

R E S O L U T I O N

WHEREAS, Glenwood Hills Venture, LLP is the owner of a 121.08-acre parcel of land known as Parcel 165, Tax Map 73, Grid D-2, said property being in the 18th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on June 23, 2004, Glenwood Hills Venture, LLP filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 316 lots and 19 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04081 for Glenwood Hills 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 28, 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 28, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/66/94-02), and further APPROVED Preliminary Plan of Subdivision 4-04081, Glenwood Hills for Lots 1-121, Block A; Lots 1-12, Block B; Lots 1-8, Block C; Lots 1-14, Block D; Lots 1-6, Block E; Lots 1-11, Block F; Lots 1-128, Block G; Lots 1-11, Block H; Lots 1-5, Block I; Parcels A thru O; Parcels 1, 2 and 3, and Outlot A including a variation to Sections 24-130 and 24-121 of the Subdivision Regulations with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. Reflect the layout of the approved conceptual site plan (CSP-88020/02) and add notes reflecting conformance with Conditions 26, 27 and 29 of that approval.
 - b. Provide two trail connections: One from Quarry Place and one from Fawncrest Drive to either Road G or Road I.
 - c. Provide a trail connection from Road "J" to Quarry Avenue, if sidewalks are not required.
 - d. Relabel Outlot A as Parcel P.

- e. Reflect conformance with Section 24-128 of the Subdivision Regulations and remove the private streets proposed to serve the single-family dwelling units or add a note that this issue shall be determined prior to the approval of the DSP.
 - f. Indicate the disposition of existing structures, if any.
 - g. Provide deed and/or easement information on the disposition of the existing “path connection to school site” along the east property line.
2. A Type II tree conservation plan shall be approved at the time of approval of the DSP.
3. Prior to building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association (HOA) has been established and that the common areas have been conveyed to the homeowners association.
4. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association 68.41 ± acres of open space land (Parcels A-0 or as modified by the conditions of approval). Land to be conveyed shall be subject the following:
- a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.

- g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
5. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for approval prior to the submission of final plats for construction of recreational facilities on homeowners land. Upon approval by the DRD, the RFA shall be recorded among the county land records.
6. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to building permits for the construction of recreational facilities on homeowners land.
7. Development of this site shall be in conformance with Stormwater Management Concept Plan #39362-2002-00, and any subsequent revisions.
8. Prior to submittal of the DSP, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation with the concurrence of DRD. The applicant shall complete and submit a Phase I investigation with the application for DSP (including research into the property history and archeological literature) for those lands determined to be subject. At the time of review of the DSP, 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 archeologist 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. Grading permits may be issued for areas not subject to a Phase I archeological investigation, subject to the required order of approvals.
9. In conformance with the adopted and approved Addison Road Metro Town Center and Vicinity Sector Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following and will be reflected on the DSP:
- Provide a minimum eight-foot-wide trail along the subject property's entire frontage of Karen Boulevard. This trail will accommodate north/south pedestrian and bicycle movement through the site as envisioned by the sector plan.
 - Provide a minimum eight-foot-wide sidewalk that is separated from the curb with a landscape strip, along the subject site's entire road frontage of MD 214, unless modified by SHA.
 - Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.

- Provide a trail connection from the end of Road “G” or Road “I”, to Quarry Place and Fawncrest Drive.
 - Provide a trail connection from Road “J” to Quarry Avenue.
 - Provide a trail connection from the residential community to the commercial component (Outlot “A” to be relabeled Parcel “P”). This connection may be appropriate along the sewer right-of-way indicated on the conceptual site plan. An exact determination regarding the location of the trail will be made at the time of detailed site plan for Parcel “P”.
 - A more detailed analysis of pedestrian and trail connections will be made at the time of detailed site plan. Additional trail connections, sidewalks, and pedestrian safety measures may be warranted.
10. Development of this property is subject to the approval of a detailed site plan in accordance with Part III, Division 9, of the Zoning Ordinance. At the time of detailed site plan, a 30-scale drawing shall be submitted detailing of the recreational area on Parcel I. That plan shall demonstrate conformance with the *Parks and Recreational Facilities Guidelines*. The combined play area and the stormwater management area should be designed as an amenity to the site. It should be a naturalized form, with a path and benches incorporated into the perimeter of the pond.
11. Prior to signature approval of the preliminary plan of subdivision, the applicant shall obtain signature approval of the approved Conceptual Site Plan (CSP-88020/02).
12. At the time of review of the detailed site plan, the applicant shall remove the private streets serving the single-family dwelling units as required by Section 24-128(b)(7) or shall demonstrate a legal alternative.
13. **MD 214 at Addison 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 access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- a. Option 1: The construction of a northbound free right-turn lane along Addison Road.
 - b. Option 2: The construction of an eastbound right-turn lane along MD 214.
- The above two improvements are options for which feasibility shall be reviewed further by the applicant. Determination of whether Option 1 or 2 will be implemented shall be made at the time of the initial detailed site plan.
14. **MD 214 at Garrett A Morgan Boulevard/Ritchie 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 access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- a. The modification of westbound MD 214 to a five-lane approach which includes two left-turn lanes, two through lanes, and a shared through/right-turn lane.
 - b. The modification of northbound Ritchie Road to a five-lane approach, which includes two left-turn lanes, a shared through/left-turn lane, a through lane, and one right-turn lane.
15. **Walker Mill Road at Addison 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 access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. The modification of westbound Walker Mill Road to provide an exclusive left-turn lane and a left-turn/right-turn lane.
16. Prior to the approval of the detailed site plan for the subject property, 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 Pepper Mill Road/Karen Boulevard. 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 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, 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 provision of an eastbound shared through/right-turn lane along MD 214.
 - b. The addition of a westbound left-turn lane along MD 214.
 - c. The construction of the northbound approach to include an exclusive left-turn lane and a shared through/right-turn lane.
 - d. The modification of the southbound approach to include an exclusive left-turn lane and a shared through/right-turn lane.

The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.

