

R E S O L U T I O N

WHEREAS, TSC/MUMA is the owner of a 17.13-acre parcel of land known as Manokeek, Outlot 3, Record Plat VJ 189 @ 11 said property being in the 5th Election District of Prince George's County, Maryland, and being zoned M-X-T and R-R; and

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

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-01064 for Manokeek, Lot 12 & Outlot B 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 TCPI/25/01), and further APPROVED Preliminary Plan of Subdivision 4-01064, Manokeek for 1 Lot and 1 Outlot with the following conditions:

1. Development of Lot 12 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 of Lot 12 is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/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. Total development within the subject property shall be limited to 157,500 square feet of mixed retail and office space or different uses allowed under the governing Conceptual

Site Plan which generate no more than 147 AM peak hour trips and 524 PM peak hour trips. Any development with impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

4. 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 SHA and 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 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):

Provide a roundabout, or a similar intersection design that provides sufficient capacity and safety, with design details to be coordinated with SHA and 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.

5. 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.
6. 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.
7. The following note shall be placed on the final plat:
- AAn 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. @
8. Prior to signature approval, the preliminary plan shall be revised to designate the property as Outparcel B.
9. Development of Outparcel B shall require approval of a new preliminary plan of subdivision.
10. Development of the property with residential uses allowed in the zone will trigger the need for approval of a new preliminary plan with appropriate findings of adequacy, including adequacy of public schools and parks.

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.
1. The subject property is located on the north side of MD 228 to the east of Manning Road in Accokeek.
3. Environmental Issues CA review of the available information indicates that no streams, wetlands, or 100-year floodplains are found to occur on the property. 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 adjacent to proposed Lot 12, has been identified as a noise generator which would have potential 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. The sewer and water service categories for proposed Lot 12 are S-4 and W-4, while the categories for proposed Outlot B are S-6 and W-6. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled AEcologically 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 vicinitt

of the property. This property is located in the Mattawoman Creek watershed.

A Forest Stand Delineation (FSD) for proposed Outlot B was submitted and reviewed in conjunction with the review of Preliminary Plan of Subdivision 4-01065. The FSD for proposed Outlot B has been reviewed and found to address the requirements for an FSD in accordance with the requirements found in the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. No additional information is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Type I Tree Conservation Plan (TCPI/52/97) which was approved in conjunction with Conceptual Site Plan CSP-99050 and Preliminary Plan of Subdivision 4-97091 for proposed Lot 12. Although there was no previous TCP approval for proposed Outparcel B, the site is subject to the requirements of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there is more than 10,000 square feet of existing woodland. The previously approved Type I Tree Conservation Plan (TCPI/52/97) was reviewed and found to be consistent with this application. No revisions to TCPI/52/97 are required. The Type I Tree Conservation Plan (TCPI/25/01) reviewed for proposed Outlot B has been reviewed and found to address the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance. TCPI/52/97 and TCPI/25/01 are recommended for approval. No additional information is required.

MD 228 is located along the southern property line and is a noise generator. The proposed retail use of this site will not be adversely impacted by the noise generated by the traffic on MD 228. No additional information is required.

There are no streams, wetlands, or areas of 100-year floodplain found to occur on this property. No additional information is required.

4. Community Planning The 1993 *Subregion V Master Plan* recommends Low-Suburban residential land use for Outlot B and Mixed-Use development for Lot 12. The 1993 *Subregion V SMA* classified proposed Outlot B in the R-R Zone. Proposed Lot 12 was classified in the M-X-T Zone via Amendment 12 in Council Resolution CR-60-1993, which approved the Master Plan and SMA. The mixed-use development proposed on Lot 12 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. The master plan recommended proposed Outlot B as part of a low-suburban residential neighborhood oriented to Manning Road East and to the north. The applicant originally proposed residential development on this property but revised the plan because a requested Water and Sewer Category change was not approved. If this category change is eventually approved, a new preliminary plan will be required to develop the property.

