



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 06-37(A)

File No. 4-05068

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

WHEREAS, a 1.93 acre parcel of land known as Tax Map 73 in Grid C-1, said property being in the 18th Election District of Prince George's County, Maryland, and being zoned C-S-C, D-D-O; and

WHEREAS, on September 15, 2006, Dawn Limited Partnership filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05068 for Commons at Addison Road 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 February 9, 2006, 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 February 9, 2006, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

*WHEREAS, by letter dated December 18, 2019, the applicant requested a reconsideration of Condition 17(b) and associated findings relating to access to Addison Road; and

*WHEREAS, on January 9, 2020, the Planning Board approved the request for reconsideration based on other good cause in furtherance of substantial public interest; and

*WHEREAS, on April 9, 2020, the Planning Board heard testimony regarding the reconsideration; and

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 Preliminary Plan of Subdivision 4-05068, Commons at Addison Road, including a Variation from Section 24-121(a)(3)] for Parcel A with the following conditions:

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~striketrough~~ indicate deleted language

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:

a. Add a general note indicating the existing parcel and lot designation that is the subject of

this preliminary plan.

- b. Indicate that a variation was approved to Section 24-121(a)(3) for direct access to Addison Road.
 - c. Add to the zoning general note that the property is within the DDOZ Overlay Zone.
 - d. Revise General Note 14 to indicate that one parcel is proposed not one lot.
 - e. Label a building restriction line for the right-of-way of the Metro tunnel.
 - f. Label the zone and use of the abutting properties to the south.
 - g. Provide a note that mandatory dedication is being fulfilled by a monetary contribution for the development of the Rollins Avenue Neighborhood Park.
 - h. Add a note that development is subject to Section 27-317(a)(1), (4), (5), and (6), to be determined with the review of the detailed site plan.
2. In conjunction with the detailed site plan, a Type II tree conservation plan shall be approved, if required.
 3. Development of this site shall be in conformance with the Stormwater Management Concept Plan, #24628-2005-00, and any subsequent revisions.
 4. Prior to signature approval of the preliminary plan, the plan shall be revised to show the unmitigated 65 dBA Ldn noise contour along Addison Road and Central Avenue (MD 214) either using the Environmental Planning Section's model or by using a noise contour generated from a noise study reviewed by the Environmental Planning Section.
 5. A Phase II noise study shall be prepared and included in the submission package for the detailed site plan (DSP). It shall contain specific building material recommendations to ensure that the interior noise levels are 45 dBA Ldn or less. The DSP shall locate any outdoor activity areas and the noise study shall address how noise levels have been mitigated to 65 dBA Ldn or less for these areas. The DSP shall address, if it is determined appropriate, the issue of possible ground vibration from the Metro tunnel located in the northeast corner of the site.
 6. At time of DSP review, the DSP shall show the locations and design of all bioretention and/or infiltration facilities for stormwater management and all associated landscaping shall be shown on the landscape plan.
 7. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners/condominium association the open space land (Parcel A). 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 storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to 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.
8. Prior to the approval of building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners/condominium association.
 9. The applicant, his heirs, successors and/or assignees shall make a monetary contribution (determined at the time of detailed site plan) to the M-NCPPC Department of Parks and Recreation for the development of the Rollins Avenue Neighborhood Park, for the fulfillment of the mandatory dedication of parkland requirements. The timing for the payment of the monetary contribution shall be established at the time of review of the DSP.
 10. 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:
 - a. Provide a minimum eight-foot-wide sidewalk along the subject site's entire road frontage of MD 214, unless modified by SHA.

- b. Provide a minimum eight-foot-wide sidewalk along the subject site's entire road frontage of Addison Road, unless modified by DPW&T.
 - c. Provide a standard sidewalk along the subject site's entire road frontage of Zelma Avenue, unless modified by DPW&T.
- 11. The adopted and approved Addison Road Metro Town Center and vicinity sector plan recommends that Addison Road be designated as a Class III bikeway with appropriate signage. Because Addison Road is a county right-of-way, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
- 12. The applicant, his heirs, successors and/or assignees shall submit three original Recreational Facilities Agreements (RFA) to DRD for construction of private recreational facilities, for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the county Land Records.
- 13. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of private recreational facilities prior to the issuance of building permits.
- 14. **MD 332 and Rollins Avenue:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (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. Provision of separate northbound left-turn and right-turn approach lanes along Rollins Avenue and any other intersection improvements deemed needed by SHA and /or DPW&T. All these improvements to be constructed according to DPW&T and/or SHA standards.
 - b. Provision of separate westbound through and left-turn approach lanes along MD 332, to be constructed according to SHA standards.