17. **Walker Mill Road at Karen Boulevard:** Prior to the approval of the detailed site plan for the subject property, the applicant shall submit acceptable traffic signal warrant studies to DPW&T for the intersection of Walker Mill Road and Karen Boulevard. The performance of a new study may be waived by DPW&T in writing if DPW&T determines that an acceptable recent study has been conducted. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by 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 DPW&T.
18. **MD 214 at Hill Road/Shady Glen Drive:** 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 access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. The modification of southbound Hill Road to a five-lane approach, which includes two left-turn lanes, a shared through/left-turn lane, a through lane, and a right-turn lane.
19. Total development within the subject property under this preliminary plan shall be limited to uses which generate no more than 780 AM and 933 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by travel that are consistent with assumptions in the traffic study. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
20. **Karen Boulevard:** 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 access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Construct Karen Boulevard as a four-lane collector roadway between MD 214 and the southern end of the site.
21. At the time of the initial detailed site plan for the subject property, the applicant shall demonstrate the feasibility and constructability of the improvements described in Conditions 13, 14, 15, 16, and 18. This shall include consideration of right-of-way issues.
22. The Detailed Site Plan for Parcel P (commercial property) shall include the requirement for the construction of a pedestrian connection from the commercial portion of the property (Parcel P) to the townhouse portion of the property (Parcel F) by the applicant, his heirs, successors and/or assignees. The Detailed Site Plan for Parcel P shall include the details and triggers for trail construction, including RFA and bonding requirements.

23. Prior to signature approval of the Preliminary Plan, the Type I Tree Conservation Plan (TCPI/66/94-02) shall be revised as follows:
- Revise the TCPI to delete Note 1 and to revise Note 2 to refer to the preliminary plan.
 - Remove from the plan all soils information including boundary lines.
 - Revise the plan to identify woodland retained not part of any requirement and revise the worksheet accordingly.
 - Have the revised plan signed and dated by the qualified professional who prepared the plan.
24. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/66/94-02). The following note shall be placed on the final plat of subdivision:
- “Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/66/94-02), 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.”
25. At time of review of the detailed site plan the following impacts to the expanded buffer shall be eliminated or reduced to the extent possible as described below:
- Impact 5 for the stormwater management pond behind lots 17-21 on Streets D and E shall be revised to eliminate impacts to the 50-foot-wide stream buffer and shall be further evaluated and reduced wherever possible.
 - Impact 11 associated with the construction of lots 1-11, Block H, shall be further evaluated and minimized to the extent possible or eliminatedd
 - Impact 21 shown along the rears of lots 60 through 79, Block G, shall be eliminated. Only the impact associated with the stormwater pond outfall adjacent to lot 61 is approved and this impact shall be minimized during the review of the detailed site plan.
26. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the streams and their associated buffers, except for areas of approved variations, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of

structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

27. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
28. The first Detailed Site Plan shall include Parcel I, the central recreational area, and the land area associated with Lots 128-132, Block G, as shown on the approved preliminary plan of subdivision. The Detailed Site Plan shall demonstrate that sufficient land area is available to provide a visual focal point for the community. In order for the applicant to retain Lots 128-132, Block G the plan shall demonstrate adequate land area for all of the required recreational facilities, a naturalized storm water management pond with gentle slopes and parking facilities for the residents.
29. The record plat for Parcel F shall include an easement for the trail construction by the applicant, his heirs, successors and/or assignees, on homeowners land (from Parcel P) in the vicinity of the stormdrain easement in the northeast corner of Parcel F.

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 subject site is located on the south side of Central Avenue approximately 4,500 feet east of its intersection with Addison Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use(s)	Vacant	Mixed Use—117 single-family attached, 199 single-family detached, 278 multifamily residential and 203,000 of office/retail
Acreage	121.08	121.08
Lots	0	316
Parcels	1	19
Dwelling Units:		
Total	0	594

4. **Previous Approvals**—The subject property was zoned M-X-T in the Suitland/District Heights

and Vicinity (Planning Areas 75A and 75B) Master Plan dated July 1985 and the adopted sectional map amendment dated March 1986. A Conceptual Site Plan, SP-88020, entitled Meridian was approved by the Prince George's County Planning Board on September 8, 1988 (PGCPB No. 88-303). That original approval included 2,146,700 square feet of office, 1,794 residential dwelling units, a 300-room hotel, and 85,100 square feet of retail. That plan was revised, renamed Glenwood Hills, and approved by the Planning Board on March 31, 1994 (after a request for reconsideration of the original Planning Board's decision to disapprove the plan). That Conceptual Site Plan, CSP-88020/01, was approved with 785 dwelling units (105 detached units, 310 townhouse units, and 370 multifamily units) and 203,000 square feet of office/retail, and further discussed in Finding 14 of this report.

Preliminary Plan 4-94066 was approved on November 10, 1994, and the resolution, PGCPB No. 94-351, was adopted on December 1, 1994. That preliminary plan is approved for 203,000 square feet of office retail, 604 multifamily dwelling units, 402 single-family attached, and 103 single-family detached dwelling units (1,109 total dwelling units). Because of the size of the proposed development, the preliminary plan was valid for six years with the possibility of two 2-year extensions. Two extensions were granted and the preliminary plan continues to be valid through December 1, 2004.

5. **Access Issue**—The applicant has proposed the development of small-lot single-family dwelling units, townhouses, multifamily dwellings, and office/retail on the east side of Karen Boulevard and single-family dwelling units on the west side of Karen Boulevard. To serve the development the applicant has proposed a mix of public and private streets. The townhouses will be served by private streets and the multifamily dwellings are to be served via Karen Boulevard and developed with internal driveways and parking compounds. The office/retail component will have frontage on and direct vehicular access to Central Avenue if approved by the Planning Board and no access to Karen Boulevard.

The applicant has proposed to serve the single-family dwelling units with a mix of dedicated public streets and secondary private streets to allow for rear load garages. All of the single-family dwelling units are proposed with frontage on a dedicated public street. The Subdivision Regulations, however, do not provide for the creation of private streets to serve single-family dwelling units in the M-X-T Zone (Section 24-128(b)(7)). Therefore, the private streets must be revised to public streets with the approval of the Department of Public Works and Transportation, removed, or an amendment to the Subdivision Regulations adopted.

The applicant has indicated the desire to amend the Subdivision Regulations to provide for the creation of private streets to serve single-family dwelling units in the M-X-T Zone. In this case secondary private streets or alleys would allow the applicant to develop with rear load garages and reduce the presence of vehicles in the front yards and on the street. While staff supports this, the applicant was advised that until a legal alternative is identified, private streets are not permitted and the plans must be revised to remove the private streets serving single-family dwelling units. To afford the applicant the greatest flexibility to work out possible alternatives, staff is recommending that a note be placed on the preliminary plan that prior to approval of the required detailed site plan (DSP) this issue be resolved.

6. **Environmental**—The Environmental Planning Section originally reviewed the subject property as Conceptual Site Plan CSP-88020 and subsequently as Preliminary Plan of Subdivision 4-94066 and Tree Conservation Plan (TCPI/66/94), which were approved with conditions. The subject property was again reviewed as Conceptual Site Plan CSP-88020/02 and TCPI/66/94-01, which were approved with conditions. The site has an approved stormwater management concept plan approval letter (#39362-2002-00) dated October 10, 2003.

