proposed Employment Area AE. @ The 1993 Subregion V Sectional Map Amendment classified this property in the M-X-T Zone via Amendment 12 in Council Resolution CR-60-1993, which approved the Master Plan and SMA. The proposed mixed-use development in the M-X-T Zone was approved in CSP-99050 on August 1, 2000. Senior housing and commercial land uses were determined to conform with the master plan recommendations for mixed use in this area. Remaining site planning issues will be addressed in detailed site plans when submitted.
5. Parks and Recreation CThe property is subject to the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations. In accordance with previous approvals, the applicant will provide private recreational facilities. The exact location and amount of these facilities will be determined at the Detailed Site Plan phase and a Recreational Facilities Agreement will be required at the time of final plat.
6. Trails CThe applicant will need to provide an internal trail and pathway system in accordance with the *Adopted and Approved Subregion V Master Plan* and the approved Preliminary Plan, 4-97091. All internal paths/trails should be a minimum of six feet wide and asphalt. Appropriate signage and pavement markings should be provided in order to ensure safe pedestrian crossings at the Berry Road and Manning Road intersection. There are other previously approved trail recommendations for the Manokeek development. However, they impact other sections of the Manokeek proposal and do not affect the subject site.
7. Transportation CThe applicant prepared a traffic impact study dated May 2000 and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The applicant also provided turning movement counts at the critical intersections dated September 2001 in light of the fact that the original study was slightly more than one year old at the time of submission. The previous study, which was prepared in support of Conceptual Site Plan SP-99050, was deemed to be valid when combined with the new counts, and there has been no

significant change in background development or other underlying assumptions since its preparation. Therefore, the Transportation Planning Section has reviewed the application, the study, and the new counts, and the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff which are consistent with the *Guidelines*.

Summary of Traffic Impact Study

The traffic impact study analyzed the following intersections:

- MD 210/MD 228 - signalized now and in the future - NEW COUNTS
- MD 228 WB left/MD 210 SB left - under construction now; signalized in the future
- MD 228/Manning Road - unsignalized now; signalized in the future - NEW COUNTS
- Manning Road/Sr. Living Ent. - future; unsignalized
- Manning Road/Retail North Ent. - future; unsignalized - not relevant to subject application
- Manning Road/Retail South Ent. - future; unsignalized - not relevant to subject application

With the development of the subject property, the traffic consultant determined that adequate transportation facilities in the area can be attained with four improvements in place:

- a. The widening of MD 228 to four lanes, which is currently operational.
- b. The reconfiguration of the MD 210/MD 228 intersection, which is currently operational.
- c. The signalization of the MD 228/Manning Road intersection, along with needed upgrades to the Manning Road approaches to the intersection.
- d. The installation of a roundabout along Manning Road just north of MD 228 to serve the uses planned for the site on the north side of MD 228.

The applicant proposed to construct the improvements proposed above which are not currently under construction.

Staff Analysis of Traffic Study

Existing conditions in the vicinity of the subject property are summarized as follows:

EXISTING CONDITIONS				
Intersection		Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 210/MD 228		1,056	1,390	B D
MD 228 WB left/MD 210 SB left		planned		
MD 228/Manning Road		39.9*	51.2*	-- --
Manning Road/Senior Living Entrance		planned		
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

A review of background development in the area was conducted by the applicant. The traffic study also includes a growth rate of 1.5 percent per year along MD 210 and MD 228 to account for growth in through traffic. The widening of MD 228 to a four-lane divided highway between MD 210 and the Mattawoman Creek is currently funded for construction in the State Consolidated Transportation Program (CTP). This project, which includes a major reconfiguration of the MD 210/MD 228 intersection, is currently operational but was considered to be a part of the background traffic situation in the traffic study. Background traffic conditions (existing plus growth in through traffic plus traffic generated by background developments, including preliminary plan 4-01012) are summarized below:

BACKGROUND CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210/MD 228	998	1,069	A	B
MD 228 WB left/MD 210 SB left	375	1,042	A	B
MD 228/Manning Road	46.4*	70.0*	--	--
Manning Road/Senior Living Entrance	planned			
*In analyzing unsignalized intersections, average vehicle delay for various movements through the				

intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the *Guidelines*, an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