- c. Submission of an acceptable traffic signal warrant study to SHA and DPW&T for the intersection of MD 332 and Rollins 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 SHA, 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. The requirement for this signal warrant study may be waived by SHA if that agency determines in writing that there are sufficient recent studies available to make a determination regarding a signal.

The improvements in a. above may be waived by SHA and DPW&T in consultation with M-NCPPC transportation planning staff only if it is determined by SHA and DPW&T that adequate right-of-way to construct the needed improvements is not available.

15. **MD 214 at Addison Road:** Prior to the issuance of any building permits within the subject property, the provision of an eastbound right-turn lane along MD 214 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.
16. **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:

The modification of westbound Walker Mill Road to provide for two exclusive left-turn lanes and an exclusive right-turn lane.

17. The following access and circulation issues shall be addressed at the time of detailed site plan:
 - a. The elimination of the direct access to the parking garage from Zelma Avenue.
 - b. The provision of limited access to Addison Road, which prohibits any left turn ~~*[to and]~~ from the site, *but allows a left turn from northbound Addison Road into the site, in accordance with Maryland State Highway Administration approval.
18. Total development within the subject property under this preliminary plan shall be limited to 162 residences (21 three bedroom units, 113 two bedroom units, and 28 one bedroom units), and 24,500 gross square feet of retail commercial uses, or other mix of commercial and residential uses that generate no more than 163 AM and 226 PM peak hour vehicle trips. Any development beyond the AM and PM peak hour trips noted herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

*Denotes Amendment

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the south side of Central Avenue, fronting on Addison Road to the east and Zelma Avenue to the west. The Addison Metro Station is directly east across Addison Road from the site. To the south is C-S-C-zoned land within the DDOZ ARM plan, developed with single-family dwelling units. West across Zelma Avenue is R-55-zoned land within the DDOZ ARM plan, developed with single-family dwelling units. To the north across MD 214 is developed C-S-C-zoned land.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	C-S-C (DDOZ)	C-S-C (DDOZ)
Use(s)	Vacant	Mixed Use
Acreage	1.93	1.93
Lots	4	0
Parcels	1	1
Dwelling Units:		
Multifamily	0	162 dwelling units
Commercial/retail	0	24,500 square feet
Public Safety Mitigation Fee		No

4. **Environmental**—The Environmental Planning Section has no records of any previous applications for this property. This property is located within the approved sector plan for Addison Road Metro Town Center, Subarea 3. This preliminary plan proposes retail on the ground floor and residential condominiums above on a lot totaling 1.93 acres in the C-S-C Zone.

This 1.93-acre site is located on the south side of Central Avenue, in the southwest quadrant of the intersection of Central Avenue and Addison Road. A review of the available information indicates that streams, wetlands, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on this property. There is no 100-year floodplain that is associated with the site.

The predominant soil type found to occur on this site is Collington, according to the Prince George's County Soil Survey. This soil series has limitations with respect to steep slopes, but will not affect the site layout. According to available information, Marlboro clay does not 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 or historic roads in the vicinity of this application. This property is located in the Lower Anacostia River watershed of the Anacostia River basin.

Addison Road Metro Town Center and Vicinity Requirements

The subject property is located within Subarea 3 of the sector plan. The environmental requirements for woodland preservation, stormwater management and noise are addressed in the Environmental Review section below. There are no specific environmental requirements or design standards that require review for conformance.

The preliminary plan application has a signed natural resources inventory (NRI/049/05) dated July 18, 2005, that was included with the application package. The TCPI and the preliminary plan show all the required information correctly.