A review of available information indicates that streams, wetlands, 100-year floodplain, erodible soils, and Waters of the U.S. do occur on the subject property. The soils found to occur on site, according to the Prince George's County Soil Survey, include Adelphia, Collington, Sassafras, Howell clay and Westphalia. Some of these existing soils have limitations that will have an impact during the building phase of the development. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. This property is located in the Beaverdam Creek watershed of the Anacostia River basin.

A detailed forest stand delineation (FSD) was submitted for this application and was generally found to address the requirements for detailed FSD and in compliance with the Prince George's Woodland Conservation and Tree Preservation Technical Manual.

The site contains a mixed deciduous forest, with a combination of upland hardwoods and bottomland species. Much of the bottomland areas of the site have been previously impacted by the dumping of trash, vehicles and other debris. There is one area of extremely high quality woodlands consisting of oak, hickory and beech species that is located adjacent to the power line easement along the eastern property line. This area contains a large knoll and streams on the north and southwest sides. This area contains high priority woodlands for preservation. Much of the southern part of the property contains a wetlands system that is impacted in places by the deposition of debris.

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 in size and it has a previously approved Type I Tree Conservation (TCPI/66/94-01) in association with the conceptual site plan. A revised Type I Tree Conservation Plan TCPI/66/94-02 is recommended for approval with this preliminary plan application.

This 121.08-acre property in the M-X-T Zone has a 15 percent woodland conservation threshold of 17.43 acres. In addition, there is a ¼:1 replacement requirement of approximately 21.02 acres due to the proposed clearing of approximately 93.94 acres of existing woodland and a 1:1 replacement requirement of 1.03 acres due to the proposed clearing of forested floodplain. This results in a total woodland conservation requirement of 39.48 acres. The revised TCPI proposes to satisfy the woodland conservation requirement through the preservation of 30.29 acres on site

and 1.93 acres of on site reforestation, with the remainder of 7.26 acres being met through off-site mitigation at a location to be determined prior to the issuance of any permits. This exceeded the requirement with 0.59 acre of woodland retained not part of any requirements

During the review of the CSP, most of the issues related to the Woodland Conservation Ordinance were addressed. The areas of highest priority woodlands on site are being preserved, except for areas where necessary impacts are proposed for the construction of roads and utilities. The area of high quality woodlands on the knoll along the eastern property line is proposed to be preserved, as is the wetland system on the southern portion of the site. The woodland conservation threshold of 17.43 acres is being met on site through the preservation of high quality and high priority woodlands. In addition to meeting the threshold on site, the current design shows the provision of almost twice the threshold acreage on-site.

The revised TCPI generally meets the requirements of the Woodland Conservation Ordinance. Two minor revisions are needed at the present time. The TCPI notes refer to the CSP and not the preliminary plan and state that the impacts proposed are not approved with the plan. Staff would note, however, that it is with the preliminary plan that the Planning Board approves the proposed impacts to the sensitive environmental areas.

Central Avenue is classified as an arterial roadway with a 65 dBA Ldn noise contour extending approximately 247 feet from the centerline of the roadway as calculated using the Environmental Planning Section noise model. The plans submitted have shown the 65dBA Ldn noise contour as required. This approximate location of the noise contour does not result in impacts to the currently proposed residential portion of the subject property. The plan shows commercial uses to be developed within the 65 dBA noise contour. If residential uses are proposed in the area currently proposed for commercial uses, then noise mitigation measures may be required. No additional information is required with regard to noise impacts at this time.

Several regulated streams exist on the site. The streams and a 50-foot-wide stream buffer, the 100-year floodplain, adjacent severe slopes (25 percent or greater) and steep slopes (15 percent or greater) on highly erodible soils, compose the expanded stream buffer in accordance with Section 24-130 of the Subdivision Ordinance. The features are shown correctly on the plans submitted. These features are required to be preserved unless the Planning Board grants a variation to the requirements. A variation request was submitted that addresses 22 proposed impacts.

Variation requests are generally supported for impacts that are essential to the development, such as road connections to isolated portions of a parcel or impacts for the construction and installation of necessary public utilities, if the impacts are minimized. The proposed impacts were the subject of considerable discussion during the review of the CSP, and the subsequent approval by the Planning Board; however, the impacts are not approved as part of the CSP process and must be addressed as part of the current review of the preliminary plan.

The variation request submitted for review on August 19, 2004, meets the minimum submission requirements. According to the request, there are four types of impacts: impacts for stormwater management outfalls, pipes and facilities; road improvements and grading; sewer connections;

and disturbance for construction of an alley. In the justification statements the different requests are generally grouped. This does not afford the Planning Board the opportunity to evaluate the justification for each type of variation separately. The impacts have, however, been numbered in such a way that they can be evaluated separately. The revised plans dated September 23, 2004, show reductions in proposed impacts to the expanded buffer in a few areas.

Road improvements and associated grading are generally supported if the impacts have been minimized to the fullest extent possible. As shown on the preliminary plan, the locations for the road crossings are at the narrowest points in the stream systems. Impacts for stormwater management outfalls are generally supported, while impacts for ponds are generally not supported because they can be designed to be located outside the sensitive areas. There is one pond on the subject property that is shown to be constructed within the expanded buffer (impact # 5). This impact is discussed in more detail below.

Sewer connections are, by the nature of the functioning of the sewer system as a gravity feed system, required to be in and adjacent to the lowest points on the site. In this instance the trunk sewer lines are located in the stream valleys, and because of this, the connections result in temporary impacts to sensitive environmental features.

Group 1: Impacts for stormwater management outfalls and ponds

The impact area numbers are: 2, 5, 6, 7, 8, 9, 10, 12, 15, 16, 19 and 21. Staff, except for areas 5 and 21, supports the proposed impacts.

Impact 5 is for the construction of a stormwater management pond within the expanded buffer. It appears from the conceptual grading shown that the limits of disturbance are in excess of what will be needed to construct the pond and the limits of disturbance encroach into the minimum 50 foot-wide-stream buffer. During the review of the detailed site plan, the impacts in this area will be further evaluated to determine where impacts can be reduced to the extent possible.

Impacts are shown in the area of Impact 21 that are not associated with the installation of the outfall. Clearing and grading into the expanded buffer occur behind lots 60 through 79 for what appears to be grading for the lots. All impacts not associated with the outfall construction should be eliminated.

Group 2: Impacts for road improvements and grading

Impacts 1, 3, 13, 18 and 22 are supported by staff because the impacts have been minimized and the crossings are necessary for the development of significant portions of the property.

