

R E S O L U T I O N

WHEREAS, Jemal Fairfield Farms, LLC is the owner of a 34.78-acre parcel of land known as Parcels C, D, E, and F; Lots 5, 6, 7 and Block N; and the residue of Parcel D, said property being in the 18th Election District of Prince George's County, Maryland, and being zoned Mixed Use–Transportation Oriented; and

WHEREAS, on December 14, 2017, Jemal Fairfield Farms, LLC filed an application for approval of a Preliminary Plan of Subdivision for four parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16040 for Addison Row 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 March 8, 2018, 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 March 8, 2018, 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 Type 1 Tree Conservation Plan TCP1-041-07-01, and further APPROVED Preliminary Plan of Subdivision 4-16040, including a Variation from Section 24-122(a), for four parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. Add Zoning Map Amendment (A-9981) to General Note 5.
 - b. All plans shall be revised to show the future trail connection as it is labeled on applicant's Exhibit A.
 - c. All access easements shall be recorded amongst the Prince George's County Land Records.
 - d. Correct the net and gross tract areas in the general notes.
 - e. Correct General Note 25 to reflect that the tree conservation plan is an '01' revision.

- f. Locate the 45 dBA Ldn and 65 dBA Ldn mitigated noise line.
 - g. Amend the Parcel Summary table to “proposed” and add the dwelling unit type.
 - h. Amend the Parcel Summary table to remove the “dedication” column.
 - i. Reflect applicant’s Exhibit A on the PPS and Type 1 tree conservation plan.
 - j. Change the square footage to acreage above one acre.
 - k. Note the approval of the variation.
 - l. Add the total gross floor area (GFA) of commercial space.
 - m. Include vacated sections within the site boundary.
 - n. Impacts 1–5 shall be removed from the Type 1 tree conservation plan (TCP1). Future requests for necessary impacts may be submitted and evaluated with the associated detailed site plan and TCP2 as a revision in this TCP1.
- 2. A substantial revision to the use on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to approval of any building permits.
 - 3. Development of the site shall be in conformance with an approved stormwater management (SWM) concept plan and any subsequent revisions. The final plat shall note the approved SWM concept number.
 - 4. In accordance with Section 24-135(b) of the Prince George’s County Subdivision Regulations, the applicant and the applicant’s heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
 - 5. At the time of detailed site plan, private on-site recreational facilities shall be approved for adequate siting and layout, and the triggers for construction shall be established.
 - 6. Total development within the subject property shall be limited to uses which generate no more than a net total of 391 AM and 586 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

7. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public and private rights-of-way, with the exception of Woodhill Drive.
8. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
 - a. Provide a draft easement or covenant document that ensures perpetual access, pursuant to Section 24-128(b)(9) of the Subdivision Regulations, to Parcel 4, as reflected on the approved preliminary plan of subdivision, for review and approval by the Development Review Division of M-NCPPC. The final plat shall note the liber and folio of the recorded easement or covenant prior to recordation.
 - b. Reflect the denial of access along the street frontage for Parcel 4.
9. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Payment of \$420 to the Prince George's County Department of Public Works and Transportation for the placement of bicycle signage along Addison Road. A note shall be placed on the final record plat for payment to be received prior to issuance of the first building permit.
 - b. Bicycle parking shall be provided at the proposed buildings on the site. The location and number of bicycle racks will be determined at the time of detailed site plan.
10. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-041-07-01). 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 (TCP1-041-07-01), 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.”

11. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts or existing easements that are to remain, and shall be reviewed by the M-NCPPC Prince George's County, Countywide Planning Division, Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
12. Prior to issuance of any permits, which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
13. Prior to approval of the detailed site plan (DSP), the DSP shall:
 - a. Demonstrate how the outdoor activity areas will be mitigated to noise levels 65 dBA Ldn or less. If mitigation of other than the recommended seven-foot-high noise barrier is used, an amended Phase II noise study shall be submitted to determine if the proposed mitigation is sufficient.
 - b. Adjust the common boundary line between Parcels 1 and 3 to accommodate an appropriate drive aisle extending into the property, if deemed appropriate.
14. Prior to approval of any building permit, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA Ldn or less.
15. Prior to final plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) of the M-NCPPC Prince George's County Planning Department for construction of recreational facilities on-site, including appropriate triggers for construction. Upon approval by DRD, the RFA shall be recorded amongst the Prince George's County Land Records.
16. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on-site prior to issuance of building permits.

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 with conditions, 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 north of the intersection of Addison Road and North Englewood Drive. The preliminary plan of subdivision (PPS) includes Parcel's C, D, E, and F recorded in Prince George's County Land Records in Liber 36831 at folio 561. The plan also includes Lots 5, 6, 7 and Block N recorded in Liber 30114 at folio 316 and the residue of Parcel D recorded at Liber 12715 at folio 365. The gross tract area of the property is approximately 34.78 acres, which includes .19 acres of right-of-way to be vacated and incorporated into this site. The property is located in the M-X-T Zone and is improved with a warehouse that is currently vacant and proposed to be demolished. The applicant is proposing to subdivide the property into four parcels for a development consisting of 648 multifamily dwelling units and 40,640 square feet of commercial gross floor area.