This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site contains less than 10,000 square feet of woodlands and there is no previously approved tree conservation plan on the subject property. A Type I tree conservation plan was not submitted with the review package and is not required. The Environmental Planning Section, Countywide Planning Division, issued a standard letter of exemption from the ordinance on September 8, 2005.

The subject property abuts Central Avenue and Addison Road, both arterials and generally regulated for noise. Based on the Environmental Planning Section's noise model, an analysis of the noise generated by the two highways indicates that the 65 dBA Ldn noise contours would be located approximately 292 feet and 247 feet from the centerlines of the respective roadways. The plan shows the noise contours to be 228 feet and 196 feet from the respective roadways. A noise study was not submitted to justify the delineation. The plans must either be revised to show the contours that resulted from the Environmental Planning Section's model, or a noise study must be submitted that reflects the noise contours shown on the plans.

Using either set of contours, it is clear that noise impacts the proposed residential units. What is not clear is whether or not outdoor activity areas are proposed and where they are located. Interior noise must be reduced to 45 dBA Ldn or less through the use of specialized building materials. Noise levels in any proposed outdoor activity areas could be mitigated through the shielding provided by the building, if they are placed appropriately.

Prior to signature approval of the preliminary plan, the preliminary plan should be revised to show the unmitigated 65 dBA Ldn noise contour either using the Environmental Planning Section's model or by using a noise contour generated from a noise study reviewed by the Environmental Planning Section.

A Phase II noise study should be prepared and included in the submission package for the detailed site plan. It should contain specific building material recommendations to ensure that the interior noise levels are 45 dBA Ldn or less. The DSP should locate any outdoor activity areas and the noise study should address how noise levels have been mitigated to 65 dBA Ldn or less for these areas. The detailed site plan should also address, if it is determined appropriate, the issue of possible ground vibration from the Metro tunnel located in the northeast corner of the site.

A Stormwater Management Concept Approval Letter (24628-2005-00) dated July 18, 2005, was submitted for the subject property. The concept approval letter states that bioretention or infiltration facilities will be provided. The detailed site plan should show the location(s) of these facilities and the associated landscaping.

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, and will therefore be served by public systems.

5. **Community Planning**—The property is located within the limits of the 2000 approved sector plan and sectional map amendment for the Addison Road Metro Town Center and vicinity, Planning Area 75A, in the Metro West Town Commons. The property is located directly west across Addison Road from the Addison Road Metro Station.

The site is located in a designated corridor (Central Avenue MD 214) and community center in the Developed Tier. One of the visions for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods.

The vision for corridors is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. The plan recommends that development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor. Community centers are concentrations of activities, services and land uses that serve the immediate community.

This site should be developed in accordance with specific land use, circulation, and urban design recommendations for Subarea 1-MD 214/Addison Road Urban Boulevard and Subarea 3-Metro West (Town Commons) sections of the sector plan. Specifically, the proposed multimodal access and circulation system for the town center should be carefully examined through the development review process.

The sector plan provides development district standards for new development that will be appropriate for the town center in terms of style, character, composition, scale and proportion, and density. Such factors as mix of uses, building size, siting and setbacks, height, façade treatment, landscaping, buffering and screening, parking areas, vehicle access, and proximity of the residential development on abutting properties should be evaluated. Compliance with these standards must be shown in the detailed site plan. In addition, all detailed site plan applications

must include architectural elevations, which demonstrate compliance with building design standards. These elements will be reviewed at the time of detailed site plan review.

Development of this site should provide essential transit-oriented development (TOD) design characteristics that include pedestrian and trail connections oriented to transit facility linkages and pedestrian-friendly building bulk and setbacks within the town center (Town Center Commons), Addison South Subarea, and to the Addison Road Metro Station to the east.

This application is not inconsistent with the 2002 General Plan development pattern policies for the Developed Tier, and the development application conforms to the land use recommendations of the 2000 Addison Road Town Center and vicinity sector plan for Subarea 3-Metro West (Town Commons). In the review of the preliminary plan staff was concerned with the limited amount of office space proposed. The location of the property directly west of the Addison Road Metro could be a priority location for offices. A more in-depth analysis of the square footage of the mix of uses can occur with the review of the detailed site plan, which is required for development within the ARM plan.

