

A M E N D E D C O R R E C T E D A M E N D E D – C O R R E C T E D – R E S O L U T I O N

WHEREAS, Karington, LLC is the owner of a 381.52-acre parcel of land known as Parcels 119 and 139, Tax Map 70C, Grid 2, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned E-I-A; and

WHEREAS, on May 6, 2004, Karington, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 463 lots and 86 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04035 for Karington 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 October 21, 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 October 21, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

†WHEREAS, by letter dated October 7, 2016, Matthew Tedesco and Arthur Horne, Jr., representing the owner/applicant Karington, LLC, requested a waiver and reconsideration for the conversion of certain dwelling units to lots and a modification to the phasing of transportation improvements and related findings;

†WHEREAS, on October 27, 2016, the Planning Board approved the waiver and request for reconsideration for good cause and in furtherance of substantial public interest (Rules of Procedure, Section 10(e)); and

†WHEREAS, on February 16, 2017, the Planning Board heard testimony regarding the reconsideration and approved the reconsideration, with conditions, for approval of 800 lots and 110 parcels for 1,294 dwelling units.

††WHEREAS, by letter dated July 12, 2017 Matthew Tedesco and Arthur Horne, Jr., representing the owner/applicant Karington, LLC, requested a waiver and reconsideration for the adjustment of access, circulation, and master plan trail alignment;

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††WHEREAS, on July 27, 2016, the Planning Board approved the waiver and request for reconsideration for good cause and in furtherance of substantial public interest (Rules of Procedure, Section 10(e)); and

††WHEREAS, on January 25, 2018, the Planning Board heard testimony regarding the reconsideration and approved the reconsideration, with conditions, for adjustment of access, circulation, and master plan trail alignment.

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/48/02)]~~ (TCPI/48/02-02), and further APPROVED Preliminary Plan of Subdivision 4-04035, Karington, LLC for ~~†[Lots 1-463]~~ Lots 1-800 and ~~†[Parcels 1-86]~~ Parcels 1-110 with the following conditions:

1. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/48/02-01 (see -02 revision for reconsidered TCPI), shall be revised as follows:

~~††[a. *Whenever feasible, [R]revise the alignment of the neighborhood trails so that they are located at the top of the slopes or the bottom of the slopes, not midway up the slopes where significant grading and woodland clearing will be required.]~~

††[b] a. Add information to the TCPI that identifies the locations of all off-site road improvements that will be required and indicate which of those improvements may require the clearing of woodlands.

††[e] b. Show the location of the mitigated 1.5 safety factor line on the TCPI and the preliminary plan of subdivision and adjust the lot layout for proposed Lots 210-246, Block 'A,' so that the lots are located entirely outside the limits of the mitigated 1.5 safety factor line.

††[d] c. Prior to DSP, revise the Type I tree conservation plan to minimize the portion of PMA Impact #5 associated with the construction of the clubhouse and swimming pool. Also, revise PMA Impact 6 to further minimize and/or eliminate the proposed impact.

††[e] d. Revise the preliminary plan of subdivision and the Type I tree conservation plan to reflect the revised lot layout and the location of the mitigated 1.5 safety factor line based on "Marlboro Clay Safety Factor Exhibit A."

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2. Prior to signature approval of the preliminary plan of subdivision, the preliminary plan and the Type I tree conservation plan shall be revised:
 - a. So that no portion of the Patuxent River Primary Management Area (PMA) outside of the approved PMA impact area is located within the limits of a lot or parcel less than two acres in size.
 - b. To include the 10-foot-wide public utility easement parallel and contiguous to all public rights-of-way.
3. Development of this subdivision shall be in compliance with an approved Type I tree conservation plan ~~†[(TCPI/48/02-01)]~~ (TCPI/48/02-02). The following notes shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan ~~†[(TCPI/48/02-01)]~~ (TCPI/48/02-02) 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.”
4. The detailed site plan for the area that includes proposed Street ‘K’ shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.
5. The detailed site plan submittal which includes Lots 210 – 246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.
6. Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.
7. Prior to approval of the detailed site plan and the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.
8. The final plat of subdivision shall show a minimum 50-foot building restriction line (unless a lesser restriction is approved by DER) from the limits of the mitigated 1.5 slope safety factor line.

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9. The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George's County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.
10. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section for accuracy prior to approval. In addition, 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 permitted.”
11. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.
12. Prior to the issuance of any building permits for this site an approved stormwater management plan that is consistent with the approved detailed site plan and the Type II tree conservation plan shall be submitted to the Environmental Planning Section.
13. Failure to obtain either federal and/or state permits for the construction of the proposed lake will be considered a major change to the overall concept of this application and will require the submission and approval of a new preliminary plan of subdivision.
- ~~††[14. Subject to Condition *[41] 43, the applicant, his heirs, successors and/or assignees shall construct the master plan eight foot wide asphalt trail connector from the stream valley trail to the road adjoining the private park. The trail shall be a minimum of eight feet wide and asphalt.]~~
- ~~††[15. Prior to submission of the first detailed site plan for residential development, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.]~~

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- ††14. Prior to submission of the first detailed site plan for residential development, other than for multifamily development for the first 400 units, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact realignment of the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue through the project to the southern property line, as further depicted in Applicant's Exhibit A. The alternate alignment shall be approved by DPR consistent with the master plan. If the alternate master plan trail is located within a private right-of-way or any privately owned land, the applicant, prior to the approval of the applicable record plat, shall provide M-NCPPC with a public access easement to ensure public access to the alternate master plan trail located within the private right-of-way or privately owned land.
- ††[16. ~~Subject to Condition *[41] 43, the location of the trail shall be staked in the field and approved by DPR prior to construction.~~]
- ††[17. ~~Subject to Condition *[41] 43, the applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.~~]
- ††15. The applicant, his successors, and/or assignees shall construct the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue to the southern property line in phase with road construction with the exception of the southern connection of private Street W in accordance with Condition 39. Private Street W shall be platted in phase with development, at which time the applicant, his successors, and/or assigns shall provide an easement for the alternate 10 foot wide master plan trail to ensure ultimate connectivity to the southern property line.
- ††[18. ~~Subject to Condition *[41] 43, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines* and all standards related to handicapped accessibility.~~]
- ††16. Prior to certificate approval of the detailed site plan for infrastructure (or an amendment thereto) that includes a portion of the proposed alternate master plan trail, the applicant shall submit detailed construction drawings for the relevant portion of the alternate master-planned trail to DPR for review and approval. The trail within the public or private right-of- way shall be designed in accordance with Applicant's Exhibit A.
- ††[49] 17. ††[A#] The 10-foot-wide alternate master-planned ††[trails] trail shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.

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~~††[20]. In-road bicycle facilities shall be considered prior to the first DSP for residential development along the four lane, divided roads entering the site from MD 214 and US 301, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.]~~

~~††18. In-road bicycle facilities and/or trail facilities designed in accordance with Applicant's Exhibit A shall be considered along with the DSP for infrastructure (or any amendment thereto) along public roads entering the site from MD 214/Old Central Avenue and US 301 at the main site entrance, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.~~

~~††[24] 19.~~ The following note shall be placed on the final plat:

“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, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”

~~††[22] 20.~~ Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Prior to approval of the detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines. This condition shall not apply if the applicant can provide evidence that these studies have been reviewed and approved.

~~††[23] 21.~~ Prior to the issuance of permits ~~*(other than infrastructure)~~, the applicant, his heirs, successors and/or assignees shall have the scrap tires hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt shall be turned in to the Health Department.

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††[24] 22. **MD 214 at Church Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- a. The addition of a northbound left-turn lane along Church Road.
- b. The addition of an eastbound left-turn lane along MD 214.
- c. The addition of a westbound left-turn lane along MD 214.
- d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.

††[25. **MD 214 at Hall Road/site access:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/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 the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, ~~†other than for infrastructure, signage, or model homes~~ within the subject property and install it at a time when directed by the responsible permitting agency. ~~†[Also, prior to the issuance of any building permits within the subject property,] Prior to any building permit that generates more than 1,047 AM and/or 1,421 PM net off-site peak hour trips or any building permit, other than for infrastructure, model homes, or signage that is otherwise within 1,400 linear feet of the proposed MD 214/Hall Road intersection, the following road improvements shall, †if deemed to be necessary by the operating agency,~~ (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- [a. The addition of an eastbound exclusive right turn lane along MD 214.
- [b. The ~~†[addition of a] provision of an exclusive~~ westbound left turn lane along MD 214 at the site access.
- [c. The construction of the northbound approach to include two left turn lanes and a shared through/right turn lane, ~~†or lane use otherwise required by SHA.~~]

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††23. **Old Central Avenue at Site Access:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the 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 the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

††~~[26]~~ 24. **US 301 at Old Central Avenue:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency 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 SHA. ††In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.

††~~[27]~~ 25. **US 301 at site entrance/median crossover:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, †other than for infrastructure, model homes, or signage, within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, †other than for infrastructure, model homes or signage, within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- a. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.
- b. The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301

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- c. The construction of a northbound left-turn lane approaching the median crossing.
- d. The construction of a southbound right-turn lane along the southbound US 301 approach.
- e. †Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).

††[28] 26. US 301 widening:

- a. Prior to the issuance of any permits, †other than for infrastructure, signage, or model homes, within †[Phase I (other than construction buildings and model homes)] Phase II, as defined in the trip cap condition contained in this report, the following road improvement shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of a new US 301 southbound lane †[to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.] beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue, to tie into the existing third southbound lane that already exists at Queen Anne Road, for a total distance of approximately 2,800 feet.
- b. Prior to the issuance of any permits within †[Phase II] Phase I that require the construction of a new access point(s) along southbound US 301, as defined in the trip cap condition contained in this report, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of new acceleration/deceleration lanes along †[northbound] southbound US 301 at the site entrance(s).
- c. The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction of the respective Phases, the applicant shall pay to Prince George's County a sum calculated as \$725,094.25 x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989). This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined prior to signature approval of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Condition 28A, along with other improvements deemed necessary for adequacy along

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US 301, with the applicant receiving credit against said fee for the cost of said improvements less the cost of the SHA mandated access improvements.

- ††[29] 27. **MD 214 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. 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 the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.
- ††[30] 28. Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips ††[~~or is within 1,400 linear feet of the proposed MD 214/Hall Road intersection~~]. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.
- ††[31] ~~The preliminary plan of subdivision and detailed site plan(s) shall reflect the staging line of 1,400 linear feet from the Central Avenue (MD 214) and Hall Road intersection for transportation analysis.]~~
- ††[30] [32] 29. Prior to *~~signature approval of the preliminary plan~~ detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.
- ††[34] [33] 30. Prior to approval of the final plat of subdivision, the applicant, his successors and/or assignees shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington

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Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately-funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan (other than infrastructure), transportation planning and DPW&T staff shall review bus routing plans.

