

R E S O L U T I O N

WHEREAS, Norair Corporation is the owner of a 44.74-acre parcel of land known as Part of Outlot 1 and Part of Parcel 16, Tax Map 67, Grid A-3, said property being in the 18th Election District of Prince George's County, Maryland, and being zoned L-A-C; and

WHEREAS, on March 31, 2004, Summerfield Investors, LLP filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 415 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04032 for Summerfield at Morgan Station, Phase 2 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 July 29, 2004, 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 July 29, 2004, 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/27/03-01), and APPROVED Preliminary Plan of Subdivision 4-04032, Summerfield at Morgan Station, Phase 2 for Lots 1- 415 with the following conditions:

1. Prior to signature approval of the preliminary plan:
 - a. A revised TCPI shall be submitted that shows the provision of the woodland conservation threshold on-site and a worksheet that states how the requirements will be met.
 - b. The TCPI shall be revised as follows:
 - (1) Address all previous comments of the CDP.
 - (2) Remove notes that apply only to the CDP.
 - (3) Identify the off-site clearing in the worksheet and add it to the mitigation requirements.
 - (4) Remove the shading so that the plan is readable but keep the boundaries of the

phases and make them more clear.

- (5) Revise the worksheet to contain one box at the top for the gross tract area figures or leave the divisions and label them by phase and provide a column for the total.
 - (6) Resolve the discrepancy between the area of the TCPI for the CDP and the TCPI for the preliminary plan.
 - (7) Have the revised plan signed and dated by the qualified professional who prepared it.
 - c. The plan and the TCPI shall be revised to show the 65 dBA Ldn and all subsequent plans shall show this line when submitted.
 2. Prior to signature approval of the Type II Tree Conservation Plan, evidence shall be provided that the Department of Parks and Recreation has approved the proposed clearing and grading on their property.
 3. Prior to the approval of a Specific Design Plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for the intersection of Garrett A Morgan Boulevard and Ridgefield Boulevard/site access. 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 DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by DPW&T.
 4. Garrett A. Morgan Boulevard at east village/west village access: The improvements at this location shall include modification of the intersection to provide left-turn bays at the median break to serve the site accesses.
 5. The applicant shall provide the bicycle and pedestrian facilities outlined below. At the time of the Specific Design Plan, the following shall be shown on the Specific Design Plan drawings:
 - a. Provide the following connections (from Condition 17 of approved CDP-0301, with additional wording in italics):
 - A continuous minimum eight-foot-wide sidewalk or trail along the subject site's entire road frontage on the west side of Morgan Boulevard to complement the existing trail on the east side of Morgan Boulevard and allow for safe pedestrian travel to and from the Metro and Fedex Field. *This sidewalk shall be within the public right-of-way or within a public use easement that is marked and labeled on the approved preliminary plan.*
 - A pedestrian connection from the end of Willow Hill Drive to Morgan Boulevard. In areas where the connection is located along planned roadways, a

six-foot-wide sidewalk can be substituted for the trail. *This sidewalk shall be within the public right-of-way or within a public use easement that is marked and labeled on the approved preliminary plan.*

- A pedestrian connection from the end of Willow Hill Drive to Metro to link the existing communities and the subject site to Metro immediately to the south. In areas where the pedestrian connection is located along planned roadways, an eight-foot-wide sidewalk can be substituted for the trail. *This sidewalk shall be placed within a public use easement that is marked and labeled on the approved preliminary plan.*
 - A pedestrian connection from Morgan Boulevard through the East Village and to the existing trails in the adjoining Summerfield community that abuts the subject property. *This sidewalk/trail shall be placed within a public use easement that is marked and labeled on the approved preliminary plan.*
 - Standard sidewalks along both sides of all roads.
 - Comprehensive trail and sidewalk map showing the proposed location of all master plan trails, feeder trail connections, and sidewalks.
 - HOA feeder trails a minimum of six feet wide and asphalted.
 - Appropriate pedestrian safety measures such as well-marked crosswalks, signage, adequate lighting, and curb bump outs.
- b. Provide six-foot-wide sidewalks along both sides of Private Street "A." These sidewalks shall be placed within a public use easement that is marked and labeled on the approved preliminary plan.
6. Prior to building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
7. The land to be conveyed to the homeowners association (HOA) shall be subject the following:
- a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. 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.