Parcels 1 and 2 are proposed for residential use while Parcel 3 and 4 are proposed for commercial use. None of the individual parcels are proposed as mixed use, but together this site is considered a mixed-use development. Parcels 1, 2, and 3 have frontage and direct access to Addison Road. However, while Parcel 4 does have frontage along Minnesota Avenue, it does not have direct access, which is required by Section 27-548(g) of the Zoning Ordinance and Section 24-128(a) of the Subdivision Regulations, unless the use of an access easement is approved by the Planning Board with the approval of the PPS. The applicant is proposing two vehicular-access easements from Addison Road. A 77-foot-wide access easement, located between Parcel 1 and 3 is proposed, to provide access to Parcels 1, 2, 3 and 4. However, the easement, as depicted on the PPS, does not provide access to Parcel 4 based on the concept plan. The second easement, a 30-foot access easement located at the west boundary of Parcel 3, proposes and reflects vehicular access from Addison Road to Parcel 3 and 4. While both proposed easements are supported, the applicant should note that only the 30-foot access easement is required and is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations for Parcel 4, because Parcels 1–3 have frontage and direct vehicular access as described above. Prior to signature approval, the PPS shall provide notes reflecting this arrangement.

Metro and CSX rail lines abut the subject property to the west and pursuant to 24-121(a)(3) of the Subdivision Regulations, the applicant shall provide a 300-foot lot-depth line from the railway on the PPS for informational purposes only, as the parcels proposed do in fact meet this requirement. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (area master plan), discusses the construction of a master planned trail between the subject property and the railway lines that extends into the Lower Beaverdam Creek stream valley at the northern end of the subject site. The trail is proposed to extend through the M-NCPPC parkland, which borders the subject site to the northwest. The feasibility of the trail construction as well as the required parkland dedication, is discussed in further detail in the Trails and Parks sections. Based on a thorough analysis, the construction of the master plan public trail or parkland dedication is not required with the PPS.

The subject site abuts Woodhill Drive, a dedicated public street that is not proposed to extend onto the site along its eastern boundary. Pursuant to Section 24-122(a) of the Subdivision Regulations, public utility easements (PUE) must be provided along both sides of the public right-of-way. The applicant has submitted a variation request for relief from the PUE requirement along Woodhill Drive. The Planning Board approves the variation request, as discussed further herein.

3. **Setting**—The property is located on Tax Map 58, Grid E-4 in Planning Area 72. The site is encompassed by single-family detached dwellings in the R-55 Zone to the east of the property, commercial, single-family detached dwellings and religious institutional uses in the R-18, R-55, R-T, and C-M Zones to the south. The site is bounded by industrial uses in the R-T Zone to the southwest and by the Metro Orange and Penn Central Railroad Lines to the west. The site abuts vacant land in the I-2 Zone in the north.
4. **Development Data Summary**—The following information relates to the subject PPS application and the development.

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Warehouse (to be demolished)	Multifamily Residential (648 units) Commercial (40,640 sq. ft.)
Acreage	33.37	34.78
Lots	3	0
Outlots	0	0
Parcels	4	4
Dwelling Units:	0	648 (multifamily)
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	Yes (Section 24-122(a))

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on December 29, 2017. The requested variation from Section 24-122(a) of the Subdivision Regulations was accepted on December 29, 2017 and heard at the SDRC meeting on January 12, 2018, as required by Section 24-113(b) of the Subdivision Regulations.

5. **Previous Approvals**—The site is subject to a previously approved Zoning Map Amendment A-9981-C with 17 conditions. The following conditions are pertinent to this PPS:

3. **Multifamily development shall have direct access to arterial or collector roads and shall not have primary access through single-family residential streets.**

Parcels 1 and 2, which are approved for multifamily dwelling units, both have direct access to a collector, Addison Road. Neither parcel has access to Woodhill Drive which is a single-family residential street that abuts the eastern edge of the subject site. Furthermore, the single-family residential neighborhood to the east is screened from this site by a 50-foot-wide buffer that runs along the entire eastern border of the subject site, that is to remain.

4. **Wherever possible, living areas shall be linked to community facilities, transportation facilities, employment areas, and other living areas by a continuous system of pedestrian walkways and bike trails utilizing the open space network.**

The sidewalk network is delineated on the submitted Type 1 tree conservation plan (TCP1) and is comprehensive. It extends throughout the development and fulfills the policy and goals of the Complete Streets section of the 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

9. **A determination regarding stream valley dedication and /or trail construction along Beaverdam Creek will be made at the time of CSP.**

A determination was made at the time of the CSP review, that the dedication and construction of the Beaverdam Creek trail was not feasible due to its severe slopes and lack of public access. Additional on-site investigations subsequent to the review of this PPS arrived at the same conclusion.

A Conceptual Site Plan (CSP-06003) was approved by the Planning Board on September 22, 2008 (PGCPB Resolution No. 08-119). The District Council affirmed the Planning Board's decision and approved this application on March 22, 2010, for the subject property with 24 conditions. The following conditions are pertinent to this PPS:

11. **The applicant, the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the DPW&T for the placement of bicycle signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.**

A condition of approval addressing the bicycle signage is required with this PPS approval. The cost for the signage has been modified per the latest DPW&T Cost Index.

12. **Prior to approval of the applicable DSP, a 50-foot-wide tree preservation/landscape buffer shall be provided along the entire eastern property line. Where quality woodland exists along the eastern property line, it shall be preserved in its entirety to a maximum of 50 feet in width. Based on engineering necessity, a reduction from the 50-foot-wide**

preservation/landscape buffer may be considered in conjunction with enhanced buffering techniques or architecture on the structured parking garages.

The TCP1 shows a combination of preservation and reforestation in a 50-foot-wide tree preservation/landscape buffer along the entire eastern property line. The stormwater concept plan (15244-2006-01) submitted with this application, shows micro-bioretenment areas and associated grading within the 50-foot-wide buffer; however, the SWM concept plan is not approved. It is currently being revised to be consistent with the layout submitted with this PPS application, removing these bio-retention facilities outside the buffer.