††[32] [34] 31. Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.

††[34] [35] 32. Prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant's heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to M-NCPPC, ††including the additional land to be conveyed pursuant to the reconsideration approved January 25, 2018. Land to be conveyed shall be subject to the following:

- a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat for the parkland.
- b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
- c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or

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improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.

- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, 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.
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
- i. No stormwater management facilities, ~~††[or tree conservation]~~ or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

~~††[35]~~ [36] 33. The subdivider, his successors and/or assignees shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plan of subdivision.

~~††[36]~~ [37]. ~~Subject to Condition *[41] 43, the applicant shall construct an eight-foot wide master planned trail from the stream valley trail to the road adjoining the private park.]~~

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- ††[37] [38]. ~~At a time to be determined at detailed site plan, the applicant shall construct a trailhead at the main access road (Street A); facilities shall be determined at the time of the DSP and may include a parking lot and a shelter.]~~
- ††34. At a time to be determined at detailed site plan, the applicant shall construct a publicly accessible trailhead in the location generally shown on Applicant's Exhibit A, or in an alternate location mutually agreeable to the applicant and DPR. Trailhead facilities may include a parking lot and a shelter. The timing of construction and the trailhead facilities shall be determined at the time of any detailed site plan that includes the trailhead location.
- ††[38] [39] 35. Proposed PMA impacts #5 and #6 shall be further evaluated during the review of the first Detailed Site Plan proposing these specific PMA impacts in order to further minimize and/or avoid the impacts once more detailed topographic, Geotechnical and grading information becomes available. If proposed PMA impact #5 cannot be sufficiently minimized the proposed pool and clubhouse shall be relocated and Parcel 79 shall be eliminated.
- ††[39] [40] 36. The applicant shall submit three original, executed recreational facilities agreements (RFA) for trail construction to DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
- ††[40] [41]. ~~The applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR, within at least two weeks prior to applying for building permits.]~~
- ††37. In accordance with Condition 34, prior to the issuance of the fine grading permit or building permit(s) for any portion of the alternate master plan trail and related trailhead facility to be located outside of the public right-of-way, the applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR.
- ††[41] [42] 38. The approval of the first detailed site plan for residential development (other than infrastructure) shall establish the timing for the submission of the recreational facilities agreements and associated bonding requirements for the public trail construction and the private recreational facilities.
- ††[42] [43]. ~~Notwithstanding any condition related to the proposed Master Plan trail or connections thereto, applicant will not be required to construct same trail until the M-NCPPC constructs or assigns the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leland Road.]~~

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- ††39. Notwithstanding any condition related to the ultimate connection of the proposed alternate Master Plan trail to the southern property line, the applicant will not be required to bond, permit, or actually construct the ultimate connection to the southern property line along Street W until Street W and Prince George's Boulevard are graded and actually connected. If private Street W is not ultimately constructed, an easement for the master plan trail connection to the southern property line of the site shall still be provided in accordance with Condition 14.
- ††[44] 40. Pursuant to the Planning Board reconsideration action on February 16, 2017, the preliminary plan of subdivision (PPS) and TCPI (-02) shall be recertified prior to approval of a detailed site plan (not infrastructure) and shall include the following additional information:
- a. Add an additional approval block to the PPS and adjust the lot and parcel totals, including a breakdown of commercial, residential, single-family dwellings, and two family attached.
 - b. Add a new general note that states "The Planning Board approved (PGCPB Resolution No. 04-247(C)(A)) a reconsideration on February 16, 2017 to convert dwelling unit types and increase the number of lots to 800 and the number of parcels to 97 with no increase to the maximum dwelling units approved of 1,294."
 - c. Parcel 91 shall be adjusted to avoid impacts to tree conservation areas.
 - d. The original tree line, per the approved forest stand delineation/Tree Conservation Plan Type I, shall be shown on the plans.
 - e. The TCPI shall show the most current approval block.
 - f. Delineate and label lot depth in accordance with Section 24-121(a)(4) of the Subdivision Regulations.
 - g. Add a note to the PPS that states "The recertification of this PPS, pursuant to the reconsideration action approved on February 16, 2017 and adoption of PGCPB Resolution No. 04-247(C)(A), does not extend the validity period of the PPS, nor change the date of the original approval."
 - h. Provide an inset on the PPS which reflects the applicant's "Exhibit for Typical Minimum Lot Layout" dated ~~**[February 27, 2017]~~ February 7, 2017.

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- ††~~[i]~~ Reflect the staging line of 1,400 linear feet from the proposed Central Avenue (MD 214) and Hall Road intersection for transportation analysis.
- ††~~[j]~~ i. Label denied access along Robert Crain Highway (US 301), with the exception of the street connections, and reflect the proposed access easements authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations with arrows with a heavy line weight, which may be subject to revisions at the time of DSP.
- ††~~[k]~~ j. Revise the lotting pattern for Parcels 49, 72, and 73 in accordance with Applicants Access Exhibit.
- ††~~[l]~~ k. Dimension all streets and alleys, and label.
- ††~~[45]~~ 41. Prior to approval of the final plat, if needed, the applicant and the applicant's heirs, successors, and/or assignees shall submit a draft access easement, pursuant to Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access to serve the commercial retail as reflected on the approved detailed site plan. If needed, the draft document shall identify the Maryland-National Capital Park and Planning Commission (M-NCPPC) as the grantee and shall submit it for review and approval. The limits of the shared access shall be reflected on the final plat. Prior to recordation of the final plat, the easement shall be recorded in Prince George's County Land Records and the liber/folio of the document shall be indicated on the final plat with the limits of the shared vehicular access. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
- ††~~[46]~~ 42. Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised as follows:
- a. Update the TCP approval block to the current standard with all previous approval information typed-in.
 - b. Add the standard Development Review QR code approval block.
 - c. Remove the steep slopes and proposed treeline.
 - d. Revise the limit of disturbance to the standard line-type.
 - e. Revise the location of the limit of disturbance to follow the current location of the proposed water and sewer connections.

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- f. Show the unmitigated 65 dBA Ldn noise contour with a darker line and provide labels for the line on each sheet of the plan set.
 - g. Revise the name of the qualified professional responsible for the plan on the worksheet and have the revised plan signed and dated by the qualified professional who prepared the plan.
- ††[47] 43. Prior to approval of a detailed site plan ††for residential development (not infrastructure), the following shall be demonstrated on the plans:
 - a. Private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, in at least three locations with each location being within a 100-foot radius of the proposed townhouses.
 - b. To provide adequate pedestrian circulation and access, homeowners association open space windows, which are a minimum of eight feet-wide, shall be provided between the end unit lot lines of single-family attached (townhouse) building sticks where appropriate, as determined at the time of detailed site plan.
 - c. Homeowners association (HOA) open space shall be provided between groups of lots, which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements shall be provided every (15) fifteen contiguous single-family detached units, or as determined at the time of detailed site plan.
- ††44. Pursuant to the Planning Board reconsideration action on January 25, 2018, the preliminary plan of subdivision and TCPI (-03) shall be recertified prior to approval of a detailed site plan and shall include the following revisions:
 - ††a. Have the revised plan signed and dated by the qualified professional who prepared the plan.
 - ††b. Indicate on the plans that Street J is to be a public right-of-way.
 - ††c. Show and label the east property line of private Street A at public Street A.
- ††45. Prior to the approval of any permits, the applicant shall vacate the right-of-way previously dedicated for the western access to MD 214 and file a plat of correction, to the plat recorded at REP 215-89, to be approved and recorded reflecting the area which has been vacated and is to be incorporated into land previously platted with REP 215-89. The plat of correction shall include all land previously shown on plat REP 215-89. With the plat of correction, the applicant shall enter

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into a memorandum of understanding (MOU) with DPW&T for the maintenance of the master plan trail within the public right-of-way and the Liber and folio of the of the MOU shall be reflected on the final plat prior to recordation, unless the operating agency agrees to maintain the master plan trail within the right-of-way.

††46. At the time of detailed site plan, appropriate transitions from in-road bicycle facilities to the master plan hiker/biker trail shall be shown.

††47. At the time of detailed site plan, which includes the access at Old Central Avenue, the Type 2 tree conservation plan shall account for the off-site woodland clearing associated with the proposed traffic circle graphically on the plan, in updates to the off-site clearing table, and in the woodland conservation worksheet, unless the traffic circle is no longer required.

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 in the southwest quadrant of Central Avenue and US 301.

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3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

Zone	EXISTING	PROPOSED
Uses	E-I-A	E-I-A
	Vacant	Mixed Use Development: Single-family detached and attached homes, †multifamily; commercial †[and institutional] retail, and hotel uses.
Acreage	381.52	381.52
Lots	0	†[463] <u>800</u>
Parcels	2	†[86] <u>110</u>
Square-footage:		
Retail Commercial	0	†[300,000] <u>475,000</u>
Employment Space	0	†[700,000] <u>200,000</u>
†[School]	0	†[25,000]
Hotel Rooms	0	†[300] <u>390</u>
Total Dwelling Units:	0	1,294
Detached	0	†[470] <u>136</u>
Attached	0	†[272] <u>664</u>
Multifamily †[Rental]	0	†[600] <u>390</u>
†[Condominium] <u>2-Family Attached</u>	0	†[442] <u>104</u>
†[High-Rise]	0	†[420]
†[Live-Work]	0	†[20]

4. **Environmental**—The Environmental Planning Section reviewed the preliminary plan of subdivision ~~†(PPS)~~ and Type I Tree Conservation Plans date stamped as received by the Environmental Planning Section on July 19, 2004 and the revised Geotechnical Report date stamped as received by the Environmental Planning Section on September 22, 2004. The plans as submitted have been found to address the environmental constraints of this site and the requirements of the Prince George's County Woodland Conservation Ordinance. ~~†[Therefore, the Environmental Planning Section recommends approval of Preliminary Plan of Subdivision 4-04035 and]~~ Type I Tree Conservation Plan TCPI/48/02-01 ~~†[subject to conditions]~~ was approved with the original PPS. Type I Tree Conservation Plan TCPI/48/02-02 was approved with the reconsideration to reflect modification to the lotting pattern.

A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property.