Group 3: Impacts for sewer line connections

Impacts 4, 14, 17 and 20 are supported by staff because the impacts have been minimized and

these are all for temporary impacts to connect to trunk sewer lines.

Group 4: Impacts for the installation of an alleyway and stormwater conveyance pipes

Impact 11 shows a retaining wall with marginal impact within the expanded buffer. During the review of the detailed site plan, this area will be evaluated further to reduce or eliminate all impacts to the expanded buffer.

Section 24-130 of the Subdivision Regulations restricts impacts to the buffers unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. Each variation is described individually above. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations, the impacts recommended for approval were discussed collectively.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

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

- (1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;**

Comment: The variation requests recommended for approval with this application will not be detrimental to the public safety, health, or welfare or be injurious to other properties because the impacts are the minimum necessary to develop the site and additional reviews by various agencies will ensure that the proposed impacts are not injurious to other properties. All of the impacts are necessary to protect the public safety and welfare as required by various regulations.

- (2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

Comment: The conditions of the property are unique with respect to the location of the existing streams, wetlands and their associated buffers. The site contains numerous streams that separate large blocks of developable land. The variations sought are unique

to this property because they are not generally shared with other properties in the area.

- (3) **The variation does not constitute a violation of any other applicable law, ordinance, or regulation;**

Comment: No other Zoning Ordinance variances, departures, or waivers are required with regard to the development proposed. No violations of applicable laws would result from the approval. All appropriate federal and state permits must be obtained before the construction can proceed.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;**

Comment: Due to the configuration of this site, the location of the streams, and the fact that no other reasonable options are possible that would further reduce or eliminate the number and extent of the proposed impacts while allowing for the development of the property under its existing zoning, staff recommends approval of the variations. Disapproval of the variation would result in a hardship to the applicant because the developable areas of the site are separated by the extensive stream and wetland systems on the site.

Staff recommends approval of all 22 requested impacts, and approval with conditions for Impacts 5, 11 and 21.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003. Development on this site will utilize public systems.

7. **Community Planning**—The subject property is located within the limits of the Suitland-District Heights and Vicinity Master Plan (1985), Planning Area 75B, in the Capital Heights community. The master plan land use recommendation is for mixed-use at a medium suburban density. The 1986 sectional map amendment for Suitland-District Heights rezoned the property from R-R to M-X-T. The 2002 General Plan locates the property in the Developed Tier. One of the visions for the Developed Tier is to create a network of sustainable, transit supporting, mixed-use pedestrian-oriented, medium to high density developments. The property is located on a General Plan designated Corridor (Central Avenue). It is also located conveniently between two Centers designated by the General Plan (Addison Road Metro Station, a Community Center, and the Morgan Boulevard Metro Station, a Regional Center). The General Plan's vision for Corridors and Centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. The General Plan supports this intensive, mixed-use development at local centers and at other appropriate nodes within one-quarter mile of major intersections of transit stops along the Corridor. The existing zoning

approved in 1986 allows for mixed-use development at this site and at intensities envisioned by the General Plan for selected locations along the corridor.

Pedestrian connections are especially important to the commercial area (along Central Avenue), transit routes, focal points, and other public places within the proposed development. The General Plan emphasizes walkability for development in the Developed Tier and along Corridors. The preliminary plan should be revised to improve and further facilitate safe pedestrian connections throughout the proposed development and along MD 214. Pedestrian connections to adjoining residential and existing public uses such as Central High School (south of MD 214 and west of the proposed development) and Walker Mill Middle School (southeast of corner of the proposed development) are critical.

8. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the applicant should provide private on-site recreational facilities for the fulfillment of the requirement for the mandatory dedication of parkland. At the time of review of the conceptual site plan (CSP-8808/02) the Planning Board determined the type and amount of recreational facilities that would adequately serve the residents of this community and are as follows:

- a. Townhouse pod—one tot lot and one preteen lot (or one multiage playground combination)
- b. Multifamily pod—one tot lot and one preteen lot (or one multiage playground combination) and one picnic area.
- c. Central recreational area consisting of the following:
 - Clubhouse with meeting room large enough to accommodate seating for 100 persons, lounge, kitchen (with a minimum of a double sink, standard size refrigerator, dishwasher, and large microwave), 1,000-square-foot fitness facility, and bath facilities for pool patrons
 - 25-meter swimming pool
 - One tot lot and one preteen lot (or one multiage playground combination)
 - Possible trail connection from the townhouse development along the stream to the central recreational area.
 - One full-size multipurpose court (indoor or outdoor)
 - One tennis court
 - Appropriately sized parking facility for the residents only

The applicant has proposed an additional small recreational area to serve the residents on the west

side of Karen Boulevard. The facilities listed above are to be located solely on the east side of Karen Boulevard with none on the west side. As discussed further, the main recreational area on Parcel I is only 1.84 acres and may not be adequate to serve the entire community. The applicant proposed five single-family dwelling units on Parcel I, which back onto the main recreation area. These lots were deleted by the Planning Board and that the area be incorporated into Parcel I to increase the size and visibility of the recreational area. However, if at the time of DSP adequate area exist to appropriately locate all of the recreational facilities and some or all of the five lots, the lots may be retained.

9. **Trails**—The adopted and approved Addison Road Metro Town Center and Vicinity Sector Plan recommends two master plan trails that impact the subject site. These trails are identified on Map 16 as the Eastern Trail along the Karen Boulevard corridor and the Railroad Trail along the Chesapeake Beach Railroad right-of-way.

The Railroad Trail is currently being studied by the Town of Seat Pleasant to the west of the subject site and has been constructed through several development projects to the south and east of the site. This trail will provide an active recreational opportunity in the vicinity of the subject application, as well as provide the opportunity for pedestrian and bicycle trips in the area. On the subject site, the railroad/trail corridor is within the PEPCO right-of-way. Due to liability concerns, it appears unlikely that a trail will be possible within the right-of-way in the near future.

This east/west connection, however, can be accommodated through the provision of an improved, wide sidewalk along the subject site's frontage of MD 214. This is consistent with the adopted and approved Landover and Vicinity Master Plan that designates MD 214 as a major sidewalk corridor, and the sector plan, which recommends standard or wide sidewalks along all major roads. This recommendation is due to the ability to facilitate continuous pedestrian movement to the Metro and the Town Center, as well as through local communities. MD 214 is designated as a major sidewalk corridor. There is an existing sidewalk along the subject site's frontage of MD 214. However, it is narrow (four feet wide) and directly behind the curb, which makes it an unattractive and unpleasant route for pedestrians. Staff recommends that the existing sidewalk be replaced with a minimum eight-foot wide sidewalk that is separated from the curb with a landscape strip, unless modified by SHA. This landscape strip, in addition to adding some needed green space to the corridor, will also provide a buffer between pedestrians using the sidewalk and high-speed automobile traffic in the adjacent travel lanes.