- d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse, or similar waste matter.
 - e. Any disturbance of land to be conveyed to an HOA shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to an HOA. 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.
 - g. Temporary or permanent use of land to be conveyed to an HOA for stormwater management shall be approved by DRD.
 - 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.
8. The applicant, his heirs, successors and/or assignees shall submit three original Recreational Facilities Agreements (RFA) to DRD for approval prior to the submission of final plats, for construction of recreational facilities on homeowners land. Upon approval by DRD, the RFA shall be recorded among the county Land Records. Recreational facilities shall be provided in accordance with the *Parks and Recreational Facilities Guidelines* and CDP-0301.
9. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to building permits for the construction of recreational facilities on homeowners association land.
10. Prior to the issuance of line grading permits the applicant shall submit evidence from the Health Department that the tires found on the property have been hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility.
11. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/27/03-01). 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 (TCPI/27/03-01), 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.”

12. A Type II Tree Conservation Plan shall be approved in conjunction with the Specific Design Plan.
13. Prior to the issuance of building permits for residential units on this site, the building permits shall be modified to contain certification by a professional engineer with competency in acoustical analysis that the building shells within the subject property have been designed to attenuate noise levels to 45 dBA Ldn or less.
14. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Primary Management Area except for areas of approved disturbance and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
15. The applicant shall propose a maximum of 500 townhouses for the overall development as shown on CDP-0301.
16. At the time of submission of a Specific Design Plan for Phase II, the applicant, his successors, and/or assignees shall provide information regarding the proposed private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
17. The Specific Design Plan for the townhouse units along Garrett A Morgan Boulevard shall include detailed designs for the landscaping, sidewalks and fences. The townhouse design shall include a variety of superior architectural elements and a variety of techniques to enhance the views of the townhouses from the street.

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 both sides of Garrett A. Morgan Boulevard, approximately 1,900 feet north of its intersection with MD 214.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

EXISTING

PROPOSED

Zone	L-A-C	L-A-C
Uses	Vacant	Single-family attached homes
Acreage	44.74	44.74
Lots	0	415
Parcels	2	2
Attached Dwelling Units	0	415

4. **Environmental**—A review of the available information indicates that streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils, and severe slopes are found to occur within the limits of the Preliminary Plan and in other areas of the subject property. Garrett A. Morgan Boulevard and the aboveground portions of the proposed Metro station are transportation-related noise generators that will adversely impact the residential portions of this site. The soils found to occur according to the Prince George's County Soil Survey include Collington fine sandy loam, Adelphia silt loam, Mixed alluvial land, and Sunnyside loam. The Mixed alluvial land, Adelphia and Sunnyside soils have detrimental limitations due to high water tables and impeded drainage. Collington soils pose few limitations to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled "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 and historic roads located in the vicinity of this property. This property is located in the Southwest Branch watershed of the Patuxent River basin and in the Developed Tier as reflected in the adopted General Plan.

Environmental Conditions of Approval From Previous Applications

The Basic Plan, A-9678C, contained several environmental conditions of approval. The conditions were appropriately addressed during the preparation and approval of the Conceptual Development Plan (CDP).

The approval of the CDP by the Planning Board included numerous conditions that dealt with environmental issues to be addressed during subsequent reviews. The environmental issues to be addressed during the review of this Preliminary Plan are addressed below. The respective conditions are in **bold** typeface.

Comprehensive Design Plan, CDP-0301

5. **The Woodland Conservation threshold portion of the requirement (8.97 acres) shall be satisfied as on-site preservation of priority woodlands. The balance of the requirements may be satisfied by additional off-site preservation, on-site reforestation, or at an approved off-site mitigation bank in the Developing Tier. If the project is phased, woodland on-site that will be cleared in the future can be used to meet the requirements until such time as the off-site mitigation requirement is**

applicable.

This condition is yet to be addressed pending TCPI signature approval for the TCP associated with the CDP. Prior to signature approval of the preliminary plan, a revised TCPI needs to be submitted that shows the provision of the woodland conservation threshold on-site and a worksheet that states how the requirements will be met.

13. At time of Preliminary Plan submittal, a TCPI shall be submitted that includes the following.

- a. **Elimination of isolated woodland conservation areas by adjusting the layout and providing larger contiguous forest areas in the vicinity of the PMA and thus further minimizing proposed impacts.**

Isolated areas have been eliminated for the area currently under review and the forested areas of the PMA have been preserved to the fullest extent possible.

