



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 18-31(C)

File No. 4-17023

## C O R R E C T E D   R E S O L U T I O N

WHEREAS, the Revenue Authority of Prince George's County Inland Western Retail Re Trust is the owner of a 49.71-acre parcel of land known as part of Lot 1, Capital Center, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T) and Development District Overlay (D-D-O); and

WHEREAS, on November 20, 2017, Retail Properties of America, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 16 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-17023 for Boulevard at the Capital Centre 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 April 12, 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 April 12, 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 TCP1-022-05-03, and further APPROVED Preliminary Plan of Subdivision 4-17023, including Variations from Section 24-121(a)(3) and Section 24-122(a), for 16 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the applicant shall revise the PPS to:
  - a. Revise references from 'Arena Drive' to 'Medical Center Drive.'
  - b. Revise the general notes to include the floor area ratio.
  - c. Revise the general notes to indicate that mandatory dedication will be met through private on-site recreational facilities.
  - d. Provide a table that indicates the type and amount of development on each parcel.
  - e. Show denial of access along I-95/495 (Capital Beltway).

- f. Add a general note indicating that “Access easements are authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations. Access to Medical Center Drive is limited to one vehicular driveway and access to Harry S Truman Drive is limited to five vehicular driveway locations.”
  - g. Provide a revised conceptual easement exhibit.
  - h. Revise Parcel 5 to be designated as Parcel B and renumber the remaining parcels so that consecutive numbering is provided.
  - i. Label Parcels A and B (renumbered Parcel 5) to be conveyed to the business owners association.
- 2. Prior to signature approval of the preliminary plan of subdivision and the Type 1 tree conservation plan, the 65 dBA Ldn unmitigated noise contour from the abutting roadways (not including Harry S Truman Drive) and a 300-foot lot depth shall be delineated and labeled on the plans.
- 3. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised as follows:
  - a. Provide the Maryland-National Capital Park and Planning Commission (M-NCPPC) approval block itemizing each of the former approvals with the reviewer name, development application, approval date, and purpose of the revision.
  - b. Provide an Owners Awareness Certification with all necessary signatures.
  - c. Provide symbols in the legend for: Primary Management Area, Stream, Stream Buffer, Floodplain, Wetland, Wetland Buffer.
  - d. Correct Standard Note 7 to state “...within Environmental Strategy Area 1, formerly the Developed tier, and is zoned M-X-T.”
  - e. Correct Standard Note 8. The Capital Beltway (I-495/I-95) is not designated as a scenic byway roadway. This property is not adjacent to or on any scenic and/or historic roads.
  - f. Add the applicable Type 2 tree conservation plan numbers to line 20 of the Type 1 tree conservation plan worksheet.
  - g. Add the status to line 22 of the worksheet and the approval date (or “pending”) to line 23.
  - h. Have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.

4. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCPI-022-05-03). The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCPI-022-05-03), 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 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.”

5. Prior to approval of the 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, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

6. Prior to approval of a detailed site plan which includes residential development, the applicant shall submit a Phase 2 noise analysis for any outdoor activity areas located within the unmitigated 65dBA Ldn noise contour, as reflected on the approved preliminary plan of subdivision, and provide mitigation measures to reduce noise levels to 65dBA Ldn or less.
7. At the time of the first final plat for land containing residential uses, the applicant and the applicant’s heirs, successors, or assignees shall pay \$250,000 to the Maryland-National Capital Park and Planning Commission to be used for public parks.
8. Total development within the subject property shall be limited to uses which generate no more than ~~\*[3,622 AM and 4,578 PM]~~ 2,809 AM and 3,391 PM peak hour trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

\*Denotes Correction

Underlining indicates new language

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

9. Prior to approval of any building permit within the subject property for uses generating peak hour trips in excess of 289 AM and 1,210 PM, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. Medical Center Drive and Harry S Truman Drive
    - (1) Add a second northbound left-turn lane along Harry S Truman Drive.
    - (2) Provide a shared through-right lane on eastbound Medical Center Drive.
  - b. Medical Center Drive and Shoppers Way
    - (1) Add a second left-turn lane on the northbound approach.
  - c. Medical Center Drive and I-95/495 Northbound Ramp
    - (1) Add a third through lane along westbound Medical Center Drive.
    - (2) Provide a free right-turn lane on westbound Medical Center Drive.
    - (3) Provide a second right-turn lane on the northbound ramp.
  - d. Medical Center Drive and I-95/495 Southbound Ramp
    - (1) Provide a second left-turn lane on the southbound approach.
10. Prior to approval of any building permit within the subject property for uses generating peak hour trips in excess of \*~~[1,388]~~ 1,389 AM and 1,870 PM (Phase 2), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. Medical Center Drive and Shoppers Way
    - (1) Add a third through-turn lane on westbound Medical Center Drive.
    - (2) Add a second left-turn lane on westbound Medical Center Drive.

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- (3) Add a third through lane on eastbound Medical Center Drive from the diverging diamond interchange to Shoppers Way.
  - b. Medical Center Drive and I-95/495 Northbound Ramp
    - (1) Add a third through lane along eastbound Medical Center Drive.
    - (2) Provide a separate left-turn lane on eastbound Medical Center Drive.
  - c. Medical Center Drive and I-95/495 Southbound Ramp
    - (1) Add a third through lane along eastbound Medical Center Drive.
    - (2) Add a third through lane along westbound Medical Center Drive.
- 11. The transportation improvements expressed in the above two conditions shall remain in full force and effect, unless the appropriate operating agency denies or modifies any improvement. Any such modification by the applicant shall be pursuant to agreement with the Transportation Planning Section of the Maryland-National Capital Park and Planning Commission, provided any such change maintains the level of adequate transportation facilities approved by the Planning Board. In that event, a corrected resolution shall be sent to all parties of record.
- 12. Prior to approval of any building permit within the subject property for uses generating peak hour trips in excess of 289 AM and 1,210 PM, the applicant and the applicant's heirs, successors, and/or assignees shall provide Transportation Planning staff with an accumulated tabulation of the number and types of all previous permits released for the subject application.
- 13. Substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to approval of any permits.
- 14. Development of this site shall be in conformance with approved Stormwater Management Concept Plan 46748-2017 and any subsequent revisions.
- 15. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
  - a. Grant 10-foot-wide public utility easements (PUEs) along the public rights-of-way of Harry S Truman Drive and Medical Center Drive.
  - b. Shall demonstrate that a business owners association has been established. The draft covenants shall be submitted to the Subdivision and Zoning Section to ensure the rights of the Maryland-National Capital Park and Planning Commission are included. The liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.

- c. A draft Declaration of Restrictive Covenants and/or easement, per Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access for the subject property, shall be submitted to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for review and approval. The limits of the shared access shall be reflected on the final plat, consistent with the approved preliminary plan of subdivision and detailed site plan. Prior to recordation of the final plat, the Declaration of Restrictive Covenants and/or easement shall be recorded in Prince George's County Land Records and the Liber/folio of the document shall be indicated on the final plat with the limits of the shared access.
  - d. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
  - e. The final plat shall note that access is denied along I-95/495, and that access is limited to one vehicular driveway from Medical Center Drive and five vehicular access driveways from Harry S Truman Drive.
16. Prior to approval of building permits which include residential dwelling units located within the unmitigated 65 dBA Ldn noise contour, 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.
17. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Largo Town Center Sector Plan and Sectional Map Amendment* (Largo Town Center Sector Plan and SMA), the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
- a. Standard or wide sidewalks along both sides of vehicular access easements, consistent with Figure 13 in the Street Design Criteria of the development district standards. The width and design of the sidewalks and other pedestrian amenities will be determined at the time of detailed site plan.
  - b. Crosswalks shall comply with Street Design Criteria 1 and 2 of the development district standards.
  - c. Bicycle parking shall be provided throughout the subject site. The exact number, location, and type of bicycle parking shall be determined at the time of detailed site plan consistent with Parking Design Criteria 9 of the development district standards.
  - d. Frontage improvements along Harry S Truman Drive, consistent with a four-lane divided roadway transitioning to an undivided multi-lane collector street with on-road bike lanes, wide sidewalks separated by landscaped buffers, street lights, and on-street parking on both sides for a portion of its length from Medical Center Drive to the existing Harry S Truman Drive.