The Eastern Trail is proposed to follow Pepper Mill Drive and Karen Boulevard to form a continuous north/south trail for walkers and bikers, connecting Seat Pleasant Drive with Walker Mill Road. This trail will ultimately link Peppermill Village and the proposed Glenwood Hills development to the Peppermill Community Center, Walker Mill Middle School, Baynes Elementary School, and the Town Center.

A small number of internal, HOA trail connections will greatly enhance the walkability of the subject site and surrounding community. Central High School, an existing ball field, and the Addison Road Metro Station are west of the subject site. Staff recommends a trail connection from the end of Road "G" to Quarry Place. This trail connection should also be extended to Fawcrest

Drive, if feasible. It is possible that this trail may be developed in conjunction with a stormwater management pond access road. Another trail connection is located from Road “J” to Quarry Avenue. These short trail connections will provide a direct pedestrian access from the subject site to these nearby facilities. The details of the trail connections should be determined at the time of DSP. The communities to the west of the subject site include sidewalks along both sides of most internal roads. These sidewalks accommodate pedestrians to the ball field, high school, and elementary school. The addition of these trail connections will link residents of the subject application to these sidewalks and to these nearby public facilities.

Sidewalks are an integral part of the overall trail and pedestrian network and are necessary to facilitate safe pedestrian movement through the community and to nearby destinations such as Central High School, Walker Mill Middle School, Saint Margaret’s Elementary School, and local parks. Due to this and the density of the proposed subdivision, staff recommends that standard sidewalks should be provided along both sides of all internal public and private streets, unless modified by DPW&T and the Urban Design Section at the time of review of the detailed site plan (DSP).

10. **Transportation**—The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated August 2004 that was referred for comment. 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*.

Growth Policy—Service Level Standards

The subject property is located within the developed 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: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 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 this site examined the site impact at seven intersections listed below. All

studied intersections are signalized or proposed for signalization.

MD 214/Addison Road
MD 214/Pepper Mill Road/Karen Boulevard
MD 214/Hill Road/Shady Glen Drive
MD 214/Garrett A Morgan Boulevard/Ritchie Road
Walker Mill Road/Addison Road
Walker Mill Road/Karen Boulevard
Walker Mill Road/Shady Glen Drive

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 Addison Road	1,261	1,395	C	D
MD 214 and Pepper Mill Road/Karen Boulevard	1,050	1,059	B	B
MD 214 and Hill Road/Shady Glen Drive	1,313	1,454	D	E
MD 214 and Garrett A Morgan Boulevard/Ritchie Road	1,433	1,498	D	E
Walker Mill Road and Addison Road	1,416	1,388	D	D
Walker Mill Road and Karen Boulevard	428	713	A	A
Walker Mill Road and Shady Glen Drive	735	908	A	A

The area of background development includes eight properties in the vicinity of the subject property. Background conditions also assume through traffic growth of 1.0 percent annually along MD 214. There are programmed improvements in the area Capital Improvement Program (CIP) involving Walker Mill Road and Addison Road. Neither of these projects is fully funded within the CIP for construction within the next six years, and, therefore, they are not included as a part of background traffic. Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Addison Road	1,428	1,842	D	F
MD 214 and Pepper Mill Road/Karen Boulevard	1,266	1,282	C	C
MD 214 and Hill Road/Shady Glen Drive	1,524	1,726	E	F

MD 214 and Garrett A Morgan Boulevard/Ritchie Road	1,642	1,773	F	F
Walker Mill Road and Addison Road	1,644	1,564	F	E
Walker Mill Road and Karen Boulevard	528	878	A	A
Walker Mill Road and Shady Glen Drive	808	998	A	A

The site is proposed as a mixed-use development. The traffic study is based upon 30,000 square feet of retail space, 173,000 square feet of office space, and 612 residential units. The current plan has reduced the number of residential units to 594. The site trip generation rates shown in the traffic study are determined to be acceptable. There is no rate of internal trip satisfaction assumed, but pass-by trips for retail are assumed. The site trip generation is 753 AM peak-hour trips (406 in, 347 out) and 904 PM peak-hour trips (418 in, 486 out). With the uses proposed on the final plan and within the final version of the traffic study, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Addison Road	1,515	1, 9 2 3	E	F
MD 214 and Pepper Mill Road/Karen Boulevard	1,418	1, 4 8 8	D	E
MD 214 and Hill Road/Shady Glen Drive	1,564	1, 7 6 9	E	F
MD 214 and Garrett A Morgan Boulevard/Ritchie Road	1,672	1, 8 0 4	F	F
Walker Mill Road and Addison Road	1,679	1, 6 0 5	F	F
Walker Mill Road and Karen Boulevard	617	1, 0 3 5	A	B
Walker Mill Road and Shady Glen Drive	850	1, 0 3 9	A	B

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/Addison Road

In response to the inadequacy at the MD 214/Addison Road intersection, the applicant has proffered two options for improvements. The first option would provide a northbound free right-turn lane along Addison Road, and the second option would provide a right-turn lane along the eastbound MD 214 approach. This improvement is proposed as 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 Criterion 1 in the Guidelines for Mitigation Action, which were approved by the District Council as CR-29-1994 (the site also meets Criterion 3, and may also meet Criterion 2). The impact of the applicant's second option for mitigation at this intersection (the one with the lesser impact) is summarized as follows:

IMPACT OF MITIGATION

Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 214/Addison Road				
Background Conditions	D/1428	F/1842		
Total Traffic Conditions	E/1515	F/1923	+87	+81
Total Traffic Conditions w/Mitigation	E/1515	F/1740	N/A	-183

As the CLV at MD 214/Addison is between 1,600 and 1,813 during the PM peak hour, the proposed mitigation 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 mitigation action would mitigate 225 percent of site-generated trips during the PM peak hour, and it would provide LOS E (the policy LOS within the Developed Tier) during the AM peak hour. Therefore, the proposed mitigation at MD 214 and Addison 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 specific comments. SHA did review the options at MD 214/Addison Road, and indicated that the feasibility of one option versus the other would require further review.