The applicant's original submission included stormwater management facilities that encroached on the required 50-foot landscape buffer. However, the revised TCP1 now reflects a continuous 50-foot buffer along the entire eastern boundary of the subject property.

- 18. Prior to certification of the CSP, the TCP I shall be revised to show conceptually the location of all proposed outdoor activity areas and the unmitigated 65 dBA Ldn noise contour based on the "Phase I Railway Noise Analysis, Cheverly Row," dated April 20, 2006.**

The unmitigated 65 dBA Ldn noise contour is reflected on the TCP1. The proposed picnic area, pre-teen lot, splash park, tot-lot and picnic area are all within the unmitigated noise contour.

- 19. At the time of preliminary plan, the preliminary plan application shall include a Phase II noise study addressing how noise has been mitigated to 65 dBA Ldn for outdoor activity areas and 45 dBA Ldn for interior levels and the preliminary plan and TCPI shall be revised to conceptually show the proposed mitigation and the mitigated 65 dBA Ldn noise contour.**

The applicant included a Phase II noise study with the PPS. However, the PPS only delineates the 65 dBA Ldn unmitigated noise contour. Prior to signature approval, the 65 dBA Ldn mitigated noise line shall be reflected on the plan. A condition has been included that will require interior noise levels to be mitigated to 45 dBA Ldn or less.

- 22. The residential development of the project shall be limited to a maximum of 2,000 dwelling units, and the total development on the property shall be limited to uses that generate no more than 1,683 AM and 2,323 PM peak hour vehicle trips. This may require a reduction in the amount of Office, retail, and/or residential development to conform to the trip cap.**

While the CSP proposed a maximum of 2,000 dwelling units, this PPS includes 648 multifamily dwelling units, a reduction of 67 percent. Consequently, the site is projected to generate 391 AM and 586 PM trips, well below the trip capacity set by the CSP.

6. **Community Planning**—*Plan Prince George's 2035 Approved General Plan* designates the area in the Established Communities Growth Policy area. The vision for Established Communities is context-sensitive infill and low to medium-density development. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) recommends mixed-use and mixed-use residential land uses, respectively. This PPS is consistent with the General Plan and area master plan as required by Section 24-121(a)(5) of the Subdivision Regulations.
7. **Stormwater Management**—The site has a previously approved Stormwater Management Concept Plan (15244-2006-01) based on an earlier layout. The new plan proposes 41 micro-bioretenement areas and four swales. The applicant has stated that the concept is being revised to be consistent with the current layout. An approved concept will be required with the detailed site plan (DSP) and will be reviewed for substantial conformance to the PPS and cannot result in substantial changes to the parcel layout and access approved with this PPS.

If development within the floodplain is proposed, a floodplain waiver will be required by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The 100-year floodplain easement is required to be reflected on the final plat prior to approval pursuant to Section 24-124(b)(k) of the Subdivision Regulations. No additional information is required regarding stormwater management with this application.

Based on the level of design information currently available, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the TCP submitted for review, as discussed further in the Environmental finding.

8. **Parks and Recreation**—The projected population to be generated by this development is estimated to be 1,903 residents. The applicant has stated that this project will be developed as a gated community.

The current plan is comparable to the previously approved Conceptual Site Plan CSP-06003 (PGCPB Resolution No. 08-119); however, the residential density as originally proposed has been considerably reduced (2000 versus 648 dwelling units) by more than 67 percent. The applicant has indicated conceptually, on-site private recreational facilities, which may include a 2,500-square-foot, pre-school playground (ages 2-5), a 5,000-square-foot, school-age playground, a splash park, outdoor picnic areas, a loop trail, and a dog park. The provision of on-site private recreational facilities is consistent with the previously approved CSP. It is determined that the applicant's concept of on-site private recreational facilities meets the mandatory dedication requirements as per Section 24-134 of the Subdivision Regulations.

However, the applicant is responsible for demonstrating that the project provides the minimum recreational facilities required by the Subdivision Regulations. The provision of on-site private recreational facilities will be subject to final review at the time of the DSP for each phase of this project.

9. **Trails**—The site is located approximately 2,400 linear feet from the Cheverly Metro. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment for* (area master plan). Due to its location outside the Cheverly Metro Center, the application is not subject to the requirements of Section 24-124.01 of the Subdivision Regulations and the 2013 “Transportation Review Guidelines–Part 2” at the time of this PPS.

However, three master plan trail/bikeways impact the subject property, with a stream valley trail recommended along Lower Beaverdam Creek to the north, sidewalks and designated bike lanes recommended along Addison Road to the south, and a trail or wide sidewalk connection recommended on the former extension of Minnesota Avenue along the western edge of the site. Text regarding the master plan trail connection through the site was included in the 2005 *Approved Tuxedo Road/Arbor Street/Cheverly Metro Area Sector Plan and Sectional Map Amendment* and is copied below. This proposal was retained in the MPOT and the Subregion 4 Master Plan (see plan maps), but the text was not carried forward:

“Provide a trail connection from the proposed Beaverdam Creek stream valley trail to Addison Road. This trail will link residents of the Addison Road corridor with the Cheverly Metro Station. The trail could be accommodated in the paper street connecting to Addison Road.” (area master plan, page 40).