Transportation-related noise impacts have been found to impact this site. The soils found to occur according to the Prince George's County Soil Survey include Adelphia fine sandy loams, Bibb silt loam, Keyport silt loam, Sandy land steep, and Westphalia fine sandy loams. Some of these

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existing soils have limitations that will have an impact during the building phase of the development. According to available information, Marlboro clay is found to occur on this property. 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 and historic roads in the vicinity of this property. This property is located in the Collington Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.

Summary of Prior Environmental Conditions Of Approval

The approval of the conceptual site plan included numerous conditions, several of which dealt with environmental issues that were to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the preliminary plan of subdivision are addressed below.

Conceptual Site Plan CSP-02004; PGCPB No. 03-135

- 15. All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.**

This condition has been addressed; the revised Type I Tree Conservation Plan, TCPI/48/02-01 date stamped as received by the Environmental Planning Section on July 19, 2004, reflects the correct tree line in accordance with the FSD revision date stamped on May 23, 2003.

- 17. The Woodland Conservation Threshold portion of the requirement (47.52 acres) shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.**

This condition has been addressed; the revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004, proposes 47.52 acres of on-site preservation with the balance of the requirement proposed to be satisfied by 50.97 acres of off-site mitigation at a location to be determined.

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18. The revised TCPI submitted with the Preliminary Plan of Subdivision shall include the following:

a. Show conceptual grading, structure locations, and the limit of disturbance.

This condition has been satisfied by the revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004. The conceptual grading, the residential structure locations, and the conceptual grading are shown on the plans as revised.

b. An attempt shall be made to eliminate 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.

This condition has been satisfied by the revised TCPI. The 48.37 acres of on-site Woodland Conservation Preservation Areas are located adjacent to areas of forested floodplain on the site and are disconnected only by the entrance road from MD 214. All other woodland conservation areas are part of a larger contiguous forested area associated with Collington Branch.

c. Show the location of all anticipated stormdrain, sewer and water outfalls including those connecting to existing facilities located outside the limits of this application.

This condition has been satisfied by the revised TCPI. The sewer and stormdrain outfalls have been shown.

d. Any clearing for off-site infrastructure connections shall be mitigated at a 1:1 ratio for all woodlands cleared as part of TCPI/48/02.

This condition has generally been satisfied by the revised TCPI, which reflects 0.62 acre of off-site clearing on the worksheet for impacts associated with the sewer outfall, stormwater management outfalls, and some road improvements immediately adjacent to this application. However, there is no clear indication as to the need for additional off-site infrastructure associated with the construction of off-site road improvements.

19. At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.

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This condition was addressed by the revised TCPI, date stamped as received by the Environmental Planning Section on July 19, 2004.

- 20. 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.**

This application proposes nine distinct Patuxent River Primary Management Area (PMA) impacts totaling 18.35 acres or 15.6 percent of the total 117.4 acres of PMA found on this site. The revised letter of justification, date stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to adequately address some of the proposed impacts but failed to justify how other impacts were minimized to the fullest extent possible. Below is a summary of the proposed PMA impacts.

Patuxent River Primary Management Area Proposed Impacts

Impact Number	Justification and Recommendation
1	This 12.70-acre impact is associated with the construction of the proposed lake that is an integral part of the stormwater management concept approved for this site. Because of the size of the lake and its location as a central feature of the project, the impacts are justified and have been minimized to the fullest extent possible. Staff supports proposed impact #1 subject to the condition found at the end of this report.
2a	This 1.37-acre impact is necessary to provide access from MD 214 and cannot be avoided. The proposed impact has been minimized.
2b	This 0.19-acre impact is necessary for the construction of the sewer outfall that will serve the northern end of this site. The outfall has been located to minimize the distance traversed within the PMA. The proposed impact has been minimized.
3a	This 1.20-acre impact is associated with the construction of a stormwater management facility that is necessary to serve the southwestern portion of the site. Because of the topography of this site and the presence of Marlboro clays, the placement of the pond farther outside the PMA is not practical without creating other environmental impacts. The proposed impact has been minimized.
3b	This 0.04-acre impact is associated with the construction of a sewer outfall to serve the southern end of the property. The proposed impact has been minimized.
3c	This 0.45-acre impact is associated with the construction of a sewer outfall to serve the north central portion of this site. Although the alignment of this outfall is indirect, the alignment is dictated by the presence of an archeology site. During subsequent reviews it may be possible to provide a more direct route for the outfall connection after a full archeology review has been completed. The proposed impact has been minimized.

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Impact Number	Justification and Recommendation
4	This 0.34-acre impact is for the construction of a stormwater management outfall necessary to safely convey stormwater through the PMA to the existing stream. The proposed impact has been minimized.
5	This 1.10-acre impact is associated with the construction of a road to access the southwestern portion of the site and for the construction of the clubhouse and swimming pool. The impact associated with the road construction has generally been minimized but could be further minimized. However, the impacts for the clubhouse and swimming pool can be avoided by placing these amenities elsewhere. It must also be noted that this same area has been identified as a potential slope failure area associated with the Marlboro clay found on this site. Therefore, the impact associated with the road construction is supported subject to further minimization during the review of the detailed site plan. The impacts associated with the clubhouse and the swimming pool are not supported and these amenities should be relocated.
6	This 0.96-acre impact is associated with the construction of parking compounds for a proposed office building. The PMA that is being impacted includes a slope area where further minimization of the proposed impacts is practical and avoidance is possible. This proposed impact has not been minimized and is not supported.

Several conditions are included in this report to address these issues.

- 21. Prior to the issuance of any grading permits which impact the Waters of the U.S., nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.**

This condition is to be satisfied prior to the issuance of permits.

- 22. The proposed PMA impacts shall be further evaluated with each subsequent plan review.**

The PMA impacts proposed by this application have been addressed by staff comments to Condition 20 above.

- 23. The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."**

The geotechnical study, date stamped as received by the Environmental Planning Section on September 22, 2004, addresses the slopes' stability issues associated with the Marlboro clay found to occur on this site, including the location of the mitigated 1.5 safety factor line based on the conceptual site grading as reflected on "Marlboro Clay Safety Factor Exhibit A." It

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should be noted that the geotechnical report as submitted was based on a number of assumptions that, although acceptable for this phase of the development process, will require revisions during subsequent phases to incorporate quantifiable data and parameters. The conceptual grading and lot layout on that exhibit were adjusted to ensure that all residential lots are located outside the mitigated 1.5 safety factor line. Therefore, the required findings with respect to Section 24-131(a) of the Subdivision Ordinance could be made because no residential lots are located within the limits of the mitigated 1.5 safety factor line and no unsafe land is located within the limits of a residential lot. Furthermore, because of the proposed site grading, none of the commercial lots are located within the limits of the 1.5 safety factor line, and the creation of lots on unsafe land has been adequately addressed for this phase of the development process.

Although slope stability has been the primary concern during this phase of the development process to ensure that no lots are created on unsafe land, the presence of the Marlboro clays will be further evaluated during subsequent phases of the development process. At each subsequent development phase (detailed site plan, grading permit, and building permit) additional information shall be submitted to address the proposed site grading and refine the mitigated 1.5 slope safety factor line for the perimeter residential lots based on the proposed site grading.

Several conditions are included in this report to address these issues.

- 24. Prior to certification of the Conceptual Site Plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.**

“This plan provides a conceptual layout for the proposed development of this site which contains Marlboro clay. The location and characteristics of this clay may affect the developable area of this site.”

This condition has been addressed by the revised TCPI.

- 25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

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This condition has been addressed by the revised TCPI and preliminary plan of subdivision, which reflect the location of the unmitigated 65 dBA Ldn noise contours for MD 214 and US 301.

Woodland Conservation

A Detailed Forest Stand Delineation (FSD) was previously reviewed in conjunction with the approval of the Conceptual Site Plan, CSP-02004. The FSD was found to address the requirements in accordance with the Prince George's County Woodland Conservation Ordinance. Because the prior approval occurred within the last two years and no significant changes have occurred, a revised FSD is not 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 on-site, and there are no previously approved tree conservation plans for this site.

The revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004, addresses the requirements of the Prince George's County Woodland Conservation Ordinance. This 381.52-acre property has a net tract area of 316.80 acres and a woodland conservation threshold (WCT) of 15 percent or 47.52 acres. There are additional ¼:1, 1:1 and 2:1 replacement requirements totaling 49.24 acres associated with the clearing of woodlands above the WCT, clearing woodlands in the 100-year floodplain, and clearing woodlands for off-site infrastructure improvements. The plans as currently submitted propose to satisfy the 96.76-acre requirement with 48.37 acres of on-site preservation in priority retention areas and 48.39 acres of off-site mitigation at a location to be determined. Because of the presence of the Marlboro clay, the plan will require some minor revisions to address a revised lot layout and revised conceptual grading necessary to address the 1.5 safety factor line associated with the Marlboro clays.

Patuxent River Primary Management Area

Streams, wetlands, 100-year floodplain, severe slopes in excess of 25 percent, and steep slopes between 15 and 25 percent with high erodible soils are found on this property. These features along with their respective buffers comprise the Patuxent River Primary Management Area, or PMA. These features and the associated buffers are shown on the plans along with the ultimate limit of the PMA. A copy of the approved jurisdictional determination for wetlands and 100-year floodplain study were submitted with this application and are date stamped as received by the Environmental Planning Section on July 15, 2004, and June 15, 2004, respectively. The Environmental Planning Section concurs with the conclusions of these approvals with respect to the presence and extent of the wetlands and the 100-year floodplain on this site.

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The Subdivision Ordinance, Section 24-130(b)(5), requires that the PMA be preserved in a natural state to the fullest extent possible. A letter of justification, date stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to address each of the proposed PMA impacts. The TCPI and letter of justification propose nine PMA impacts including two impacts for stormwater management outfalls, three impacts for sewer outfalls, one for road construction, one for the proposed lake, one for a parking lot, and one that includes a road, swimming pool and clubhouse. Each of the proposed impacts was addressed in detail with conceptual site plan Condition 20 above. It must be noted that the impacts associated with the construction of the swimming pool and clubhouse could easily be avoided by relocating these facilities elsewhere. The proposed impacts associated with the parking compound can be further minimized or avoided and the impacts associated with proposed Street 'K' can be further minimized.

Some of the proposed residential lots are partially encumbered by the Patuxent River PMA. The approval of this plan will place a conservation easement on all portions of the PMA not specifically permitted to be cleared in accordance with this and subsequent plan approvals. Allowing portions of the PMA to remain on lots would place hardships on prospective residential lot owners by reducing the size of the usable lot far below the actual lot size, especially when many of the lots are less than 10,000 square feet in size.

Stormwater Management

A copy of the approved Stormwater Management Concept Plan, #26947-2002-00, was submitted for review with this application. That plan is not consistent with the preliminary plan of subdivision or the Type I tree conservation plan as submitted on July 19, 2004. The stormwater management concept plan proposes a different limit of disturbance, different grading of the site, different stormwater management pond locations, and even a different number of ponds.

†Reconsideration

On October 27, 2016, the Planning Board granted a request for a waiver of the Planning Board Rules of Procedure and a Reconsideration to convert dwelling unit types and adjust land uses. The applicant submitted a revised PPS and TCPI to reflect the lotting pattern requested.

†The reconsidered TCPI demonstrates that the additional proposed lots will be located within areas that were previously approved for permanent woodland clearing and grading, and no additional woodlands will be cleared as a result of the proposed lots and no additional impacts to the PMA are requested; however, proposed Parcel 91 in the northernmost pod adjacent to MD 214 is too close to the proposed woodland preservation area, which could result in complications for emergency or maintenance vehicles accessing the rear of the lots from that direction. Parcel 91 shall be adjusted or relocated prior to recertification of the TCPI.

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†The original tree line is not correctly shown on the TCPI and shall be corrected prior to certification of the reconsidered amended PPS and TCPI. Additionally, no additional impacts to the stream along the northern boundary is reflected or shall be constructed as a result of the additional impervious area from the proposed lots approved with this reconsideration.

†The Environmental Planning Section has determined that, to distinguish this amendment to the TCP to reflect the lotting pattern, the TCP will be recertified with an -02 revision (TCPI/048/02-02) with a note reflected in the approval block indicating that it is pursuant to the reconsideration and amended resolution. No changes to any of the previously approved environmental conditions were necessary for the reconsideration; however, a new condition was required to address technical corrections for the associated revised TCPI, which includes adding the new lotting pattern to the TCPI -02 revision.

5. **Community Planning**—The property is in Planning Area 74A/Employment Area. It is in the Developing Tier as described by the 2002 General Plan. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. This preliminary subdivision plan for the development of a mixed-use planned community is generally consistent with the 2002 General Plan Development Pattern goals and policies for land use in the Developing Tier.

The Bowie-Collington-Mitchellville & Vicinity Master Plan (1991) designates this property as part of Employment Area 6. It was formerly known as the Collington Corporate Center and has an approved Basic Plan and Comprehensive Design Plan. The Basic Plan approved a maximum potential of 4.5 million square feet of development. The master plan shows private open space areas surrounding the property in the northern, western, central, and southern portion of the property. Also, the plan recommends a trail connecting the internal road network to a trail along Collington Branch Stream Valley Park. The Bowie-Collington-Mitchellville & Vicinity Sectional Map Amendment (1991) retained the E-I-A Zone. Subsequently, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A Zone. This preliminary subdivision plan does not conform to the Bowie-Collington-Mitchellville & Vicinity Master Plan, which recommends employment land use for the subject property. However, Council Bill CB-13-2002 defined a mixed-use planned community as a permitted use for employment areas classified in the E-I-A Zone. Subsequently, Conceptual Site Plan CSP-02004 approved this type of development for the site.

6. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the above referenced preliminary plan application for conformance with the requirements of the of Zoning Bill CB-13-2002, conditions of the Order Affirming Planning Board Decision by the County Council of Prince George's County, Case No. ~~†[SP-0200]~~ SP-02004, the Adopted and Approved Bowie-Collington-Mitchellville Master Plan for Planning Area 75A, the Land

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Preservation and Recreation Program for Prince George's County, and current zoning and subdivision regulations as they pertain to public parks and recreation.

BACKGROUND

Following is the summary of the conditions of the Order Affirming Planning Board Decision by the County Council of Prince George's County, Case †[~~SP-0200~~] SP-02004; Conditions 26–35 and Conditions 39 and 51 are related to the park issues:

Condition 26: The exact acreage and timing of dedication shall be determined at the time of preliminary plan.

Condition 27: The applicant shall construct an eight-foot-wide master-planned hiker/biker trail along the Collington Branch.

Condition 28: The preliminary plan shall consider the extension of the master plan trail north to Central Avenue (MD 214) and south to the southern property boundary.

Condition 29: The applicant shall construct the master plan eight-foot-wide asphalt trail connector from the stream valley trail to the road adjoining the private park.

Condition 30: Prior to submission of the first detailed site plan for residential development, the applicant shall confer with DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.

Condition 31: The location of the trail shall be staked in the field and approved by DPR prior to construction.

Condition 32: The applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permits, the trail construction shall be completed.

Condition 33: Prior to submission of the first detailed site plan for residential development, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Park and Recreation Facilities Guidelines*.

Condition 34: All master-planned trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any structures shall be reviewed by DPR.

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Condition 35: The handicapped accessibility of the trails shall be reviewed during the review of the detailed site plan.

Condition 39: The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.

Condition 51: Notwithstanding any conditions related to the proposed master plan trail or conditions thereto, the applicant will not be required to construct same until M-NCPPC or assignees constructs the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leeland Road.

DISCUSSION

The Bowie-Collington-Mitchellville Master Plan for Planning Area 75A recommends a hiker/ biker trail along the Collington Branch Stream and a trail connector to the community. The applicant proposes a combination of private and public recreation facilities to meet master plan recommendations and the requirements of the Subdivision Ordinance.

The applicant did not identify the parkland dedication. Staff recommendations are based on the master plan recommendations and the conditions of the conceptual site plan approved by the County Council of Prince George's County as described above. The Department of Parks and Recreation (DPR) staff recommends that the area of parkland dedication include the entire floodplain and floodplain buffer from Central Avenue to the southern property boundary.

Prior approvals for the development of this area discussed the construction of the master-planned trail and trailhead facilities at this location. DPR staff believes that a trailhead at the main access road from Central Avenue would still be desirable, because it would be directly across from a community recreational area and would link the two open spaces. A small parking lot across from the community recreational park would provide convenient parking for trail users and would enhance the recreational opportunities in the development.

The applicant shows the master planned trail in the proposed sewer right-of-way in the Collington Branch Stream Valley. This area is identified as a wetlands and any trail constructed at this location would be extremely difficult to maintain. In addition, this area is isolated and would be difficult to police and could be unsafe. DPR staff recommends that the master plan trail be located along the edge of the floodplain closer to the development. The trail would not be as isolated, would be safer, and easier to build and maintain and result in less environmental disturbance. A final decision on the location and extent of the trail should be made at Detailed Site Plan

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In summary, and in accordance with the conditions of Conceptual Site Plan SP-02004 and Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division of the Department of Parks and Recreation further recommends the provision of parkland dedication as shown on attached DPR Exhibit "A," construction of the trails and trailhead facilities on dedicated parkland, and the provision of private recreational facilities.

†Reconsideration

Based on the reconsideration action taken for the conversion, an overall reduction of less than \$20,000 in the value of the required on-site private recreational facilities has resulted due to the reduction of the estimated population. The revision to the lotting pattern proposed with the reconsideration does not result in a modification to the decision for mandatory dedication.

†Condition 26 of the zoning decision indicated that the determination for the amount and timing of the conveyance of parkland was to be determined at the time of PPS. The PPS was originally certified without addressing the timing of conveyance, but did delineate an area of dedication of 31.5 acres. Prior to signature approval of the reconsidered PPS, the land area of dedication shall be revised to clearly label the ±27,211 square feet now owned by Prince George's County, west of the entrance along MD 214.

†With the reconsideration, the Planning Board established a condition for the conveyance of parkland to M-NCPPC consistent with the standard used for PPS approvals, and recommended by DPR. The condition requires that the parkland be platted and the deed for conveyance be submitted with the first final plat that includes residential development, excluding multifamily.

††On January 25, 2018, the Planning Board granted a Reconsideration for the realignment of the master plan trail. In 2004, the Planning Board approved Preliminary Plan 4-04035 with conditions 14, 15, 16, 18, 19, 35, 37, 38, 41 and 43 most of which were related to the development of trail called for in the adopted Master Plan along Collington Branch Stream Valley with trailhead facilities located within the Karington subdivision.

††The Preliminary Plan 4-04035 established timing for the dedication of parkland and the construction of the trails and trailhead facilities on dedicated parkland. However, in 2017, the applicant proposed a major realignment of road infrastructure, which affected access to the planned trail and future public trailhead facilities located in the western part of the site. The vehicular and pedestrian access to the planned trail and trailhead facilities is no longer viable due to severe slopes, floodplain and wetlands on the dedicated parkland. As such, the planned trail needs to be realigned to fit into the new road system and to provide the most convenient public access to the trail and trailhead facilities.

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††Given the challenges associated with the location of the master-planned trail, the most appropriate alternate location for the trail is along the major loop road within the subdivision. As such, the associated conditions of approval are modified to allow for the realignment of the master plan trail.

7. **Trails**—Two master plan trails impact the subject site. The Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan recommends that a multiuse trail be constructed along the length of the subject property's frontage of Collington Branch. The Department of Parks and Recreation has acquired land for the construction of this trail in other segments of the stream valley, and a portion of the trail has been approved for construction as part of the Beech Tree subdivision to the south of the subject site. This trail is reflected on the submitted preliminary plans along most of the length of the Collington Branch, with several connections into the community. The preliminary plan reflects the extension of the master plan trail to MD 214, as suggested in Condition 28 of the approved CSP. Conditions related to this trail were included in the resolution for the CSP and are reiterated below.

The master plan also recommends a connector trail from the stream valley trail into the subject site. Numerous connector trails are shown, with major connections shown to the lake and along the southern edge of the subject site. These connections meet the intent of the master plan. It is recommended that the major connector trails (from the stream valley trail to the lake and along the southern edge of the subject site) be a minimum of eight feet wide and asphalt. In-road bicycle facilities (such as designated bicycle lanes or wide outside curb lanes) were recommended along the site's primary loop road at the time of CSP and have been reflected on the preliminary plan by the applicant. The exact nature of these facilities should be determined at the time of DSP. The CSP condition regarding these facilities has been reiterated below.

Staff is particularly concerned about some of the road cross sections reflecting on-street parking. Street Sections C and E both reflect 36 feet of pavement for two travel lanes (one each way) and on-street parking on both sides. Assuming that 11-foot-wide travel lanes are used, this only allows seven feet of space for the parked vehicles and bicycle traffic. Similarly, Street Section D (a two-way street with parking on one side) appears to allow for only six feet for the parking lane. The 1999 *AASHTO Guide for the Development of Bicycle Facilities* recommends a minimum of 11 feet for on-street parking with bicycle traffic. This allows for sufficient space for bicycle movement outside of the travel lane, while minimizing conflict with people getting into and out of the parked cars. Street Section I allows an additional four feet for the outside curb lane (or parking lane), which appears to be more adequate to accommodate all users and allows for a wider parking lane. Roads intended for use as bicycle facilities should include adequate space to accommodate bicycle traffic, in keeping with the guidelines contained in AASHTO.