5. Parks and Recreation CThe staff of the Department of Parks and Recreation has reviewed and evaluated for conformance with the Zoning Ordinance No. 60-1993 and Conceptual Site Plan SP-99050 and finds that subject lots are designated for commercial/retail use. In accordance with Section 24-134 of the Prince George=s County Subdivision Regulations, the above-referenced subdivision is exempt from mandatory dedication requirements because the property is proposed for nonresidential uses. A new preliminary plan should be required if the property will be developed with residential uses.
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 submitted a traffic impact study dated May 2000, 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 unlying 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 applicant prepared a traffic impact study in support of the Conceptual Site Plan application, SP-99050, using new counts taken in April 2000. As noted above, this study has been augmented with updated counts at the principal intersections, and with the new counts has been deemed acceptable for use in developing findings for the subject application. The traffic impact study analyzed the following intersections:

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 <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.				

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 3, which is the one north of MD 228 and east of Manning Road. Relevant staff assumptions regarding site trip generation are listed below:

- a. Pod 3, the portion north of MD 228 and east of Manning Road, is proposed to contain up to 157,500 square feet of commercial space, with a minimum of 10,000 square feet of office space. The traffic study assumes 157,500 square feet of retail space. In the staff=s analysis, we will utilize 147,500 square feet of retail space and 10,000 square feet of office space, and consider the numbers in the traffic study as a maximum. Also, the staff=s analysis will consider retail uses which generate AM peak hour traffic.
- 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, we do 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 - Total Net Trips - Preliminary Plan 4-01063 - NOT PART OF THIS APPLICATION	----	----	198/46	159/207
Pod 3 - Retail - 147,500 square feet	37/37	222/222	86/41	250/250
Pod 3 - Office - 10,000 square feet	0/0	0/0	18/2	4/15
Pod 3 - Total Net Trips	----	----	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*	--	--
*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 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.

Plan Comments

Manning Road is a master plan collector (C-526 in the *Subregion V Master Plan*). At submittal, the initial preliminary plan indicated that Manning Road would connect into existing Manning Road East north of the site. However, the Master Plan indicates that C-526 would continue to the northwest from the subject property to serve the Claggett properties adjacent to MD 210. The alignment shown on the submitted plan generally conforms to the Master Plan concept by showing additional right-of-way which will allow C-526 to serve the Claggett properties in the future.

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. 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 228/Manning Road 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 this location. Therefore, the transportation staff has determined that no additional

right-of-way for the MD 228/Manning Road interchange must be provided by this plan. Based on the preceding 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 Adequacy of Public Facilities test for schools because it is a commercial use. The residential portion of the property is not proposed for development at this time. Any development of the residential portion of the property will require a new preliminary plan and an APF finding for schools. Additionally, if residential uses are proposed in the future in the M-X-T Zone, a new preliminary plan shall be required so that the adequacy test may be applied.
9. Fire and Rescue CThe Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
 - a. The existing fire engine service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service response time of 3.01 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 3.01 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 9.59 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 3.01 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 14.56 minutes, which is beyond the 4.25-minute response time guideline.

These 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.
11. Health Department CThe Health Department reviewed the application and offered no comments.
12. Stormwater Management CThe Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 8001460-1998-00, was approved with conditions on November 17, 2000, 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 June 8, 2003.
13. Public Utility Easement CThe required 10-foot-wide public utility easement is shown on the preliminary plan. This easement will be reflected on the final plat.
14. Outparcel Designation - Part of the property is proposed as Outlot AB.@ The property is currently identified as part of Parcel 25, Tax Map 161, Grid D-2. The other part of Parcel 25 is the subject of Preliminary Plan application 4-01065, filed concurrently; it, too is proposed as an outlot.

The applicant originally filed a proposal to develop this portion of the site with residential development. Because this portion of the property is in the R-R Zone, Water and Sewer Categories 4 or 4C are required before a preliminary plan for development can be approved. This portion of the property is in Water and Sewer Categories 6. The applicant filed a category change application, but that application was not approved. Therefore, development of the R-R Zoned portion of the property can not proceed at this time.

The Aoutlot@ designation is applied when a property does not meet zoning requirements. The Aoutparcel@ designation is applied when a development of a property would not pass adequacy of public facilities tests. In this case, the development must be forestalled because the property does not have adequate public water and sewer designations. Therefore, the property should be platted as an *outparcel* rather than an outlot. The preliminary plan should be amended to reflect the appropriate designation.

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 Eley, seconded by Commissioner Scott, with Commissioners Eley, Scott, 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:wrc