- b. **The location of all sewer and water lines and stormwater outfalls including those connecting to existing facilities located outside the limits of the application.**

- c. **Mitigation of any off-site clearing at a 1:1 ratio for all woodlands cleared as part of TCPI/27/03.**

The revised TCPI pending signature approval does show utilities, proposed building and proposed grading but requires further minor revisions prior to signature approval. The amount of off-site clearing has not been determined at this time.

- d. **A DER-approved, 100-year flooding study shall be submitted and the floodplain shown on the TCPI shall be revised accordingly.**

The floodplain study has not been received to date, preventing signature approval of the TCPI associated with the CDP. At this time staff cannot determine the amount of woodland conservation required because the floodplain study has not been submitted. This will be addressed prior to certification of the TCPI.

14. The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impacts. The impacts to each features of the PMA shall be quantified and shown on 8 ½ x 11 inch sheets.

PMA impacts are proposed and a Letter of Justification dated January 16, 2004 was reviewed. All of the impacts proposed appear to have been limited to only those necessary for the proposed work. Staff recommends that the Planning Board find that the PMA has been preserved to the fullest extent possible.

15. As part of the submission package for the Preliminary Plan, a copy of the currently approved Stormwater Management Concept Plan and Letter shall be included.

A copy of the concept plan was not submitted as required. In recent conversations with the engineer, staff discovered that they are waiting on culvert information from the Department of Public Works and Transportation in order to complete the application for concept approval. The Letter of Justification for the PMA impacts states that the stormwater concept on the site is to provide water quality treatment on-site and to do stream restoration to the currently degraded channel. A concept approval letter will need to be submitted prior to signature approval of the Preliminary Plan because this is a requirement of the Subdivision Ordinance.

Woodland Conservation

A Forest Stand Delineation (FSD) was reviewed as part of the CDP review process. The FSD was found to be in compliance with the requirements of the Woodland Conservation Ordinance. No additional information is needed with regard to the FSD.

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 on-site, and there is a previously Tree Conservation Plan. A Type I Tree Conservation Plan, TCPI/27/03, was approved with the CDP and covers 72.69 acres. This TCPI is yet to be certified. The current TCPI covers 91.48 acres. This discrepancy needs to be resolved and the boundaries of the site and the previously dedicated land must be clearly delineated.

The TCPI submitted for review with the preliminary plan is the same one submitted for review with the CDP. It contains the same notes, omissions and mistakes that the other plan contains. One of the notes states: "TCPI/27/03 shall be revised with the preliminary plan of the subdivision and the proposed PMA impacts will be further evaluated at that time. The PMA impacts shown on the plan are not considered approved with this plan."

The TCPI must be revised to represent the TCPI associated with the preliminary plan. These revisions include addressing all previous comments of the CDP; removal of notes that apply only to the CDP; identification of the off-site clearing in the worksheet and add it to the mitigation requirements; remove the shading so that the plan is readable; and revise the worksheet to contain one box at the top for the gross tract area figures, etc., because the site is all one zoning category, or leave the divisions and label them by phase and provide a column for the total.

Prior to signature approval of the Preliminary Plan, the TCPI needs several revisions noted in the Recommendation section of this report.

Patuxent River Primary Management Area

This site is located at the headwaters of the Southwest Branch watershed, a tributary to the Patuxent River. The Patuxent River Primary Management Area (PMA) is defined by Section 24-101 of the Subdivision Ordinance to include streams, a 50-foot stream buffer, wetlands, a 25-foot wetland buffer, the 100-year floodplain, steep slopes (15 to 25 percent) with highly erodible soils, severe slopes of 25 percent or greater, and special habitat areas. Section 24-130 of the Subdivision Ordinance mandates that these features be protected to the fullest extent possible. The revised plans correctly show the PMA for areas south and north of Garret A. Morgan Boulevard.

Proposed impacts to the PMA during Phase I were limited to two areas: one area for the connection of the sanitary sewer line and one area for the stream restoration work. A Letter of Justification dated January 16, 2004, addressed these impacts and correctly stated that the PMA has been preserved to the fullest extent possible. Staff recommended approval of these impacts and they were approved by the Planning Board.

Based on revisions to the Stormwater Management Concept Plan to include Phase II of the development, within an overall and more comprehensive management approach, seven additional minor impacts to the PMA totaling 14,046 square feet have been identified and a Letter of Justification has been submitted, dated June 10, 2004, and received June 28, 2004.