MD 214/Hill Road/Shady Glen Drive

In response to the inadequacy at the MD 214/Hill Road/Shady Glen Drive intersection, the applicant has proffered improvements consisting of a second southbound left-turn lane and an exclusive southbound through lane. These improvements are proposed as 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 Criterion 1 in the Guidelines for Mitigation Action, which were approved by the District Council as CR-29-1994 (the site also meets Criterion 3, and may also meet Criterion 2). The impact of the applicant's mitigation at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 214/Hill Road/Shady Glen Drive				
Background Conditions	F/1524	F/1726		
Total Traffic Conditions	F/1564	F/1769	+40	+43
Total Traffic Conditions w/Mitigation	F/1430	F/1628	-134	-141

As the CLV at MD 214/Hill/Shady Glen is between 1,600 and 1,813 during the PM peak hour, the proposed mitigation 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 mitigation action would mitigate 327 percent of site-generated trips during the PM peak hour, and it would provide LOS D during the AM peak hour. Therefore, the proposed mitigation at MD 214 and Hill Road/Shady Glen Drive 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, and neither agency had issue with the improvements.

MD 214/Garrett A Morgan Boulevard/Ritchie Road

In response to the inadequacy at the MD 214/Garrett A Morgan Boulevard/Ritchie Road intersection, the applicant has proffered improvements at this location. The first improvement would provide a second left-turn lane along westbound MD 214, and this modification would involve a lane shift so that the right-most lane westbound would become shared through/right-turn. The second improvement would add an exclusive left-turn lane along the northbound Ritchie Road approach. Both improvements are proposed as 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 Criterion 1 in the Guidelines for Mitigation Action, which were approved by the District Council as CR-29-1994 (the site also meets Criterion 3, and may also meet Criterion 2). The impact of the applicant's mitigation at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 214/Garrett A Morgan Boulevard/Ritchie Road				
Background Conditions	D/1642	F/1773		
Total Traffic Conditions	D/1672	F/1804	+30	+31
Total Traffic Conditions w/Mitigation	D/1626	F/1521	-46	-283

As the CLV at MD 214/Morgan/Ritchie is between 1,600 and 1,813 during the both peak hours, the

proposed mitigation 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 mitigation action would mitigate 153 percent of site-generated trips during the AM peak hour, and it would mitigate 913 percent of site-generated trips during the PM peak hour. Therefore, the first option for proposed mitigation at MD 214 and Garrett A Morgan Boulevard/Ritchie 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, and neither agency had issue with the improvements.

Walker Mill Road/Addison Road

The traffic study recommends modification of the westbound Walker Mill Road approach to provide an exclusive left-turn lane and a shared through/left-turn lane. With this modification in place, the intersection would operate at LOS D, with a CLV of 1,432 during the AM peak hour. Similarly, the intersection would operate at LOS D, with a CLV of 1,307 during the PM peak hour. This is acceptable.

MD 214/Pepper Mill Road/Karen Boulevard

This intersection is proposed to become the primary access point into the site. The traffic study proffers signalization with split phasing on the north/south approaches at this location, along with a lane configuration that includes two northbound approach lanes, an exclusive left-turn lane into the site on the westbound approach of MD 214, and a shared right-turn/through lane into the site on the eastbound approach of MD 214. The traffic study also suggests that the southbound approach of Pepper Mill Road be converted to an exclusive left-turn and a shared through/right-turn lane. With a signal in place and the lane configuration in place, the intersection would operate acceptably in both peak hours.

It should be noted that the citizens from Pepper Mill Village have expressed concern about unrestricted northbound through access onto Pepper Mill Drive from future Karen Boulevard. This issue has been discussed with SHA, and SHA has suggested that it would be cumbersome to design an intersection that would allow southbound through movements while restricting the northbound through movements. Furthermore, when Karen Boulevard is fully connected between MD 214 and Walker Mill Road, access will be provided to the Walker Mill Middle School as well as other public facilities along Walker Mill Road. It seems counterintuitive to provide Pepper Mill Village residents ease of access going to these areas while making them travel a more circuitous route through busier intersections in order to return. This type of restriction would reduce the reliever effect that was initially intended when Karen Boulevard was placed on the master plan.

Walker Mill Road/Karen Boulevard

This intersection is not currently signalized, but is analyzed as a signalized intersection in the traffic

study. During review of the preliminary plan of subdivision for Lincolnshire, 4-03084, it was determined that this intersection would fail as an unsignalized intersection, and that application was approved with a condition to study signalization at this location and install a traffic signal if warranted. The traffic study for this case does not proffer signalization at this location. Nonetheless, staff would observe that findings have been made that this intersection would fail as an unsignalized intersection and would propose that the subject application be approved with the same condition as that placed on Lincolnshire. This recommendation is consistent with DPW&T's comments on the traffic study.

Comments – Operating Agencies

Both DPW&T and SHA have provided comments on the traffic study, and the comments are attached. SHA provided comments that expressed general agreement with the recommendations. DPW&T indicated a concern that several of the mitigation improvements could be difficult to construct and that right-of-way might be difficult to obtain. The applicant shall demonstrate the feasibility of all proffered improvements at the time of detailed site plan approval.

Plan Comments

This site was previously reviewed as Conceptual Site Plan CSP-88020/02, and the resolution approving that plan included several transportation-related conditions. The conditions are addressed as follows:

CSP-88020/02:

Conditions 1, 2, 3, 4, and 5: These conditions refer to off-site transportation conditions that will be enforced prior to building permit. These conditions are restated in accordance with the findings being made for preliminary plan of subdivision.

Condition 6a: This condition requires the consideration of vehicular and pedestrian access between the subject property and Quarry Avenue. At the hearing for the conceptual plan, a statement was made that Quarry Avenue is a street with a 50-foot right-of-way. Staff conducted some late research into this issue, as all tax maps had indicated that Quarry Avenue, where it meets the property line of the subject site, is a 60-foot roadway. In fact, Record Plat WWW 51@100 shows Quarry Avenue with a right-of-way varying from 60 feet at the eastern end of the plat to 50 feet at the western end. Record Plat WWW 51@57 shows Quarry Avenue as a 50-foot street along its length (Quarry Avenue is called Kahler Avenue on that plat). Given the number of homes that currently use Quarry Avenue, the potential impact of adding traffic, even a small amount of traffic, from the subject site would be a critical impact for residents of Quarry Avenue. Therefore, the recommendation for a vehicular connection from this site to Quarry Avenue will not be carried forward, however, a pedestrian connection will be provided.

Condition 6b: This condition requires the consideration of vehicular and pedestrian access between the residential and commercial components of the site. This is addressed as a part of staff's discussion of the variation request for access to MD 214.

Condition 7: This condition requires conceptual approval of the traffic circle shown on the plan by DPW&T prior to subdivision approval. DPW&T and the applicant have had several conversations concerning the cross section along Karen Boulevard, and the right-of-way shown is consistent with those discussions.