6. **Urban Design**— The applicant proposes to create a single parcel of land in which to place a mixed-use development consisting of commercial retail and multifamily in the C-S-C and D-D-O-Z Zones. Base on the Urban Design Section's review of the abovementioned preliminary plan, we offer the following comments:

Conformance with the Addison Road Development District Overlay Zone.

The plan of development is subject to detailed site plan review in which the issue of the proposed use of the property will be examined further. The use table within the DDOZ will be required to be amended based on the applicant's proposal at the time of detailed site plan. Any variation from the underlying C-S-C Zone permitted use table will be analyzed further to determine if a deviation from that table is permissible through the DDOZ amendment process in accordance with Section 27-548.22 and 27-548.27.

The detailed site plan process will also review the project for the conformance to the development district standards.

7. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the preliminary plan application for the requirements for the fulfillment of the mandatory dedication of parkland (Section 24-134 of the Subdivision Regulations). The plan was reviewed for compliance with the requirements and recommendations of the approved Prince George's County General Plan, approved sector plan and sectional map amendment for the Addison Road Metro Town Center and vicinity, and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities.

The Prince George's County General Plan establishes objectives related to the public parkland. The objectives are a minimum of 15 acres of M-NCPPC local parkland should be provided per 1,000 population (or equivalent amenity in terms of parks and recreation service) and 20 acres of

regional, countywide and special M-NCPPC parkland per 1,000 populations. By applying the General Plan standards for projected population in the new communities, staff has determined that regional public parkland suitable for active recreation are needed to serve the proposed community. The applicant is not proposing any parkland dedication. The applicant shows open space areas on the plan, but these areas are unsuitable for public parkland due to their size and locations. The level-of-service analyses shows that this community is in “high need” for parkland acreage and in “high need” for outdoor recreation facilities.

The Planning Board approved the Brighton Place 4-04011 preliminary plan of subdivision (PGCPB Resolution 04-185) and the Addison Road South 4-05016 preliminary plan of subdivision (PGCPB Resolution 05-189) located to the south of the subject site. Both of these subdivisions have been approved with the requirement to make a monetary contribution for the development of the Rollins Avenue Neighborhood Park, located on the west side Rollins Avenue south of the subject site. The financial contribution is determined with the review of the required detailed site plans. The park is 17.5 acres in size and is currently undeveloped. It was determined at the time of approval of Brighton Place DSP-04082 by the Planning Board that a central recreational area in Rollins Avenue Neighborhood Park would be of a greater value to the residents of the overall sector plan area than scattered recreational facilities under the control of several different homeowners associations. Consistent with this recommendation the Addison Road South preliminary plan was approved with the mandatory dedication of parkland requirement being fulfilled with the financial contribution for the development of the Rollins Avenue Neighborhood Park.

There are no funds in the Capital Improvement Program (CIP) for development of the Rollins Avenue Neighborhood Park. However, \$100,000 was required through the approval of the DSP for Brighton Place for development of the park. The Addison Road South Detailed Site Plan DSP-05072 is currently pending; with review of that DSP additional funding will be required. The contributions are to be placed in a fund specifically for the development of that park. DPR staff determined that phase one construction of the park would require at least \$400,000.

Finding 12 of PGCPB Resolution No. 05-162, File DSP-04082 for Brighton Place, states the following:

“...With the development of the subject property (Brighton Place) and the development proposed on the adjacent property, known as Addison Road South (Preliminary Plan 4-05016), staff believes that a central recreational area would be of greater value to the overall sector plan than scattered recreational facilities under the control of several

different homeowners associations. The applicant has agreed to the concept of providing a donation to the Department of Parks and Recreation for development of the Rollins Avenue Neighborhood Park....”

Condition 1 of PGCPB Resolution 05-162, DSP-04082 for Brighton Place, states the following:

“Prior to the approval of the final plat, the applicant shall provide evidence of a contribution to the M-NCPPC Department of Parks and Recreation in the amount of \$100,000 for the development of the Rollins Avenue Neighborhood Park.”