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It is also recommended that the subject site be developed in a manner that is pedestrian and bicycle compatible. Discussion involving this occurred during the CSP phase of the proposal. This can be accomplished through a comprehensive network of sidewalks and trails linking all portions of the development to the master plan trail, recreation facilities, retail areas, and the lake. The applicant has proposed the construction of the master plan trail, a network of neighborhood trail connectors, and in-road bicycle facilities. Standard and wide sidewalks will further enhance this network. These facilities are reflected on the subject application and meet the requirements for the approved resolution for CSP-02004.

The network of proposed trails is comprehensive and links all of the areas of open space within the subject site. All of the main corridors of open space (greenways) are utilized as trail corridors and all portions of the subject site have access to the trail along the stream valley. The exact location, surface type, and width of all trails should be indicated at the time of Detailed Site Plan. Additional neighborhood trail connections shown on the Pedestrian Path Diagram (at the time of CSP) were not included on the preliminary plan. Staff recommends that these connections be added to the preliminary plan, as they will provide important connections from the residential community to the trail network, including the master plan trail. At the time of detailed site plan for the area around the lake, numerous pedestrian connections to the trail around the lake should be shown, whether these are sidewalk connections or neighborhood connector trails.

Sidewalk Connectivity

The sidewalk network proposed at the time of CSP is comprehensive and will facilitate safe pedestrian movement throughout the subject site. Wide sidewalks are shown along Main Street and Restaurant Road. The partial grid street pattern will also serve to make a pedestrian- and bicycle-friendly environment by creating direct connections and dispersing motor vehicles somewhat throughout the site. Additional pedestrian safety measures such as pavement markings, signage, raised crosswalks, and curb bump-outs should also be considered at the time of Detailed Site Plan. A detailed analysis of the pedestrian network and pedestrian safety measures will occur at the time of DSP.

††On January 25, 2018, the Planning Board granted a Reconsideration for the adjustment of the site access, circulation and realignment of the master plan trail. The master plan trail is realigned from the stream valley to alongside internal roads within the subject site. Exhibit A, submitted by the applicant with the reconsideration, reflects the realignment and includes a cross section for the trail. The design includes a 10-foot-wide asphalt trail with a 10-foot wide landscape strip, which buffers the trail from automobile traffic and provides a more “park like” along the road edge. The current design extends from MD 214 and through the subject development to the planned sports complex just south of the subject site. Traffic calming, pedestrian safety features, and improvements to the planned pedestrian crossing of MD 214 will be evaluated at the time of DSP. The landscape strip/buffer along the trail is wider than what is typically included in road

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construction and will provide an ample separation for trail users from motor vehicle traffic and green space for the street trees. The wider buffer was intended to create a more “park like” setting along the trail than is typically found along a sidewalk or sidepath.

††It has not been determined if the roads will be maintained by DPW&T or the City of Bowie. The City of Bowie currently has a signed and recorded agreement to annex the site. However, this agreement is contingent on the approval of tax increment financing (TIF), which has not occurred yet. If the TIF is not implemented for the site, the City of Bowie will not annex the property, at least under the current agreement. If the subject site is annexed into the municipality, the City of Bowie may maintain the trail.

††Discussions with DPW&T have indicated that if the trail is to be maintained by the County, some revisions to the cross section will have to be made to bring it into conformance with the approved Road Specifications and Standards. DPW&T will not maintain the trail as currently proposed by the applicant. It is a “non-standard” treatment, meaning that it does not match or comply with their road specifications and standards. For DPW&T to accept maintenance of the facility, it would have to meet the requirements included in STD. 100.18, DPW&T’s standard road section for a Concrete Hiker/Biker Trail within an Urban Right-of-way. More specifically, the applicant proposes a 10-foot-wide asphalt trail and a 10-foot-wide landscape strip/buffer between the trail and the curb. Both of these dimensions would have to be reduced to eight feet to comply with the standard. Furthermore, for DPW&T to accept maintenance of the trail, it would have to be concrete, not asphalt.

††To address the non-standard right-of-way and maintenance requirements of DPW&T, the applicant will construct the trail as shown on Exhibit A within the public right-of-way and develop an (MOU) Memorandum of Understanding for the maintenance of the trail. This will allow for a wider asphalt trail and the inclusion a wider landscaped buffer than is typically found in the road specifications and standards.

8. **Transportation**—The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated July 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) were received on the same study during review of Conceptual Site Plan CSP-02004 and were addressed at that time.

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Growth Policy—Service Level Standards

The subject property is located within the Developing Tier, 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, and other facilities: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections subject to meeting the geographical criteria in the guidelines.

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.

Analysis of Traffic Impacts

The traffic study for the conceptual site plan examined the site impact at seven intersections in the area:

- MD 214/Church Road
- MD 214/Hall Road/site entrance (unsignalized)
- MD 214 SB/Old Central Avenue (unsignalized)
- MD 214 NB/Old Central Avenue (unsignalized)
- US 301 SB/median break/site entrance (unsignalized)
- US 301 NB/median break/site entrance (unsignalized)
- US 301/Trade Zone Avenue

The City of Bowie expressed a concern during review of the Conceptual Site Plan about the two left-hand merges onto US 301 from MD 214. Staff did communicate this concern to the applicant, but the analyses of these merges were not included in the traffic study. The staff analysis includes service levels for these two merges (from EB MD 214 onto NB US 301 and from WB MD 214 onto SB US 301).

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Also, the traffic study did not include traffic information at the location where the main site access onto US 301 is proposed. The study merely assumes that the through trips along US 301 and the applicant's trips are the only trips at that location. However, that location currently exists as a median break that serves as access to a large gas station and convenience store. Based on older counts at this location, the staff analysis includes this use as a base case.

The existing conditions at the study intersections are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Church Road	1,196	924	C	A
MD 214 and Hall Road/site entrance	562.8*	49.5*	--	--
†[MD 214] <u>US 301</u> SB and Old Central Avenue	70.2*	73.6*	--	--
†[MD 214] <u>US 301</u> NB and Old Central Avenue	107.0*	170.0*	--	--
US 301 SB and site entrance/existing median break	20.4*	23.5*	--	--
US 301 NB and site entrance/existing median break	25.2*	30.5*	--	--
US 301 and Trade Zone Avenue	1,075	1,259	B	C
Merge of MD 214 EB onto US 301 NB	No CLV		B	B
Merge of MD 214 WB onto US 301 SB	No CLV		B	B
*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. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

The area of background development includes approximately 2.7 million square feet of nonretail space as well as over 1,500 residences. Background conditions also assume the widening of US 301 between MD 214 and MD 725, which is shown in the current county Capital Improvement Program (CIP) with 100 percent funding within six years. Full funding in this circumstance includes an assumption that the majority of funding would come from developer contributions and from the State of Maryland. The widening of US 301 is assumed with the provision that area developments would contribute to the funding of the improvements.

Background conditions, with the US 301 CIP improvement in place, are summarized below:

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BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Church Road	1,618	1,471	F	E
MD 214 and Hall Road/site entrance	+999*	496.5*	--	--
†[MD 214] <u>US 301</u> SB and Old Central Avenue	+999*	+999*	--	--
†[MD 214] <u>US 301</u> NB and Old Central Avenue	+999*	+999*	--	--
US 301 SB and site entrance/existing median break	46.2*	34.2*	--	--
US 301 NB and site entrance/existing median break	35.7*	123.0*	--	--
US 301 and Trade Zone Avenue	1,008	1,322	B	D
Merge of MD 214 EB onto US 301 NB	No CLV		B	C
Merge of MD 214 WB onto US 301 SB	No CLV		C	C
*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. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

The site is proposed for development as a mixed-use community. †[~~The proposal described in the submitted traffic study is as follows:~~] On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration for the modification of the phasing of transportation improvements. In a letter dated November 7, 2016 (Lenhart to Masog), the applicant's traffic consultant detailed a revised phasing plan for the site, with Phase I identified as up to 1,047 AM and 1,421 PM net off-site peak-hour trips, and Phase II identified as more than 1,047 AM and 1,421 PM net off-site peak-hour trips, up to the overall trip cap for the site. Subsequent to November 7, 2016, the applicant submitted a revised land use distribution list that was received on January 12, 2017 which was a revision to the applicant's original reconsideration Exhibit C that reflects the land uses, which were analyzed below in the Trip Generation Summary "As of 1/12/2017".

†[~~Phase I/Phase II/Total (2009/2013)~~]

- ~~110/60/170 single family detached residences~~
- ~~177/95/272 townhouse residences~~
- ~~554/298/852 high rise apartment/condo residences~~
- ~~200,000/100,000/300,000 square feet retail~~
- ~~455,000/245,000/700,000 square feet "office"~~

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- ~~200/100/300 hotel rooms~~
- ~~0/250/250 student school]~~

†[To a small degree, the quantities in the traffic study do not match those shown on the preliminary plan. The preliminary plan shows 161 single family detached residences and 302 townhouses. Nonetheless, the Conceptual Site Plan is approved with a firm trip cap, meaning that the various uses can change in quantity but the total trip generation of the site must remain within the cap. With slightly more trips generated by the lotted residential component, one of the other components of the site must decrease slightly in order to meet the mandated trip cap.]