The impacts proposed with Phase II are for road crossings and required utility outfalls only. Per the policy of the Planning Board, these impacts are the minimum necessary for approval of the development and are recommended by staff for approval. The proposed impacts do not appear to create any conflicts with future approvals by state and federal review agencies.

The impacts numbered #1 and #2 were approved with Phase I. The following are descriptions of the proposed impacts.

PMA Impact # 3: This impact area is considered necessary for the construction of the main road crossing, sanitary outfall, storm drain, and water connection for the disturbance of approximately 11,549 square feet of PMA.

PMA Impact # 4: This PMA impact area is for the construction of a stormwater outfall, which requires 981 square feet area of disturbance.

PMA Impact # 5: This impact area is for the construction of a stormwater outfall, which requires 486 square feet area of disturbance.

PMA Impact # 6. This impact area is for the construction of stormwater drain outfall, which requires 394 square feet area of disturbance.

PMA Impact # 7. This impact area is for the construction of a sidewalk, retaining wall, and grading, which requires 62 square feet of disturbances. The construction of the retaining wall, sidewalk and subsequent grading are considered essential and necessary to minimize impacts and

encroachments into sensitive environmental areas.

PMA Impact # 8. This impact area is for the construction of sidewalk, and grading, which requires 19 square feet of disturbances. The construction of sidewalk and grading are considered essential to minimize impacts and encroachments into sensitive environmental areas.

PMA Impact # 9. This impact area is required for grading to minimize further PMA impacts, which requires 377 square feet of disturbances. The proposed grading is necessary to minimize impacts and encroachments into sensitive environmental areas.

Noise

A condition of the CDP requires that the 65 dBA Ldn noise contours from Garrett A. Morgan Boulevard and the Metro lines be added to the CDP and the associated TCPI. These noise contours indicate that a substantial number of residential units will be within the 65 dBA noise contours. No outdoor activity areas are proposed that would be subjected to high levels of noise; however, interior noise levels of 45 dBA Ldn or less must be achieved in this area. These noise contours should also be shown on the plans currently in for review.

Garrett Morgan Boulevard is an arterial highway. Section 24-121 of the Subdivision Regulations requires a minimum lot depth of 150 feet for lots adjacent to arterial highways. Of the 415 proposed townhouses, 121 lots in the subdivision have a depth of as little as 75± feet measured from the right-of-way to the rear lot line. These lots will front on Garrett Morgan Boulevard. The applicant has filed a variation request. Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- A. **That the granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property.**

Comment: Lot depth requirements for lots along arterial highways are driven mostly by a need to mitigate noise. Typically, the rear yards of lots are proposed along the arterial and the lots front an internal road. Outdoor noise levels can rise about the minimum 65 dBA limit. In this case, the lots front on the arterial and the little outdoor use area is buffered from the road by the homes themselves. Architectural controls at the time of

building permits will ensure that interior noise levels are appropriately reduced. This variation will have no negative impact on the general public.

- B. The conditions of 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: The property is unique in that it is adjacent to a Metro facility. Such properties are intended for high density urban land uses. Homes with long lot depths may allow the homes to be farther from the street, but in an urban setting, upscale homes close to the street create an attractive environment. Deeper lots along this road at this location will not result in either a better environment or quieter rear yards. This does not generally apply to other properties.

- C. The variation does not constitute a violation of any other applicable law, ordinance, or regulation.** This will not result in a violation of other applicable laws, ordinances or regulations.

- 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: If this variation were denied, the applicant would lose significant density from the site. While this is typically a financial consideration, in this case it is not. The County policy for this site is high density land use; restricting density by enforcing this lot depth requirement would result in an inability to develop the site and run contrary to County goals. That presents a hardship rather than a mere inconvenience.

Soils

Soils found on this site (Mixed alluvial land, Adelphia sandy loams, and Sunnyside loams) have limitations with respect to impeded drainage, high water tables, or slopes. These limitations will not affect the proposed development layout or infrastructure, but may have an impact during the construction phase of the project. During the design phase of this project special consideration should be given to areas with impeded drainage and high water tables because many residences in this area and throughout the county experience basement flooding during the winter months and during storm events of extended duration. The plans should account for natural drainage away from the residences and for backup systems.

Water and Sewer Categories

The Water and Sewer Categories are W-4 and S-4 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. The property will be served by public systems.