- e. Pedestrian safety features and amenities shall be consistent with the development district standards and will be evaluated with the detailed site plan.
18. Prior to issuance of any building permits within the subject property, the off-site bicycle and pedestrian impact statement (BPIS) improvements included below, in accordance with Section 24-124.01 of the Subdivision Regulations, shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's permitting process; and (c) have an agreed-upon timetable for construction with the operating agency:
- a. Two bus shelters on Lottsford Road near Grand Boulevard
  - b. Medical Center (formerly Arena) Drive and Harry S Truman Drive intersection
    - (1) Pedestrian signals on the west leg
    - (2) Americans with Disabilities Act (ADA) accessible ramps on the west leg
    - (3) Crosswalk on the west leg
  - c. Medical Center (formerly Arena) Drive and Capital Centre Boulevard intersection
    - (1) Pedestrian signals on the south, west, and north legs
    - (2) ADA accessible ramps on the south and west legs
    - (3) Crosswalks on the south, west, and north legs
  - d. Medical Center (formerly Arena) Drive at Apollo/Largo Center Drive intersection
    - (1) Pedestrian signals on the south, west, and north legs
    - (2) ADA accessible ramps on the south and west legs
    - (3) Crosswalks on the south, west, and north legs
  - e. Lottsford Road and McCormick Drive
    - (1) Crosswalk on the west leg
  - f. Minimum of two bike share stations on, or in the vicinity of, the subject site (the vendor of the bike share must be approved by the Prince George's County Department of Public Works and Transportation (DPW&T)) to enable this form of transportation to be used by the future residents and employees of the subject site. The conceptual location of the station shall be indicated on the preliminary plan of subdivision, and the final location of this docking station will be selected by the County and the applicant, based upon the

requirements of the bike sharing system, and in a highly-visible, convenient, and well-lit location that is publicly accessible. The location requires at least four hours of solar exposure per day year-round. In the event an appropriate location cannot be located on-site that meets bike share siting criteria, DPW&T will select another off-site location for the station based upon the requirements of the bike sharing system in the County, as close as possible to the subject site. The applicant shall allow DPW&T or its contractors/vendors access to the site to install, service, and maintain the bike share stations. Locations shall be within 0.5 mile walking or biking distance of the subject site and comply with Section 24-124.01(c) of the Subdivision Regulations.

19. Prior to issuance of building permits in excess of 400 dwelling units, or 125,000 square feet of gross floor area for commercial retail development within the subject property, the off-site bicycle and pedestrian impact statement improvements included below, in accordance with Section 24-124.01 of the Subdivision Regulations shall (a) have full financial assurances; (b) have been permitted for construction through the operating agency's permitting process; and (c) have an agreed-upon timetable for construction with the operating agency:
  - a. Construct the Central Avenue Connector Trail along all, or segments of, Medical Center Drive and Brightseat Road in conformance with the cost cap specified under Section 24-124.01(c).
  - b. Road resurfacing and/or restriping of County roads in the vicinity of the subject site for designated bike lanes or other appropriate bicycle accommodations. Restriping project(s) shall be within 0.5 mile walking or biking distance of the subject site and comply with Section 24-124.01(c).
20. Prior to approval of each detailed site plan (DSP) submitted for the subject site, off-site bicycle and pedestrian impact statement (BPIS) improvements shall be provided, consistent with the requirements of Section 24-124.01 of the Subdivision Regulations and within the limits of the cost cap specified in Section 24-124.01(c). These improvements shall be selected from the prioritized list of improvements contained in Condition 17 of this approval. The location and limits of the improvements provided for each phase shall be shown on the DSP, or exhibit if appropriate, consistent with Section 24-124.01(f). If it is determined at the time of DSP that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section(d), be within 0.5 mile walking or bike distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section 24-124.01(c). The Planning Board shall find that the substitute off-site improvements are consistent with the BPIS adequacy finding made at the time of preliminary plan of subdivision.
21. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a copy of the recorded deed of conveyance to the business owners association for the land, as identified on the approved preliminary plan of subdivision and final plat.



22. Prior to approval of a detailed site plan which includes residential development, the applicant shall submit a vibration analysis or evidence from a certified professional that the residential parcels will not be impacted by vibration levels of 65 VdB or more, as set forth in the Federal Transit Administration's (FTA) manual "Transit Noise and Vibration Impact Assessment" (May 2006). Any parcels found to be impacted by vibration levels of 65 VdB or more shall be identified by note on the detailed site plan. The applicant and the applicant's heirs, successors, and/or assignees shall submit evidence to the Environmental Planning Section of the Prince George's County Planning Department that the vibration analysis has been submitted to the Prince George's County Department of Permitting, Inspections and Enforcement.
23. Prior to approval of the building permits by M-NCPPC for permits which include residential uses, a professional engineer with competency in acoustical analysis shall state that the interior noise levels of the affected parcels have been reduced through the building materials to 45 dBA Ldn or less.
24. The following note shall be placed on the final plat for parcels that include residential uses that may be impacted by vibration levels of 65 VdB or more, as set forth in the Federal Transit Administration's (FTA) manual "Transit Noise and Vibration Impact Assessment" of May 2006, as determined at the time of DSP:

"This property is located within close proximity to a Metro line and may be subject to 'feeleable vibration' impacts."
25. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the business owners association (BOA) land, as identified on the approved preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:
  - a. A copy of the deed for the property to be conveyed shall be submitted to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) Prince George's County Planning Department, Development Review Division (DRD), prior to approval of the final plat.
  - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
  - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter, subsequent to development of the site and/or abutting buildings.

- d. Any disturbance of land to be conveyed to a condominium/homeowners association shall be in accordance with an approved site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
  - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to an BOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the M-NCPPC Prince George's County Planning Department, DRD, in accordance with the approved detailed site plan.
  - f. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
26. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) for the construction of private recreational facilities to the Development Review Division (DRD) for approval prior to submission of final plats for any parcel containing residential development. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber and folio shall be reflected on the final plat prior to recordation.
27. At the time of detailed site plan review, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private, on-site recreational facilities pursuant to Section 24-135(b) of the Subdivision Regulations, subject to the following:
- a. The private on-site recreational facilities shall be designed in accordance with the standards as outlined in the *Park and Recreation Facilities Guidelines*.
  - b. The details of the private on-site recreational facilities, including adequacy, siting, and the establishment of triggers for construction, shall be reviewed and approved by the Urban Design Section.

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 site is located in the southeast quadrant of the intersection of Medical Center Drive (previously known as Arena Drive) and I-95/495 (Capital Beltway), with frontage on Medical Center Drive, Harry S Truman Drive (previously known as Capital Center Boulevard), and I-95/495 in the Mixed Use–Transportation Oriented (M-X-T) Zone and the Development District Overlay (D-D-O) Zone. The site is developed with an existing commercial development and is known as part of Lot 1, Capital Center, recorded in Prince George's County Land Records in Plat Book REP 194–10 on June 18, 2002. Across Harry S Truman Drive to the

east is the previously approved Prince George's County Regional Hospital, which is currently known as the Regional Medical Center of the University of Maryland Medical System. The subject preliminary plan of subdivision (PPS) subdivides the remaining 49.71 acres of The Boulevard at the Capital Centre shopping center into 16 parcels for a mixed-use redevelopment project including 3,000 multifamily DUs and approximately 1.2 million square feet of commercial, retail, office, and hotel uses.

Of the 16 parcels approved with this PPS, one parcel (proposed Parcel A) contains environmental features with no development and Parcel 5 (1.44 acres) contains a central open space/green area with bathroom facilities and a 680-square-foot retail kiosk/vending building, with the remaining parcels for mixed-use development. Parcel A and Parcel 5 shall be conveyed to a business owners association to ensure retention and future maintenance of the property.

The site abuts Medical Center Drive to the north, a master-planned arterial roadway. Section 24-121(a)(3) of the Subdivision Regulations requires that sites adjacent to a planned arterial roadway not access those roads directly, and be designed to front on an interior road. The approval of a variation for direct access onto an arterial roadway is included in this PPS, as discussed further.

The subject site has frontage along I-95/495. Section 24-122(a) of the Subdivision Regulations requires that a 10-foot-wide public utility easement (PUE) be provided along the public road right-of-way. The approval of a variation for the location of the PUE is included in this PPS, as discussed further.

3. **Setting**—The property is located on Tax Map 67 in Grids D1, D2, D3, and E2, is known as part of Lot 1, Capital Center, located in Planning Area 73, and is zoned M-X-T in a D-D-O Zone. The subject property is bounded to the north by Medical Center Drive, with property beyond zoned Commercial Office (C-O) in a D-D-O Zone. Harry S Truman Drive bounds the site to the east, with property beyond zoned M-X-T in a D-D-O Zone. Adjacent property to the south is zoned Mixed Use-Infill (M-U-I) in a D-D-O Zone, and the site is bounded on the west by I-95/495.