The Planning Board has determined with two previous applications that the applicants should provide a contribution for the construction of the public recreational facilities in the Rollins Avenue Neighborhood Park. As with the review of the detailed site plan for the Brighton Place and Addison Road South subdivisions, the amount of contribution for the development of the Rollins Avenue Neighborhood Park should be determined with the review of the detailed site plan for this site.

In addition to the monetary contribution, the applicant has proposed the following amenities to be provided on the subject property that are not being provided for the fulfillment of the mandatory dedication of parkland requirement:

- a. Exercise/sauna room
- b. Business center with high-speed internet connections
- c. Lounge/billiard room
- d. Outdoor rooftop pool and lounge

In all, the applicant anticipates that the areas dedicated to amenities on the site will exceed 8,000 square feet.

8. **Trails**—The subject site is immediately across Addison Road from the Addison Road Metro Station. The adopted and approved Addison Road Metro Town Center and vicinity sector plan recognizes the importance of sidewalks for encouraging walking to Metro and developing transit-oriented development.

The ARM plan recommends that sidewalks be provided on both sides of most streets in the town center. Sidewalks should be located away from the curb edge to provide an adequate pedestrian safety zone. Sidewalks along MD 214 should be a minimum of five feet wide.

Currently, no sidewalks exist along the site’s frontages of MD 214, Addison Road, or Zelma Avenue. Consistent with recommends for Addison Road South (4-05016), which lies south of the subject site along Addison Road, staff recommends a network of standard and wide sidewalks along the road frontages to safely accommodate pedestrians walking to Metro. Eight-foot-wide sidewalks are recommended along the site’s frontages of both Addison Road and MD 214, and a standard sidewalk is recommended along the site’s frontage of Zelma Avenue. The wider sidewalks are warranted to accommodate the high level of pedestrian traffic anticipated in the

town center, as well as to provide an inviting pedestrian environment for people walking to Metro.

The sector plan also notes that the bicycle can become an alternative to the automobile for some trips if opportunities are created (page 63). On-road bicycle improvements to Addison Road (including restriping for bike lanes) have been discussed with the Department of Public Works and Transportation. It is hoped that bicycle-compatible road improvements can be incorporated into Addison Road at the time of road improvements or resurfacing. At this time, staff recommends the provision of one “Share the Road with a Bike” sign to alert motorists to the likelihood of bicycle traffic along Addison Road.

9. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 1.94 acres of land in the C-S-C Zone. The property is located between Addison Road and Zelma Avenue, and south of MD 214. The applicant proposes to develop the property with 162 residences (21 three-bedroom units, 113 two-bedroom units, and 28 one-bedroom units) and 24,500 gross square feet of retail commercial uses. The subject property was rezoned from C-O to C-S-C through the sector plan and sectional map amendment for the Addison Road Metro (ARM) Town Center and vicinity and therefore must conform with concepts in the sector plan.

At the Subdivision Review Committee meeting held on October 7, 2005, the transportation staff determined that a traffic study detailing weekday analyses was needed. On December 26, 2005, the applicant submitted a traffic study dated December 22, 2005. This study was found acceptable on January 3, 2006, and was referred to Maryland State Highway Administration (SHA) and county Department Public Works and Transportation (DPW&T) for comment. The submitted traffic study proposes to employ mitigation action in accordance with the Guidelines for Mitigation Action and the requirements of that portion of Section 24-124. As a result, staff advised the applicant on January 3, 2006, that unless written indications are received from the two operating agencies (SHA and DPW&T) expressing acceptance of the proposed mitigation actions prior to the writing of this staff report, the transportation staff cannot recommend approval based on the proposed mitigation measures. Comments from SHA and DPW&T were received on January 27, 2006. 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 six intersections, as noted on the attached map:

MD 214/Addison Road (signalized)
MD 332(Old Central Avenue)/Rollins Avenue/Yeoman Place (unsignalized)
MD 332/ Zelma Avenue (unsignalized)
Walker Mill Road/Addison Road (signalized)

The existing conditions at the study intersections are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Addison Road	1,340	1,584	D	E
MD 332 and Rollins Avenue/Yeoman Place	29.6*	21.9*	--	--
MD 332 and Zelma Avenue	11.7*	12.5*	--	--
Walker Mill Road and Addison Road	1,415	1,837	D	F
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The area of background development includes 20, including the Addison Road South project, approved but unbuilt developments in the area. There are no programmed improvements in the county Capital Improvement Program (CIP) or the state Consolidated Transportation Program (CTP). Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 214 and Addison Road	1,584	1,763	E F
MD 332 and Rollins Avenue/Yeoman Place	937.8*	826.4*	-- --
MD 332 and Zelma Avenue	16.6*	17.6*	-- --
Walker Mill Road and Addison Road	1,630	2,134	F F
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.			

The site is proposed for development as a mix of residential and retail commercial subdivision. The traffic study is based upon 168 townhouse/condominium units and 24,500 gross square feet of retail commercial uses, which is slightly higher than the levels proposed in the current plan. This quantity of development would generate 163 (60 in, 103 out) AM peak-hour vehicle trips and 226 (126 in, 100 out) PM peak-hour vehicle trips. With the trip distribution and assignment as assumed, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 214 and Addison Road	1,585	1,775	E F
MD 332 and Rollins Avenue/ Yeoman Place	1128*	1067*	-- --
MD 332 and Zelma Avenue	26.1*	33.8*	-- --
Walker Mill Road and Addison Road	1,650	2,151	F F
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.			

The traffic study identifies an inadequacy at two existing signalized intersections and one existing unsignalized intersection. The needed findings and/or improvements under consideration are further discussed below:

MD 214/Addison Road:

The applicant proposes the addition of an eastbound right-turn lane along MD 214. 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 was 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 proposed mitigating improvement at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 214/Addison Road				
Background Conditions	E/1,584	F/1,709		
Total Traffic Conditions	E/1,585	F/1,775	+1	+66
Total Traffic Conditions w/Mitigation	E/1,585	E/1,549	N/A	-160

As the CLV at MD 214/Addison is between 1,600 and 1,813 during the PM 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 in excess of 150 percent of site-generated trips during the PM peak hour, and it would provide LOS E (the policy LOS within the Developed Tier) during both peak hours. **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, and both agencies approve the proposed mitigation measure without offering any additional comments.

MD 332/Rollins Avenue/ Yeoman Place:

The applicant proposes the possible signalization at this intersection, along with the addition of a westbound left-turn lane on the westbound approach. The analysis indicates that this intersection operates unacceptably as an unsignalized intersection. 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 if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. This intersection operates with a single lane on each approach, with Rollins Avenue coming into the intersection to create a "T" intersection. Much of the delay results from left-turning and right-turning traffic on Rollins Avenue queuing at the intersection.

SHA and DPW&T indicated that the applicant should explore additional geometric widening, as deemed appropriate by SHA and DPW&T, such as the provision of two approach lanes along northbound Rollins Avenue, prior to performing a signal warrant study using the recommended SHA and/or DPW&T geometric modifications. It is noted that with signalization and provision of a westbound left-turn lane along MD 332 at Rollins Avenue, the MD 332/Rollins Avenue intersection operates at LOS B with a CLV of 1,142 in the AM peak hour and at LOS D with a CLV of 1,403 in the PM peak hour. Given the relatively large turning movements from Rollins Avenue at this location, it is agreed by staff that separate northbound left-turn and right-turn approach lanes are needed along Rollins Avenue at MD 332. However, the existing right-of-way is very limited in size, with a privately owned undeveloped lot on the west and a public school—Lyndon Hills Elementary School—on the east. Nonetheless, a condition giving some flexibility in this regard was recommended for preliminary plans 4-04011 and 4-05016, and a similar condition will be recommended with this application.

Walker Mill Road/Addison Road:

The applicant proposes the reconfiguration of this intersection to have the westbound approach of the intersection operate as an exclusive left-turn lane and a shared right-turn/left-turn lane. 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 was 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 proposed mitigating improvement at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
Walker Mill Road/Addison Road				
Background Conditions	F/1,630	F/2,134		
Total Traffic Conditions	F/1,650	F/2,151	+20	+17
Total Traffic Conditions w/Mitigation (Applicant)	E/1,503	F/1,814	-127	-320
Total Traffic Conditions w/Mitigation (DPW&T)	D/1,369	F/1,720	-261	-414

As the CLV at Walker Mill Road/Addison Road is between 1,600 and 2,134 during the PM 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 applicant's proposed action would mitigate in excess of 150 percent of site-generated trips during the PM peak hour, and it would provide LOS E (the policy LOS within the Developed Tier) during AM peak hour and LOS F during the PM 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, but DPW&T did not approve the proposed mitigation measure. Based on the DPW&T recommendations, the acceptable mitigation measures for this intersection should include the provision of three lanes (double left-turn lanes and one exclusive right-turn lane) along the westbound leg (Walker Mill Road). With this change in place, this intersection would operate at LOS D, with a CLV of 1,369 in the AM peak hour, and LOS F, with a CLV of 1,720 in the PM peak hour.

Plan Comments

Addison Road/site entrance:

The applicant proposes a vehicular access along Addison Road. Since Addison Road is a planned arterial roadway, access can be granted only if the applicant's prepared variation request from Section 24-121(a)(3) of the Subdivision Regulations is approved, as set forth in Finding 13 of this report. Because the site is bounded by Central Avenue (planned arterial) to the north, Addison Road (also planned arterial) to the east, and Zelma Avenue (~~*[planned]~~ existing residential street) to the west, staff agrees with the provision of a single access driveway along Addison Road, provided that the access driveway is constructed such that it physically prohibits left-turn movement ~~*[to and]~~ from the site, *and allows left turns from northbound Addison Road into the site, consistent with the concept that has been reviewed and approved by the Maryland State Highway Administration.

*On January 9, 2020, the Planning Board granted a request for a waiver of the Planning Board's Rules of Procedures (Section 10), and reconsideration based on other good cause in furtherance of substantial public interest. A hearing on the merits of the reconsideration was held on April 9, 2020 which examined supporting evidence relative to the reconsideration of Condition 17(b), and the associated findings and variation request, for left-turn access from Addison Road to the subject site. The Planning Board found that the reconsideration had no detrimental transportation impact and adopted the amended findings and condition contained herein.

Zelma Avenue/Site entrance:

The plan proposes a full access point along Zelma Avenue, which serves a residential neighborhood. A second access was proposed to the underground garage that has been removed from the plan proposal.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions.

10. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for the impact on 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:

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[Brackets] and ~~striketrough~~ indicate deleted language

School table:

Residential

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	162 sfd	162 sfd	162 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	38.88	9.72	19.44
Actual Enrollment	35388	11453	16879
Completion Enrollment	218	52	105
Cumulative Enrollment	20.40	5.10	10.20
Total Enrollment	35665.28	11519.82	17013.64
State Rated Capacity	39187	11272	15314
Percent Capacity	91.01%	102.20%	111.10%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

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. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,412 and \$12,706 to be a paid at the time of issuance of each building permit.

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.

Commercial

The commercial/retail component of subdivision is exempt from the review for schools because it is a commercial use.

This project meets the policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003, and CR-23-2003.

11. **Fire and Rescue**—The Historic Preservation & Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(B)(E) of the Zoning Ordinance, for the residential component of the development.

Residential

The Prince George's County Planning Department has determined that this preliminary plan is within the required 7-minute response time for the first due fire station, Seat Pleasant, Company 8, using the *7 Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

The Fire Chief has reported that the current staff complement of the Fire/EMS Department is 685 (98.99 percent), which is within the staff standard of 657, or 95 percent, of authorized strength of 692 as stated in CB-56-2005.

The Fire Chief has reported by letter dated August 1, 2005, that the department has adequate equipment to meet the standards stated in CB-56-2005.

Commercial/Retail

The following findings are those that apply to the commercial/retail component of the proposed development in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

- a. The existing fire engine service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road, has a service travel time of 0.30 minute, 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 0.30 minute, 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 6.69 minutes, which is within the 7.25-minute travel time guideline.

- d. The existing ladder truck service at Capital Heights Fire Station, Company 5, located at 6061 Central Avenue, has a service travel time of 1.82 minutes, which is within the 4.25-minute travel time guideline.