5. **Community Planning**— The property is in Planning Area 72/Subarea One. It is a designated Regional Center in the Developed Tier, as described by the 2002 General Plan. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. Regional Centers are locations for regionally marketed commercial and retail centers, office and employment areas, some higher educational facilities, and possibly sports and recreation complexes primarily serving Prince George’s County. High-density residential development may be an option at these Centers if needed public facilities and services, particularly schools and transit, can be provided. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and Regional Center designation for the Morgan Boulevard Metro Station.

The 2004 Approved Morgan Boulevard and Largo Town Center Metro Areas Sector Plan and SMA recommends high-density residential use for the property. Access is provided along Garrett A. Morgan Boulevard (formerly Summerfield Boulevard). Morgan Boulevard is a collector (C-31) recommended to be a four-to six-lane road within a 120-foot right-of-way. The sector plan recommends a pedestrian promenade along Morgan Boulevard between the Metro station and FedEx Field that is both functional and visually appealing. This property is part of the 92-acre Norair Property that was zoned L-A-C in 1989. The 2004 Approved Morgan Boulevard and Largo Town Center Metro Areas Sector Plan retained the property in the L-A-C Zone. The proposed subdivision application for 415 residential lots and two parcels conforms to the 2004 Approved Morgan Boulevard and Largo Town Center Metro Areas Sector Plan land use recommendations.

The 2004 Approved Morgan Boulevard and Largo Town Center Metro Areas Sector Plan & SMA recommends a number of pedestrian connections internal to the subject property and along the west side of Morgan Boulevard. The proposed subdivision should have an adequate right-of-way to allow for the construction of these pedestrian connections within the Morgan Boulevard Metro Core Area.

The applicant should consider creating additional recreational amenities to the overall development by creating and connecting pedestrian paths around the proposed five stormwater management ponds to the extent possible.

6. **Parks and Recreation**—In accordance with Section 24-135(b) of the Subdivision Regulations staff recommends that the applicant provide private, on-site recreational facilities for the fulfillment of the requirement of the mandatory dedication of parkland. Adequate private recreational facilities should be provided in accordance with the recommendation of CDP-0301 and the *Parks and Recreational Facilities Guidelines*.
7. **Trails**—The subject site’s location next to Metro makes it ideal for the provision of bicycle and pedestrian facilities. Nonmotorized access is a crucial element of transit-oriented development (TOD). The Adopted and Approved Landover and Vicinity Master Plan makes several bicycle, pedestrian, and trail recommendations for the subject site, and the ongoing work on the Morgan Boulevard and Largo Town Center Sector Plan has reinforced the priority of nonmotorized

connections in the vicinity of the subject site. Furthermore, an extensive network of trails and sidewalks exists in the adjacent Summerfield development and on several roads leading to FedEx Field. Opportunities exist to connect the subject site to these existing trails.

Discussions occurred between staff and the applicant at the time of review of the Comprehensive Design Plan (CDP) that resulted in several conditions and revised conditions regarding trail and pedestrian connections. A final determination of the exact location of these connections will be made at the time of the Specific Design Plan (SDP). The proposed connections agreed to at the time of CDP are listed below. These recommendations were included as Condition 17 of approved CDP-0301.

It should be noted that revisions to the Department of Public Works and Transportation (DPW&T) Road Code now include a five-foot width for standard sidewalks for county roads. DPW&T may enforce this new standard at the time of review of the DSP as part of their comments regarding the internal road network.

The basic plan reflects trail/pedestrian connections through the east village and to the adjoining Summerfield community. Several of the trails in Summerfield are being relocated due to the Metro construction. The relocation of these trails is being coordinated with the Department of Parks and Recreation (DPR). The trail connection through the east village and the planned trail relocations in Summerfield should be coordinated with DPR.

The CDP also recommended a pedestrian connection from the end of Willow Hill Drive to Metro. This connection will provide pedestrian access from the subject site and adjoining residential neighborhoods to Metro. This connection is shown on the submitted preliminary plan and the comprehensive trail and sidewalk map. The CDP also recommended a connection from Willow Hill Drive to Morgan Boulevard. This is shown on the preliminary plan as a four-foot-wide trail connection. Staff recommends that this connection be six feet wide, in conformance with CDP-0301 Condition 17 b.

Staff recommends a homeowners association (HOA) trail connection from the East Village to the community immediately to the east of the subject site off Limerick Way (Parcel C, Block A). This connection will provide more direct pedestrian access from that portion of the Summerfield community to Metro and will also provide an additional connection between the existing trails in Summerfield and the proposed network on the subject site. The appropriate location for this connection should be determined at the time of Specific Design Plan (SDP).