Condition 8: This condition sets a trip cap for the subject property. The uses currently presented are within that trip cap; furthermore, the traffic study is based upon that trip cap even though the quantity of uses and their mix has slightly decreased the overall trip generation. Because the study is consistent with the CSP trip cap, that identical cap will be repeated for the subject plan.

Condition 9: This condition requires the construction of Karen Boulevard through the entire property, with full financial assurances at the time of building permit. While the condition requiring dedication of Karen Boulevard is certainly sufficient to trigger this, the condition will be carried forward to reiterate that the up-front construction of the full roadway is desirable.

Condition 10: This condition requires demonstration of certain improvements along MD 214 at Karen Boulevard to SHA at the time of detailed site plan. This condition is enforceable at that time.

MD 214 is a master plan arterial with a future right-of-way of 150 feet. The preliminary plan will be required to provide for dedication of 75 feet from centerline along MD 214. Also, Karen Boulevard is a proposed collector within an 80-foot right-of-way, and the plan shows sufficient right-of-way through the subject property.

The commercial section of the site is shown with access solely via a driveway onto MD 214. The plan has been evaluated to determine if access was appropriate internal from the residential portion of the site to the commercial section (Parcel P). Due to significant environmental constraints and the incompatibility of providing commercial access through the residential section of the subdivision, staff does not support internal access to Parcel P. Access to Parcel P is recommended via Central Avenue. A variation from Section 24-121(a)(3), which limits individual lot access onto arterial facilities, is recommended for approval. The applicant has filed a variation request, and SHA initially indicated that they would not favor approval of this request for access via driveways onto MD 214. SHA has since indicated that they have modified this position provided that access to the commercial parcel is limited to a directional right-in/right-out access. SHA has indicated their approval for granting access to MD 214 from the commercial parcel; the transportation staff finds that the variation is supportable. Therefore, the Transportation Planning Section would not oppose the variation from Section 24-121(a)(3) provided that SHA design standards for any access are met. Staff would note that possible alternative points of access have been evaluated to Parcel P from Karen Boulevard and due to the extensive environmental features, encumbrances of the PEPCO right-of-way and the design of Karen Boulevard at the frontage of Parcel P, access to Karen Boulevard cannot be accommodated. Without an approval of the variation to Section 24-121(a)(3) of the Subdivision Regulations, Parcel P would not be developable because of the lack of access.

Based on the preceding findings, adequate transportation facilities would exist to serve the

proposed subdivision as required under Section 24-124 of the Prince George's County Code.

11. **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 and concluded the following:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	594 sfd	594 sfd	594 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	142.56	35.64	71.28
Actual Enrollment	36236	11113	16710
Completion Enrollment	209.04	52.26	95.81
Cumulative Enrollment	550.56	137.64	275.28
Total Enrollment	37138.16	11338.54	17152.37
State Rated Capacity	38817	10375	14191
Percent Capacity	95.67%	109.29%	120.87%

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

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount 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.

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.

The Historic Preservation and Public Facilities Planning Section staff finds that 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.

12. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of public facilities and concluded the following.

Multifamily and Condominium

- a. The existing fire engine service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road has a service travel time of 2.22 minutes, which is within the 3.25-minute travel time guideline.
- b. The existing ambulance service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road has a service travel time of 2.22 minutes, which is within the 4.25-minute travel time guideline.
- c. The existing paramedic service at Kentland Fire Station, Company 46, located at 10400 Campus Way South has a service travel time of 6.43 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Capitol Heights Fire Station, Company 5, located at 6061 Central Avenue has a service travel time of 3.36 minutes, which is within the 4.25-minute travel time guideline.

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

Single-family and Townhouse

- a. The existing fire engine service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road has a service travel time of 2.64 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road has a service travel time of 2.64 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic service at Kentland Fire Station, Company 46, located at 10400 Campus Way South has a service travel time of 6.85 minutes, which is within the 7.25-minute travel time guideline.

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

The above findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan (1990)* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

13. **Police Facilities**—The proposed development is within the service area for Police District III-Landover. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 1/2/04, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is the capacity for additional 57

sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.

14. **Health Department**—The Health Department stated that a significant amount of trash and other debris was found on the property and should be removed and properly stored or discarded. A raze permit should be obtained through the Environmental Planning Section prior to the removal of any existing buildings.
15. **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, # 39362-2002-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
16. **Archeological Evaluation**^{3/4} The Planning Board has identified that the possible existence of slave quarters and slave graves on certain properties must be considered in the review of development applications and that potential means for preservation of these resources should be considered. Review of Historic Preservation office files indicates that there may be archeological resources of the antebellum period in the area of the subject site. The Historic Preservation staff has indicated that this property is close to and may be a part of the antebellum Berry family plantations. Prehistoric archeological sites are located in similar settings in the vicinity of the project area.

Prior to the submittal of the required detailed site plan or any disturbance, grading or clearing on site, the applicant should determine the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings should be submitted to the DRD staff for review and concurrence. If any portion of the property is determined to be subject, the applicant should complete a Phase I investigation that may include research into the property's history and archeological literature, and submit the Phase I investigation with the application for DSP.

At the time of DSP review, staff will determine if archeological resources exist in the project area, and if so, the applicant will be advised of the requirement of a Phase II or Phase III archeological investigation. The investigation should provide a plan for avoiding and preserving the resource in place, or provide a plan for mitigating the adverse effect upon these resources.

All investigations must be conducted by a qualified archeologist 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.

17. **Urban Design**—The application proposes to subdivide the site into 199 single-family detached lots, 117 single-family attached lots, 278 multifamily units, a commercial component, and 19 parcels to be dedicated to the homeowners association. The property is located in the M-X-T Zone and the required conceptual site plan has been approved.

Conformance with the Conceptual Site Plan (PGCPB Resolution No. 04-170)

Overall, the concepts set forth in the approved conceptual site plan has been adhered to in the design of the preliminary plan. The Planning Board approved Conceptual Site Plan CSP-88020/02 on July 29, 2004, with the following conditions that warrant discussion in regard to the proposed preliminary plan of subdivision:

- 6. Prior to approval of the Preliminary Plan, the following issues shall be further analyzed and addressed:**
 - a. Inclusion of vehicular and pedestrian access between the subject property and Quarry Avenue.**
 - b. Inclusion of vehicular and pedestrian internal access between the residential and the commercial components of the site.**

Comment: This issue was raised at the time of the conceptual site plan and the staff consensus has been that both a vehicular and a pedestrian connection are appropriate between the subject property and the adjacent property at Quarry Avenue. The following finding was included in the Planning Board's resolution, generated from the Transportation Planning office:

"Aside from the completion of Karen Boulevard to the south, the plan shows no connection to any of the streets which stub into the subject property. Environmental constraints may make connections to Quarry Place, Fawncrest Drive, and Cappy Avenue unsuitable. However, on several occasions requests have been made to show a connection between the site and Quarry Avenue. This is desirable for three reasons:

- "(1) Quarry Avenue and Wilburn Drive are both primary residential streets.
- "(2) The street connection will allow future residents of the Glenwood Hills community improved access to school, park, and other community facilities.
- "(3) The street connection will allow existing residents of the Wilburn Estates community improved access to MD 214 and the services along that roadway.