†As to below referenced Transportation Planning Section Table:

Trip Generation Summary, 4-04035, Karington, Uses as of 1/12/2017								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Residential – Phases I and II								
Single Family Detached	136	units	20	82	102	80	42	122
Townhouses	768	units	108	430	538	399	215	614
Apartments	390	units	39	164	203	152	82	234
Internal Trips			-21	-24	-45	-95	-71	-166
Net Residential Trips – Phases I and II			146	652	798	536	268	804
Office – Phases I and II	200,000	square feet	110	36	146	40	110	150
Internal Trips			-5	-7	-12	-12	-18	-30
Net Office Trips – Phases I and II			105	29	134	28	92	120
Hotel – Phases I and II	390	rooms	122	84	206	119	115	234
Internal Trips			-23	-24	-47	-41	-62	-103
Net Hotel Trips – Phases I and II			99	60	159	78	53	131
Retail	475,000	square feet	243	156	399	713	713	1,426
Internal Trips			-53	-47	-100	-147	-144	-291
Pass-By Trips (40 percent of external trips)			-76	-44	-120	-226	-228	-454
Net Retail Trips			114	65	179	340	341	681
Total Trips Utilized in Analysis			464	806	1,270	982	754	1,736
Original Trip Cap for 4-04035					1,313			1,925

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Therefore, site trip generation shown in the traffic study is determined to be acceptable and takes into account rates of internal trip satisfaction (due to the fact that the site is proposed for mixed-use development) as well as pass-by trips for retail. The site trip generation is 1,313 AM peak-hour trips (669 in, 644 out) and 1,925 PM peak-hour trips (954 in, 971 out). The site trip distribution and assignment used in the traffic study has been reviewed, and it should be revised to reflect the following:

- a. The assignment did not specifically include the assignment of pass-by trips. While these types of trips do not have an impact on intersections far away from the site, they could have a significant impact on intersections adjacent to the site.
- b. The retail assignment used the same trip distribution as was used for office. This is not appropriate, as the potential retail market is within the immediate area, while employees are likely to come from farther away. A greater portion of the retail assignment should have been directed toward Hall Road and toward Church Road, with less from the south and east of the site.
- c. A portion of potential employees on the site and potential students on the site could come from south Bowie via Hall Road. Similarly, there are services in south Bowie that residents within the community would access via Hall Road. There is a strong justification for a small assignment of three percent of site trips for these uses to be oriented toward Hall Road to the north of the site.

~~††[†As a means of ensuring that the Phase II improvements are completed, it was determined that development in the northern part of the site near the proposed MD 214/Hall Road connection should immediately trigger the start of Phase II. Therefore, it is determined that development within 1,400 linear feet of the MD 214/Hall Road/site entrance intersection will immediately trigger the start of Phase II development. Any related final plats shall reflect this staging line.]~~

~~†[It should be noted that the traffic study utilizes “industrial park” trip rates from the guidelines rather than general office trip rates. This is acceptable, and the]~~ The site will be capped on the trips rather than the square footage. A number of minor errors have also been observed in the total traffic assignment shown in the traffic study. With the revised trip distributions and assignments, the following results are obtained under total traffic for each phase of development:

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TOTAL TRAFFIC CONDITIONS – Phase I				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Church Road	1,618	1,471	F	E
MD 214 and Hall Road/site entrance	+999*	+999*	--	--
† [MD 214] <u>US 301</u> SB and Old Central Avenue	+999*	+999*	--	--
† [MD 214] <u>US 301</u> NB and Old Central Avenue	+999*	+999*	--	--
US 301 SB and site entrance/existing median break	+999*	+999*	--	--
US 301 NB and site entrance/existing median break	+999*	+999*	--	--
US 301 and Trade Zone Avenue	1,038	1,393	B	D
Merge of MD 214 EB onto US 301 NB	No CLV		C	C
Merge of MD 214 WB onto US 301 SB	No CLV		C	C
*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. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

TOTAL TRAFFIC CONDITIONS – Phase II				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Church Road	1,767	1,471	F	E
MD 214 and Hall Road/site entrance	+999*	+999*	--	--
† [MD 214] <u>US 301</u> SB and Old Central Avenue	+999*	+999*	--	--
† [MD 214] <u>US 301</u> NB and Old Central Avenue	+999*	+999*	--	--
US 301 SB and site entrance/existing median break	+999*	+999*	--	--
US 301 NB and site entrance/existing median break	+999*	+999*	--	--
US 301 and Trade Zone Avenue	1,084	1,447	B	D
Merge of MD 214 EB onto US 301 NB	No CLV		D	D
Merge of MD 214 WB onto US 301 SB	No CLV		C	C
*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. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

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Given these analyses, several intersections within the study area would operate unacceptably in one or both peak hours. Each of these intersections is discussed in a separate section below.

MD 214/Church Road

In response to the inadequacy at the MD 214/Church Road intersection, the applicant has proffered mitigation in accordance with the Guidelines for Mitigation Action and the requirements of that portion of Section 24-124. The applicant proposes to employ mitigation by means of the fifth criterion in the Guidelines for Mitigation Action, which were approved by the District Council as CR-29-1994. Criterion (e) is very complex and is restated below:

The development is located in an area in which public water and sewer is currently available, which meets all adequate public facilities findings (except those for transportation) with existing facilities or facilities having 100 percent construction funding in the county or state programs, and which is within ½ mile of a bus stop having 15-minute headways or better and load factors of 100 percent or less.

Each element of that requirement is discussed below:

- a. The development is in an area where public water and sewer is currently available. This is clear from all information provided.
- b. In accordance with the District Council's action on CDP-9902 and CDP-9903 approving Oak Creek Club, it was determined that the acceptance by an applicant of conditions that would provide adequacy for public facilities was an acceptable basis for approving the use of mitigation. Therefore, regardless of any determination of the adequacy of schools for the subject case, as long as appropriate conditions for adequacy are imposed, mitigation can be employed.
- c. The entire site must be within ½ mile of bus services having quality and capacity. The quality of service is defined by a 15-minute headway—in other words, a bus must operate every 15 minutes during peak hours. Also, the bus service must operate with a load factor of 100 percent or less, wherein a load factor of exactly 100 percent means that every seat on the bus, on average, is full (which leaves all standing room available for additional patrons). In this case, the applicant has provided a statement of intent to (a) seek service of the site by existing public bus services that currently operate at the periphery of the site; or (b) to provide services that will meet the requirements to utilize mitigation. This is somewhat similar to Oak Creek Club, and the District Council's action on CDP-9902 and CDP-9903 approving Oak Creek Club serves as a determination that this type of proffer is an acceptable basis for approving the use of mitigation.

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In this circumstance, the applicant's proffer carries as much credibility as that for Oak Creek Club—if not more—for the following reasons:

- (1) The services at the intersection of MD 214 and Hall Road operate every 15 minutes, meaning that a portion of the site is already within the ½-mile distance required by the guidelines.
- (2) The mixed-use nature of the development, along with the density of residential development, would make the site a good candidate for extending existing bus services. Likewise, these same features could also make private bus services more viable.
- (3) The layout of the site makes it very easy to serve with either a through route or a route that circulates through the site.

Given the determinations above, and particularly given the District Council's approval of a case having a similar situation, the site is deemed eligible to employ mitigation at the MD 214/Church Road intersection.

The applicant recommends the improvements described below to mitigate the impact of the applicant's development in accordance with the provisions of Section 24-124(a)(6). The improvements include:

- a. The addition of a northbound left-turn lane along Church Road.
- b. The addition of an eastbound left-turn lane along MD 214.
- c. The addition of a westbound left-turn lane along MD 214.
- d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.

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The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 214/Church Road				
Background Conditions	F/1657	E/1500		
Total Traffic Conditions—Phase I and II	F/1767	F/1679	+110	+179
Total Traffic Conditions w/Mitigation	E/1598	C/1293	-169	-386

There are options for improving this intersection to LOS D, the policy level of service at this location. Providing a third westbound through lane along MD 214 through the intersection would result in LOS D in the AM peak hour. While this action would pose operational problems to the west of the intersection where three lanes would merge back to two, it would appear that the operational problems would be no greater than those posed by providing the third eastbound through lane, as proffered above.

As the CLV at MD 214/Church is between 1,450 and 1,813 during either peak hour, the proposed action must mitigate at least 150 percent of the trips generated by the subject property, according to the guidelines. The above table indicates that the proposed action would mitigate at least 150 percent of site-generated trips during each peak hour, and it would provide LOS D during the PM peak hour. Therefore, the proposed mitigation at MD 214 and Church Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.

The mitigation plan was reviewed by DPW&T and SHA. DPW&T had no comments. SHA did review these improvements in connection with a previous application and deemed them to be acceptable.

MD 214/Hall Road and site entrance

The traffic study proffers signalization at this location, along with a lane configuration that includes three northbound approach lanes and turn lanes into the site on the eastbound and westbound approaches on MD 214. With a signal in place, the intersection would operate at LOS D, with a CLV of 1,422 during the AM peak hour. Similarly, the intersection would operate at LOS D, with a CLV of 1,417 during the PM peak hour. This is acceptable.

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†On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration for the modification of the phasing of transportation improvements. Given that the operational and adequacy issues at the MD 214/Hall Road and site entrance intersection are largely the result of the addition of the fourth leg and the site traffic to the intersection, it is determined that the transportation improvements at this location can occur at the Phase II level of development, as described herein.

†Given the proposed revision to phasing which would involve development of the site from the southeast corner and the east side toward the north and west, the MD 214/Old Central Avenue intersection becomes critical as it serves virtually all of site traffic during the initial phase. The applicant proposes the study of signalization at this location, with installation if deemed warranted by the responsible operating agency. This is acceptable.

US 301/Old Central Avenue

The traffic study proffers signalization at this location, which is actually two separate intersections along the northbound and southbound lanes of US 301. With signals in place at each location, the intersections would both operate at LOS B during the AM peak hour. Similarly, the intersections would operate at LOS A (the one along southbound US 301) and LOS C (the one along northbound US 301) during the PM peak hour. This is acceptable.

US 301/Site Entrance

The traffic study proffers signalization at this location, which is actually two separate intersections along the northbound and southbound lanes of US 301. The analysis also assumes a three-lane eastbound approach from the site, with one lane turning southbound along US 301 and the remaining two lanes continuing across southbound US 301 and continuing to dual northbound left-turn lanes at northbound US 301. †Also, a second westbound lane in the median at the WAWA crossover is assumed to provide a two-lane approach to southbound US 301 (one left and one through). With a signal in place, the southbound US 301 intersection would operate at LOS D, with a CLV of 1,307 during the AM peak hour. Similarly, the intersection would operate at LOS C, with a CLV of 1,267 during the PM peak hour. With a signal in place at the intersection along northbound US 301, the intersection would operate at LOS B, with a CLV of 1,030 during the AM peak hour. Similarly, the intersection would operate at LOS D, with a CLV of 1,418 during the PM peak hour. This is acceptable.

Merge of ramp from MD 214 eastbound onto US 301 northbound

During review of the Conceptual Site Plan, the Highway Capacity Manual analysis indicated that this merge would operate at LOS E during the PM peak hour under total traffic. The length of this merge lane was severely constrained. The merge has recently been lengthened, however, to a length of 400 feet with an extended taper, and per new computations does operate acceptably given future traffic volumes. Therefore, recent construction has satisfied this condition, and it will not be carried forward.

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US 301 between MD 214 and MD 725

As noted earlier, background conditions also assume the widening of US 301 between MD 214 and MD 4, which is shown in the current county Capital Improvement Program (CIP) with 100 percent funding within six years. Full funding in this circumstance includes an assumption that the majority of funding would come from developer contributions and from the state. The widening of US 301 is assumed with the provision that area developments would contribute to the funding of the improvements.