The original Conceptual Site Plan presumed the development of three Apods, @ with two pods north of MD 228 and one to the south. The subject application is limited to Pod 2, which is the one north of MD 228 and west of Manning Road. Relevant staff assumptions regarding site trip generation are listed below:

- a. Pod 2, the portion north of MD 228 and west of Manning Road, was proposed by the conceptual plan to contain up to 1,239,000 square feet in senior housing and community/care facility space, and also up to 70,000 square feet of commercial space. The traffic study assumes 800 senior housing units. The staff=s analysis will consider:
 - (1) 800 units of senior housing, with the assumption that the community/care facility space is incidental to the senior housing community project.
 - (2) Because the conceptual plan did not integrate the uses within Pod 2, staff assumed that the commercial uses may be open to the public rather than open to residents of the senior housing community only. Therefore, staff assumed up to 70,000 square feet of retail or office space, whichever has the highest trip generation.
- b. The *Guidelines* allow a percentage of retail trips to be considered as pass-by trips, i.e., trips which are already on the roadway. With a potential for as much as 422,500 square feet of retail space on the site, the *Guidelines* would suggest a 40 percent pass-by rate. Given that the property straddles a major highway, however, staff does not believe that the property will function as a single large retail center but rather as two smaller centers, suggesting that a slightly higher pass-by rate would apply. The traffic study assumed pass-by rates of 46 percent and 48 percent for the south and north sides of MD 228. The staff agrees with the assumption, but prefers to use a single rate of 47 percent for both sides of the highway.

The table below shows the site trip generation, as assumed by the transportation staff and incorporated in the transportation staff=s recommendations:

SITE TRIP GENERATION - MANOKEEK M-X-T		
Area/Use	Pass-By Trips - in/out (AM & PM)	Net New Trips (AM & PM)

Pod 1 - Total Net Trips - Preliminary Plan 4-01012 - NOT PART OF THIS APPLICATION	45/45	308/308	131/54	380/380
Pod 2 - Sr. Housing - 800 units plus community/care	0/0	0/0	72/32	40/88
Pod 2 - Commercial - 70,000 square feet	0/0	105/105	126/14	119/119
Pod 2 - Total Net Trips	----	----	198/46	159/207
Pod 3 - Total Net Trips - Preliminary Plan 4-01064 -NOT PART OF THIS APPLICATION	----	----	104/43	262/262

Total traffic under future conditions without improvements, as analyzed by the transportation staff, is summarized below. As both preliminary plans 4-01063 and 4-01064 are being processed concurrently and utilize the similar access to the regional highway system and will receive similar off-site conditions, the traffic for both developments is included as a part of total traffic:

TOTAL TRAFFIC CONDITIONS W/O IMPROVEMENTS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210/MD 228	1,022	1,108	B	B
MD 228 WB left/MD 210 SB left	420	1,152	A	C
MD 228/Manning Road	172.1*	+999*	--	--
Manning Road/Senior Living Entrance	10.2*	38.1*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

With improvements to the southbound leg of Manning Road at the MD 228 intersection, which were conditions of approval for the Conceptual Site Plan, total traffic would be as summarized below:

TOTAL TRAFFIC CONDITIONS WITH IMPROVEMENTS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210/MD 228	1,022	1,108	B	B
MD 228 WB left/MD 210 SB left	420	1,152	A	C

MD 228/Manning Road	1,058	1,285	B	C
Manning Road/Senior Living Entrance	10.2*	38.1*	--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i>, an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.</p>				

With the planned development and the improvements to the southbound leg of Manning Road at the MD 228 intersection, which have been made a condition of the Conceptual Site Plan approval, all intersections within the study area for this application operate acceptably in both weekday peak hours. The applicant will be required to construct all improvements needed to relieve any inadequacies identified under the Total Traffic condition. Transportation staff would note that the applicant has submitted a traffic signal warrant study for the intersection of MD 228 and Manning Road. Therefore, while that condition was a part of conceptual plan approval and the approval of preliminary plan 4-01012, only the needed bonding of any warranted improvements will be required.