## FINDINGS

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

Zone Use(s)	<b>EXISTING</b> M-X-T/D-D-O Commercial	<b>APPROVED</b> M-X-T/D-D-O Commercial Multifamily Residential (3,000 units)
Acreage	49.71	49.71
Gross Floor Area	409,600 square feet (to be razed)	1,200,000 square feet
Parcels	1	16
Lots	0	0
Outlots	0	0
Variance	No	No
Variation	No	Yes
		24-121(a)(3) 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 15, 2017. The requested variations from Sections 24-121(a)(3) and 24-122(a) were accepted on November 20, 2017 and heard before the SDRC on January 12, 2018, as required by Section 24-113(b).

5. **Previous Approvals**—The site was subject to a previously approved PPS (4-15009) (PGCPB Resolution No. 15-59), approved by the Prince George’s County Planning Board on June 28, 2015, which subdivided 77.83 acres into nine parcels for existing retail development and development of a hospital. This PPS further subdivides Parcel 1 (49.71 acres), which was part of PPS 4-15009, into 16 parcels. This PPS (4-17023) will supersede PPS 4-15009 for the subject 49.71 acres

The subject property has an approved Conceptual Site Plan CSP-02003 for a comprehensive sign program for the Boulevard at the Capital Centre shopping center, which was approved by the Planning Director on August 22, 2002 with three conditions relating only to signage, that are not applicable to the review of this PPS.

The 2013 *Approved Largo Town Center Sector Plan and Sectional Map Amendment* (Largo Town Sector Plan and SMA) known as “sector plan,” rezoned the entire shopping center site to the M-X-T and D-D-O Zones.

A Detailed Site Plan, DSP-14028, was approved on June 25, 2015 by the Planning Board (PGCPB Resolution No. 15-60) as an expedited transit-oriented development (ETOD) project for a 231-bed regional hospital and existing shopping center on 77.83 acres. The existing shopping

center comprised 49.71 acres of DSP-14028. This PPS is for redevelopment of the existing shopping center (49.71 acres). Consequently, the applicant will be required to file a new or revised DSP for the development, as required in the M-X-T Zone.

6. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan* (General Plan) designates the subject property in the Regional Transit District Growth Policy area. The vision for the regional transit district area is a destination for regional workers and residents that contains a mix of office, retail, entertainment, public and quasi-public, flex, and medical uses. It is walkable, bikeable, and well-connected to a regional transportation network via a range of transit options. This application is consistent with the vision.

The sector plan rezoned the property to the M-X-T Zone within a D-D-O Zone. The sector plan recommends a mix of retail, office, institutional, and residential uses. This subdivision is for mixed-use development to include retail, commercial, residential, office and hotel uses. Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the land use recommendation of the sector plan.

7. **Stormwater Management**—A stormwater management (SWM) concept plan (46748-2017) was approved for the site on February 8, 2018. The SWM concept plan shows the proposed use of numerous micro-bioretenment areas, mostly in series, connecting to a main storm drain system. This system outfalls into an existing stormwater management pond on the southern portion of the site. Development of the site shall be in accordance with the approved SWM concept plan to ensure that on-site or downstream flooding do not occur.
8. **Prince George's County Department of Parks and Recreation (DPR)**—The PPS has been reviewed and evaluated for conformance with the requirements of the Subdivision Regulations, the sector plan, the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County, and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space (Formula 2040) as policies in these documents pertain to public parks and recreational facilities.

The property is currently improved as a shopping center with multiple commercial/retail buildings and associated parking. All of the existing structures are to be razed. The purpose of this PPS is to establish a mixed-use development, adjacent to the Largo Town Center Metro Station, with 1,200,000 square feet of retail/commercial/office/hotel space, and 3,000 multifamily residential DUs.

The sector plan proposes three greens; a plaza area, pedestrian passage, and natural edge for this property, as shown on the Illustrative Community Open Space and Bicycle Path Plan. It also shows a proposed trail/sidepath along the southern boundary of this property, ultimately connecting to the Metro alignment across I-95/495.

The PPS includes a single central green plaza (1.44 acres in size), with recreational facilities in between the multifamily residential buildings and the retail/restaurant/office/hotel area buildings. In addition, a dog park and trail are along the western edge of the residential portion of the project, abutting the property's main natural environmental area adjacent to I-95/495. These

proposed facilities satisfy the requirement of the sector plan; however, impacts from noise in excess of 65 dBA Ldn is a concern that must be addressed at the time of DSP. The submittal of a Phase 2 noise study is required where outdoor activity areas are proposed within the unmitigated noise center of 65 dBA Ldn. The applicant, at the time of detailed site plan, should evaluate the potential of incorporating an additional green area or plaza in the northern part of the site.

Formula 2040 establishes nine major service areas for recreational needs and recommends a multigenerational recreation center for each service area. The LPPRP identifies recreational levels of service goals and existing assessments for parkland and facilities for each service area. Service Area 6, in which this project is located, shows deficiencies in aquatic facilities, hard court facilities, and skate parks.

Located within one mile from the proposed development and within the sector plan area are DPR's Lake Arbor Community Center/Park and Arbor Park. Facilities in these parks include a community center, ballfields, basketball courts, tennis courts, playgrounds, a picnic shelter, and parking areas. Fee-in-lieu of mandatory dedication will provide an opportunity to expand upon and enhance these public recreational facilities to serve the recreational needs of the new residents of this proposed development and the existing residents in the surrounding area.

At the Planning Board hearing, the applicant submitted an exhibit (Applicant's Exhibit 2) listing private on-site recreational facilities, which may be used to meet the mandatory dedication requirement. The applicant also proffered a payment of \$250,000 to the Maryland-National Capital Park and Planning Commission (M-NCPPC), to be provided at the time of final (residential) plat, to be used for the programming of public parks in the area. The Planning Board found that the private on-site recreational facilities listed in Applicant's Exhibit 2 would be superior or equivalent to those that would have been provided under the provisions of mandatory dedication and accepted the applicant's proffer of a payment to improve the nearby public parks.

9. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the sector plan in order to implement planned trails, bikeways, and pedestrian improvements. Due to the site's location within the Largo Town Center, the application is subject to the requirements of Section 24-124.01 of the Subdivision Regulations and the "Transportation Review Guidelines Part 2, 2013" and these requirements are evaluated as part of the PPS.

#### **Master Plan of Transportation Compliance**

Two master plan trail/bikeway issues impact the subject property, with standard or wide sidewalks and designated bike lanes recommended along Medical Center Drive and Harry S Truman Drive (see MPOT map). Harry S Truman Drive is also listed as a current green complete street project in which bike lanes will be provided, access to bus stops improved, and traffic circulation evaluated. Text from the MPOT on the Medical Center Drive (previously known as Arena Drive) recommendations is copied below:

**Arena Drive Shared-Use Side path (wide sidewalk and on-road bicycle facilities):  
Extend the existing wide sidewalks along the entire length of Arena Drive. This facility will improve pedestrian access between FedEx Field and the Largo Town Center (MPOT, page 27).**

This master plan facility has been constructed in the vicinity of the subject site, including along the frontage of the subject site, as an eight-foot-wide sidewalk (or sidepath).

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.**

Lastly, the 2014 Central Avenue-Metro Blue Line Corridor TOD Implementation Project Mobility Study (TOD plan) recommends a trail paralleling the Metro Blue Line called the Central Avenue Connector Trail. A project description is included on page 135 of the TOD plan. This project is currently under design and it is anticipated that the initial phases will utilize the existing wide sidewalk along Medical Center Drive as the I-95/495 crossing. The project description for the Central Avenue Connector Trail is copied below:

**This project will support safety, mobility, and access improvements along the corridor by completing a feasibility study for a trail that provides east-west connections for pedestrians and bicyclists to Metro stations and other destinations. The trail would travel between the Capitol Heights and Largo Town Center Metro Stations, using a combination of WMATA right-of-way, neighborhood streets, existing trails, and planned trails. The feasibility study would include an implementation plan for short-term and long-term projects. The study would help determine preferred and alternate alignment of connector trails, identify short-term projects for implementation within 36 months, and develop a strategy for implementing long-term projects, including opportunities created by anticipated redevelopment and public CIP projects.**

The development district standards of the sector plan include numerous requirements related to bicycle and pedestrian facilities. Crosswalks should meet the guidance included in the development district standards on page 148 of the sector plan. These guidelines are copied below:

### **Crosswalks**

- 1. All new street intersections shall have crosswalks to existing sidewalks or new sidewalks except in situations where there is no traffic control device.**
- 2. Crosswalks throughout the TOD core may be of a different material, texture, or color from the travel lanes, but the material chosen should be consistent throughout the TOD core (area master plan, page 148).**

### **Parking Design Criteria**

- 9. Bicycle parking should be provided in structured parking garages and surface parking lots based on a site-by-site needs basis. Appropriate location, number of racks, and level of access for each facility depends on the anticipated use of the site or building. Conformance to LEED or similar federal, state and county bicycle parking criteria is strongly encouraged.**
- 10. Pedestrian access to and from mid-block parking shall be continuously lit (to eliminate dark areas) and provide direction connection(s) to the primary street or open space where possible.**

### **Street Design Criteria**

The sector plan includes numerous design criteria cross sections for roadways within the area. These criteria include landscaping, street trees, standard or wide sidewalks, and in some cases on-road bike lanes. The submitted conceptual easement exhibit indicates that the site will be served by shared access easements of a variety of widths. No details of the improvements within the easements is provided, although the concept plan appears to indicate that sidewalks and street trees will be provided within the easements. In keeping with the street design criteria, it is recommended that the easements comply with Figure 13 (Street Type-Common Access Easement) with sidewalks and street trees on both sides. The exact width of the sidewalk, the type of pedestrian amenities, and the width of the buffer shall be determined at the time of DSP. However, standard or wide sidewalks are recommended along all shared access easements (excluding alleys), consistent with the requirements of the sector plan.