The trail and sidewalk network proposed is comprehensive, links to all portions of the subject site, and meets the intent of prior approvals. The local trail connections (shown in green on the comprehensive trail and sidewalk map) supplement the trails and sidewalks and improve the overall usability and accessibility of the pedestrian connections. Based on a meeting with the applicant on July 19, staff recommends widening the sidewalk along Road "A" from five to six feet on both sides.

Staff is concerned about the impact of the private roadways on the master plan connections. The

sector plan intended to provide for multiple routes to Metro for residents of surrounding communities, including numerous trail or pedestrian routes. These facilities are intended to serve the entire community in the vicinity of the Metro and not just the subject site. More specifically, a wide sidewalk is recommended along Morgan Boulevard, and trail/pedestrian connections are recommended from Willow Hill Drive to Morgan Boulevard and to Metro. These have been accommodated in the submitted plan. However, to ensure that these connections remain open to the public as envisioned in the sector plan, staff recommends that the master plan connections and main pedestrian routes to Metro be placed within public use easements. This should ensure public access to the pedestrian routes to Metro even if these facilities are along private streets.

The master plan trail connections include sidewalks along both sides of all internal roads. Numerous courtyards and plazas are shown on the SDP that include walkways (scored concrete sidewalks) further accommodating pedestrian movement through the subject site. The sidewalk network is comprehensive and accommodates the master plan connections to Metro. At the July 19 meeting with the applicant and the Community Planning Division, it was noted that a wider connection might be warranted along Private Street "A." An eight-foot sidewalk was suggested along one side, but it was agreed that six-foot sidewalks along both sides would be better aesthetically, while still providing a wider pedestrian connection along this road.

8. **Transportation**—The applicant prepared a traffic impact study dated April 2004 in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the guidelines.

Growth Policy – Service Level Standards

The subject property is located within the Developed Tier and within a designated regional Center as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

- MD 214 and Hill Road/Shady Glen Drive (signalized)
- MD 214 and Ritchie Road/Garrett A. Morgan Boulevard (signalized)
- MD 214 and Hampton Park Boulevard/Brightseat Road (signalized)
- Garrett A. Morgan Boulevard and Fieldstone Way/site access (unsignalized)
- Garrett A. Morgan Boulevard and site access (future/unsignalized)
- Garrett A. Morgan Boulevard and Ridgefield Boulevard/site access (unsignalized)

Existing conditions within the study area are summarized as follows:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Hill Road/Shady Glen Drive	1,427	1,343	D	D
MD 214 and Ritchie Road/Morgan Boulevard	1,249	1,395	C	D
MD 214 and Hampton Pk/Brightseat Road	1,209	1,474	C	E
Morgan Boulevard and site access/Fieldstone	10.5*	13.1*	--	--
Morgan Boulevard and site access		Planned	--	--
Morgan Boulevard and site access/Ridgefield	11.9*	16.5*	--	--
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.				

The submitted traffic study provides an analysis for assessing the background traffic situation. This analysis considered the following:

- A 1.5 percent annual growth factor for through traffic along MD 214. This is consistent with past studies in the area. It is also consistent with historical data.
- Background development in the area.

- No adjustment was taken to consider the impact on area traffic of the extension of the Metrorail Blue Line from Addison Road to the Largo Town Center. This mass transit extension is fully funded for construction. It is under construction at this time and is planned to open in December 2004.
- The impact on area traffic of the I-95/I-495/Ritchie Marlboro Road interchange was estimated in past studies for this project. However, the counts in the subject study are current, and the interchange is fully a part of the turning movements that were taken.

Background conditions are summarized as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Hill Road/Shady Glen Drive	1,542	1,442	E	D
MD 214 and Ritchie Road/Morgan Boulevard	1,355	1,534	D	E
MD 214 and Hampton Pk/Brightseat Road	1,308	1,564	D	E
Morgan Boulevard and site access/Fieldstone	10.3*	15.7*	--	--
Morgan Boulevard and site access	planned			
Morgan Boulevard and site access/Ridgefield	12.5*	17.4*	--	--
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.				