This trail is shown on the area master plan along the right-of-way (ROW) for Minnesota Avenue. This connection is intended to provide access from Addison Road to the stream valley trail along the previously planned roadway extension of Minnesota Avenue. The applicant has indicated a desire to construct the master planned trail and provide land for dedication to the Department of Parks and Recreation to ensure the trail’s viability. However, with the roadway extension no longer planned for this area, the steep slopes that remain in and around the trail, may preclude the connection shown in the master plan. Additionally, DPR has indicated that they are not interested in acquiring parkland at this location (between the stream valley and Addison Road) in order to provide a public connection. As this connection will be private and serve the residents of the subject site only, it can be accommodated via the internal sidewalk network reflected on the PPS. The sidewalk network proposed on-site is comprehensive and provides pedestrian access from the subject site to the proposed recreation facilities and future stream valley trail. Should a trail connection become more feasible in the future and to ensure network connectivity, the applicant submitted Exhibit A, which delineates a clearing for a future trail connection that leads from the site’s internal private trail, through an existing sanitary sewer easement, and terminating at the floodplain.

Text regarding the stream valley trail and Addison Road was included in the MPOT and is copied below:

“Addison Road Sidewalks and Bike Lanes: Designated bike lanes and continuous standard or wide sidewalks are needed to provide multimodal access to the Addison Road Metro Station south of MD 214. These facilities will accommodate safe and convenient multimodal access to the Addison Road Metro Station from the communities along Addison Road.” (MPOT, page 19).

The submitted plans include a standard sidewalk along Addison Road. Pavement markings for bike lanes (or another appropriate bicycle treatment) will be made by DPW&T/DPIE. Bicycle signage is recommended per the CSP.

“Lower Beaverdam Creek Stream Valley Trail: This trail will utilize a park trail corridor as well as some on-road improvements along Pennsy Drive to provide nonmotorized access to the Cheverly and Landover Metro stations. It will also provide access from Subregion 4 to the Anacostia Tributary Trails Network. This planned trail along the entire length of Lower Beaverdam Creek within Subregion 4 will be a substantial addition to the existing Anacostia Tributary Trails Network and will provide needed urban greenspace within an industrial corridor. This is a long-term recommendation as significant land acquisition and stream restoration will be required. Evaluate the feasibility of extending the Lower Beaverdam Creek to New Carrollton Metro.” (MPOT, page 35).

This is a long-term recommendation. Land acquisition needs to occur along the stream valley before construction can occur between the site and the Cheverly Metro. The applicant’s Exhibit A will ultimately provide access to the stream valley trail for the completion of this connector trail, when the master plan trail off-site is extended.

The Complete Streets section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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.

The internal sidewalk network reflected on the submitted TCP is comprehensive, extends throughout all sections of the subject site, and fulfills the policies noted above. These sidewalks will also accommodate access to the stream valley trail for the future residents of the site, and will be further evaluated with the DSP.

10. **Transportation**—The findings outlined below are based upon a review of the materials and analyses conducted, consistent with the “Transportation Review Guidelines” (Guidelines).

The subject property is located within the Transportation Service Area (TSA) 1, as defined in the *Plan Prince George’s 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

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

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Roundabouts: Where the analysis using the *Highway Capacity Manual* (Transportation Research Board) indicates a volume-to-capacity (v/c) ratio greater than 0.850 for the intersection, geometric improvements or trip reduction measures should be considered that will reduce the v/c ratio to an acceptable level. The operating agency can deem a v/c between 0.850 and 0.900 to be acceptable, and that agency must do this in writing in order for the Planning Board to make a similar finding.

The applicant is proposing 648 multifamily units and 40,640 square feet of commercial space. Using trip generation rates from the Guidelines, as well as the *Trip Generation Manual* (Institute of Transportation Engineers), the proposed development will have a net projected trip generation of 391 AM (101 in, 290 out) and 586 PM (347 in, 239 out).

The following intersections were identified as critical to the site:

- Addison Road and Eastern Avenue
- Addison Road and Doewood Lane
- Addison Road and Elkwood Lane
- Addison Road and Site
- Addison Road and Englewood Drive
- Addison Road and Sheriff Road

All of the intersections deemed critical are projected to operate within the transportation adequacy thresholds.

Since the trip generation is projected to exceed 50 trips in either peak hour, the applicant has provided a traffic impact study (TIS) dated August 2018. Using data from this TIS, the following results were determined:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Addison Road and Eastern Avenue	C/1,258	B/1,027
Addison Road and Doewood Lane	<50 seconds	<50 seconds
Addison Road and Elkwood Lane	<50 seconds	<50 seconds
Addison Road and Site	n/a	n/a
Addison Road and Englewood Drive	A/795	A/634
Addison Road and Sheriff Road	C/1,175	A/808
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the <i>The Highway Capacity Manual</i> (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

In evaluating the effect of background traffic, an average growth to the existing traffic data of one percent for the next six years was applied. In addition to the growth of traffic, two background developments were identified in the TIS. Those developments could potentially add in excess of 700 trips during both peak hours to all or most of the critical intersections. A background scenario based on growth in traffic and future developments yielded the following results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Addison Road and Eastern Avenue	C/1,341	B/1,093
Addison Road and Doewood Lane	<50 seconds	<50 seconds
Addison Road and Elkwood Lane	<50 seconds	<50 seconds
Addison Road and Site	n/a	n/a
Addison Road and Englewood Drive	A/894	A/678
Addison Road and Sheriff Road	C/1,280	A/865

Regarding the total traffic scenario, the TIS applied trip generation rates from the Guidelines. The following represents the projected trip generation:

Trip Generation Summary						
	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
648 Apartments	67	270	337	253	136	389
40,640 square feet commercial	56	34	90	157	171	328
<i>Less 40% pass by</i>	-22	-14	-36	-63	-68	-131
Primary Commercial trips	34	20	54	94	103	197
TOTAL new trips	101	290	391	347	239	586

The study assumed a trip distribution of approximately 55 percent to/from the west on Addison Road, and 25 percent to/from the east. A third analysis (total traffic) revealed the following results:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Addison Road and Eastern Avenue	E/1,464	C/1,213
Addison Road and Doewood Lane	<50 seconds	<50 seconds
Addison Road and Elkwood Lane <i>With CLV < 1,150 *</i>	>50 seconds	>50 seconds
Addison Road and Site	<50 seconds	<50 seconds
Addison Road and Englewood Drive	A/939	A/792
Addison Road and Sheriff Road	D/1,361	A/964
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the <i>Highway Capacity Manual</i> (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. <i>If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.</i>		

The results of the traffic analyses show that under total traffic, all of the critical intersections are deemed to be operating adequately.

Agency review

The TIS was referred to and reviewed by the Prince George's County Department of Public Works and Transportation (DPW&T). A memorandum dated January 19, 2018 from DPW&T concurred with the TIS's findings and conclusions.

Master Plan, Right-of-Way Dedication

The property is located in an area where the development policies are governed by the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA), as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The plans recommend Addison Road (C-408) be upgraded to a collector within a variable width right-of-way of 70-80 feet. The section of Addison Road along the property's

frontage is dedicated to the master plan requirement, and no additional dedication will be required of the applicant.

11. **Variation Request for Public Utility Easement (PUE)**—Section 24-122 of the Subdivision Regulations states that when utility easements are required by a public utility, the subdivider will include the following statement in the dedication documents recorded on the final plat:

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

The standard requirement for a public utility easements (PUEs) is 10 feet wide along both sides of all public rights-of-way. The site has frontage along the dedicated public rights-of-way Addison Road and Minnesota Avenue, and the applicant has provided the required PUE. The site also abuts Woodhill Drive, a stub street, on its eastern boundary which serves existing single-family detached dwellings from Englewood Drive. The applicant is required to provide a PUE at this location but submitted a variation request, which was heard on January 12, 2018, before the Subdivision and Development Review Committee.

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

Section 24-113. - Variations.

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**

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

The granting of the variation for relief from the PUE requirement will result in the removal of an unnecessary requirement and will not be detrimental to the public safety, health, or welfare or injurious to other property. Existing single-family residences to the east will maintain their established utility connections via easements that have been sufficient and the proposed development will be served via new easements along the proposed road network, from Addison Road.

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

The provision of a PUE in this location is neither practical nor necessary because the eastern property line of the subject site abuts the terminus of Woodhill Drive, which is not proposed to be extended. Condition 3 of Zoning Map Amendment A-9981-C specific to this site, prohibits the access of this portion of the site through existing residential streets which is addressed by a proposed 50-foot landscape buffer which runs along the entire east boundary of the site. This situation is unique to the property and is not generally applicable to other properties.

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

The single-family residential units along Woodhill Drive are already served by PUEs and the residential component of this project will be served by PUEs located elsewhere on the site. There are no other laws, ordinances or regulations which require a PUE at the time of final plat.

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

Due to the unique circumstances described above relating to the denial of the extension of Woodhill Drive into this site, the provision of a PUE where the subject property abuts its terminus would be unnecessary and burdensome on the applicant. Moreover, a PUE at this location would require woodland clearing where preservation along the property line is critical to maintaining a buffer for the abutting residential dwelling.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is zoned M-X-T; therefore, this provision does not apply.

12. **Schools**—This PPS has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003 and concludes the following:

Residential Portion

Impact on Affected Public School Clusters
Multifamily Units

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 3	High School Cluster 3
Dwelling Units	648 DU	648 DU	648 DU
Pupil Yield Factor	0.119	0.054	0.074
Subdivision Enrollment	77	35	48
Actual Enrollment in 2017	6,475	2,371	3,659
Total Enrollment	6,552	2,405	3,707
State Rated Capacity	8,667	2,610	4,565
Percent Capacity	76%	92%	81%

County Council Bill CB-31-2003 established a school facilities surcharge in the amount 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; 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 \$9,317 and \$15,972 to be paid at the time of issuance of each building permit.

The commercial portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

13. **Fire and Rescue**—This PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) of the Subdivision Regulations and makes the following findings:

Residential Portion

The project is served by Chapel Oaks Fire/EMS, Company 838, which is located at 5544 Sheriff Road. The Deputy Fire Chief Dennis C. Wood, Emergency Services Command of the Prince George's County Fire/EMS Department, stated in writing that as of December 18, 2017, the project is within a seven-minute travel time from the first due station.

Nonresidential Portion

The Prince George's County Fire/EMS Department indicates that a five-minute total response time is recognized as the national standard for Fire/EMS response times. This arises from the 2016 Edition of the National Fire Protection Association (NFPA) 1710 Standards for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. This standard is being applied to the review of nonresidential subdivision applications.

The Deputy Fire Chief Dennis C. Wood, Emergency Services Command of the Prince George's County Fire/EMS Department, stated in writing that as of March 1, 2018, the subject project was determined to have a travel time under four minutes, therefore, an associated total response time under five minutes, from the closest Chapel Oaks Fire/EMS station 838, which is located at 5544 Sheriff Road. Applying the national standard, the subject property passes the adequacy test.

14. **Police Facilities—**

Residential Portion

This PPS has been reviewed for adequacy of police services in accordance with Section 24-122.01(c) of the Subdivision Regulations.