### **Proposed On-Site Bicycle and Pedestrian Improvements**

The subject application subdivides the subject site in order to accommodate the future residential and mixed-used development. It also proposes the framework for the future transportation network with the conceptual easement exhibit. However, sidewalk widths, materials, and other pedestrian amenities and accommodations are not included in the submitted PPS. Standard or wide sidewalks are recommended along all of the proposed shared access easements, consistent with the requirements of the sector plan and the Complete Streets element of the MPOT. The exact width and materials of the sidewalks, as well as other pedestrian amenities and Americans with Disabilities Act (ADA) features, will be addressed at the time of DSP. Additional sidewalks,



walkways, or trails may be recommended at the time of DSP in order to accommodate all pedestrian routes necessary to serve the development.

The approval of PPS 4-15009, which included the Regional Medical Center located east of the subject site, included a condition of approval requiring sidewalks and designated bike lanes along the extension of Harry S Truman Drive. Improvements for the subject site should be consistent with this prior approval. Condition 24(b) of PPS 4-15009 describes the cross section for this road as copied below:

- b. Provision of Public Road 'A' as a four-lane divided roadway transitioning to undivided multi-lane collector street with on-road bike lanes, wide sidewalks separated by landscaped buffers, street lights, and on-street parking on both sides for a portion of its length from Arena Drive to the existing Harry S Truman Drive, in accordance with the applicant's "Street Section" Exhibit.**

Conditions of approval of this application require sidewalks along both sides of all the shared access easements and frontage improvements along Harry S Truman Drive, consistent with PPS 4-15009.

#### **Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements**

Due to the location of the subject site within the Largo Town Center, the application is subject to Council Bill CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) of the Subdivision Regulations 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) of the Subdivision Regulations:

**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.**

Based on the 1,200,000 square feet of retail/commercial/office/hotel space proposed and 3,000 multifamily dwelling units proposed, the cost cap for the site is \$1,320,000.

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) of the Subdivision Regulations:

- (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;**
  - 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.**

At the time of approval of PPS 4-15009, the following pedestrian, ADA, and transit improvements were identified and prioritized by M-NCPPC, the Prince George's County Department of Public Works and Transportation (DPW&T), and the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and are approved for use as off-site improvements for future phases of the Boulevard at the Capital Centre redevelopment, as follows:

- 1. Two bus shelters of Lottsford Road near Grand Boulevard**
- 2. Arena Drive and Shoppers Way intersection**
  - a. Pedestrian signals on the west leg**
  - b. ADA ramps on the west leg**
  - c. Crosswalk on the west leg**

3. **Arena Drive and Capital Centre Boulevard intersection**
  - a. **Pedestrian signals on the south, west, and north legs**
  - b. **ADA ramps on the south and west legs**
  - c. **Crosswalks on the south, west, and north legs**
4. **Arena Drive at Apollo/Largo Center Drive intersection**
  - a. **Pedestrian signals on the south, west, and north legs**
  - b. **ADA ramps on the south and west legs**
  - c. **Crosswalks on the south, west, and north legs**
5. **Lottsford Road and McCormick Drive**
  - a. **Crosswalk on the west leg**

**Note:** After the approval of PPS 4-15009, Arena Drive was renamed Medical Center Drive.

The projects listed above are the identified improvements that the County feels are needed to support the subject application. As DSPs are submitted, projects will be selected from this list to meet the site's requirements for off-site improvements consistent with the cost cap. Section 24-124.01(f) of the Subdivision Regulations explains how the improvements can be determined and finalized at the time of DSP.

- (f) **If a conceptual or detailed site plan approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in Subsection (c ) of this Section, along with the location, types, and description of major improvements, property/lot lines, and owners that are within fifty (50) feet of the subject easements and rights-of-way.**

The required bicycle and pedestrian impact statement (BPIS) for PPS 4-17023 was initially submitted on March 30, 2018 and the improvements noted in the finding for PPS 4-15009 were proffered. The BPIS further noted that the cost of these improvements is \$250,591.86. This is well below the cost cap calculated for the subject site. Staff has had discussions with the applicant regarding additional improvements needed to further improve the pedestrian environment in the vicinity of the subject site, and bring the package of off-site improvements closer to the cap. Additional improvements that will serve the site include expansion of the regional bike share system in the Largo area, road resurfacing projects for designated bike lanes, and the Central Avenue Connector Trail. DPW&T is in the process of implementing the regional bike share

system in the Largo area, with three stations anticipated in May 2018. The expansion of this network in the immediate vicinity of the subject site will supplement the publicly-funded stations elsewhere in Largo and make for a larger, more viable network in the Largo area.

The Central Avenue Connector Trail is a master plan trail first identified and prioritized by the community in the TOD plan. The trail extends along the entire Metro Blue Line in Prince George's County and, in the vicinity of the subject site, runs along Brightseat Road and Medical Center Drive. The project is identified as one of the top trail priorities for the County in the 2017 Joint Signature Letter, and 30 percent design plans are currently under development. It is recommended that the additional funds for off-site facilities go towards this priority project. At the time of DSP, it can be determined if a segment of the trail should be constructed by the applicant, or if the funding should be placed in a CIP line item with construction to be completed by DPW&T and/or M-NCPPC.

Lastly, DPW&T is in the process of restriping existing roads to include designated bike lanes and other appropriate bicycle treatments. Largo Center Drive is being restriped for bike lanes via the Crescents at Largo Town Center (PPS 4-13028 development plan). DPW&T is also resurfacing and restriping Lottsford Road. Additional roads may be eligible for resurfacing, and designated bike lanes and can be used towards the cost cap and off-site improvements for the subject site.

**Demonstrated nexus between the subject application and the off-site improvements**

Section 24-124.01(c) of the Subdivision Regulations 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. This section is copied below, and the demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized below.

- (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.**

There is a demonstrated nexus between the subject application and the proffered and recommended off-site pedestrian and transit improvements. In addition to providing improved pedestrian, transit, and ADA access to the hospital from surrounding communities, the improvements will also directly benefit the future residents and employees of the subject site in the ways summarized below:

1. The off-site bus shelters proffered by the applicant will improve transit access for the future residents and employees of the subject site by making for a more

inviting and protected environment for transit users. Furthermore, the crosswalk, ADA ramps, and pedestrian signals will improve the pedestrian environment immediately around the subject site and ensure an accessible pedestrian network. The facilities proposed in the submitted BPIS were identified as needs by DPW&T and DPIE at a May 2015 coordination meeting and will make for a more complete street network in the vicinity of the site.

2. The bike share stations will expand the bike share network in Largo currently being implemented by DPW&T and will provide the future residents and employees of the site with access to non-motorized transportation, which supplements the Metro station and provides an alternative mode for short trips.
3. The Central Avenue Connector Trail is a master plan trail that runs along the subject site's northern edge and extends to the communities immediately to the west of the site, along Brightseat Road. It will improve sidewalk and bicycle access along both roads, implement the master plan facility between Largo Town Center and FedEx Field, and provide a safe bicycle facility for the future residents and employees using the regional bike share system.

#### **Finding of Adequate Bicycle and Pedestrian Facilities**

Council Bill CB-2-2012 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. Council Bill CB-2-2012 is applicable to a PPS within designated centers and corridors. The subject application is located within the designated Largo Town Center, as depicted on the Adequate Public Facility Review Map of the General 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, Sections 24-124.01(b)(1) and (2) of the Subdivision Regulations include 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 include, at a minimum, 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; and**

- 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 subject application reflects the parcels on the subject site, but does not include the building layout, street network, or streetscape improvements. However, it proposes the framework for the future transportation network with the conceptual easement exhibit. Details regarding sidewalk widths, materials, and other pedestrian amenities and accommodations are not included in the submitted PPS. Standard or wide sidewalks are recommended along all of the proposed shared access easements, consistent with the requirements of the sector plan and the Complete Streets element of the MPOT. The exact width and materials of the sidewalks, as well as other pedestrian amenities and ADA features, will be addressed at the time of DSP. Additional sidewalks, walkways, or trails may be recommended at that time in order to accommodate all pedestrian routes necessary to serve the development. These sidewalks, along with the off-site crosswalks, ADA improvements, pedestrian signals, and the Central Avenue Connector Trail construction will ensure adequate pedestrian facilities for the future residents and employees of the subject site.

**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;**

Bicycle lanes are to be provided along the main north-south road serving the site, as approved at the time of PPS 4-15009 and recommended with this PPS. This road and associated bike lanes will serve as the extension of Harry S Truman Drive along the east boundary of the subject site, with the bike lanes providing access to the Regional Medical Center and the subject site from the communities to the south. Improvements for the Central Avenue Connector Trail are recommended along Brightseat Road and Medical Center Drive. The provision of the regional bike share system on, and in the vicinity of, the subject site will further encourage and promote bicycle transportation to and through the subject site.

- 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;**

Bicycle lanes are to be provided along the main north-south road serving the site, as approved at the time of PPS 4-15009 and recommended with this PPS. This road and associated bicycle lanes will serve as the extension of Harry S Truman Drive along the post boundary of the subject site, with the bicycle lanes providing access to the Regional Medical Center and the subject site from the communities to the south. Improvements for the Central Avenue Connector Trail are recommended along Brightseat Road and Medical Center Drive.

- 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**

Bicycle lanes are to be provided along the main north-south road serving the site, as approved at the time of PPS 4-15009 and recommended with this PPS. This road and associated bike lanes will serve as the extension of Harry S Truman Drive along the east boundary of the subject site, with the bike lanes providing access to the Regional Medical Center and the subject site from the communities to the south. Improvements for the Central Avenue Connector Trail are recommended along Brightseat Road and Medical Center Drive. Additional urban design treatments and trails may be recommended at the time of DSP in order to better accommodate bicycle movement through the subject site.

- 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.**

On-site bicycle parking shall be required at the time of DSP. Supplementing this bicycle parking will be the provision of the regional bike share system on, and in the vicinity of, the subject site. In conjunction with the trails and bicycle lanes being provided in the vicinity of the subject site, this bicycle parking and bike share system will provide for adequate bicycle accommodations in the vicinity of the subject site.

10. **Transportation**—The site consists of 49.71 acres in the M-X-T Zone. It is in the southeast quadrant of the intersection of Medical Center Drive and the I-495/95 (Capital Beltway). The subject property is currently developed as a 409,606-square-foot shopping center. The applicant is redeveloping the entire site with 1,200,000 square feet of retail/commercial development, in addition to 3,000 multifamily dwellings.

On June 25, 2015, the Planning Board approved PPS 4-15009 for the proposed medical hospital in Largo. Pursuant to PGCPB Resolution No. 15-59, the PPS was approved with the following condition:

- 18. Total development within the proposed Parcel 1 shall be limited to uses that would generate no more than 289 (179 in and 109 out) and 1,210 (581 in and 629 out) AM and PM peak-hour vehicle trips. These AM and PM peak-hour vehicle trip caps include a 30 percent pass-by vehicle trip reduction recommended by the “Guidelines” for retail centers between 300,000 and 600,000 square feet GFA. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of adequacy of transportation facilities.**

Parcel 1, as referenced in that previous approval, is the area covered in this PPS. Consequently, the development has a development entitlement of 289 AM and 1,210 PM peak hour trips.

#### **Traffic Impacts**

The findings outlined below are based upon a review of the materials and analyses conducted, consistent with the “Transportation Review Guidelines,” otherwise termed the “Guidelines.”

The application analyzed is a preliminary plan of subdivision (PPS) for a mixed-use development. Specifically, the plan proposes redevelopment of the Boulevard Shopping Center, where the site will be developed over two phases. The applicant is proposing a mix of retail, office, hotel, and residential (mid-rise apartments) uses. Specifically, the following represents the breakdown for the proposed development:

##### Phase 1

- |   |                     |                     |
|---|---------------------|---------------------|
| • | Retail              | 171,000 square feet |
| • | Medical Office      | 220,000 square feet |
| • | Mid-rise Apartments | 1,690 units         |
| • | Hotel               | 300 rooms           |

##### Phase 2

- |   |                     |                     |
|---|---------------------|---------------------|
| • | General Office      | 521,000 square feet |
| • | Mid-rise Apartments | 1,310 units         |



Total Buildout

•	Retail	171,000 square feet
•	Medical Office	220,000 square feet
•	General Office	521,000 square feet
•	Mid-rise Apartments	3,000 units
•	Hotel	300 rooms

Using trip generation rates from the Guidelines, the existing development of 409,606 square feet of retail generates 289 (179 in, 109 out) AM peak hour trips and 1,210 (581 in, 629 out) PM peak hour trips. These existing trips represent net trips after discounts of transit reduction, as well as pass-by, have been applied. Since the existing shopping center is currently generating traffic, its current trip generation is grandfathered and, therefore, considered to be a vested development right. Consequently, any redevelopment within the subject property where the mix of uses do not exceed a trip generation of 289 AM and 1,210 PM net peak hour trips shall not be subject to any transportation adequacy test.

Regarding the total new development (Phases 1 and 2 combined) being proposed, the trip generation was computed as 2,520 AM and 2,181 PM net new trips.

The subject property is located within Transportation Service Area (TSA) 1, as defined in the 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.

Since the trip generation for the development is projected to exceed the trip cap in either peak hour, the applicant has provided a traffic impact study (TIS) dated June 2017. Using data from this TIS, the following results were determined:

<b>EXISTING CONDITIONS</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Medical Center Drive and I-495/I-95 SB Ramps	A/788	D/1,395
Medical Center Drive and I-495/I-95 N Ramps	A/907	A/931
Medical Center Drive and Shoppers Way	A/600	A/807
Medical Center Drive and Capital Center Boulevard	A/455	A/781
Medical Center Drive and Lottsford Road	A/856	A/842
Medical Center Drive and Largo Center Drive	A/432	A/916
Medical Center Drive and MD 202	B/1,085	B/1,117

In evaluating the effect of background traffic, 14 background developments were identified in the TIS. Those developments could potentially add as many as 3,317 AM and 4,382 PM peak hour trips to all or most of the critical intersections. A background scenario analysis based on future developments yielded the following results:

<b>BACKGROUND CONDITIONS</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Medical Center Drive and I-495/I-95 SB Ramps	B/1,050	E/1,597
Medical Center Drive and I-495/I-95 N Ramps	C/1,196	E/1,595
Medical Center Drive and Shoppers Way	B/1,105	C/1,283
Medical Center Drive and Capital Center Boulevard	A/964	E/1,536
Medical Center Drive and Lottsford Road	C/1,243	D/1,358
Medical Center Drive and Largo Center Drive	A/528	A/990
Medical Center Drive and MD 202	B/1,102	C/1,238

Regarding the evaluation of the traffic from the development, an assumption was made that the property will be developed in two phases. The TIS applied trip generation rates from the "Guidelines," based on the following uses:

<b>Table 1</b>						
<b>Trip Generation Summary–Proposed Development (Phase 1)</b>						
Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Retail - 171,000 square feet	134	82	216	412	446	858
<i>Less Transit Reduction (10%)</i>	<i>-13</i>	<i>-8</i>	<i>-21</i>	<i>-41</i>	<i>-45</i>	<i>-86</i>
<i>Less Internal Trips</i>	<i>-43</i>	<i>-20</i>	<i>-63</i>	<i>-82</i>	<i>-141</i>	<i>-223</i>
<i>Less Pass-by Trips (30%)</i>	<i>-23</i>	<i>-16</i>	<i>-39</i>	<i>-87</i>	<i>-78</i>	<i>-165</i>
<b>New Retail Trips</b>	<b>55</b>	<b>38</b>	<b>93</b>	<b>202</b>	<b>182</b>	<b>384</b>
Medical Office - 220,000 sq. feet	416	110	526	220	565	785
<i>Less Transit Reduction (10%)</i>	<i>-42</i>	<i>-11</i>	<i>-53</i>	<i>-22</i>	<i>-57</i>	<i>-79</i>
<i>Less Internal Trips</i>	<i>-41</i>	<i>-31</i>	<i>-72</i>	<i>-23</i>	<i>-44</i>	<i>-67</i>
<b>New Office Trips</b>	<b>333</b>	<b>68</b>	<b>401</b>	<b>175</b>	<b>464</b>	<b>639</b>
Apartment (Mid-Rise) 1,690 Units	169	710	879	659	355	1014
<i>Less Transit Reduction (10%)</i>	<i>-17</i>	<i>-71</i>	<i>-88</i>	<i>-66</i>	<i>-35</i>	<i>-101</i>
<i>Less Internal Trips</i>	<i>-3</i>	<i>-19</i>	<i>-22</i>	<i>-127</i>	<i>-66</i>	<i>-193</i>
<b>New Apartment Trips</b>	<b>149</b>	<b>620</b>	<b>769</b>	<b>466</b>	<b>254</b>	<b>720</b>
Hotel – 300 rooms	94	65	159	92	88	180
<i>Less Transit Reduction (10%)</i>	<i>-9</i>	<i>-7</i>	<i>-16</i>	<i>-9</i>	<i>-9</i>	<i>-18</i>
<i>Less Internal Trips</i>	<i>0</i>	<i>-17</i>	<i>-17</i>	<i>-27</i>	<i>-8</i>	<i>-35</i>
<b>New Hotel Trips</b>	<b>85</b>	<b>41</b>	<b>126</b>	<b>56</b>	<b>71</b>	<b>127</b>
<b>Total New Trips for Cap Center (Phase 1)</b>	<b>622</b>	<b>767</b>	<b>1,389</b>	<b>899</b>	<b>971</b>	<b>1,870</b>
<i>Grandfathered Development</i>	<i>-179</i>	<i>-110</i>	<i>-289</i>	<i>-581</i>	<i>-629</i>	<i>-1,210</i>
<b>Difference (Phase 1 less Grandfathered)</b>	<b>443</b>	<b>657</b>	<b>1,100</b>	<b>318</b>	<b>342</b>	<b>660</b>

Based on the uses for the Phase 1 development shown on Table 1 above, the following results were generated:

<b>TOTAL CONDITIONS (Phase 1)</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Medical Center Drive and I-495/I-95 SB Ramps <i>With Phase 1 DDI improvements</i>	B/1,320 A/838	<b>F/1,911</b> B/1,059
Medical Center Drive and I-495/I-95 NB Ramps <i>With Phase 1 DDI improvements</i>	E/1,510 C/1,214	<b>F/1,908</b> E/1,593
Medical Center Drive and Shoppers Way <i>With Phase 1 improvements</i>	F/1,629 D/1,383	<b>F/1,663</b> D/1,441
Medical Center Drive and Capital Center Boulevard <i>With Phase 1 improvements</i>	C/1,158 B/1,062	<b>F/1,690</b> D/1,375
Medical Center Drive and Lottsford Road	D/1,349	D/1,448
Medical Center Drive and Largo Center Drive	A/572	B/1,040
Medical Center Drive and MD 202	B/1,102	C/1,297

The results of the traffic analyses show that, under total traffic for the Phase 1 development, many of the critical intersections will require improvements in order to achieve the transportation adequacy thresholds. Table 2 below represents the applicant's build-out (Phase 2) development proposal.

<b>Table 2</b>						
<b>Trip Generation Summary - Proposed Development (Buildout)</b>						
Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Retail - 171,000 square feet	134	82	216	412	446	858
<i>Less Transit Reduction (10%)</i>	-13	-8	-21	-41	-45	-86
<i>Less Internal Trips</i>	-61	-30	-91	-82	-141	-223
<i>Less Pass-by Trips (30%)</i>	-18	-13	-31	-87	-78	-165
<b>New Retail Trips</b>	<b>42</b>	<b>31</b>	<b>73</b>	<b>202</b>	<b>182</b>	<b>384</b>
Medical Office - 220,000 square feet	416	110	526	220	565	785
General Office – 521,000 square feet	938	104	1042	182	782	964
<i>Less Transit Reduction (10%)</i>	-135	-21	-156	-40	-135	-175
<i>Less Internal Trips</i>	-90	-43	-133	-34	-60	-94
<b>New Office Trips</b>	<b>1,129</b>	<b>150</b>	<b>1,279</b>	<b>328</b>	<b>1,152</b>	<b>1,480</b>
Apartment (Mid-Rise) 3,000 units	300	1,260	1,560	1,170	630	1,800
<i>Less Transit Reduction (10%)</i>	-30	-126	-156	-117	-63	-180
<i>Less Internal Trips</i>	-6	-38	-44	-143	-77	-220
<b>New Apartment Trips</b>	<b>264</b>	<b>1,096</b>	<b>1,360</b>	<b>910</b>	<b>490</b>	<b>1,400</b>

<b>Table 2</b>						
<b>Trip Generation Summary - Proposed Development (Buildout)</b>						
Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Hotel – 300 rooms	94	65	159	92	88	180
<i>Less Transit Reduction (10%)</i>	-9	-7	-16	-9	-9	-18
<i>Less Internal Trips</i>	0	-46	-46	-27	-8	-35
<b>New Hotel Trips</b>	<b>85</b>	<b>12</b>	<b>97</b>	<b>56</b>	<b>71</b>	<b>127</b>
<b>Total Trips for Cap Center (Buildout Trip Cap)</b>	<b>1,520</b>	<b>1,289</b>	<b>2,809</b>	<b>1,496</b>	<b>1,895</b>	<b>3,391</b>
<i>Grandfathered trips for Cap Center (Existing)</i>	-179	-110	-289	-581	-629	-1,210
<b>OVERALL Trip Impact (Buildout)</b>	<b>1,341</b>	<b>1,179</b>	<b>2,520</b>	<b>915</b>	<b>1,266</b>	<b>2,181</b>

Based on the proposed uses for the buildout development shown on Table 2 above, the following results were generated:

<b>TOTAL CONDITIONS: BUILD-OUT</b>		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Arena Drive and I-495/I-95 SB Ramps + initial DDI improvements <i>With Phase 2 DDI improvements</i>	B/1,049 <i>A/919</i>	C/1,196 <i>B/1,009</i>
Arena Drive and I-495/I-95 NB Ramps + initial DDI improvements <i>With Phase 2 DDI improvements</i>	E/1,554 <i>C/1,159</i>	<b>F/1,861</b> <i>D/1,413</i>
Arena Drive and Shoppers Way + initial phase improvements <i>With Phase 2 improvements</i>	<b>F/1,689</b> <i>D/1,303</i>	<b>F/1,865</b> <i>D/1,432</i>
Arena Drive and Capital Center Blvd. + initial phase improvements	D/1,406	E/1,570
Arena Drive and Lottsford Road	E/1,471	E/1,572
Arena Drive and Largo Center Drive	A/661	B/1,127
Arena Drive and MD 202	B/1,116	D/1,368

The results of the traffic analyses show that, under total traffic for the buildout of the development, three of the critical \*intersections, including the two that are part of the interchange at Medical Center Drive and I-95/495, will require additional (Phase 2) and significant improvements in order to achieve the transportation adequacy.

\*Denotes Correction

Underlining indicates new language

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

It should be noted that the applicant, by way of the traffic impact study, has proposed a specific type of interchange – a diverging diamond interchange – to replace the existing conventional diamond interchange. The needed improvements at the interchange ramp junctions are described in a more generic manner, given that any changes to the existing interchange will entail a full planning and design process that will involve the Maryland State Highway Administration as well as the Federal Highway Administration.

#### **Agency review**

The TIS was referred to and reviewed by representatives from the Department of Public Works and Transportation (DPW&T) and the Maryland State Highway Administration (SHA). In a January 9, 2018 letter to staff (Young to Dixon), SHA expressed concurrence with the study findings and offered no further comments. In a January 24, 2018 memorandum to staff (Abrahamian to Masog), DPW&T expressed a desire to have two additional intersections along Medical Center Drive included in the scope of the traffic study. However, because of the proposed expansion of Medical Center Drive, the interchange will be under the control of SHA, and DPW&T has deferred its comments on that impending expansion to SHA.

#### **Master Plan, Right-of-Way Dedication, Site Layout**

The property is located in an area where the development policies are governed by the sector plan as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The plans recommend Medical Center Drive be upgraded to an arterial road (A-30) with a variable width right-of-way of 120–150 feet. The section of Medical Center Drive along the property's frontage is dedicated to the sector plan requirement, and no additional dedication will be required of the applicant. The property's eastern boundary fronts on an unbuilt portion of Harry S Truman Drive. This future road will be created by the extension of the existing Capital Centre Boulevard to the south, and the extension of the existing Harry S Truman Drive to the north. This new road will be built within an existing right-of-way that is approximately 90 feet wide. No additional right-of-way will be required of the applicant.