Plan Comments

The plan is proposed to be served by an access easement which would be created by an adjacent application (Preliminary Plan 4-01065). This easement would connect to a dedicated right-of-way within the same application. The location and size of this easement is acceptable. Direct access to this property from MD 210 or MD 228 is denied for safety reasons; the easement is provided pursuant to Section 24-124(b)(8) of the Subdivision Regulations.

MD 210 is a Master Plan freeway (F-11 in the *Subregion V Master Plan*), and MD 228 is a planned expressway facility (E-7 in the same plan). The conceptual plan makes provision for these facilities. The *Subregion V Master Plan* also recommends a future grade-separated interchange at the MD 228/Manning Road intersection and at the MD 210/MD 228 intersection. It was not immediately clear that the plan, when submitted, made adequate provision for this future interchange. The transportation staff initially believed additional frontage along MD 228 and a larger area adjacent to the MD 210/MD 228 intersection was needed to accommodate the interchange. During review of this plan, however, the State Highway Administration determined that the existing right-of-way plus any right-of-way planned for dedication by the applicant would be sufficient to accommodate future improvements at both locations. Interchange concepts which are deemed to be acceptable to the State Highway Administration have been prepared, and these do not appear to require additional right-of-way. Therefore, the transportation staff has determined that no additional right-of-way for the MD 228/Manning Road interchange or the MD 210/MD 228 interchange must be provided by this plan.

Transportation Issue Conclusions

Based on these findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions placing a cap on total development and requiring the noted road improvements.

8. Schools CThe Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998). The proposed subdivision is exempt from the APF test for schools because it involves a commercial use and a proposal for senior housing only.
9. Fire and Rescue CThe Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following:
 - a. The existing fire engine service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service response time of 2.25 minutes, which is within the 3.25-minute response time guideline.
 - b. The existing ambulance service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service response time of 2.25 minutes, which is within the 4.25-minute response time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service response time of 8.83 minutes, which is beyond the 7.25-minute response time guideline. The nearest fire station, Accokeek, Company 24, is located at 16111 Livingston Road, which is 2.25 minutes from the development. This facility would be within the recommended response time for paramedic service.
 - d. The existing ladder truck service at Oxon Hill Fire Station, Company 21, located at 7600 Livingston Road, has a service response time of 13.80 minutes, which is beyond the 4.25-minute response time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

10. Police Facilities CThe proposed development is within the service area for District IV-Oxon Hill. In accordance with Section 24-122.1(c) of the Subdivision Regulations of

Prince George's County, existing county police facilities will be adequate to serve the proposed Manokeek development. This police facility will adequately serve the population generated by the proposed subdivision.

11. Health DepartmentCThe Health Department raised a concern regarding the power transmission lines running through the property. There is inconclusive data to prove a direct link between electromagnetic fields and health risks; however, literature on the subject suggests that caution and prudent avoidance are good planning tools. With this in mind, the Health Department recommends that any residential structure be located on the property at a maximum distance from the power lines.
12. Stormwater ManagementCThe Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 8004410-2000-01, was approved with conditions on March 12, 2001, to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan. The plan is valid through March 12, 2004.
13. Public Utility EasementCThe plan correctly identifies the required 10-foot-wide public utility easement. This easement will be included on the final plat.
14. Accokeek Development Review District Commission (ADRDC)CReferrals were sent to the ADRDC. Comments were received on October 10, 2001. The ADRDC recommends Aheavy@ landscaping to buffer the proposed uses from the adjoining properties. Sight lines are requested to illustrate the effectiveness of any proposed landscaping. In addition, the ADRDC recommends that the building height be examined, with a possible limitation of three stories, equal to the tallest existing building in Accokeek. Staff concurs that these issues are important, but these are site plan issues rather than preliminary plan issues. Staff recommends that the site plan examine these issues in detail.

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 adoption of this Resolution.

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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 Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, Brown, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 10, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of February 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:rmk