"The street connection would provide some relief to the MD 214/Addison Road intersection, which will perform poorly during the afternoon with the development of the subject property."

From an Urban Design standpoint, it is important to create connections between existing and proposed neighborhoods that are safe and efficient. Connections located behind houses and beyond site lines as viewed from the public areas of the subdivision are less desirable than those that are visible and within the public right-of-way. Therefore, the staff strongly supports a pedestrian connection from the subject property to Quarry Avenue. The width of the open space should not be less than 20 feet and details and specifications of the pedestrian connection should be determined at the time of the detailed site plan.

A pedestrian connection has been proposed from the residential component of the site to the

commercial portion of the property and will be further evaluated at the time of review of the DSP for Parcel A. Staff also explored creating a direct vehicular connection to the commercial component of the site but believes that the disturbance necessary to install a public street across the environmental feature along the south side of Parcel A creates extensive harm to the environment that is not offset by any benefit that may occur for the residents.

17. The following private recreational facilities shall be provided within the development and shall be deemed adequate:

Townhouse pod—one tot lot and one preteen lot (or one multiage playground combination)

Multifamily pod—one tot lot and one preteen lot (or one multiage playground combination) and one picnic area.

Central recreational area consisting of the following:

- **Clubhouse with meeting room large enough to accommodate seating for 100 persons, lounge, kitchen (with a minimum of a double sink, standard size refrigerator, dishwasher, and large microwave), 1,000-square-foot fitness facility, bath facilities for pool patrons**
- **25-meter swimming pool**
- **One tot lot and one preteen lot (or one multiage playground combination)**
- **Possible trail connection from the townhouse development along the stream to the central recreational area.**
- **One full-size multipurpose court (indoor or outdoor)**
- **One tennis court**
- **Appropriately sized parking facility for the residents only**

At the time of the Preliminary Plan, the design of the Central Recreational Area shall be conceptually approved and shall include the facilities noted above.

Comment: The applicant has provided a layout of the recreational area on the TCP II. The plans do not provide for enough land area for the central recreational area. The playground is not sufficiently sized to provide a combination tot lot and preteen lot, and the stormwater management pond associated with the recreational area drops 20 vertical feet in depth, which indicates that it is being squeezed into the area with excessive grading. Five single-family detached lots encroach into the recreational area. The staff recommends that Lots 128-132, Block G, be incorporated into Parcel 1 and the recreational layout be further reviewed at the time of the

detailed site plan. If the lots are deleted, the central recreational area will become the true focal point of the community and provide for the open space necessary so that it is more visible from Karen Boulevard and not hidden behind lots. At the time of detailed site plan, a 30-scale drawing should be submitted that would provide for additional and clearer detailing of the area. That plan should demonstrate minimum size requirements and the combined play area and the stormwater management area should be designed as an amenity to the site. It should be a naturalized form, with a path and benches incorporated into the perimeter of the pond.

26. Prior to the approval of the preliminary plan of subdivision, the following shall be fulfilled:

- a. Based on the proposed layout as shown on the Conceptual Site Plan for the multifamily 12-plex pod of development, the applicant shall demonstrate a minimum of 45 percent green area and a maximum of 55 percent lot coverage.**

Comment: For Parcels 2 and 3 only (which contain the 12 plex units) the total green space is 4.54 acres or 49 percent. Total lot coverage is at approximately 51percent. Both of these meet the required condition.

For Parcels 2, 3 and Parcel D (which contains the 12 plex units and the adjacent HOA parcel) total green space is 11.6 acres or 60 percent. Total lot coverage under this scenario is 40 percent. Both of these meet the required condition.

27. Prior to signature approval of the Conceptual Site Plan the following revisions shall be made:

- a. The view corridors created by the streets running parallel to Karen Boulevard and adjacent to the central pocket park shown within the townhouse section shall be extended by creating smaller townhouse sticks adjacent to the tree save area. Larger sticks of townhouses, consistent with the provisions of the Zoning Ordinance, may be utilized in this area in order to avoid the loss of lots.**

Comment: The applicant has not submitted the conceptual site plan (CSP) for signature approval. As part of that process the Urban Design staff may request viewshed analysis to determine if a modification to the layout is necessary in the locations referenced above. Staff is recommending that the CSP be approved prior to the approval of the preliminary plan and the preliminary plan be revised to reflect any modifications. Subsequent to the approval of a preliminary plan, a detailed site plan is required where further adjustments can be made to a layout.

29. Prior to the approval of a Preliminary Plan of Subdivision and Detailed Site Plans, the plans shall reflect the following:

- a. **The minimum number of traditional single-family detached lots shall be not less than 20 percent of the single-family detached lots.**

Comment: Traditional single-family detached lots are defined as those that are a minimum of 6,000 square feet in size. The total percentage of traditional single-family, equal to or greater than 6,000 square feet, is 27.6 percent, or 55 of the 199 single-family units.

Design

The applicant has not filed a plan with this office for signature approval of the conceptual site plan. Staff recommends that prior to signature approval of the preliminary plan, the applicant should obtain signature approval of the conceptual site plan. The preliminary plan would then reflect any modification shown on the conceptual site plan. Development of this property is subject to the approval of a detailed site plan in accordance with Part III, Division 9 of the Zoning Ordinance.

18. **Applicant Proffer at the Planning Board Hearing-**At the public hearing on October 28, 2004 the Planning Board advised the applicant of their concerns with the lack of passive recreational areas proposed on the west side of Karen Boulevard. In response the applicant proffered to address this issue at the time of review of the DSP. As part of that proffer the applicant proposed seating areas and additional internal pedestrian trails, particularly around the stormwater management facilities. The Planning Board stated, and the applicant agreed, that with careful siting and landscaping that the stormwater management facilities could be important amenities to the development. The Planning Board particularly indicated the need to create walkable livable communities, and that with the use of strategically located recreational areas a community can be brought together.

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 Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 28, 2004, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson

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Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk