

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 13-99

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File No. 4-13008

RESOLUTION

WHEREAS, BE Master NC Station LLC is the owner of a 14.82-acre parcel of land known as Tax Map 51 in Grid F-1, said property being in the 20th Election District of Prince George's County, Maryland, and being zoned Mixed Use—Transportation Oriented (M-X-T); and

WHEREAS, on June 28, 2013, BE Master NC Station LLC filed an application for approval of a Preliminary Plan of Subdivision for 6 parcels, 1 outlot and 700 dwelling units; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-13008 for Carrollton Station 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 September 12, 2013, for its review and action in accordance with the Land Use Article of the 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 September 12, 2013, 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 1 Tree Conservation Plan (TCP1-002-13), and further APPROVED Preliminary Plan of Subdivision 4-13008, Carrollton Station, including a variance to Section 25-122(b)(1)(G) for 6 parcels, 1 outlot and 700 dwelling units with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the following technical corrections shall be made:
 - a. Add a note on Outlot 1 to state that "A minor final plat shall be approved in accordance with Section 24-108 to adjust the common boundary line of existing Parcel D (5.21 acres) and Parcel E (4.37 acres) and to remove Outlot 1 from the limits of this PPS prior to final plat." Add a note that "the total acreage of site will then be 13.67 acres."
 - b. Revise the Density/Intensity table to remove "nonresidential intensity" and replace with "256,000 square feet of office space and 150,000 square feet of retail space."
 - c. Revised General Note 26 to state the following:

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“The subject preliminary plan of subdivision is proposing 700 multifamily units, 256,000 square feet of office space, and 150,000 square feet of retail space in the M-X-T Zone.”

- d. Delineate and label the public use easement on Parcels C and B as reflected on Staff's Exhibit A. Show a minimum 36-foot-wide public use access easement on the driveway on Parcel B that connects from Cross Street to the driveway on Parcel C. Show a minimum 42-foot-wide public use access easement on the driveway on Parcel C that connects from Harkins Road through the parking garage to the northern property line.
 - e. Revised General Note 25 to remove the sentence “No additional PUE will be proposed along Harkins Road.”
 - f. Delineate and add a note that states the following:

“This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”
 - g. Add a note to indicate that a blanket cross access easement is provided for Parcels A through F pursuant to Section 24-128(b)(8) of the Subdivision Regulations.
2. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised in accordance with all applicable sections of the County Code and the requirements of the Environmental Technical Manual, and reflect the changes on the preliminary plan.
 3. Development of this site shall be in conformance with Stormwater Management Concept Plan 11478-2013-00 and any subsequent revisions.
 4. Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan TCP1-002-13. The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-002-13), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

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5. Prior to approval of the final plat of subdivision, for a parcel which contains residential development in accordance with the approved detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee-in-lieu of parkland dedication.
6. Prior to approval of any building permit for the subject property, as designated below, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. First building permit for office development: Provide one of the four proposed BPIS bus shelters at the off-site locations agreed to by the Department of Public Works and Transportation (DPW&T).
 - b. First building permit for retail other than within the office development or for residential development: Provide shared-lane markings and R4-11 Signs along both sides of Harkins Road for the frontage of the subject site and provide a standard sidewalk along the north side of Cross Street.
 - c. Permits for the 301st residential unit or retail in excess of 88,000 square feet or office in excess of 115,000 square feet: Provide the remaining three BPIS bus shelters at the off-site locations agreed upon by the DPW&T. If any of these shelters are deemed not feasible by the DPW&T, the applicant shall provide alternative off-site improvements within one-half mile of the site of comparable value equivalent in the amount of the bus shelters. Details for the size and locations of the pads and four bus shelters shall be coordinated with the DPW&T Office of Transit and be consistent with the DPW&T Specification and Standards, or as modified by the DPW&T.
7. Prior to approval of the final plat, an executed private cross access and parking easement agreement for Parcels A through F shall be submitted and approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The access easement, authorized pursuant to Section 24-128(b)(8) of the Subdivision Regulations, shall set forth the rights, responsibilities, and liabilities of the lot owners. The easement document may include utility access and shall be recorded among the Land Records of Prince George's County, and the liber/folio reflected on the record plat.
8. Prior to approval of the final plat for Parcels B and C, an executed public use access easement agreement for the driveway on Parcels C and B as shown on the approved preliminary plan of subdivision shall be submitted and approved by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The public use access easement shall set forth the rights, responsibilities, and liabilities of the lot owners relative to public access over the easement area. The easement document may include utility access and shall be recorded among the Land Records of Prince George's County, and the liber/folio reflected on the record plat.

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9. At the time of final plat, the following note shall be placed on the plat:

"This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012)."

10. Prior to approval of the final plat for Parcels D and E, the applicant and the applicant's heirs, successors, and/or assignees shall vacate the existing portion of Cross Street rights-of-way (Plat BB 6-27) pursuant to Section 24-112 of the Subdivision Regulations in accordance with the approved Detailed Site Plan DSP-13026. Prior to approval of final plat for Parcels A through C, Sherwood Street and the remainder of Cross Street shall be vacated.
11. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall obtain approval of a minor final plat for the lot line adjustment for existing Parcel D (5.21 acres) to incorporate the land area of proposed Outlot 1 (1.15 acres) into abutting Parcel E (Metroview, 4.37 acres) to the east pursuant to Section 24-108(a) of the Subdivision Regulations.
12. Approval of this preliminary plan of subdivision shall supersede Preliminary Plan of Subdivision 4-01014 (PGCPB Resolution No. 01-83) within the limits of this property.
13. The development on the subject site shall be limited to the mix of uses that will generate no more than 986 AM and 1,232 PM weekday peak-hour vehicle trips at build-out. Any development that is deemed to generate more peak-hour vehicle trips than the levels stated above shall require a new preliminary plan of subdivision with a new determination of adequacy for transportation facilities.
14. Prior to issuance of any building permits within the subject property, the following improvements shall (a) have been constructed, (b) are fully bonded and permitted for construction with an agreed-upon time table for construction by the applicant and the applicant's heirs, successors, assignees, and/or others, or (c) otherwise is incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) of the Zoning Ordinance and in accordance with Section 24-124(a)(6) of the Subdivision Regulations, and per applicable Maryland State Highway Administration (SHA) and/or the Department of Public Works and Transportation (DPW&T) standards and requirements:
- a. Provision of a channelized left-turn lane from eastbound Harkins Road to the proposed DHCD Building Access Road; and
 - b. Provision of a channelized DHCD Building Access Driveway at Harkins Road which would physically prohibit left turns onto eastbound Harkins Road.
15. Prior to issuance any building permits for any development that would generate more than 240 AM and 222 PM new weekday peak-hour vehicle trips within the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following in

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accordance with the 2010 *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zone Map Amendment*:

- a. At the two existing bus stops along Harkins Road on the site frontage, provide for attractive (as determined in the exercise of reasonable discretion by the Planning Board or its designee) lighted bus shelters, with posted bus route maps and schedules, and installation of a "next bus" message sign, that will be fully bonded and permitted for installation, or as amended by the Department of Public Works and Transportation (DPW&T); and
 - b. As part of a comprehensive and appropriate way-finding signage system approved by the Urban Design Section and per DPW&T standards and specifications, all required way-finding signs along West Lanham Drive and Harkins Road have been fully funded and permitted for installation.
16. Prior to issuance of any building permits for any development that would generate more than 240 AM and 222 PM new weekday peak-hour vehicle trips within the subject property, the following improvements shall either (a) have been constructed, (b) been fully bonded and permitted for construction with an agreed-upon time table for construction by the applicant and the applicant's heirs, successors, assignees, and/or others, or (c) otherwise is incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1) of the Zoning Ordinance and in accordance with Section 24-124(a)(6) of the Subdivision Regulations, and per applicable Maryland State Highway Administration (SHA) and/or the Department of Public Works and Transportation (DPW&T) standards and requirements:
 - a. Provision of a traffic signal warrant study, queuing and operational analysis, signalization of the intersection of West Lanham Drive and Annapolis Road (MD 450), if deemed warranted by DPW&T and SHA based on the total projected traffic for the build-out, and channelization of the Cross Street approach to West Lanham Drive to restrict any left turn to and from West Lanham Drive, unless modified by SHA and DPW&T after reviewing the required queuing and operation analysis.
 - b. Provision of a traffic signal warrant study and signalization of the intersection of Harkins Road and the proposed site's main access road, if deemed warranted by DPW&T based on the total projected traffic for the build-out.
 - c. Widening of the southbound leg of 85th Avenue at its intersection with Annapolis Road (MD 450), to provide for dual left-turn lanes, one through lane, and one right-turn lane, or any other alternate improvements deemed acceptable by SHA and/or DPW&T that would result in acceptable level-of-service (LOS E) as defined by the "Transportation Review Guidelines, Part 1" during both AM and PM peak hours and using the total projected traffic for the build-out.

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17. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate approximately 15 feet along Harkins Road as shown on the approved preliminary plan of subdivision.
18. A substantial revision to the mix of uses on the subject property that significantly affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, may require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
19. Prior to certificate approval of the detailed site plan, the applicant and the applicant's heirs, successors, and or assignees shall submit an approved utility plan which includes all affected utility companies, WSSC, and Washington Gas as appropriate, for the utility easement configuration as reflected on the approved DSP, or the applicant shall provide a ten-foot-wide public utility easement abutting all public streets. If the utility easements are modified from that approved on the DSP, a revision to the DSP approved by the Planning Board or its designee may be required prior to final plat approval.

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 the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 51 in Grid F-1, is 14.82 acres, and is within the Mixed Use—Transportation Oriented (M-X-T) Zone. The property application description is currently known as Lots 1 through 9, Block C; Lots 1 through 8, Block D; Lots 7 through 19, Block A; Parcels J and D; the Sherwood Street right-of-way; and part of the Cross Street right-of-way. The site is mostly undeveloped except for an existing single-family dwelling on Lot 12, Block A, which is to be razed.

Lots 1 through 9, Block C; Lots 1 through 8, Block D; and Lots 1 through 19, Block A (7.84 acres) were recorded in Plat Book BB 6-27 on February 16, 1938. Parcels J and D (5.67 acres) were part of Preliminary Plan of Subdivision 4-01014 for Metroview (23.33 acres) and the resolution was adopted by the Planning Board on April 19, 2001 (PGCPB No. 01-83). That approved preliminary plan of subdivision (PPS) was for a mixed-use development on ten parcels. The Planning Board's approval of PGCPB Resolution No. 01-83 contains nine conditions and created the current configuration of Parcels J and D, which have been recorded in Plat Book REP 192-26 on June 21, 2001. If the subject PPS is approved for the site, it will supersede the validity of PPS 4-01014 for the area of proposed Parcels A through F (existing Parcels J and D).

3. **Setting**—The subject site is located on the north side of Harkins Road and is at northeast corner of the intersection of West Lanham Drive and Harkins Road. The surrounding properties are zoned M-X-T. The neighboring property to the north is developed with a shopping center. The neighboring property to the west is developed with retail shops. The neighboring properties to the

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south and east are developed with offices. The New Carrollton Metro Station entrance is located approximately 1,500 feet to the southeast of the site.

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

| Zone Use(s) | EXISTING | APPROVED |
|------------------------------|-------------------------------------|--|
| | M-X-T One Single-family dwelling | M-X-T Multifamily dwellings (700 units) Office (256,000 sq. ft.) Retail (150,000 sq. ft.) |
| Acreage | 14.82 | 14.82 (without Outlot 1 — 13.67) |
| Lots | 29 | 0 |
| Outlots | 0 | 1 |
| Parcels | 2 | 6 |
| Dwelling Units | 1 (to be razed) | 700 |
| Public Safety Mitigation Fee | No | No |
| Variance | No | Yes |
| Variation | No | Section 24-122(b)(1)(G) No |

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on July 19, 2013.

5. **Community Planning**—The 2002 *Prince George's County Approved General Plan* (General Plan) designates the subject property within the Developed Tier and is a designated metropolitan center. The vision for the Developed Tier is a network of sustainable transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. Metropolitan centers have a high concentration of land uses and economic activities that attract employers, workers, and customers from other parts of the metropolitan Washington areas, such as large government service or major employment centers, major educational complexes, or high-intensity commercial uses. High-density residential development may also be located in or very near metropolitan centers. This PPS is consistent with the 2002 General Plan Development Pattern policies for centers in the Developed Tier by proposing a moderate- to high-density mixed-use development. Approval of this application does not violate the General Plan's growth goals for the year 2015, upon review of Prince George's County's current General Plan Growth Policy Update.

The subject site is located within the New Carrollton Transit District Overlay (T-D-O) Zone. The 2010 *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zone Map Amendment* (TDDP) rezoned this property from the R-55 (One-Family Detached Residential) Zone to the M-X-T Zone. The TDDP's vision is for infill mixed-use development to

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create a moderate density along Annapolis Road. This PPS is in conformance with the land use recommendations of the New Carrollton TDDP by providing a mixed-use development.

The TDDP strongly supports connectivity and small blocks to create walkable communities. The TDDP calls for an urban grid street network with a north to south connection from Annapolis Road (MD 450) to Harkins Road. Specifically, the TDDP shows a road connection from Harkins Road through the subject site and abutting property to the north connecting to MD 450.

The PPS shows a boulevard concept on proposed Parcel C as the main access to the mixed-use development. The access is from Harkins Road through the site into a parking garage which will stub at the northern property line of Parcel C. This will provide a future access connection from the site to the abutting property to the north and eventually to MD 450 as envisioned by the TDDP. The PPS also shows a driveway on Parcel B that connects from Cross Street to the driveway on Parcel C. A public use access easement is being proposed for the driveway on Parcels C and B to ensure vehicular and pedestrian access onto the development and to facilitate and ensure the future access connection to the property to the north. Staff's Exhibit A reflects the delineation of the public use easement over the driveway on Parcels C and B. The design, layout, and streetscape of the driveway on Parcels C and B are being reviewed with DSP-13026.

The subject site is not within an aviation policy area. However, the subject site is located in Interim Land Use Control Area C as it is located within the Joint Base Andrews Interim Land Use Control (ILUC) impact area. The property is within Imaginary Surface C, establishing a height limit of 500 feet above the runway surface, which is reviewed with the DSP. This property is outside of the 65 dBA Ldn noise contours, so noise attenuation is not required. The property is not in an accident potential zone, so no controls on use or density are required.

The PPS is in conformance with the New Carrollton TDDP as applicable to the review of this PPS.

6. **Urban Design**—The 2010 *Prince George's County Landscape Manual* (Landscape Manual), approved master plan, and the Zoning Ordinance contain site design guidelines and requirements that are applicable to the review of this PPS.

Conformance with the Prince George's County Landscape Manual

The site is in the Mixed Use–Transportation Oriented (M-X-T) Zone with a Transit District Overlay (T-D-O) Zone. Landscaping, screening, and buffering on the subject site should be provided pursuant to the provisions of the Landscape Manual except for those as modified by the T-D-O Zone standards. The site's conformance to the applicable landscaping requirements will be reviewed and determined at the time of DSP.

Conformance with the Approved New Carrollton Approved Transit District Development Plan and Adopted Transit District Overlay Zoning Map Amendment (TDDP)

The subject site is located in the New Carrollton TDDP. The purpose of the TDDP is to ensure that future development around the New Carrollton Metro Station maximizes transit ridership,

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revitalizes the area while maintaining its socio-economic diversity, and adopts a sustainable development pattern. The TDDP sets out a development vision for the New Carrollton Transit District that calls for vibrant and diverse neighborhoods, a multimodal transportation system, sustainable and accessible environmental infrastructure, and pedestrian-oriented urban design.

The site is located predominately within the Metro Core neighborhood, although a small northern portion of the site is located in the North Hillside and Annapolis Road corridor neighborhoods. The site is being reviewed for conformance to the Metro Core neighborhood standard. The TDDP contains specific development standards and guidelines for development within each neighborhood. In the Metro Core neighborhood, the intent is to create a compact, high-density, and pedestrian-friendly mixed-use center around the Metro station entrances that provides significant employment, including federal jobs, high-quality housing, and retail.

Sites within the M-X-T Zone typically require approval of a CSP and DSP. The New Carrollton TDDP states that, notwithstanding requirements in the Zoning Ordinance for approval of a CSP in the M-X-T Zone, compliance with TDDP components (page 56) at the conceptual level satisfies all requirements for CSP approval for property in the TDDP. Submission of a CSP is therefore not required by the TDDP.

The TDDP components (page 56) for each neighborhood that guide development to achieve the transit-oriented development (TOD) concept are as follows:

1. **Preferred Land Use Plan (See Map 16. Preferred Land Use Plan)**
2. **Street Circulation Plan**
3. **Building Envelope and Block Standards and Guidelines**
4. **Open Space and Streetscape Standards and Guidelines**
5. **Parking Facility Standards and Guidelines**
6. **Building Form and Scale Standards and Guidelines**
7. **Appendix B: Leadership in Energy and Environmental Design (LEED) Background**

Conceptual conformance with these components is required to satisfy all requirements for CSP approval. The Urban Design Section has the following observations regarding these components and the submitted PPS.

- a. **Preferred Land Use Plan:** The TDDP envisions a mix of uses on the subject property and locates an area for mixed-use/institutional uses north of Cross Street. The subject PPS does state a mixed-use project, but does not specify what mix of uses is proposed. The plan only indicates the residential and nonresidential gross floor areas. The approximate square footage of the proposed uses and what specific uses are included in the nonresidential use category should be indicated on the PPS in a plan note.
- b. **Street Circulation Plan:** The TDDP encourages the creation of blocks and an interconnected system of streets for enhanced vehicular and pedestrian access to the Metro

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station. The TDDP recommends the retention of Cross Street and new local streets for establishment of a grid system on the subject site that would connect to adjacent properties. The submitted PPS proposes the partial vacation of Cross Street and a proposed private driveway that connects from Harkins Road and stubs to the northern property line on proposed Parcel C. The PPS also shows a driveway on Parcel B that connects from Cross Street to the driveway on Parcel C. A public use access easement will be required within the driveway on Parcels C and B to ensure vehicular and pedestrian access and a future connection from the site through the abutting property to the north and eventually to MD 450 as called for by the grid system envisioned in the TDDP.

Conformance with the Zoning Ordinance

All development proposals in the T-D-O Zone are subject to DSP review, as indicated in Section 27-548.08, Site Plan, of the Zoning Ordinance which states:

(a) General.

- (1) Prior to the issuance of any grading, building, or use and occupancy permit for the construction on, or use of, any land in a Transit District, a Detailed Site Plan for individual development proposals shall be approved by the Planning Board in accordance with Part 3, Division 9. A Detailed Site Plan shall be approved prior to, or concurrently with, any final plat of subdivision.**

Development located within the M-X-T Zone is subject to the requirements of Section 27-547, Uses Permitted, of the Zoning Ordinance. The proposed uses in this application are permitted in the M-X-T Zone. Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:

- (d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purpose of the zone:**

- (1) Retail business;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

The subject PPS plan does not indicate the specific mix of uses proposed or their approximate square footage. This information should be consistent with the traffic

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study. The traffic study with the PPS indicates that the proposed mixed-use development is comprised of 700 multifamily units, 256,000 square feet of office space, and 150,000 square feet of retail space. The amount of square footage devoted to each use will be reviewed at the time of DSP and should be in sufficient quantity to serve the purposes of the zone.

Developments in the M-X-T Zone are required to have vehicular access to a public street in accordance with Section 27-548(g) noted below:

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

The PPS shows the six proposed parcels (Parcels A through F) with frontage to a public street. The PPS proposes Parcels A through F to utilize a blanket private access easement to serve as an inter-parcel connection and access to public rights-of-way for the mixed-use development pursuant to Section 24-128(b)(8) of the Subdivision Regulations.

The PPS shows a driveway on proposed Parcels C and B. As discussed previously, the driveway on Parcel C will stub at the northern property line and will be encumbered with a public use access easement to ensure a future vehicular and pedestrian access connection to MD 450. The driveway on Parcel B will connect Cross Street to the driveway on Parcel C. The public use easement supports the connection to the grid system as envisioned in the TDDP. The public use easement is a secondary access and is not authorized by the Planning Board for development purposes and, therefore, does not meet the definition of a street as defined in Section 27-107.01(225) of the Zoning Ordinance. Parcels A through F will utilize a blanket private access easement to serve as an inter-parcel and access to public rights-of-way for the mixed-use development pursuant to Section 24-128(b)(8) of the Subdivision Regulations. The Urban Design Section has determined that the TDDP does not require setbacks from this non-standard driveway section.

Approximately 700 multifamily units are proposed. Appropriate on-site private recreational facilities should be provided for future residents as part of the zoning review with the DSP. Recreation areas should be centrally located on the site, and recreation areas should include passive and active recreational facilities, such as playgrounds and amenity rooms. On-site private recreational facilities will be reviewed at the time of DSP as part of conformance to zoning. Mandatory dedication requirements with the PPS are to be met with a fee-in-lieu.

7. **Environmental Planning**—A signed Natural Resources Inventory (NRI-068-13) and Type I Tree Conservation Plan (TCP1-002-13) for the subject property have been received and reviewed. Existing Parcels J and D were previously reviewed under the following applications: Preliminary Plan of Subdivision 4-01014, also known as Metroview, with Type I Tree Conservation Plan TCP1/008/96, and subsequently as Detailed Site Plan DSP-01012 with Type II Tree Conservation Plan TCP11/088/90. The project is subject to the environmental regulations contained in

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Subtitles 24, 25, and 27 of the Prince George's County Code that came into effect on September 1, 2010 because the application is for a new PPS.

Conformance with the 2010 Approved New Carrollton Transit District Development Plan and Transit District Overlay Zone:

The text in **bold** is the environmentally-related standards of the development plan and the plain text provides comments on plan conformance.

Metro Core Neighborhood Standards:

11. **Parking facilities and outdoor service areas must be well lit, and their lighting must be designed to minimize glare impacts on adjacent residential uses.**

Lighting must be addressed as part of the DSP review and approval.

13. **To mitigate the urban "heat island" effect, the rooftops of all new construction or renovated buildings over 10,000 square feet shall be designed in accordance with the heat island mitigation roof treatment criterion specified under the LEED for New Construction and Major Renovation, Version 2.2 or later. Freestanding parking garages and roofs with installed solar thermal or photovoltaic energy systems shall be exempt from this requirement.**

Building details must be addressed as part of the DSP review and approval.

14. **Environmental Site Design (ESD) stormwater management techniques shall be used throughout the Metro Core to provide enhanced water quality controls and additional green space.**

A Stormwater Management Concept Plan (11478-2013-00) was approved by the Department of Permits, Inspections and Enforcement (DPIE) on June 28, 2013. Because the project involves redevelopment of an existing developed site, the stormwater design must include treatment for 50 percent of water quality volume of the impervious area within the proposed disturbed area, and 100 percent treatment of water quality volume and channel protection volume for all new impervious surfaces using environmental site design (ESD).

The stormwater concept plan shows that a majority of the site will drain to the east through a series of bioretention facilities connected via an underdrain and will ultimately drain to an existing stormwater management pond located to the east of the site, across Ellin Road. Other bioretention areas are shown on the west side of the property. These bioretention areas are also connected via underdrains that connect to an existing stormdrain system within the West Lanham Drive right-of-way.

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16. **Public plazas and other civic spaces shall be designed to be safe, sunny and attractive with:**

- A. **No “dead”, poorly-lit, or hidden areas**

Lighting must be addressed as part of the DSP review and approval.

Open Space Standards:

7. **Open Space Lighting: Parks, plazas, and other open spaces shall be illuminated to a minimum 1.25 foot-candles and a maximum of 2.0 foot-candles in accordance with ADA requirements for parks and recreation spaces. Full cut-off optics shall be used to direct lighting downward. No up-lighting shall be used.**

Lighting must be addressed as part of the DSP review and approval.

Streetscapes Standards:

8. **Streetscapes as ESD Stormwater Management Amenities: All streetscapes shall incorporate ESD stormwater management features in accordance with county and state requirements as well as known best practices.**

Improvements along the frontage of West Lanham Drive will be made in accordance with county stormwater management and street standards. Site drainage is shown on the approved stormwater management concept plan to be treated with multiple areas of bioretention connected via underdrains.

Lighting of Public Streets and Spaces Standards:

1. **General Street Lighting: Standard “cobra head” design streetlights shall be installed along all public streets in accordance with county or state design and installation requirements, whichever is appropriate.**

Lighting must be addressed as part of the DSP review and approval.

Conformance with the Green Infrastructure Plan

According to the 2005 *Approved Countywide Green Infrastructure Plan*, the eastern and southern portions of the property are located within the designated network. The eastern boundary is mapped as evaluation area, which is typically mapped for areas adjacent to regulated environmental features; however, there are no regulated environmental features on-site. Further, the area mapped as evaluation area is currently an existing parking lot, which was approved as part of a previous DSP and then permitted. The network gap area is typically mapped in areas that are open and available for planting to enhance buffers related to regulated and evaluation areas associated with stream systems. Based on aerial photos and mapping research, there appears to be

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a short segment of an open stream system located to the southwest of the subject site, across Harkins Road. The Green Infrastructure network on the subject site may have been mapped in association with that system.

The stormwater management concept plan shows that a majority of the site will drain to the east through a series of bioretention facilities connected via an underdrain and will ultimately drain to an existing stormwater management pond located off-site to the east of the subject property, across Ellin Road. The stormwater concept was approved under the current regulations requiring environmental site design to the maximum extent practicable, and requires treatment for 50 percent water quality volume for the impervious area within the proposed disturbed area and 100 percent water quality and channel protection for new impervious area.

The forest stand delineation (FSD) indicates that two forested areas are located on-site, totaling 1.28 acres. These wooded areas are isolated, not connected to any other woodland, and not associated with any regulated environmental features. These woodlands have been identified in the FSD report as early successional stage. This has been confirmed via historic aerials and past approvals which show a majority of the woodland as cleared in 2000.

To find conformance with the Green Infrastructure Plan, the Planning Board must find that the plan adequately addresses the following policies:

Policy 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

Evaluation and network gap areas are mapped on-site; however, they are not associated with any regulated environmental features. The site is located within the Developed Tier, within the Transit District Overlay (T-D-O) Zone, and is zoned M-X-T, all of which are associated with high-density development that allows multiple uses (residential, retail, office).

Policy 2: Preserve, protect, and enhance surface and ground water features and restore lost ecological functions.

The stormwater management concept was approved under the current regulations requiring environmental site design to the maximum extent practicable.

Policy 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern of the 2002 General Plan.

The existing wooded areas on-site are isolated, not connected to any other woodland, and not associated with any regulated environmental features. These woodlands have been

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identified in the FSD report as early successional stage because they were cleared in 2000 in accordance with previous approvals.

Based on a lack of on-site regulated environmental features, the early successional nature of the existing woodland, and the site's location in the Developed Tier and within the T-D-O Zone, which is associated with high-density development, as well as the stormwater concept approval under the current environmental site design requirements, the proposed clearing of the site is in conformance with the Green Infrastructure Plan.

Environmental Review

An approved Natural Resources Inventory, NRI-068-13, was submitted with the application. The NRI indicates there are no streams, wetlands, or 100-year floodplain on the subject property. The site is located within the Lower Beaverdam Creek watershed. Several areas of steep slopes occur on the property as a result of grading performed for the construction of Harkins Road and the development of surrounding sites. The predominant soils found to occur according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS) include the Christiana Downer complex, the Russett-Christiana-Urban land complex, and the Urban Land-Russett-Christiana complex. According to available information, Marlboro clay is not found to occur on this property; however, Christiana complexes are mapped on-site. According to the Sensitive Species Project Review Area (SSPRA) map prepared by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of the subject site.

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 2 tree conservation plan (TCP2) was submitted with the PPS application; however, a Type 1 tree conservation plan (TCP1) is required. A Type 1 Tree Conservation Plan (TCP1-002-13) has been assigned to the subject application. The TCP2 as submitted must be revised as a TCP1 in accordance with all applicable sections of the County Code and the requirements of the Environmental Technical Manual.

A portion of the subject property, existing Parcels J and D, was included as previously approved TCPI/008/96 and TCPII/088/90. Because this project is being reviewed as a new PPS, the project is not grandfathered with respect to the WCO effective September 1, 2010.

The woodland conservation worksheet shown on the TCP as submitted requires revisions. Based on the calculations, the woodland conservation threshold (WCT) for this 14.82-acre property is 15 percent of the net tract area or 2.18 acres. The total woodland conservation requirement based on the amount of clearing proposed is 3.46 acres. Outlot 1 is proposed to be removed from the site area, then the total acreage of the site will be 13.67 acres and the total woodland conservation requirement will be 3.29 acres. The woodland conservation requirement is proposed to be met entirely off-site. The plan requires technical revisions to be in conformance with the WCO.

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The site has frontage on Harkins Road, which is designated as "primary" in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and is not regulated for noise; however, Annapolis Road (MD 450) is a master-planned arterial roadway within close proximity to the north of the site that is regulated for noise. The proposed site layout has been designed so that the nonresidential uses (parking garage and retail) are closest to MD 450 and will provide shielding from the traffic-generated noise associated with MD 450 for the residential portions of the site. No additional information regarding noise is required.

8. **Variance to Section 25-122(b)(1)(G)**—Type 1 tree conservation plan (TCP1) applications are required to meet all of the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance or (WCO)) provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings.

A Subtitle 25 Variance application and a statement of justification in support of a variance for the removal of one specimen tree was stamped as received on July 1, 2013.

The TCP shows the proposed removal of the one specimen tree that exists on-site; a white oak in fair condition. The tree is located within the ten-foot-wide public utility easement (PUE) along West Lanham Drive, which will be disturbed in order to underground the existing utility line. Additionally, the tree is located within ten feet of the proposed building. Construction of the proposed building and associated grading would significantly impact the critical root zone. The building is required to be located within 20 feet of the right-of-way under the New Carrollton TDDP.

Section 25-119(d) of the WCO contains six required findings [text in **bold**] to be made before a variance can be granted. The letter of justification submitted addresses the required findings for removal of the specimen tree.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

The specimen tree is located within the required ten-foot-wide PUE and within close proximity to the proposed building, which is required to be located within 20 feet of the right-of-way according to the New Carrollton TDDP.

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- (B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;**

Preservation of the specimen tree would obstruct the standard for the undergrounding of the necessary utility lines for the proposed development. If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

- (C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;**

The requirement of a PUE is standard and required by code. If other constrained properties encountered trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

- (D) The request is not based on conditions or circumstances which are the result of actions by the applicant;**

The PUE is required by code. The existing conditions or circumstances are not the result of actions by the applicant.

- (E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property;**

The request to remove the tree does not arise from any condition on a neighboring property.

- (F) Granting of the variance will not adversely affect water quality.**

All proposed land development activities will require sediment control and stormwater management measures to be reviewed and approved by the county.

The project proposes to meet water quality and quantity requirements in accordance with approved Stormwater Management Concept Plan 11478-2013-00 through the use of environmental site design.

Based on the preceding analysis, the required findings of Section 25-119(d) have been addressed for the removal of one specimen tree based on the information provided, and the Planning Board approved the variance to remove Specimen Tree 1.

9. **Stormwater Management**—The Department of Permitting, Inspections, and Enforcement (DPIE) has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 11478-2013-00, was approved on June 28, 2013 and is valid until

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June 26, 2016 for the subject site. All approved concept plans have conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with the approved plan or any subsequent revisions as approved by DPIE.

The approved stormwater concept plan is required to be designed in conformance with any approved watershed management plan pursuant to Subtitle 32, Water Resources and Protection; Division 3, Stormwater Management Plan; Section 172, Watershed Management Planning of the County Code. As such, the requirement of Section 24-130(b)(4) of the Subdivision Regulations which requires that a subdivision be in conformance with any watershed management plan has been addressed with the approval of the stormwater concept plan by DPIE.

10. **Department of Parks and Recreation (DPR)**—This proposed PPS was reviewed in consideration with the recommendations of the New Carrollton TDDP, current zoning and subdivision regulations, and existing conditions in the vicinity of the proposed development as they pertain to public parks and recreation facilities.

The subject property is located primarily within the Metro Core of the New Carrollton TDDP. The applicant proposes infill development around the New Carrollton Metro Station, including 700 multifamily units, 256,000 square feet of office space, and 150,000 square feet of retail space on Parcels A through F.

Using current occupancy statistics for multifamily dwelling units, the proposed development will result in a population of 1,890 additional residents in the community. Our records show that the existing Carrollton community is in high need for public parkland and recreational facilities.

Section 24-134 of the Subdivision Regulations (Mandatory Dedication of Parkland) requires that, in all residential subdivisions, the Planning Board require the dedication of suitable and adequate land for active or passive recreation or a payment of a monetary fee-in-lieu thereof, or the provision of recreational facilities. In accordance to Section 24-134, this development is subject to approximately 0.9 acre of parkland dedication. The Department of Parks and Recreation (DPR) finds that mandatory dedication of parkland is unsuitable for public parkland because of size and location on this site. The applicant proposes a fee-in-lieu for mandatory dedication of parkland and is supported. The applicant, as a part of the development concept, is proposing private recreational facilities in the courtyards of the residential buildings, including a sitting area, picnic area, and an outdoor pool. Fee-in-lieu to fulfill mandatory dedication of parkland will be appropriate in this case and will enhance DPR's ability to acquire off-site parkland and/or provide recreational facilities on nearby parkland.

In accordance with Section 24-134(a) of the Subdivision Regulations, the Planning Board required the payment of a fee-in-lieu of dedication as applicable from the subject subdivision because land available for dedication is unsuitable due to size and location.

11. **Trails**—This proposed PPS was reviewed for conformance with the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*, the *Approved New*

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Carrollton Transit District Development Plan and Transit District Overlay Zone Map Amendment (New Carrollton TDDP), and CB-2-2012 (Section 24-124.01 of the Subdivision Regulations) in order to implement planned trails, bikeways, and pedestrian improvements because it is located within a master plan center.

The MPOT includes a complete streets element and several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Developed and Developing Tiers. These policies are intended to ensure that all new road construction and frontage improvements are designed to accommodate all modes of transportation, including walking, bicycling, and transit. The MPOT policies regarding sidewalk construction and the accommodation of pedestrians and bicycles include:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 3: Small area plans within the Developed and Developing Tiers should identify sidewalk retrofit opportunities in order to provide safe routes to school, pedestrian access to mass transit, and more walkable communities.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

Policy 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.

The PPS meets the intent of many of these policies as applicable to a PPS through the various bicycle and pedestrian accommodations and amenities proposed both on-site and off-site. The subject application is retaining the existing wide sidewalk along Harkins Road, proposes shared-lane markings along Harkins Road to accommodate bicycle movement, and proposes a network of sidewalks along the proposed internal roads, access points, and parking areas. The existing sidewalk along Harkins Road will provide access from the site to the New Carrollton Metro Station and several existing bus stops. The existing sidewalk along Harkins Road, as well as the existing and proffered sidewalks along West Lanham Drive and Cross Street, provides access to the commercial destinations along Annapolis Road (MD 450).

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In summary, the subject application proposes the following on-site bicycle and pedestrian facilities:

- Retention of the existing wide sidewalk along Harkins Road;
- The addition of on-street parking along Harkins Road, which will serve to buffer the sidewalk from the travel lanes;
- Sidewalks along both sides of the main access driveway into the site;
- Sidewalks along both sides of the driveway between Parcel C and Parcels A and B;
- A pedestrian bridge between Parcels C and B;
- Three covered walkways in the vicinity of the residential units;
- Sidewalks along the proposed parking areas;
- ADA curb cuts and designated crosswalks at appropriate locations; and
- Bicycle parking scattered throughout the site and within the proposed parking structure.

The plans have also been revised to include a public use easement along the driveway extending from Harkins Road, through the parking garage and to the northern property line, where it will accommodate a planned future connection on the adjacent property to the north when that property is redeveloped in the future. This planned connection is supported as it will provide for the grid road network recommended in the TDDP and better connection for the subject site with the adjacent properties and communities.

The development standards of the New Carrollton TDDP require "one bicycle space for every 20 off-street vehicular parking spaces. Single-family dwelling units shall be exempt from all the parking requirements" (TDDP, page 168). The subject application is including 1,075 vehicle parking spaces, per the TDDP requirement. The concurrent DSP also demonstrates that the applicant is providing a total of 54 bicycle parking spaces in the parking garage, adjacent to the retail, and adjacent to the office. This total meets the requirement of the TDDP.

Harkins Road is designated as a master plan bicycle/trail corridor. This has been implemented along most of Harkins Road as a wide sidewalk, which exists along the entire frontage of the subject site. The American Association of State Highway and Transportation Officials (AASHTO) requires that a minimum of 16 feet on the outside curb lanes be provided for full bike lanes to be striped. The existing curb-to-curb of Harkins Road is approximately one foot narrower than the AASHTO required space. Although full bike lanes cannot be accommodated on Harkins Road, the road configuration exceeds the current AASHTO guidance for the placement of shared-lane markings.

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Section 9C.07 of the 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD) includes the following information on the benefits of shared-lane markings (also known as “sharrows”).

Section 9C.07 Shared Lane Marking—The Shared Lane Marking shown in Figure 9C-9 may be used to:

- A. Assist bicyclists with lateral positioning in a shared lane with on-street parallel parking in order to reduce the chance of a bicyclist’s impacting the open door of a parked vehicle,**
- B. Assist bicyclists with lateral positioning in lanes that are too narrow for a motor vehicle and a bicycle to travel side by side within the same traffic lane,**
- C. Alert road users of the lateral location bicyclists are likely to occupy within the traveled way,**
- D. Encourage safe passing of bicyclists by motorists, and**
- E. Reduce the incidence of wrong-way bicycling (MUTCD, page 815).**

Harkins Road meets the current county and state standards for the placement of shared-lane markings due to its speed limit of 35 miles per hour or less, the presence of multiple travel lanes in each direction, and sufficiently wide (approximately 15 feet) outside curb lanes. Given that sufficient space does not exist to construct full bicycle lanes, this is an acceptable alternative for accommodating bicycle traffic along the road. The two center lanes can be striped at 11 feet and the outside curb lanes can be striped as 15 feet with shared-lane markings. The placement of shared-lane markings and “Bicycles May Use Full Lane” signs (R4-11 sign from MUTCD) along Harkins Road as proposed by the applicant is supported. The two center lanes can be striped at 11 feet and the outside curb lanes can be striped as 15 feet with shared-lane markings and R4-11 signs.

Review of Adequate Public Pedestrian and Bikeway Facilities in Centers and Corridors

Council Bill CB-2-2012 (Section 24-124.01 of the Subdivision Regulations) was adopted by the County Council on April 24, 2012 and approved by the County Executive on May 3, 2012. Council Bill CB-2-2012 is legislation concerning “Adequate Public Pedestrian and Bikeway Facilities in Centers and Corridors.” It went into effect on June 1, 2013 and applies to subdivision applications accepted after that date within county centers and corridors. The bill contains criteria for determining bicycle and pedestrian adequacy, includes examples of the types of bicycle and pedestrian facilities that can be required by the Planning Board, enables the Planning Board to require off-site bicycle and pedestrian improvements, and directs the Planning Department to develop guidelines for determining bicycle and pedestrian adequacy. In response to this legislation, the Planning Board adopted the “Transportation Review Guidelines, Part 2” (Guidelines, Part 2)

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on May 30, 2013. These guidelines implement the requirements of CB-2-2012, provide additional guidance regarding complete streets, and incorporate the process by which bicycle and pedestrian adequacy will be found.

This PPS is the first subdivision accepted (June 28, 2013) after the legislation went into effect on June 1, 2013. Due to the location of the subject site within a designated center (New Carrollton), the application is subject to CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) includes the following guidance regarding off-site improvements:

- (c) As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the improvements is calculated according to Section 24-124.01(c) as:

- (c) The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.**

Council Bill CB-2-2012 also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required, per Section 24-124.01(d):

- (d) Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**

 - 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - 2. installing or improving streetlights;**
 - 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**

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4. **providing sidewalks or designated walkways through large expanses of surface parking;**
5. **installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
6. **installing street trees.**

A bicycle and pedestrian impact statement (BPIS) is required and was submitted on July 17, 2013 and fulfills the requirements of the Guidelines, Part 2. The BPIS includes the following information and proffered off-site improvements, per the outlined review process on pages 9–13 of the guidelines:

- The pre-application meeting was held between the Transportation Planning Section and the applicant in late June. This meeting covered the requirements of the Guidelines, Part 2, the proffered on- and off-site improvements, and the required finding of adequacy, and discussed the possible package of off-site improvements.
- The BPIS was submitted on July 17, 2013. It includes the necessary discussion of the proposed on-site pedestrian facilities and the existing pedestrian facilities in the vicinity of the subject site.
- On-site bicycle and pedestrian evaluation: This portion of the BPIS discusses the internal sidewalk network proposed, the provision of street lighting, bicycle parking, ADA access, and the complete street checklist.
- Off-site bicycle and pedestrian evaluation: This section discusses sidewalks, ADA access, pedestrian crossings, and bus shelters along Harkins Road, with an emphasis on the area between the site and Metro. It goes on to discuss the proffered off-site improvements designed to complete the sidewalk network, install on-road bike facilities, and provide bus shelters.
- Mapping was provided by the Information Management Division utilizing existing GIS data on bicycle and pedestrian facilities, park facilities, and potential pedestrian destinations such as shopping centers, restaurants, and transit stops.
- Per Section 24-124.01(c), the calculation of the cost cap for the subject site is \$284,000 based on \$0.35 per gross square foot of proposed retail or commercial development and \$300.00 per residential unit. The itemized costs for the proffered off-site improvements are included in the BPIS. The total cost of these improvements is \$204,981.80. Preliminary discussions with DPW&T appear to indicate that the costs for the bus shelter improvements are reasonable.

The proffered off-site improvements include the following:

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- a. **Four new bus shelters** are proposed along Harkins Road. These shelters will be provided at existing stops within the R-O-W that currently lack shelters or other pedestrian amenities. Based on discussions with the applicant and work done for the BPIS, there are currently seven bus stops along Harkins Road. Three of these bus stops have shelters, but four do not. The applicant is proposing the provision of shelters at all four of these stops. This will enhance access to the existing transit system for both future residents and employees of the subject site, as well as the surrounding offices and residential communities.
- b. **On-street "shared-lane markings"** are proposed along Harkins Road in both directions in front of the site. The shared-lane markings, in conjunction with the R4-11 signs will accommodate bicycle movement, indicate to motorists that bicycles will be using the road, and fulfill the recommendations of the master plan for bicycle accommodations along Harkins Road. As the southbound portion of Harkins Road is not within the site or along its associated road frontages, this improvement is also considered to be off-site. The Transportation Planning Section believes that signage and shared lane markings along Harkins Road is an appropriate way of accommodating bicycles along this major road connection to Metro and supports the implementation of this recommendation.
- c. **A sidewalk along the north side of Cross Street** is also proffered. The applicant is also proposing the construction of an off-site sidewalk along the north side of Cross Street. The subject application has frontage along the south side of Cross Street, but the sidewalk improvements along the north side are considered off-site as they are not within the subject application or along its associated road frontage. This sidewalk will help to fulfill complete streets in the vicinity of the site, and fill an existing gap in the sidewalk network. It will also serve the future residents and employees of the subject site by better connecting the site to the commercial destinations along MD 450.

Section 24-124.01(c) requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

The Transportation Planning Section concludes that there is a demonstrated nexus between the development proposed with the subject application and the proffered off-site bicycle and

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pedestrian improvements. In addition to providing improved bicycle, pedestrian, and transit access for the surrounding communities, the proposed improvements will also directly benefit the future residents and employees of the subject site in the ways summarized below and are consistent with the TDDP:

- a. The off-site sidewalk connection proffered along the north side of Cross Street will directly benefit future employees and residents of the subject application site by providing a safe pedestrian connection from the site to the existing commercial and office uses along MD 450.
- b. The off-site shared-lane markings proffered along the southbound side of Harkins Road will directly benefit future employees and residents of the subject application site by providing a safe, convenient, and visible bicycle facility between the subject site and the New Carrollton Metro Station.
- c. The bus stop shelters proffered by the applicant will directly benefit future employees and residents of the subject site by enhancing access to existing bus stops in the immediate vicinity of the subject site. Four of the existing seven stops along Harkins Road do not currently have shelters, and the proffered improvements will improve the facilities for the surrounding community and the subject site.

Review of Criteria for Adequate Bicycle and Pedestrian Facilities

Council Bill CB-2-2012 (Section 24-124.01 of the Subdivision Regulations) requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of preliminary plan. Council Bill CB-2-2012 also included specific guidance on the criteria for determining adequacy, as well as what steps can be taken if inadequacies need to be addressed. As amended by CB-2-2012, Section 24-124.01(b)(1) and (2) includes the following criteria for determining adequacy:

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
 - (1) **The finding of adequate public pedestrian facilities shall, at a minimum, include the following criteria:**
 - (A) **The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area.**

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The subject application has sidewalks in all appropriate locations, including all frontages, along both sides of internal roads, and along areas of surface parking. The application maintains the existing sidewalk along Harkins Road and provides internal sidewalk connections as needed. The application also completes an existing off-site gap in the network along the north side of Cross Street. Street lighting should be evaluated by DPW&T for sufficiency. An additional street light may be appropriate at the site's primary ingress/egress point in order to improve visibility for the pedestrian crossing.

- (B) the presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, "bulb out" curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage).**

These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones.

The TDDP includes standards for clearly marked (textured accent paving or striping) and articulation of the sidewalk cross section through special paving or concrete scoring (TDDP, page 153). Additional details should be provided regarding the sidewalk and crosswalk treatments at the time of DSP. Sidewalks are proposed along both sides of the main access road, both sides of Cross Street, both sides of most of the easternmost access road, and around the internal parking lot. On-street parking is proposed along Harkins Road, which will buffer pedestrians from the motor vehicles traffic, place the sidewalk outside of the "splash" zone of the travel lanes, and make for a more inviting pedestrian environment. It appears that sidewalks are proposed at appropriate locations. Additional traffic calming, pedestrian amenities, and safety features will be considered as part of the DSP review.

- (2) The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
- (A) the degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**

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The MPOT recommends sidewalks and on-road bicycle facilities along Harkins Road. The applicant is proposing the retention of the existing wide sidewalk, the addition of on-street parking, and the provision of shared-lane markings. This is consistent with the MPOT and TDDP.

- (B) the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**

The provision of shared-lane markings and R4-11 signs fulfill this required finding. The benefits of shared-lane markings and their appropriateness along Harkins Road are discussed in detail elsewhere in this memorandum. Space for designated bike lanes is also recommended along the main access driveway and future local vehicular connections to the north.

- (C) the degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**

The shared-lane markings will provide a designated on-road bicycle facility consistent with the master plan. On-street parking is also provided along this road which will buffer pedestrians along the sidewalk and calm motor vehicle traffic, which should benefit on-road bicyclists. Bike lanes along the internal access road are also recommended.

- (D) the availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

Fifty-four bicycle parking spaces are provided at the retail and office space, as well as in the parking structure. This is consistent with the TDDP and the required finding of Section 24-124.01(b)(2). A small number of bicycle lockers should be installed at the office building, consistent with the Bicycle Parking standards on pages 168 and 169 of the TDDP.

At the Planning Board hearing on September 12, 2013 the applicant requested and the Planning Board granted a request to allow phrasing of pedestrian and bikeway facilities improvements as indicated on the bicycle and pedestrian impact statement (BPIS).

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Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Sections 24-123 and 24-124.01 of the Subdivision Regulations.

12. **Transportation**—The property is located along existing West Lanham Drive and Harkins Road and approximately 1,500 feet northwest of the New Carrollton Metro Station entrance. The application is a preliminary plan of subdivision (PPS) for a mixed-use development in two phases, with an anticipated build-out in six years. The proposed mixed-use development is consistent with the recommendations of the Zoning Ordinance for Mixed Use–Transportation Oriented (M-X-T) Zone, and per the 2010 *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zone Map Amendment* (New Carrollton TDDP) recommendations and requirements. The proposed development, as evaluated by the submitted traffic impact study, consists of residential (700 mid-rise multifamily units), commercial retail/service (150,000 square feet), and commercial office (256,000 square feet).

The required adequacy findings for transportation facilities for this PPS are based on the projected number of AM and PM weekday peak-hour vehicle trips. The projected peak-hour trips for the subject site are calculated using the procedures outlined in the 2012 “Transportation Review Guidelines, Part 1” (Guidelines) and the revised scoping agreement dated May 8, 2013.

Growth Policy—Service Level Standards

The subject property is located within the Developed Tier as defined and designated in the *Prince George’s County Approved General Plan* (General Plan). The property is also primarily located within the designated Metro Core area of the New Carrollton TDDP. 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 Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: *The Highway Capacity Manual* (Transportation Research Board) procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. Vehicle delays in all movement not exceeding 50.0 seconds are deemed to yield to an acceptable operating condition at unsignalized intersections.

Transit-Oriented Development

Transit-Oriented Development (TOD) is defined in the Guidelines as development that is pedestrian-oriented and includes compact neighborhoods with moderate- to high-density land uses. Any TOD development within centers and corridors, as designated in the General Plan or any successor document and as amended by other master or sector plans, would be eligible for a trip reduction allowance of six percent for “Acceptable/Marginal TOD” to as much as a 30 percent

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reduction allowance for “Excellent TOD” of the total calculated number of site generated trips. The applicant in this case has not proposed to use this trip reduction allowance.

The Site’s Projected AM/PM Peak Hour Traffic

Using the applicable trip generation rates contained in the Guidelines and the recommended rates contained in the latest edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, the net build-out peak-hour vehicle trips for each phase are presented in the table below:

| Proposed Use | Peak Hour | | | | | |
|--|-----------|-----|--------------------------------------|-------|-----------|-------|
| | Phase 1 | | Development in addition to 1st Phase | | Build-Out | |
| | AM | PM | AM | PM | AM | PM |
| Residential | | | | | | |
| 700 units multifamily housing | | | 364 | 420 | | |
| Less internal Capture (ITE) | | | -32 | -88 | | |
| Residential New Trips | | | 332 | 332 | 332 | 332 |
| Office | | | | | | |
| 120,000 sq. ft. general office | 240 | 222 | | | | |
| Less internal Capture (ITE) | | | -33 | -25 | | |
| Office New Trips | 240 | 222 | 239 | 227 | 479 | 449 |
| Retail | | | | | | |
| 150,000 sq. ft. retail (shopping center) | | | 200 | 786 | | |
| Less internal Capture (ITE) | | | -25 | -103 | | |
| Less Pass-by trips—34% (ITE) Per TIS | | | 0 | -232 | | |
| Retail New Trips | | | 175 | 451 | 175 | 451 |
| Total Net New Trips | 240 | 222 | 746 | 1,010 | 986 | 1,232 |

As indicated, Phase 1 is projected to generate 240 AM and 222 PM new weekday peak-hour vehicle trips and the build-out total AM and PM peak hour projected vehicle trips, which includes Phase 1, is to be 986 AM and 1,232 PM vehicle trips.

Analysis of Traffic Study

With the proposed PPS, the applicant submitted for review a revised traffic impact study dated August 12, 2013.

The submitted traffic study includes the analysis of all required intersections as outlined on the scoping agreement. Following the preliminary review for sufficiency, the submitted study was referred electronically to the Maryland State Highway Administration (SHA), the Department of Public Works and Transportation (DPW&T), and the City of New Carrollton for review and comments.

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The findings and recommendations outlined below are based upon a review of the submitted study, written comments provided by the reviewing agencies, and additional analyses, consistent with the Guidelines and the New Carrollton TDDP.

Pursuant to the scoping agreement, the traffic impact study identified the following ten intersections as the critical intersections, with existing traffic conditions for each analysis period summarized within the table below:

| EXISTING PEAK HOUR TRAFFIC CONDITIONS | | |
|--|------------------|--------------|
| Intersection | LOS/CLV (delay)* | |
| | AM | PM |
| MD 450 & Harkins Road/Finn Lane | A/700 | A/828 |
| MD 450 & 85th Avenue | B/1128 | D/1375 |
| MD 450 & W. Lanham Drive* | 25 Seconds | 40 Seconds |
| Harkins Road & W. Lanham Dr./Private Driveway | A/546 | A/536 |
| Harkins Road & Ellin Road | A/471 | A/623 |
| MD 410 & Ellin Road | B/1124 | A/990 |
| Harkins Road & Future DHCD Building Access Road* | N/A | N/A |
| Harkins Road & Future Main Access Road | N/A | N/A |
| Harkins Road & IRS Access Drive Way* | 10.2 Seconds | 10.9 Seconds |
| W. Lanham Drive & Cross Street* | 4.2 Seconds | 7.5 Seconds |
| *In analyzing unsignalized intersections, the 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. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably. For any reported delay exceeding 50.0 seconds and minor street traffic volume exceeding 100 vehicles during a peak hour, the intersection as unsignalized is deemed adequate if the CLV calculation for a the simple two-phase signal operation results in 1,150 or better. | | |

As required, the background condition evaluates the anticipated background traffic with existing and programmed transportation infrastructure and improvements that are 100 percent funded, or bonded and permitted for construction.

The background traffic combines growth in existing traffic volumes attributable to development outside the study area with traffic that would be generated by approved but not yet built developments within the study area. A review of the historical SHA traffic volume maps indicates that major roadways in the immediate vicinity of the site have experienced less than 0.1 percent growth per year over the last nine years. Therefore, the conservative use of a one percent per year growth rate for the impacted roadways through 2019 for the proposed build-out year is supported.

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Within the study area, there is one approved but not yet fully built development, Metroview. This development, as approved (PGCPB Resolution No. 01-83) at full build-out, would result in an additional 819 AM and 819 PM peak-hour vehicle trips to the area road network. For the background condition, there are no programmed and/or funded improvements.

The results of background analyses are shown within the following table:

| BACKGROUND PEAK HOUR TRAFFIC CONDITIONS | | |
|--|-------------------------|--------------|
| Intersection | LOS/CLV (delay)* | |
| | AM | PM |
| MD 450 & Harkins Road/Finn Lane | A/810 | A/973 |
| MD 450 & 85th Avenue | B/1266 | E/1582 |
| MD 450 & W. Lanham Drive* | 28 Seconds | 42 Seconds |
| Harkins Road & W. Lanham Dr./Private Driveway | A/704 | A/715 |
| Harkins Road & Ellin Road | A/762 | A/861 |
| MD 410 & Ellin Road | D/1304 | C/1169 |
| Harkins Road & Future DHCD Building Access Road* | N/A | N/A |
| Harkins Road & Future Main Access Road | N/A | N/A |
| Harkins Road & IRS Access Drive Way* | 10.5 Seconds | 11.2 Seconds |
| W. Lanham Drive & Cross Street* | 4.5 Seconds | 7.5 Seconds |
| *In analyzing unsignalized intersections, the 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. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably. For any reported delay exceeding 50.0 seconds and minor street traffic volume exceeding 100 vehicles during a peak hour, the intersection as unsignalized is deemed adequate if the CLV calculation for a the simple two-phase signal operation results in 1,150 or better. | | |

The Phase 1 traffic condition represents the combination of background traffic and the projected site-generated traffic for Phase1, as presented earlier. The total Phase 1 traffic analysis conditions reported in the table below are based on the following improvements:

- a. Provision of a channelized left-turn lane from eastbound Harkins Road to the proposed DHCD Building Access Road; and
- b. Provision of a channelized DHCD Building Access Driveway at Harkins Road which would not physically allow a left-turn onto eastbound Harkins Road.

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| PHASE 1 PEAK HOUR TRAFFIC CONDITIONS | | |
|--|------------------|--------------|
| Intersection | LOS/CLV (delay)* | |
| | AM | PM |
| MD 450 & Harkins Road/Finn Lane | A/823 | A/995 |
| MD 450 & 85th Avenue | B/1268 | E/1598 |
| MD 450 & W. Lanham Drive* | 35.5 Seconds | 49.8 Seconds |
| Harkins Road & W. Lanham Dr./Private Driveway | A/809 | A/786 |
| Harkins Road & Ellin Road | A/816 | A/903 |
| MD 410 & Ellin Road | D/1321 | C/1211 |
| Harkins Road & DHCD Building Access Road* | 9.5 Seconds | 11.0 Seconds |
| Harkins Road & Future Main Access Road | N/A | N/A |
| Harkins Road & IRS Access Drive Way* | 10.5 Seconds | 11.2 Seconds |
| W. Lanham Drive & Cross Street* | 6.7 Seconds | 9.0 Seconds |
| *In analyzing unsignalized intersections, the 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. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably. For any reported delay exceeding 50.0 seconds and minor street traffic volume exceeding 100 vehicles during a peak hour, the intersection as unsignalized is deemed adequate if the CLV calculation for a the simple two-phase signal operation results in 1,150 or better. | | |

The full build-out traffic condition represents a combination of background traffic and the projected traffic for proposed development at build-out, as presented earlier. The build-out traffic conditions reported in the table below are based on the following improvements, in addition to those listed above for Phase 1:

- a. Provision of a traffic signal for the intersection of Annapolis Road (MD 450) and West Lanham Drive;
- b. Provision of a traffic signal for the intersection of Harkins Road and the proposed site's main access road; and
- c. Widening of the southbound approach leg of 85th Avenue at its approach to MD 450, to provide for two exclusive left-turn lanes, one through lane, and one exclusive right-turn lane. This is the same improvement required of the Metroview development (Condition 6.a., PGCPB Resolution No. 01-83).

The submitted traffic study proposes restriping of the northbound approach of 85th Avenue to provide for one shared through and left lane, and two exclusive right-turn lanes instead of the

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required widening to the southbound approach. While it has been shown that the proposed restriping of the northbound approach would also result in acceptable LOS during both AM and PM peak hours, it is not recommended the inclusion without adequate operational analysis and acceptance by SHA and DPW&T.

| BUILD OUT PEAK HOUR TRAFFIC CONDITIONS | | |
|--|-------------------------|--------------|
| Intersection | LOS/CLV (delay)* | |
| | AM | PM |
| MD 450 & Harkins Road/Finn Lane | A/879 | B/1087 |
| MD 450 & 85th Avenue W/ proposed improvement | B/1233 | E/1594 |
| MD 450 & W. Lanham Drive W/ Proposed Signal | D/1415 | E/1572 |
| Harkins Road & W. Lanham Dr./Private Driveway | A/962 | B/1011 |
| Harkins Road & Ellin Road | A/913 | B/1144 |
| MD 410 & Ellin Road | D/1418 | D/1352 |
| Harkins Road & DHCD Building Access Road* | 10.3 Seconds | 17.4 Seconds |
| Harkins Road & Main Access Road W/ Proposed Signal | A/662 | A/780 |
| Harkins Road & IRS Access Drive Way* | 10.5 Seconds | 11.2 Seconds |
| W. Lanham Drive & Cross Street* Limited to Right in/out | 9.5 Seconds | 12.6 Seconds |
| *In analyzing unsignalized intersections, the 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. If the reported delay does not exceed 50 seconds, the intersection is deemed to operate acceptably. For any reported delay exceeding 50.0 seconds and minor street traffic volume exceeding 100 vehicles during a peak hour, the intersection as unsignalized is deemed adequate if the CLV calculation for a the simple two-phase signal operation results in 1,150 or better. | | |

The results shown in the tables above indicate that all studied intersections would operate acceptably under total traffic for Phase 1 and build-out, provided the identified improvements for each phase, shown in bold in the above tables, are either constructed or fully bonded and permitted for construction. This includes channelization of the Cross Street approach to West Lanham Drive to restrict any left turn to and from West Lanham Drive, unless modified by DPW&T, to address potential traffic back-ups along MD 450.

Conformance to the approved Plans and On-Site Circulation/Access Review

Since the subject property is located primarily within the designated Metro Core area of the New Carrollton TDDP, the TDDP recommends a street grid network with additional street connections to MD 450 and the Metro Station:

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Page 27—indicating the need for additional connections to MD 450 to improve walkability and linkage for residents north of MD 450 to access the Metro Station by foot and/or bicycle; and

Page 151—requiring connections shall be provided between new streets in the TDDP area and existing local and minor collector streets.

The submitted plan proposes three access points for the proposed development, one onto Cross Street and two others along Harkins Road. It is supported that the driveway continuation from Cross Street east into the site to the proposed main access be constructed as a two-lane driveway with on-road bike accommodation (shared lanes) and sidewalks on both sides of a 36-foot-wide (minimum) public use access easement with no additional right-of-way dedication. It is also supported that the main access road to Harkins Road be extended through the proposed parking garage and allow for its future connection to the northern limits of the subject property. This extension should also provide for two travel lanes with on-road bike accommodation (shared lanes) and sidewalks on both sides on a 42-foot-wide (minimum) public use access easement.

The existing right-of-way for Harkins Road along the subject site frontage is approximately 77 feet wide. The existing roadway consists of two travel lanes on each side and a raised wide median that includes a left-turn lane at key locations. The TDDP envisions and recommends Harkins Road as a collector facility and as a primary bus route with attractive lighted bus shelters, including detailed bus route maps with schedules and electronic “next bus” signs at all bus stops, and excellent accommodation for pedestrian and bicycles. To accommodate these, the submitted plan shows additional dedication of 15 feet along the entire property frontage of Harkins Road.

The submitted plans show the provision of 60 feet of total right-of-way for West Lanham Drive, which is deemed sufficient per the TDDP requirements, identifying this roadway as a local street. No additional dedication is required along West Lanham Drive.

For on-site circulation, Parcels A through F will utilize a cross, parking, and access easement to serve as an inter-parcel connection and access to the public rights-of-way for the mixed-use development pursuant to Section 24-128(b)(8) of the Subdivision Regulations. A separated public access easement will be recorded to ensure that vehicular and pedestrian connection can be made from Harkins Road to the northern property line and from Cross Street to the driveway on Parcel C.

Based on the preceding findings, it is determined that adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations.

13. **Schools**—The residential portion of this PPS was reviewed for impact on school facilities in accordance with Section 24 122.02 of the Subdivision Regulations and Council Resolution CR-23-2003 and concluded the following:

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Residential**Impact on Affected Public School Clusters
Multifamily Units**

| Affected School Clusters # | Elementary School Cluster | Middle School Cluster | High School Cluster |
|----------------------------|---------------------------|-----------------------|---------------------|
| Dwelling Units | 700 | 700 | 700 |
| Pupil Yield Factor | 0.042 | 0.039 | 0.033 |
| Subdivision Enrollment | 29 | 23 | 23 |
| Actual Enrollment | 32,692 | 9,421 | 14,494 |
| Total Enrollment | 32,721 | 9,444 | 14,517 |
| State Rated Capacity | 36,567 | 11,807 | 16,740 |
| Percent Capacity | 89% | 80% | 87% |

Source: Prince George's County Planning Department, M-NCPPC, January 2007

Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between the Capital Beltway (I-95/ 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 (WMATA); 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 \$8,862 and \$15,185 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The plan has been reviewed for a possible school location as envisioned in the TDDP. On page 14 of the TDDP plan, Map 4, Illustrative Vision, it shows a "possible school" site. This is a floating symbol, which is not site specific. On page 112, the plan does not envision a new school until 2019 through 2028. With the proposed dwelling units, the applicant's site does not significantly increase the capacity of the existing schools and does not exceed the state-rated capacity. Therefore, the initiation of a further review for the reservation of a school site is not recommended.

Nonresidential

The commercial portion of the PPS has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002), with the conclusion that this portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

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14. **Fire and Rescue**—The proposed PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations and found to be within the recommended response times.

Residential

The proposed development is within the seven-minute required response time for the first due fire station using the *Seven-Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

| First Due Fire/EMS Company # | Fire/EMS Station | Address |
|------------------------------|-------------------|---------------------|
| 28 | West Lanham Hills | 7609 Annapolis Road |

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in CB-56-2005.

Nonresidential

The subdivision has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

| Fire/EMS Company # | Fire/EMS Station Name | Service | Address | Actual Travel Time (minutes) | Travel Time Guideline (minutes) | Within/ Beyond |
|--------------------|-----------------------|--------------|---------------------|------------------------------|---------------------------------|----------------|
| 28 | West Lanham | Engine | 7609 Annapolis Road | 0.70 | 3.25 | Within |
| 28 | West Lanham | Ladder Truck | 7609 Annapolis Road | 0.70 | 4.25 | Within |
| 30 | Landover Hills | Paramedic | 6801 Webster Street | 2.40 | 4.25 | Within |
| 30 | Landover Hills | Ambulance | 6801 Webster Street | 2.40 | 7.25 | Within |

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site. The above findings are in conformance with the 2008 *Adopted and Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure."

15. **Police Facilities**—The subject property is located in Police District I, Hyattsville. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The

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times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on June 28, 2013.

Residential

| Reporting Cycle | Previous 12 Month Cycle | Emergency Calls | Nonemergency Calls |
|-----------------|-------------------------|-----------------|--------------------|
| Acceptance Date | 6/2012-5/2013 | 6 minutes | 12 minutes |
| Cycle 1 | | | |
| Cycle 2 | | | |
| Cycle 3 | | | |

The response time standards of ten minutes for emergency calls and 25 minutes for nonemergency calls were met on July 2, 2013.

The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn police personnel staffing levels.

Nonresidential

The proposed development is within the service area of Police District I, Hyattsville. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department, and the July 1, 2012 (U.S. Census Bureau) county population estimate is 881,138. Using 141 square feet per 1,000 residents, it calculates to 124,240 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

16. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed the subject property in water and sewer Category 3, Community System, and will therefore be served by public systems.

17. **Health Department**—The Prince George's County Health Department has evaluated the proposed PPS and has no comments.
18. **Public Utility Easement (PUE)**—In accordance with Sections 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

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“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The site has frontage on Harkins Road to the south, West Lanham Drive to the west, and Cross Street to the northwest, which are all public rights-of-way. The PPS shows a private driveway to be utilized for circulation of the site. The PPS shows a ten-foot-wide public utility easement (PUE) along West Lanham Drive and Cross Street. The record plat (REP 192-26) for existing Parcels J and D shows a ten-foot-wide PUE along Harkins Road. The PPS shows the recorded PUE as part of the right-of-way dedication for Harkins Road and proposes no new PUE along Harkins Road for the site. A ten-foot-wide PUE is required along public rights-of-way by the Subdivision Regulations. The applicant has indicated that they are in the process of obtaining approval of a color-coded utility plan that will provide an alternative to the ten-foot-wide PUE. There is no opposition to such an alternative in a dense urban environment. However, approval of the color-coded utility plan should be obtained prior to certificate approval of the DSP and ultimately reflected on the final plat prior to approval, or a ten-foot-wide PUE will be required.

19. **Archeology**—One historic Archeological Site (18PR861), a nineteenth or twentieth century domestic artifact scatter, is located within one-mile of the subject property. The subject property was previously developed as the West Lanham neighborhood, which was platted in 1938. Most of the lots in West Lanham were developed with modest houses by the mid-1960s. All but one of these houses was demolished by 2009 and the area graded. Due to grading on the property, the probability of identifying intact archeological resources within the subject property is low.

One structure from the West Lanham subdivision remains on the subject property. This house is located at 7800 Cross Street and is on Lot 12 of Block A in the West Lanham subdivision. Tax and deed records indicate that the house was built in the late 1950s. This house is proposed to be demolished. The house should be recorded on a Maryland Inventory of Historic Properties (MIHP) form prior to demolition. The documentation should include floor plans and representative interior and exterior photographs of the house.

There are two historic sites, Thomas Hunster House (69-023-27) and Wormley House (69-023-17), and two historic resources, Whitfield Chapel (70-008) and Bald Hill School Ruins (70-009), located within one mile of the subject property.

Phase I archeological survey is not recommended on the subject property as the site has been graded on more than one occasion and the probability of encountering intact archeological resources is low. The historic sites and resources located in the vicinity of the subject property will not be impacted by the proposed development. These resources are separated from the subject property by major roadways and are not adjacent to it.

20. **Use Conversion**—The subject application is proposing 700 multifamily units, 256,000 square feet of office space, and 150,000 square feet of retail space in the M-X-T Zone. If a substantial revision to the mix of uses on the subject property is proposed that significantly affects Subtitle 24 adequacy findings as set forth in a resolution of approval, that revision of the mix of uses may

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require approval of a new preliminary plan of subdivision prior to approval of any building permits.

21. **Outlot 1**—This PPS proposes to resubdivide the subject site (14.82 acres total) to Parcels A through F (13.67 acres) and one outlot (1.15 acres) for a mixed-use development. The adequate public facilities analysis provided for the mixed-use development with this PPS is for proposed Parcels A through F with no development being proposed for Outlot 1. The submitted Detailed Site Plan, DSP-13026, for this mixed-use development does not include proposed Outlot 1 as part of the development and is 13.67 acres.

Existing Parcels J and D on the site are subject to Metroview, PPS 4-01014 and DSP-01012. The land area of proposed Outlot 1 is within existing Parcel D. The applicant has indicated that proposed Outlot 1 is intended to be a residue of existing Parcel D and will be part of the redevelopment of the abutting property to the east of the site under PPS 4-01014 and the previously approved DSP. To clarify the process and avoid creating an outlot as a residue of an existing parcel, a lot line adjustment should be made on existing Parcel D. This adjustment would be interior to the existing DSP for Metroview and would not require a prior revision to DSP-01012.

It is supported and the applicant has agreed that, prior to final plat, the applicant obtain approval pursuant to Section 24-108(a) of the Subdivision Regulations for existing Parcel D to adjust the common boundary line with Parcel E (Metroview) to the east to incorporate the land area of proposed Outlot 1 into abutting Parcel E. Removal of the land area of proposed Outlot 1 from this PPS will make the site area consistent with the proposed mixed-used development on the PPS and DSP.

22. **Vacation Petition**—This PPS includes Sherwood Street and a portion of Cross Street, which are dedicated public rights-of-way and were recorded in Plat Book BB 6-27 on February 16, 1938. The PPS proposes to incorporate the rights-of-way into proposed Parcels A through E. The applicant has filed a Vacation Petition (V-13007) for the entirety of Sherwood Street (1.02 acres) and a portion of Cross Street (0.29 acre). This PPS proposes that Parcels A through F have frontage on and access to public rights-of-way via a Section 24-128(b)(8) easement provided by Section 27-548(g) of the Zoning Ordinance. Proposed Parcels A through F have frontage on three public rights-of-way, West Lanham Drive, Cross Street, and Harkins Road. The PPS proposes a driveway on Parcels C and E to have access to Harkins Road and a driveway on Parcel B to have access to Cross Street. The driveway plaza area on Parcels C and B will be the main access for the site and will provide the retail and multifamily units on Parcels A and D access to Harkins Road and Cross Street. The driveway on Parcel E will provide the parking lot on Parcel E and offices on Parcel F access to Harkins Road. Parcels A through F propose to utilize a private cross access easement to serve as an inter-parcel connection and access to the public rights-of-way for the mixed-use development pursuant to Section 24-128(b)(8) of the Subdivision Regulations. The alignment of the driveway on Parcel C was ultimately envisioned by the New Carrollton TDDP to be a connection from Harkins Road to Annapolis Road (MD 450). The driveway on Parcel B provides a connection from Cross Street to the driveway on Parcel C. A public use access easement will be required within the driveway on Parcels C and B to ensure vehicular and

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pedestrian access onto and through the site once a future access connection to the abutting property to the north and eventually to MD 450, as envisioned by the TDDP, is made. The public use easement over the driveway on Parcels C and B will be consistent with Staff Exhibit A.

This PPS proposes to vacate Sherwood Street and a portion of Cross Street and, in their replacement, the site will be utilizing the surrounding public rights-of-way, an access easement on-site pursuant to Section 24-128(b)(8), and a public use easement to continue the street network as envisioned by the TDDP. Approval of the vacation petition in accordance with Section 24-112 must be obtained prior to approval of the final plat for Parcels A through E which is required for the development as proposed. Proposed Parcel F does not include any portion of the public rights-of-way that are to be vacated, therefore, a plat for Parcel F could proceed in accordance with Section 24-119(e)(2), which allows for sequential platting, prior to approval of the vacation petition.

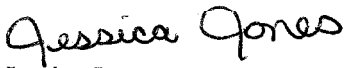
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 12, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of October 2013.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:QN:arj

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date 9/25/13