The subject property is in Police District III, Palmer Park. The response time standards established by Section 24-122.01(e) is ten minutes for emergency calls and 25 minutes for nonemergency calls. The PPS was accepted for processing by the Planning Department on December 14, 2017. Based on the most recent available information provided by the Police Department as of December 2015, the police response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls are met.

Nonresidential Portion

The proposed development is within the service area of Police District III, Palmer Park. There is 267,660 square feet of space in all the facilities used by the Prince George's County Police Department and the July 1, 2016 (U.S. Census Bureau) county population estimate is 908,049. Using the national standard of 141 square feet per 1,000 residents, it calculates to 128,034 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

15. **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 this property in Water and Sewer Category 3, Community System, and will therefore be served by public systems.
16. **Use Conversion—**The total development included in this PPS is for 648 multifamily dwelling units and 40,000 square feet of commercial space. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings as set forth in the

resolution of approval and reflected on the PPS plan, that revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits

17. **Historic**—The subject property is near (but is not adjacent to) the Fairmount Heights High School Historic Site (72-064). A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources or known archeological sites. Phase I archeology survey is not required.
18. **Urban Design**—Conformance with the Zoning Ordinance regulations is required for the proposed development at time of the DSP review and includes conformance to the uses and regulations of the M-X-T Zones as well as Parts 11 and 12 regarding parking and signage.

The applicant submitted a Detailed Site Plan (DSP-17023) for pre-review on October 3, 2017. The M-X-T Zone requires that a CSP and a DSP be approved for all uses and improvements. The site has an approved CSP that allows a much larger development than what is proposed in this PPS, in terms of both the number of dwelling units and gross floor area (GFA). However, the applicant must still obtain a DSP approval. In accordance with Section 27-282(g) of the Zoning Ordinance, the DSP can amend the CSP, but conditions of the rezoning, must still be complied with. As discussed previously, this PPS does comply with the conditions of the previous rezoning (A-9981).

In accordance with Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone should be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the applicable landscaping requirements has been evaluated for spatial relationships, but will be determined with Detailed Site Plan DSP-17023.

Tree Canopy Coverage

Proposed development of more than 5,000 square feet or greater of GFA or disturbance on property zoned M-X-T, such as the subject site, is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy per the requirements of Section 25-128 (b) of the Tree Canopy Coverage Ordinance (TCC). Conformance with this requirement will be determined with Detailed Site Plan DSP-17023.

Lotting Pattern

Parcel 2 has frontage and direct access to Addison Road by way of a 65-foot-wide drive aisle that concurrently serves Parcels 1 and 3. The lot-line for Parcel 1 includes a portion of this drive aisle to accommodate several parking spaces. The result is a circuitous traffic pattern that would prohibit free-flowing access and circulation throughout the site. The lotting pattern between Parcels 1 and 2 will be further evaluated at the time of DSP, which may result in a recommendation to adjust the common boundary line.

19. **Vacation of Right-of-way (ROW)**—The applicant is proposing to vacate a section of Minnesota Avenue that terminates at the boundary of Parcel 4, as well as, a triangular piece of property at the corner of Addison Road and Minnesota Avenue in accordance with Section 24-112 of the Subdivision Regulations. The applicant's PPS does not reflect these vacated areas within the site boundary, however the total area of the vacated property is included in the gross tract area calculation (34.78) inconsistently on the plans. General Note 6 on the PPS indicates the gross tract area as 34.59 acres, and this same calculation is reflected on the Natural Resource Inventory (NRI-125-06-02), however, the Parcel Table 1 of the PPS includes the areas to be vacated (0.19 acre). The applicant shall submit an updated NRI to reflect the 34.78 gross tract area. Additionally, the applicant shall include the vacated areas within the site boundary and update the gross tract area on the PPS consistently.
20. **Environmental**—The following applications and associated plans have been reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
CSP-06003	TCP1-041-07	District Council	Approved	03/22/2010	NA
NA	TCP2-026-10	Staff	Approved	09/30/2010	NA
NA	TCP2-007-16	Staff	Approved	04/15/2016	NA
NA	TCP2-148-06	Staff	Dormant	N/A	N/A
NRI-125-06	NA	Staff	Approved	10/04/2006	NA
NRI-125-06-01	NA	Staff	Approved	11/28/2016	NA
NRI-125-06-02	NA	Staff	Approved	08/04/2017	NA

Grandfathering:

The project is subject to the requirements of Subtitles 25 (Woodland and Wildlife Habitat Conservation Ordinance) and 27 (Zoning Ordinance) that became effective September 1, 2010 because this is a new PPS.

Site Description:

One existing building with associated parking and circulation exists on-site, as well as the remains of a demolished building associated with Raze Permit No. 2732-2008-RZW, all of which are to be removed. An open field and woodlands are also associated with this site along the northern portion of the property. According to the approved floodplain study from DPIE, an area of 100-year floodplain exists on-site. Other regulated environmental features including areas of steep slopes, streams, wetlands, and associated buffers inclusive of primary management area (PMA) are also found on the property. This site is outside of the Chesapeake Bay Critical Area (CBCA). The site is in the Lower Beaverdam Creek sub-watershed, which drains into the Anacostia River watershed and eventually into the Potomac River Basin. This site is in a stronghold watershed.

This site is not within a sensitive species protection review area based on a review of the SSPRA GIS layer prepared by the Heritage and Wildlife Service, Maryland Department of Natural Resources. According to PGAtlas, forest interior dwelling species (FIDS) habitat does not exist

on-site. According to the 2017 *Approved Prince George's County Resource Conservation Plan: Countywide Functional Master Plan*, (CR-11-2017), the site contains evaluation and regulated areas. This site is not within an Aviation Policy Area associated with an airport. The site does not share frontage with a special roadway designated as a historic road or scenic road.

Plan Prince George's 2035 Approved General Plan (2014):

Prior to submittal of the current application, a new General Plan was adopted by the District Council. The site is now located within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*.

Countywide Green Infrastructure Plan (2017):

The 2017 Countywide Green Infrastructure Plan was approved with the adoption of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the approved Countywide Green Infrastructure Plan, the site contains two Regulated Areas along the northern and western boundaries of the property, while between these two areas is a designated Evaluation Area.

The following policies and strategies in bold are applicable to the subject application. The text in **bold** is the text from the master plan and the plain text provides comments on plan conformance.

POLICY 1: Preserve, enhance and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1 **Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:**
 - a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. **Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.**

- e. **Coordinating implementation between County agencies, with adjoining jurisdictions and municipalities, and other regional green infrastructure efforts.**
 - f. **Targeting land acquisition and ecological restoration activities within state-designated priority waterways such as stronghold watersheds and Tier II waters.**
- 1.2 **Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored and protected.**
 - a. **Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**
 - b. **Prioritize use of public funds to preserve, enhance, connect, restore and protect critical ecological systems.**

Two regulated areas within the Countywide Green Infrastructure Plan (2017), associated with streams and associated floodplain exists along the northern and western boundaries of the site. The area designated as an 'evaluation area' is associated with woodlands. According to the proposed TCP1, the regulated environmental features within the PMA will be preserved with the exception of impacts necessary for stormwater conveyance and a sanitary sewer connection, as discussed further.

According to the Maryland-Department of Natural Resources' Sensitive Species Review layer, the site is not located within a Sensitive Species Review area. No additional information is required at this time.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 **Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**
- 2.5 **Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 **Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

Most of the Network Gaps have been previously harvested and cleared on the subject site. Impacts are limited to those that are necessary for the development of the site.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**
- a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced or new roads are constructed.**
 - b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer they must be designed to minimize clearing and grading and to use low impact surfaces.**

The master-planned trail as shown on the TCP1 is located outside of regulated environmental features, however, its construction will not take place with this application. If the trail is constructed with future applications, it will be evaluated at that time and it will be determined if the impacts are acceptable.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

Conservation easements shall be required for the on-site PMA, except where impacts are approved. The areas of on-site woodland conservation shall be placed in a Woodland and Wildlife Habitat Conservation easement at the time of Type 2 tree conservation plan (TCP2).

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.

The site has a previously approved Stormwater Management Concept Plan (15244-2006-01), based on a layout approved with the CSP. The concept is currently being revised to be consistent with this application's proposed layout. The Site/Road Plan Review Division of DPIE will review the concept for conformance with the current provisions of the County Code, which addresses the state regulations.

POLICY 7: Preserve, enhance, connect, restore and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Planting of native species on-site is encouraged and will be recommended at the time of DSP.

Forest Canopy Strategies:

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**
- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

Clearing of woodland is approved with the subject application. Green space is encouraged within the proposed development. The clearing shall be mitigated with a combination of on-site woodland preservation and planting in addition to off-site woodland conservation.

POLICY 12: Provide adequate protection and screening from noise and vibration.

- 12.2 Ensure new development is designed so that dwellings or other places where people sleep are located outside designated noise corridors. Alternatively, mitigation in the form of earthen berms, plant materials, fencing, or building construction methods and materials may be used.**

A noise analysis is provided in the Environmental Review section.

Area Master Plan Conformance:

The Master Plan for this area is the 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment (Subregion 4 Master Plan and SMA). The site is located within Living Area 'B' of this plan. In the Subregion 4 Master Plan and SMA, the Environment Chapter contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

Wildlife and Habitat:

Policy 1: Protect, preserves and enhance the green infrastructure network in Subregion 4.

Policy 2: Minimize the impacts of development on the green infrastructure network and SCAs.

Impacts to the green infrastructure network are discussed in the Countywide Green Infrastructure Plan (2017) section.

Water Quality and Stormwater Management:

Policy 1: Restore and enhance water quality in areas that have been degraded, and preserve water quality in areas not degraded.

Policy 2: Improve the base of information needed for the county to undertake and support stream restoration and mitigation projects.

Policy 3: Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment activities.

Policy 4: Assure that adequate stream buffers are maintained and enhanced and utilize design measures to protect water quality.

The site has a previously approved stormwater concept based on a layout approved with the CSP. The concept is currently being revised to be consistent with this application's proposed layout. The Site/Road Plan Review Division of DPIE will review the concept for conformance with the current provisions of the County Code, which addresses the state regulations.

Air Quality and Greenhouse Gas Emissions:

Policy1: Reduce air pollution to support public health and wellness by placing a high priority on transit-oriented development and transportation demand management (TDM) projects and programs.

Promotion of green-friendly transportation practices, that could improve air quality and support public health and wellness is encouraged, such as incorporating links to existing hiker/biker trails off-site, providing bike-share facilities, charge stations for electrical cars, green roofs, and bio-methods.

Policy 2: Reduce adverse noise impacts so that the State of Maryland's noise standards are met.

The potential noise impacts and proposed mitigation are discussed in the Noise section below.

Green Buildings and Sustainability:

Policy 1: Implement environmentally sensitive building techniques that reduce overall energy consumption.

Policy 2: Implement land use policies that encourage infill and support TOD and walkable neighborhoods.

The implementation of environmentally sensitive building techniques that reduce overall energy consumption is encouraged.