There is an issue, however, that has been raised by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), which may require additional right-of-way. In a February 13, 2018 electronic mail to planning staff, Ms. Cipriana Eckford, the Chief Traffic Engineer for DPIE, suggested that a roundabout be built along Harry S Truman Drive. The proposed location coincides with a point where Harry S Truman Drive is constructed with a 90-degree bend along its alignment. DPIE cited safety as the justification for the roundabout; however, no indication has been provided regarding how much right-of-way will be needed to support its construction. It has been determined that this issue is best addressed through the permitting process.

The application proposes the creation of 16 parcels. In order to provide access to all of these parcels, a series of access easements are being proposed by the applicant. Given the undesirability of each parcel accessing a public street, the proposed easements represent a grid system that is best suited for the circulation of internal traffic. The Planning Board supports the easement grid as proposed, as discussed further.

There is a total of five points of access being proposed along Harry S Truman Drive. With the exception of these access points, there will be a denial of access along Harry S Truman Drive. Similarly, an access easement is being proposed along Medical Center Drive. No other access will be allowed on Medical Center Drive between I-95/495 and Harry S Truman Drive.

All of the intersections deemed critical to the development will operate adequately with the full buildout of the development, but only after improvements have been made to at least four of those intersections. Two of the intersections involve the interchange at Medical Center Drive and the Beltway. The recommendations in the traffic study suggest reconstruction of the interchange to coincide with the phasing of the development. Because the interchange is part of the federal Interstate Highway network, all changes to the interchange will require Federal approval, working in concert with SHA.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision as required, in accordance with Section 24-124 of the Subdivision Regulations, as approved with conditions.

11. **Vehicular Access and Easements**—The property has frontage on the Capital Beltway to the west, to which access is to be denied, Medical Center Drive to the north is an arterial roadway where access is limited pursuant to Section 24-121(a)(3) of the Subdivision Regulations; and Harry S Truman Drive to the east and south, a collector facility. There is a total of five points of access being proposed along Harry S Truman Drive. With the exception of these access points, there will be a denial of access along Harry S Truman Drive pursuant to Section 24-128(b)(9) to avoid potentially hazardous or dangerous traffic situations where direct vehicular access is denied. Similarly, an access easement (24-128(b)(9)) is being proposed along Medical Center Drive. No other access will be allowed on Medical Center Drive between the Beltway and Harry S Truman Drive.

Internal vehicular access is proposed to be provided by easements/covenants authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations, to avoid potentially hazardous or dangerous traffic situations. No public or private streets are within the subdivision. The use of internal access easements to serve these 14 development parcels (16 total with two parcels being conveyed to the owners association as open space) will allow for the consolidation of traffic onto Medical Center Drive and Harry S Truman Drive. Given the amount of development and the desire to consolidate vehicular access to the existing public street system, the proposed easements represent a grid system consistent with the Largo Town Center Sector Plan, as reflected in Map 7 Illustrative TOD Core Concept Plan (page 24), and provides appropriate circulation of internal traffic. The easement grid system, as proposed, includes a hierarchical system of easements which range in width from 22 feet to 52 feet, with the minimum width of the travel way being 22 feet wide for two-way traffic. The Planning Board approves the internal private vehicular grid system as proposed.

The applicant filed a Conceptual Easement Exhibit that provided for four vehicular access drives onto Medical Center Drive and Harry S Truman Drive. After subsequent discussion with the applicant, the easement exhibit is to be amended prior to signature approval of the PPS to reflect

one vehicular access to Medical Center Drive, three on the eastern edge of the site that fronts Harry S Truman, and one to the south edge of the site fronting Harry S Truman Drive from Parcel 1, for a total of five access locations. One of the vehicular access easements along the eastern edge of the site that fronts Harry S Truman should be reduced so that the easement is located only on the subject property, which may limit this access to one-way traffic. The underlying concept plan will need to conform to the easement existing to ensure adequate access and circulation. There is an anticipation that minor modification may occur through the detailed site plan process; however, at no time may the number of access drives be increased above that described in this finding of adequate access pursuant to Section 24-128(b)(9). Each parcel must be adequately served.

Parcel 1 is encumbered by an existing driveway which serves abutting Parcel 9 to the east, which is developed with a parking lot that serves the hospital site. The applicant intends to amend the Conceptual Easement Exhibit to extend a Section 24-128(b)(9) easement south along the eastern edge of Parcel 1 to Harry S Truman Drive (one of the four described above). However, if the applicant is able to obtain an easement from the owner of Parcel 9, the applicant may reduce the 52-foot-wide on-site easement. In that case, the applicant is requesting, with this PPS approval, the ability to add one additional vehicular access easement along the western boundary of Parcel 1, for a total of two on Parcel 1 and an overall total of vehicular access driveways for the site of six. At the time of DSP for Parcel 1, the number of vehicular access easements will be determined and reflected on the site plan and final plat.

With the exception of these access points, there will be a denial of access along Harry S Truman Drive. Similarly, a single access easement is being proposed to Medical Center Drive, an arterial, which is subject to a variation, as discussed further. No other access will be allowed on Medical Center Drive between the Capital Beltway and Harry S Truman Drive with the use of the type of easement proposed by the applicant. Direct access to the Capital Beltway is denied.

The applicant has requested a variation from Section 24-124(a)(3) to allow direct access onto Medical Center Drive to the north, which is an arterial roadway, as discussed further. As discussed, the applicant's conceptual easement exhibit consolidates the number of vehicular access points and will be adjusted prior to signature approval to reflect the amendments herein. The internal circulation, via the use of easements (Section 24-128(b)(9)), shall be limited to no more than six, and will provide adequate access and circulation throughout the site.

**Variation Request**—Section 24-121(a)(3) of the Subdivision Regulations states the following:

**Section 24-121. Planning and design requirements.**

(a) **The Planning Board shall require that proposed subdivisions conform to the following:**

(3) **When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned**



**roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.**

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

#### **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 will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The site has been accessing Medical Center Drive (previously known as Arena Drive), an arterial road, as its main public entrance into the property since the early 1970s when the original structures were built. For almost 45 years, in one configuration or another, this site has been directly accessed by Medical Center Drive. The entrance has been reevaluated, reconstructed, and found to be an adequate and safe access point to this property. By denying access to Medical Center Drive, emergency vehicles and first responders would have to access the site from the newly created access points from Harry S Truman Drive, which would undoubtedly interfere with hospital traffic. Harry S Truman Drive would become too heavily trafficked and cause public safety issues for both sites. The public safety, health, or welfare of this development will not be detrimentally affected by the granting of this variation.

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

This property has been developed since the early 1970s after the completion of I-95/495 in the mid-1960s. The site has denied access to the west due to I-95/495, access to the south due to Harry S Truman Drive, existing access to planned

Harry S Truman Drive to the east, and existing direct access to Medical Center Drive to the north. The existing entrance to the north is the only part of the property that has direct access to an existing public road. The majority of the visitors use the access of Medical Center Drive to gain ingress and egress to the site. These conditions create an environment that is unique to the property and generally not applicable to other properties.

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

The variation from Section 24-121(a)(3) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

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

The site is surrounded by I-95/495 to the west, the Largo Town Center Metro Station and Harry S Truman Drive to the south, the planned Harry S Truman extension and the planned Prince George's County Medical Center to the east, and Medical Center Drive to the north. The only access from the existing public road is Medical Center Drive. Secondary access points into the site will be provided along the planned Harry S Truman Drive to the east. However, to keep traffic volume down along this road, which will be fronting the proposed adjacent hospital, the Boulevard at the Capital Centre site will utilize the existing access point on Medical Center Drive that currently allows for access to the site. If the strict letter of these regulations is carried out, it would again impose another limitation to this development and hardship to the applicant.

- (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.**

This is not applicable because the site is zoned M-X-T.

The site is unique to the surrounding properties, and the variation request is supported by the required findings. Approval of the applicant's request will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to guide development according to the General Plan.

Therefore, the Planning Board approves the variation from Section 24-121(a)(3) of the Subdivision Regulations to allow access to an arterial road, Medical Center Drive.

12. **Schools**—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 for the residential units proposed, and the following is concluded:

**Residential**

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

Affected School Clusters	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Dwelling Units	3,000 DU	3,000 DU	3,000 DU
Pupil Yield Factor	0.119	0.054	0.074
Subdivision Enrollment	357	162	222
Actual Enrollment in 2017	10,884	4,539	7,498
Total Enrollment	11,241	4,701	7,720
State Rated Capacity	13,616	5,374	8,998
Percent Capacity	83%	87%	86%

County Council bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between 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.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved Transit District Overlay Zone (TDOZ); or where there is no approved TDOZ within 0.25 mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the 2010 *Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment*. The bill also established an exemption for studio or efficiency apartments that are located within County urban centers and corridors as defined in Section 27A-106 of the County Code; within an approved TDOZ; or where there is no approved TDOZ then within 0.25 mile of a metro station. This act is in effect from October 1, 2013 through September 30, 2018.