CIP Project FD669161 (US 301 Improvements) provides that \$21,550,000 in construction funds will be provided by “other” sources, which is further described as being developer contributions and the State of Maryland. Another \$2.5 million is specifically proposed to come from developer funding. The current CIP makes no reference regarding what portion of the \$21.55 million will come from the State of Maryland versus the development community. However, in a February 1998 letter to the Planning Board, the Deputy Chief Administrative Officer of Prince George’s County advised that it was, at that time, still the intent of the county to obtain \$2.5 million in developer contributions. The cost estimate used for this project was based on 2nd quarter 1989 data. Based on the county’s letter, staff has identified participating developments and the associated share of project contributions along the US 301 corridor. To date, the following developments have made financial commitments towards the aforementioned CIP improvements through Planning Board resolutions:

Collington South	4-97044	PB97-214(C)	\$456,000.00
Marlboro Square	4-96084	PB96-342	\$30,880.00
Meadowbrook	4-89227	PB90-102	\$106,948.31
Beech Tree	CDP-9706	PB98-50	\$1,194,805.08
TOTAL			<u>\$1,788,633.39</u>

Under CDP-9706 for Beech Tree, the application generated an average of 1,600 vehicle trips per peak hour along US 301. That property was required to pay \$1,194,805, or \$746.75 per trip.

The subject application would generate an average of 971 vehicle trips per peak hour along US 301. Using the same dollar payment per trip, the Conceptual Site Plan was approved with a requirement to pay \$725,094.25 toward the CIP project. However, the Conceptual Site Plan was approved by the Planning Board and affirmed by the District Council with permission to install a number of improvements that could be credited against the amount paid, with the pro rata to be paid only if the necessary right-of-way is not available. The improvements included in that list are:

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- a. **The traffic signal warrant studies and potential signalizations at the US 301/Old Central Avenue intersections.** It is currently unclear whether signals will be warranted due to the low side street traffic volumes. As this is an operational issue and not an improvement for which right-of-way would generally be needed, this should not be included in the list of improvements that can be credited against a pro-rata payment.
- b. **The proposed improvements at the merge of MD 214 eastbound onto northbound US 301.** This memorandum determines that this improvement has been constructed and need not be carried over. Therefore, this certainly will not be credited against a pro-rata payment.
- c. **The addition of a third through lane southbound along US 301 between the MD 214 ramp and Trade Zone Avenue.** It should be noted that SHA can require (as they have in many cases around the county), as a part of access approval, a third through lane along the 3,800 feet that composes the subject property's frontage along US 301. In other words—pro rata or not—this applicant would have to build most of the third lane along this frontage. It is clearly not supportable to allow a credit against off-site responsibilities the costs that would be needed to provide access to the site.

†On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration for the modification of the phasing of transportation improvements. Given that the operational and adequacy issues along the section of southbound US 301 is the result of future traffic, it is determined that the off-site portion of the widening, beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continues to tie into the existing third southbound lane that already exists at Queen Anne Road for a total distance of approximately 2,800 feet, can occur at the Phase II level of development, as described herein. The addition of acceleration/ deceleration lanes and additional widening along southbound US 301 at any of the site access points shall be determined by SHA at the time that those access points are permitted.

Therefore, it will be recommended at this stage of approval that the approved pro rata be strictly a payment toward off-site and unfunded widening of US 301. It must be noted that, while there are significant impacts along southbound US 301 that the applicant is helping to alleviate, the impacts along northbound US 301 are equal and opposite, and there are minimal improvements being done to alleviate those impacts. That is the purpose of the pro-rata payment.

††On January 25, 2018, the Planning Board granted a Reconsideration for the modification of access to the site. By letter dated July 24, 2017 (Lenhart to M-NCPPC Development Review Division), an analysis was provided, detailing operating conditions at three critical intersections under the revised access configuration: MD 214/Hall Road, MD 214/Old Central Avenue, and Old

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Central Avenue/site access. This analysis has been reviewed in accordance with the procedures as detailed in the “Transportation Review Guidelines,” and has been deemed to be acceptable. For the three intersections critical to this analysis, when analyzed with traffic using counts, existing lane configurations, and approved development as utilized in the 2005 traffic study for the subject property, operate as follows:

††BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 at Hall Road	1,224	919	C	A
MD 214 at Old Central Avenue	1,163	764	C	A
Old Central Avenue at site access	future			

††Total traffic from the approved 2005 traffic study is summarized below:

††TOTAL TRAFFIC CONDITIONS WITH EXISTING ACCESS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 at Hall Road	1,393	1,302	D	D
MD 214 at Old Central Avenue	1,198	837	C	A
Old Central Avenue at site access	future			

††With the deletion of the MD 214/Hall Road access and the provision of a new access point onto Old Central Avenue, revised total traffic is summarized below:

††TOTAL TRAFFIC CONDITIONS WITH REVISED ACCESS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 at Hall Road	1,381	1,126	C	B
MD 214 at Old Central Avenue	1,550	1,242	E	C
Old Central Avenue at site access	1,020	983	B	A

††Two intersections in the above table require further discussion:

††Old Central Avenue at site access: In place of requiring the MD 214/Hall Road/site access and the related traffic control improvements, the PPS submitted by the applicant reflects a roundabout at this location. It was determined that a roundabout at this location conforms to the adequacy findings required by the Transportation Guidelines and meets the v/c ratio of 0.85 or less. The Maryland State Highway Administration (SHA) has jurisdiction at this location, and will

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determine signal warrants and lane configurations at the time of detailed site plan. At this time, SHA has not agreed to the implementation of the roundabout and may require that the applicant construct a signalized intersection at this location. The right-of-way reflected on the PPS is sufficient to accommodate either improvement.

††MD 214 at Old Central Avenue: This intersection has been analyzed in its current configuration with a single-lane approach for Old Central Avenue. The analysis indicates that the addition of an exclusive left-turn lane is needed for acceptable operations.

Consistency With Conceptual Site Plan

Prior application CSP-02004 contains a number of transportation-related conditions. The status of the transportation-related conditions, as provided in the District Council's order affirming the Planning Board's decision on the case, is summarized below:

- Condition 3: This condition requires that rights-of-way for the master plan facilities be determined at the time of preliminary plan. This has been done.
- Condition 4: This condition requires roadway improvements at the MD 214/Church Road intersection. Identical conditions will be recommended for this plan, and they will be enforceable at the time of building permit.
- Condition 5: This condition requires the provision of a traffic signal warrant study at the MD 214/Hall Road/north site access intersection prior to Detailed Site Plan. This condition also requires roadway improvements at that location. Identical conditions will be recommended for this plan, and they will be enforceable at later approval stages.
- Condition 6: This condition requires the provision of a traffic signal warrant study at the US 301/Old Central Avenue intersections prior to Detailed Site Plan. Identical conditions will be recommended for this plan, and they will be enforceable at later approval stages.
- Condition 7: This condition requires the provision of a traffic signal warrant study at the US 301/east site access intersection prior to Detailed Site Plan. This condition also requires roadway improvements at that location. Identical conditions will be recommended for this plan, and they will be enforceable at later approval stages.

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- Condition 8: This condition requires the modification and lengthening of the merge from eastbound MD 214 to northbound US 301. The merge area has recently been lengthened to 400 feet with an extended taper and found to be acceptable under total traffic. Therefore, this condition is deemed to be satisfied and will not be carried forward.
- Condition 9a: This condition requires provision of a third through lane of a length of 6,800 linear feet along southbound US 301. Approximately 3,800 feet of this lane is along the frontage of the subject property, and this portion can reasonably be requested of the applicant by SHA as a part of frontage/access-related improvements. An identical condition will be recommended for this plan, and it will be enforceable at the time of building permit.
- Condition 9b: This condition requires acceleration and deceleration lanes along northbound US 301 at the east site access. This improvement can reasonably be requested of the applicant by SHA as a part of frontage/access-related improvements. An identical condition will be recommended for this plan, and it will be enforceable at the time of building permit.
- Condition 9c: This condition allows the applicant to pay a pro-rata fee toward the widening of US 301. It allows this payment in the event that right-of-way for improvements listed in Conditions 6, 8, and 9a is not available. Furthermore, the condition allows the costs of these improvements to be credited against the pro-rata fee. The condition finally states that the scope of improvements along US 301 shall be determined at the time of preliminary plan. The determination has been made, and the condition will be carried forward in amended form in accordance with the earlier discussion in this memorandum.
- Condition 10: This condition states that off-site traffic improvements may be altered or modified at the time of preliminary plan dependent upon phasing schedules. The applicant has forwarded no change in the phasing schedule, and no change is proposed herein.
- Condition 11: This condition sets trip caps for Phases I and II. This condition will be enforced with subsequent applications, and will be carried forward with this plan.
- Condition 12: This condition requires further review of proposed street sections. The portion of the development on the north and west sides of the proposed lake is proposed to be private streets, and the sections proposed in these areas are acceptable. However, the typical sections for street types B, C, E, F, and I are all proposed for public streets, and each type is slightly nonstandard. It does not appear that

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DPW&T approval of the revised typical sections has been received. This issue must be resolved prior to signature approval of the preliminary plan.

Condition 13: This condition requires the provision of a street of type E along the north side of the lake. The current plan shows this street; therefore, the condition is met.

Condition 14: This condition requires the provision of documentary evidence of service by public transportation. This evidence is required as a means of establishing the geographic applicability of the fifth criterion for the use of mitigation. This documentary evidence has not been received to date, but is required to be submitted and reviewed prior to signature approval of the subject plan.

Plan Comments

MD 214 is a master plan expressway, and existing southbound US 301 is a master plan arterial facility. Existing rights-of-way along both facilities is sufficient to accommodate future recommendations. It is noted that the master plan recommends a future interchange at MD 214 and Hall Road, and the preliminary plan makes no provision for right-of-way for the ramps and overpass associated with this interchange. The area where the interchange is planned is shown on the plan as green space adjacent to a possible hotel site. Since no development is intended at this location by either the conceptual or the preliminary plan, it could be purchased by SHA (or some other public agency) at the time that an interchange becomes needed. Because there is no current need for adequacy nor is there any conceptual plan for the interchange, dedication is not required.