Tree Canopy and Green Space:

Policy 1: Preserve, restore, and enhance the existing tree canopy.

Policy 2: Improve the county's capacity to support increases in the tree canopy.

Tree canopy coverage will be addressed at the time of DSP review.

Policy NE4: Encourage the integration of green building techniques into all building designs to help reduce overall energy and water consumption.

The use of green building techniques and energy conservation techniques should be used as appropriate. The use of alternative energy sources such as solar, wind and hydrogen power are encouraged.

Policy NE5: Address adverse impacts of transportation-related noise.

Transportation-related noise impacts are evaluated in the Noise section below.

Environmental Review:

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe the changes, the date made, and by whom.

Natural Resources Inventory:

A signed Natural Resources Inventory (NRI-125-06-02), which includes a detailed forest stand delineation, was submitted with the application. This NRI expires on August 4, 2022. According to the NRI, this site contains 8.48 acres of woodlands on the net tract and 0.91 acre of existing woodlands within the 100-year floodplain. No specimen, champion, or historic trees are known to occur on-site. Regulated environmental features including steep slopes, 100-year floodplain, streams, wetlands, and associated buffers inclusive of the PMA exist on-site.

Woodland Conservation:

This site 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 it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-041-07-01) was submitted with this PPS application.

The site is zoned M-X-T and has a woodland conservation threshold of 15 percent or 5.01 acres based on a gross tract of 34.59, which does not include the .19 acres to be vacated and incorporated prior to final plat. According to the worksheet, the cumulative woodland conservation requirement based on the total proposed clearing of 6.01 acres of woodlands net tract and 0.10 acre of off-site, is 9.19 acres. The TCP1 proposes to meet this requirement with 0.87 acre of on-site woodland preservation, 3.19 acres of on-site afforestation/reforestation, and 5.13 acres of off-site mitigation on another property, which will be adjusted once the gross tract area is corrected.

Portions of the proposed woodland preservation on the TCP1 do not meet the minimum width requirements to be credited towards meeting the woodland conservation requirements for the site. All proposed reforestation/afforestation and woodland preservation areas shall meet the minimum size requirements per the Woodland and Wildlife Habitat Conservation Ordinance.

After all revisions have been made, have the qualified professional who prepared the TCP1 sign and date it and update the revision box with a summary of the revisions made. 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 (TCP1-041-07-01), 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.”

Preservation of Regulated Environmental Features/Primary Management Area:

The area of PMA consists of 100-year floodplain, as well as stream buffer associated with a stream that flows along the eastern property boundary and associated areas of steep slopes.

Impacts associated with slope stabilization and for future implementation of stormwater outfall structures covering a total area of 0.19 acre was submitted for consideration and approval. Although the stormwater concept submitted has not been approved at this time by DPIE, the applicant anticipates these specific impacts will be required.

A statement of justification and associated exhibit has been received for the proposed impacts to 100-year floodplain within the PMA; however, the submittal is insufficient for review because the exhibits do not provide enough detail to conduct analysis. The proposed grading and structures were not included in the exhibits. The limits of disturbance must be removed from the TCP1. A resubmission of the statement of justification and exhibits, along with a TCP2 showing the proposed impacts will need to be included in the future DSP application, so that the impacts can be fully evaluated.

Based on the level of design information currently available, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, with conditions.

Noise:

The site is adjacent to Addison Road to the south and the CSX Railway, CSX & Southern Railway, and Washington Metropolitan Area Transit Authority (WMATA) Railway to the west. A Phase 2 Noise Study was submitted with this application from Phoenix Noise and Vibration, LLC, and existing traffic and rail noise levels were measured and calculated with CadnaA software.

Based on the location of the unmitigated 65 dBA Ldn noise contour, portions of buildings on all proposed parcels will be impacted by noise levels. These impacts can be mitigated through the use of standard building materials for buildings on Parcel 1. For the portions of affected buildings on the remaining parcels, enhanced building materials will be necessary to mitigate noise to 45 dBA Ldn or less.

As previously discussed, all of the outdoor areas will be affected by noise levels 65 dBA Ldn or higher. According to the noise study, a seven-foot wall barrier along the western and other boundaries of these areas will be necessary to mitigate the noise impacts, and will be further evaluated at the time of DSP. All of the parcels proposed conform to the minimum lot depth of 300 feet, adjacent to the railroad right-of-way (ROW).

Soils:

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Christiana-Downer complex (25-40 percent slopes), Christiana-Downer-Urban land complex (5-15 percent slopes), Russett-Christian-Urban land complex (0-5 percent slopes), Udorthents highway (0-65 percent slopes), Urban land-Russett-Christian complex (0-5 percent slopes), Urban land-Udorthents (0-5 percent slopes), and Zekiah and Issue soils frequently flooded.

According to available information, no Marlboro clay exist on-site; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. According to Section 24-131 of the Subdivision Regulations Unsafe Land, the Planning Board shall restrict or prohibit land found to be unsafe for development because of natural conditions such as unstable soils and high-water table. A geotechnical report detailing the presence of Christiana clay, and proposed remedial actions to correct or alleviate the unsafe soil condition was submitted with this application. Such proposals are required to be referred to DPIE for a determination of whether the measures proposed are sufficient to protect the health and safety of future residents. E-mail correspondence from DPIE dated January 25, 2018, was submitted with this application in which DPIE indicated there are no geotechnical concerns regarding this case.

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 Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, and Hewlett voting in favor of the motion, with Commissioner Washington absent, and with Commissioner Bailey temporarily absent at its regular meeting held on Thursday, March 8, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of March 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JO:rpg