The commercial/retail component of 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.

12. **Police Facilities**—The Prince George's County Planning Department has determined that this preliminary plan is located in Police District III. The standard for emergency call response is 10 minutes and 25 minutes for nonemergency calls. The times are based on a rolling average for the proceeding 12 months beginning with January 2005. The preliminary plan was accepted for processing by the Planning Department on September 15, 2005.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-08/05/05	9.00	20.00

The Police Chief has reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the Academy, for a total of 1,345 (95 percent) personnel, which is within the standard of 1,278 officers, or 90 percent, of the authorized strength of 1,420 as stated in CB-56-2005.

The response time standards of 10 minutes for emergency calls and 25 minutes for non-emergency calls were met on August 5, 2005. Therefore, in accordance with Section 23-122.01 of the Subdivision Regulations, all applicable tests for adequacy of police and fire facilities have been met.

13. **Health Department**—The Health Department has reviewed the proposed preliminary plan of subdivision and has no comment to offer.
14. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan #24628-2005-00 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.
15. **Variation**—Section 24-121(a)(3) of the Subdivision Regulations establishes design guidelines for lots that front on arterial roadways. This section requires that these lots be developed to provide direct vehicular access to either a service road or an interior driveway when feasible. This design guideline encourages an applicant to develop alternatives to direct access onto an arterial roadway.

The subject property has frontage on and proposes direct vehicular access via Addison Road.

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of

variation requests. Staff supports the variation to allow access to an arterial in this case and makes the following findings:

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:

The approval of the applicant's request does not have the effect of nullifying the intent and purpose of the Subdivision Regulations.

- A. **That the granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property.** One of the purposes of limiting access to an arterial is to enhance public safety, health and welfare.

Direct access to MD 214 is not recommended. Zelma Avenue is a residential collector street. The most appropriate location for access to this site is Addison Road *~~South~~. Staff is recommending access restrictions such as right-in and right-out *~~only~~ and is recommending the provision of left turns into the site, but no left turns leaving the site. The site access is located as far to the south from the intersection of MD 214 and Addison Road *~~South~~ as feasible for both the residential and commercial uses.

- B. **The conditions of which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.**

The property is one parcel with frontage on Addison Road South, an arterial facility; Zelma Avenue, a street primarily used by the abutting residential neighborhood; and MD 214. The most appropriate access is to Addison Road South.

- C. **The variation does not constitute a violation of any other applicable law, ordinance, or regulation.**

If the variation is approved it will not constitute a violation of any other applicable law, ordinance, or regulation.

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

This property is a relatively small parcel (1.94 acres) that is surrounded on three sides by

public rights-of-way, a configuration and size not generally shared by the abutting properties. The State Highway Administration has indicated that they would not grant access directly onto MD 214 at this location, and to require that the applicant solely

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utilize Zelma Avenue could be cause for conflicts with the abutting single-family residential neighborhood. Denying the applicant the right to utilize Addison Road *~~[South]~~ could result in a particular hardship because of these reasons.

16. **Historic**—A Phase I (Identification) archeological survey is not recommended by the Planning Department on the above-referenced property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates no known archeological sites in the vicinity and no known historic structures within the vicinity of the subject property. One exception is the presence of a residence of J.E. Berry, Jr., located approximately 1,110 feet (less than ¼ mile) to the south of the subject property, as shown on the 1861 Martenet map. The Berry family were large landholders and owned slaves. However, the small size of the subject property (1.94 acres) suggests the possibility of finding remains of historic period structures, including slave quarters, is low. No indicators for the presence of prehistoric sites, such as streams or knolls, are located on or very near the property.

Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Squire, with Commissioners Eley, Squire, and Hewlett voting in favor of the motion, with Commissioner Vaughns absent at its regular meeting held on Thursday, February 9, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of March 2006.

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*This is to certify that the foregoing 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 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, April 9, 2020, in Upper Marlboro, Maryland. The adoption of this amended resolution based on the reconsideration action taken does not extend the validity period.

*Adopted by the Prince George's County Planning Board this 30th day of April, 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TS:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: April 21, 2020

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