Additionally, the master plan shows an extension of Prince George's Center Boulevard (I-2) onto the subject property. This facility and connection were not reflected on the approved conceptual site plan. In general, sub-collector roadways are shown on master plans as a means of addressing specific land and access needs of the plan. The I-2 facility is viewed as a roadway that was intended to link the employment-oriented land uses of Collington Corporate Center to the larger Collington Center development. It was not intended as an alternate route for trucks to access Collington Center; MD 214 is not a commercial corridor outside of the Capital Beltway, and Collington Center already has other access points onto US 301, which is a more appropriate facility for truck access. And while future peak-hour traffic could become very heavy at Trade Zone Avenue, there will be another access point onto US 301 between Trade Zone Avenue and Leeland Road. With the proposed site plan, the Collington Corporate Center property will change from a strictly employment/industrial site to a residential/mixed-use site. In general, master plan recommendations attempt to separate industrial traffic from communities. In considering the change that the subject plan presents, the extension of I-2, besides being unneeded, may actually be undesirable.

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The general circulation plan is mostly acceptable. However, the subdivision plan indicates three public street access points onto the site from southbound US 301. It is also noted that the key map used for identifying proposed typical sections indicates the possibility of a driveway access to US 301 in the vicinity of Parcel 60. Any access point must be approved by SHA. However, given that southbound US 301 is identified as a future arterial facility, any driveways must be reviewed as a variation request from Section 24-121(a)(3). No such variation request has been filed or reviewed. Therefore, access onto US 301 southbound from the subject property shall be limited to proposed Streets B, G, and J, as labeled on the plan. Record plats shall indicate access denial for individual lots onto US 301 southbound (and MD 214).

† Vehicular Access Easement 24-128(b)(9)

The PPS reflects nine parcels which have frontage on US 301, a designated arterial roadway. A variation to Section 24-121(a)(3) was not filed nor granted for direct access from any parcel to US 301 or MD 214. In order to avoid a potentially hazardous or dangerous traffic situation, the Planning Board has authorized the use of an easement as a means of vehicular access to these parcels pursuant to Section 24-128(b)(9) of the Subdivision Regulations, to which M-NCPPC shall be the grantee. At the time of DSP, the access easement shall be delineated on the plan to serve these parcels. The Section 24-128(b)(9) easement, by definition, is a driveway and not a “street.” The access easement shall be a unifying element for the commercial component and must create an identifiable route through the development pod, not only for vehicles, but for pedestrians and commercial/residential areas beyond. The route will be reviewed for a level of comfort for all users, and not be reduced to a circuitous route through a parking lot and will connect to the public streets (G and J). To accomplish this, the applicant will submit a cross section at the time of DSP which should include landscaping (shade), lighting, and adequate space for pedestrians, as appropriate and determined with the DSP.

The revised PPS submitted on January 18, 2017 included three parcels, which had no frontage on a street and were therefore “landlocked.” There are no provisions for the use of an easement in this instance without frontage on a street. The applicant has filed Applicant Access Exhibit to adjust Parcels 49, 72, and 73 prior to recertification to provide each parcel frontage on a street.

Transportation Issue Conclusions

Based on the preceding findings, adequate transportation facilities ~~†[would]~~ will exist to serve the proposed development as required under Section 24-124 of the Prince George’s County Code. ~~†[if the application is approved with the transportation improvements noted.]~~

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. (The following figures are without the Condo/High Rise Apartment units. Those units will be included in the findings at a later date.)

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Final School APF Numbers**Finding****Impact on Affected Public School Clusters**

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	1294 sfd	1294 sfd	1294 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	310.56	77.64	155.28
Actual Enrollment	6141	5131	10098
Completion Enrollment	198.24	217.62	398.97
Cumulative Enrollment	180.48	139.74	279.96
Total Enrollment	6830.28	5565.38	10932.21
State Rated Capacity	5858	4688	8770
Percent Capacity	116.60%	118.72%	124.65%

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 public fire and rescue facilities.

Residential (single-family)

- a. The existing fire engine at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service travel time of 3.37 minutes, which is within the 5.25-minute travel time guideline.

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- b. The existing ambulance at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 7.25-minute travel time.

The residential portion of the proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic services.

Commercial (and multifamily residential)

- a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service travel time of 3.37 minutes, which is beyond the 3.25-minute travel time guideline.
- b. The existing ambulance service at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 4.25-minute travel time guideline.
- c. The existing paramedic service at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service travel time of 11.55 minutes, which is beyond the 4.25-minute travel time guideline.

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*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

- 11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. 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.

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12. **Health Department**—The Health Department noted the presence of domestic trash, an abandoned truck and house trailer, and scrap tires on the property. The trash and debris must be disposed of properly. The tires must be hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt must be turned in 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. The approval was valid through June 30, 2004. A new Stormwater Management Concept Plan must be approved prior to signature approval of the preliminary plan.
14. **Cemeteries**—The property is part of *Willow Brook*, the antebellum plantation of the Clarke family. The Clarke family cemetery on part of this property was previously moved to St. Barnabas' church. The applicant should be alert to possible additional burials. In addition, documentary and archeological investigation should be required to determine whether there exists physical evidence of slave dwellings or burials or other significant archeological resources.
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. **Reconsideration**—On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration. On February 16, 2017, the Planning Board heard the applicant's request and approved the PPS subject to amended findings and conditions and a revised PPS and TCPI.

†Background

On June 12, 2003, the Planning Board approved CSP-02004 for the subject site, which is located in the E-I A Zone (PGCPB Resolution No. 03-135(C)) for the development of the property in accordance with the M-X-T Zone, pursuant to CB-013-2002, subject to specific findings. On January 27, 2004, the District Council affirmed the Planning Board's decision subject to conditions. Section 27-500(c) of the Zoning Ordinance, as amended by CB-013-2002, required the development to comply with the requirements of Part 10, which contains regulations including lot sizes, building groups, and units in a row.

†On November 15, 2016, CB-073-2016 was adopted by the County Council and took effect on December 30, 2016. This Council bill provides, in Part 10, Subdivision 1, Section 27-544(e)(1), that "for property that is located in the E-I-A (Employment and Institutional Area) Zone and is

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subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.” Therefore, any modification of the regulations in the M-X-T Zone will not require a variance. This reconsideration proposes lots which do not meet the standards of the M-X-T Zone (Section 27-548(h)). While the applicant did submit a variance for lot size and building width, with the adoption of CB-073-2016, acting on the variance is not required and was therefore withdrawn on November 29, 2016 by the applicant.

†Urban Design

The Urban Design Section has reviewed the reconsideration request, which represents a significant change of the development program from the prior approval. In general, while the overall unit count remains unchanged (1,294) the proposed development project reflects the creation of fee simple lots that results in a more than 40 percent increase in the total number of lots, mainly of single-family attached dwellings and more than 35 percent reduction of multifamily dwellings. In addition, the proposed development project also reduces the amount of gross floor area for the employment uses. For both single-family detached and single-family attached units, some of the proposed lots, except for a limited number, are narrower than the previously approved lots. As a result of the reduction in the lot width to the proposed 16 feet wide for interior units, most of the proposed lots cannot meet the recommended lot size, which is 1,800 square feet in the M-X-T Zone for TH lots. Originally, the applicant filed an “Exhibit for Typical Minimum Lot Layout” dated November 23, 2016 which did not provide a common open space element between the sticks of TH lots and provided only 12 feet between the end unit dwelling units. The Urban Design Section had concerns about the proposed lotting pattern and the relationship among the narrow lots in both single-family detached and attached sections. A large number of small lots, especially those 16 feet wide concentrated in several sections, may create a monotonous streetscape because there are no breaks between the continuous narrow lots. Urban Design stated that above all, the proposed lotting pattern, especially between TH building sticks will create practical difficulty for homeowners carrying out regular yard maintenance such as mowing one’s own lawn because of the inability to access the rear yards reasonable. Therefore, at the time of DSP, homeowners association (HOA) open space areas, a minimum of eight feet wide, should be provided at appropriate locations to provide openings for pedestrian circulation and access.

HOA open space shall also be provided between groups of single-family lots which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements will provide windows into the open space features and be provided between every 15 contiguous, single-family detached units, or as determined at the time of DSP to provide a visual break and a relief view to the green areas of the site.

In addition, the large concentration of small townhouses also creates demands for more open space and recreational facilities. Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas or open space elements in at least three locations to be within a 100-foot radius of the proposed townhouses should be provided and reviewed by the Urban

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[Brackets] and ~~strike through~~ indicate deleted language

Design Section of the Development Review Division (DRD) for adequacy and property siting at time of detailed site plan. Smaller townhouse lots also necessitate highly articulated architectural design of the models in order to achieve a high-quality development. At least three townhouse models with varied architectural including both front-and rear-loaded garage options should be provided within each proposed townhouse section at the time of DSP. At least 70 percent of the townhouses should have a full brick or equivalent masonry façade finish. Highly visible end units should also have a minimum four architectural features. Approval of this reconsideration includes conditions to address the issues of open space and recreational needs and views, at time of DSP that may result in a loss of townhouse lots.

The Planning Board's approval of the PPS, including the number of dwelling units, lots, and parcels, cannot be resubdivided or increase by a zoning action pursuant to a determination at the time of DSP. Therefore, the Planning Board also required that General Note 19 on the approved PPS be revised as reflected on the PPS filed with the reconsideration because it previously stated that the property could be resubdivided at the time of DSP.

The applicant has indicated that a modification to the layout, including a shifting of the internal road network, may be proposed with the DSP, which will be reviewed for substantial conformance to the PPS at that time.

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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Squire and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, October 21, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of November 2004.

††Denotes (2018) Amendment

†Denotes (2017) Amendment

**Denotes (2017) Correction

*Denotes Correction

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*This is to certify that the foregoing, indicated in underline and deletion, is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission relating to further division of the property, the addition of 200 lots, and modification to the transportation phasing on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 16, 2017, in Upper Marlboro, Maryland. The adoption of this amended resolution, based on the reconsideration action taken, does not extend the validity period of this preliminary plan of subdivision (PPS), nor modifies the original approval date of the PPS of October 21, 2004.

**This resolution was corrected administratively on June 8, 2017.

††This is to certify that the foregoing, indicated in underline and deletion, is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission relating to access, circulation and master plan trail alignment on the motion of Commissioner Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, January 25, 2018, in Upper Marlboro, Maryland. The adoption of this amended resolution, based on the reconsideration action taken, does not extend the validity period of this preliminary plan of subdivision (PPS), nor modifies the original approval date of the PPS of October 21, 2004.

††Adopted by the Prince George's County Planning Board this 15th day of February 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

PCB:JJ:SC:rpg

††Denotes (2018) Amendment

†Denotes (2017) Amendment

**Denotes (2017) Correction

*Denotes Correction

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