The overall site is proposed for residential and retail development. The site trip generation makes reasonable assumptions about the site trip distribution. It also assumes a strong orientation toward the adjacent Morgan Boulevard Metrorail station, which is part of the funded extension of the Metrorail system. The trip generation for the CDP was based upon the following assumptions:

- Base trip generation rates consistent with the guidelines for the residential and retail uses.
- Use of vehicle occupancy rates of 1.60 for retail and 1.15 for residential to convert between vehicle trips and person trips. Person trips are needed for making an appropriate auto/transit mode split.

- Use of auto/transit mode splits of 50 percent/50 percent for residential development and 95 percent/5 percent for retail development.
- The guidelines allow a pass-by trip rate of up to 60 percent for retail uses. This pass-by rate assumes that not all trips generated by the use are new trips, and a portion of the trips are already on the road. Also, because the project is mixed-use, there is an assumption that five percent of AM and ten percent of PM trips to the retail use are generated by the residential component of the site.

The subject application includes 415 townhouses. This is in addition to the 478 multifamily residences that were approved under Preliminary Plan of Subdivision 4-03124. In consideration of the factors used in analyzing the CDP and summarized above, and considering that no retail element has yet gone to subdivision, the site trip generation for Phase I and Phase II combined would be 539 AM peak-hour trips (106 in, 433 out) and 619 PM peak-hour trips (402 in, 217 out). Therefore, we obtain the following results under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Hill Road/Shady Glen Drive	1,590	1,486	E	E
MD 214 and Ritchie Road/Morgan Boulevard	1,450	1,561	E	E
MD 214 and Hampton Pk/Brightseat Road	1,321	1,592	D	E
Morgan Boulevard and site access/Fieldstone	11.4*	17.0*	--	--
Morgan Boulevard and site access	14.1*	19.3*	--	--
Morgan Boulevard and site access/Ridgefield	23.7*	204.8*	--	--
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.				

The LOS E standard in the Developed Tier is met during both peak hours at the three signalized intersections. It is particularly noted that improvements at the MD 214/Ritchie Road/Garrett A Morgan Boulevard intersection that were recommended under Preliminary Plan of Subdivision 4-03124 do not appear to be needed to achieve adequacy. The prior traffic study was based upon significant regional growth trends along with projected changes in traffic due to the opening of the I-95/I-495/Ritchie Marlboro Road interchange. This issue has been resolved with recent counts and analysis.

Also under total traffic, issues at unsignalized intersections must be addressed. There is evidence that a traffic signal will be installed at the entrance to the Morgan Boulevard Metrorail station, and the current plan would not modify that intersection. At the Morgan/Ridgefield intersection and the Morgan/Fieldstone intersection, the CDP resolution recommends study and possible installation of a signal by the applicant. While the signal warrant study is appropriate with this phase at the Morgan/Ridgefield intersection; further study at the Morgan/Fieldstone intersection will become appropriate when the final phases of the project are approved and developed.

Both DPW&T and SHA have provided comments on the traffic study. The comments are addressed below:

- a. SHA had no comments on the traffic study.
- b. DPW&T provided several pointed comments, and these comments are addressed below:
 - (1) DPW&T has indicated that the study fails to consider traffic generated by the new Metrorail station. In fact, the impact of the Metrorail will be two-fold: it will remove through traffic along MD 214 within the study area that currently accesses the parking garage and drop-off facilities at the Addison Road station, and it will add turning movements to the MD 214/Ritchie Road/Garrett A. Morgan Boulevard intersection caused by vehicles accessing the new station. While this is a flaw in the study, the MD 214/Ritchie Road/Garrett A Morgan Boulevard intersection operates well within the standards under total traffic. Considerable traffic oriented toward the Morgan Boulevard station can be added to that intersection, particularly when a portion of the Addison Road station traffic is taken out of the MD 214 through movements.
 - (2) DPW&T has indicated that the study fails to analyze the Metrorail access along Morgan Boulevard with the fourth leg into the subdivision. That fourth leg is not planned for the current phase and will be analyzed during a later phase.
 - (3) DPW&T notes that the applicant has already requested a new full access median break along Morgan Boulevard to serve the site. This median break is the southerly access point to this phase and is the more northerly access point for Phase I (application 4-03124). Notwithstanding Planning Board action on the subject plan, this applicant must fulfill all DPW&T requirements in order to bond the needed streets and other improvements. However, as this intersection is vital to access to the subject subdivision, the recommendation will carry forward a condition from 4-03124 regarding the need for left-turn bays at this location.

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.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this

subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	415 th	415 th	415 th
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	99.50	24.90	49.80
Actual Enrollment	36236	11113	16710
Completion Enrollment	209.04	52.26	95.81
Cumulative Enrollment	350.16	87.54	175.08
Total Enrollment	36894.80	11277.70	17030.69
State Rated Capacity	38817	10375	14191
Percent Capacity	95.05%	108.70%	120.01%

Source: Prince George's County Planning Department, M-NCPPC, December 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

This project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Ritchie Fire Station, Company 37, located at 1415 Ritchie-Marlboro Road, has a service travel time of 3.42 minutes, which is within the 5.25-minute travel time guideline.
 - b. The existing ambulance service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road, has a service travel time of 3.42 minutes, which is within the 6.25-minute travel time guideline.

- c. The existing paramedic service at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 4.99 minutes, which is within the 7.25-minute travel time guideline.

The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic service. These findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

11. **Police Facilities**—The proposed development is within the service area for Police District III-Landover. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—A significant amount of domestic trash and other debris, including an abandoned vehicle and numerous tires, were found on the property. These materials should be removed and properly discarded. The tires must be hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility and a receipt for tire disposal must be submitted to the Health Department.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #26947-2002-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. This plan incorporates the Low Impact Development technique. Development must be in accordance with this approved plan or any revisions thereto.
14. **Cemeteries**^{3/4} There are no known cemeteries on or adjoining the subject property. However, the applicant should be aware that if burials are found during any phase of the development process, development activity must cease in accordance with state law.
15. **Public Utility Easement**—The preliminary plan does not include the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way. Prior to signature approval the preliminary plan must be revised to show this easement. The easement will be included on the final plat.
16. **Urban Design**—The subject Preliminary Plan application is for Phase II of Summerfield at Morgan Station. The development consists of a total of 415 townhouse units on 72.54 acres of land on the north side of the Morgan Boulevard Metro Station and the east and west sides of Garrett A. Morgan Boulevard.

The entire Summerfield at Morgan Station project, consisting of approximately 91.90 gross acres, is proposed to be developed with 900 residential units comprised of 500 townhouses and 400 multifamily units and a maximum of 114,000 square feet of retail and 200,000 square feet of office. A Comprehensive Design Plan, CDP-0301, was approved by the Planning Board on October 2, 2003 (PGCPB No. 03-181). As of this date, the Comprehensive Design Plan is not certified.

The following conditions of approval of the CDP are applicable to the Preliminary Plan:

- 13. At time of Preliminary Plan submittal, a TCPI shall be submitted that includes the following:**
 - a. Elimination of isolated woodland conservation areas by adjusting the layout and providing larger contiguous forest areas in the vicinity of the PMA and thus further minimizing proposed PMA impacts.**
 - b. The location of all sewer and water lines and stormwater outfalls including those connecting to existing facilities located outside the limits of this application.**
 - c. Mitigation of any off-site clearing at a 1:1 ratio for all woodlands cleared as part of TCPI/27/03.**
- 14. The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.**
- 15. As part of the submission package for the Preliminary Plan, a copy of the currently approved Stormwater Management Concept Plan and letter shall be included.**
- 20. The following road improvement has been identified as needed for transportation adequacy:**
 - a. At the MD 214/Ritchie Road/Garrett A. Morgan Boulevard intersection, construction of a second westbound left-turn lane along the MD 214 approach.**

At the time of Preliminary Plan submittal, a Traffic Impact Study shall be submitted which includes further analysis of the impact on area traffic of the construction of the Ritchie Marlboro/I-95 interchange. This improvement, or other improvement(s) which achieve adequacy as determined by the Transportation

planning Section in phase with development, may be required for approval of the Preliminary Plan of Subdivision.

The Urban Design Review Section recommends the following additional conditions for consistency with the Comprehensive Design Plan:

- a. The applicant shall propose a maximum of 500 townhouses for the overall development as shown on CDP-0301.
- b. At the time of submission of a Specific Design Plan for Phase II, the applicant, his successors, and/or assignees shall provide information regarding the proposed private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
- c. The Specific Design Plan for the townhouse units along Garrett A Morgan Boulevard shall include detailed designs for the landscaping, sidewalks and fences. The townhouse design shall include a variety of superior architectural elements and a variety of screening techniques to screen the townhouses from the street.

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.

* * * * *

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 Harley, with Commissioners Eley, Harley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 29, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of September 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:rmk