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.

**Nonresidential**

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.

**Residential**

The response time standard established by Section 24-122.01(e) of the Subdivision Regulations is a maximum of seven minutes travel time from the first due station.

The project is served by Kentland Fire/EMS, Company 846, which is located at 10400 Campus Way South. 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 November 27, 2017, the project is within a seven-minute travel time from the first due station.

The Fire Chief, as of May 15, 2016, has outlined the adequacy of personnel and equipment as required by Section 24-122.01(e).

**Nonresidential**

The Prince George's County Fire and Emergency Medical Services (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 13, 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 Kentland Fire/EMS Station 846, which is located at 10400 Campus Way South. Applying the national standard, the subject property passes the adequacy test.

**Capital Improvement Program (CIP)**

The Prince George's County fiscal year 2018–2023 approved CIP provides funding to complete a major renovation to the existing Kentland Fire/EMS facility constructed in 1970.

14. **Police Facilities**—The following evaluation is provided for impact on police services in accordance with Section 24-122.01(c) of the Subdivision Regulations.

### **Residential**

The subject property is in Police District II, Bowie. The response time standards established by Section 24-122.01(e) is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The preliminary plan was accepted for processing by the Planning Department on November 20, 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**

The nonresidential portion of the site is within the service area of Police District II, Bowie. 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) 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. The property is within Tier 1 under the Sustainable Growth Act and will, therefore, be served by public systems.

Water and sewer lines abut and traverse the property that is served by on-site public systems. Additional water and sewer line extensions may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC).

16. **Use Conversion**—The total development included in this PPS is 3,000 multifamily residential units and \*1,200,000 square feet of commercial, retail, office, and hotel development in the M-X-T and D-D-O Zones. 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, that revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits.
17. **Public Utility Easement**—Section 24-122(a) of the Subdivision Regulations requires that, when utility easements are required by a public company, the subdivider should 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.”

\*Denotes Correction

Underlining indicates new language

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

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The internal vehicular access easements are considered driveways pursuant to Sections 24-128(b)(9) of the Subdivision Regulations and Section 27-107.01 of the Zoning Ordinance, a PUE is therefore not required along these easements. The subject site fronts on public rights-of-way Medical Center Drive to the north, I-95/495 to the west, and Harry S Truman Drive to the east and south. The applicant has requested approval of a variation from Section 24-122(a) of the Subdivision Regulations to not provide a PUE along I-95/495.

**Variation**—Section 24-122(a) requires the following:

**Section 24-122. Public facilities requirements.**

- (a) **When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.**

The subject site is bound by public rights-of-way on all sides. A 10-foot-wide PUE located along the public street is the standard requirement of the public utility companies.

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

**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 will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The development proposes 10-foot-wide PUEs along Medical Center Drive and Harry S Truman Drive. The site's frontage along I-95/495 is not proposed to contain a PUE. There are areas proposed for woodland preservation along the I-95/495 boundary and, if this frontage was to include a PUE, then the forest within this PUE could not be included in woodland preservation. Being that the proposed utilities along Medical

Center Drive and Harry S Truman Drive will be underground and closely coordinated among various approving agencies and public utility companies to provide adequate utility connections to the subject site, the public safety, health, or welfare will not be detrimentally affected by the granting of this variation. The site does not currently contain a PUE along I-95/495 and is currently developed with commercial uses having adequate utilities to service the development.

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

The subject site is surrounded by public rights-of-way on three sides. Along the site's frontage on Medical Center Drive and Harry S Truman Drive, 10-foot-wide PUEs are proposed. Internal to the site, the access easements are authorized pursuant to Section 24-128(b)(9), and are not defined as streets by Section 27-107.01 of the Zoning Ordinance and, therefore, no PUEs are required. No PUEs are proposed along the site's frontage on I-95/495. The site is developed with an existing commercial development. Utilities are currently provided to the site with no PUE along I-95/495. Additional PUEs are not necessary for the redevelopment proposed on this site, as the site is currently developed and served by existing utility connections. Further, PUEs are to be provided along two of the streets along which the site has frontage. These conditions are unique to the property and generally not applicable to other properties.

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

The variation from Section 24-122(a) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. This PPS and variation request for the location of PUEs was referred to the Potomac Electric and Power Company (PEPCO), WSSC, and Comcast. WSSC will be provided with separate easements for wet utilities per their standard requirement. Any public water and sewer extensions that are requested or required for any portion of the proposed development must meet the requirements of the WSSC Pipeline Design Manual, including separation with buildings and other utilities and adequate easement areas for WSSC facilities. A response from PEPCO and Comcast were not received. It is noted that the site is currently served by public utilities; therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

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

The site is surrounded by existing roads and development on all sides. The existing roads that the site is adjacent to are Medical Center Drive, Harry S Truman Drive, and I-95/495. Along the site's frontage on these roads, except I-95/495, 10-foot-wide PUEs are proposed. No PUEs are proposed along I-95/495. If 10-foot-wide PUEs were proposed along I-95/495, woodland preservation provided on-site would be reduced, thus decreasing the environmental quality of the site. The topography of the site is steep and severe along I-95/495, making installation of public utilities difficult and moreover not necessary to serve the development. If the strict letter of these regulations is carried out, it would again impose another limitation on this development and its environmental and woodland quality.

- (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.**

This is not applicable because the site is zoned M-X-T.

The site is unique to the surrounding properties and the variation request is supported by the required findings. Approval of the applicant's request will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to guide development according to the General Plan.

The Planning Board approves the variation from Section 24-122(a) of the Subdivision Regulations to eliminate the requirement for a PUE along I-95/495.

18. **Historic**—The property was previously graded and developed with a shopping center. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. This PPS will not impact any historic sites, historic resources, or known archeological sites.
19. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:



Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
CSP-02003	N/A	Staff	Approved	08/22/02	N/A
CSP-02003-01	N/A	Planning Director	Approved	02/02/04	N/A
4-15009	TCPI-022-05-02	Planning Board	Approved	06/25/15	15-59
DSP-14028	TCP2-014-2015	Planning Board	Approved	06/25/15	15-60
5-17003	TCP2-014-2015	Planning Board	Approved	01/12/17	N/A
4-17023	TCPI-022-05-03	Planning Board	Pending	Pending	Pending

A Natural Resources Inventory, NRI-014-05-02, was approved and signed on March 24, 2016.

### **Grandfathering**

This project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 that came into effect on September 1, 2010 because the application is for a new PPS. This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

### **Site Description**

The tree conservation plan (TCP) covers 77.83 acres, while this PPS is for 49.71 acres of that larger land area. The site is located in the southeast quadrant of the intersection of Medical Center Drive, an arterial roadway, and I-95/495, a designated freeway. A review of the available information indicates that streams, wetlands, and 100-year floodplain are located on this site. These features, combined with the steep slopes associated with the streams, comprise the primary management area (PMA). This property is located in the Southwest Branch watershed of the Patuxent River basin. The site is adjacent to the Washington Metro Area Transit Authority (WMATA) Largo Town Center Metro Station property, which is located to the south. The Metro railway is regulated for noise and vibration, which could impact building foundations.

### **Vibration-Related Impacts**

This site is adjacent to a Metro commuter rail line, located 490 feet to the south, which is both above ground and underground at the site location. The commuter service will generate vibration impacts. The General Plan addresses noise, but it does not address vibrations caused by commuter rail lines. A vibration study was not filed with the PPS, but should be submitted with the DSP to determine if vibration impacts any parcels proposed with residential land uses. The study would include the criteria and thresholds of vibration measurements with regard to predicting annoyance from vibration impacts in residential areas.

Vibration impacts should be measured using the Federal Transit Administration's (FTA) manual "Transit Noise and Vibration Impact Assessment" of May 2006. Typical vibration impacts for commuter trains are determined to have a frequency of 8 to 80 hertz (HZ), with vibration events lasting approximately 10 seconds. The FTA manual applies a threshold of 72 velocity decibels (VdB) or less as "not feelable, but ground borne vibration may be audible inside quiet rooms." The threshold for human perception is 65 VdB for "barely perceptible" and 75 VdB for

“distinctly perceptible.” The report should indicate if residential structures may be exposed to vibration that could result in structural damage, or vibration that may cause slight annoyance due to ‘feelable’ vibration within the buildings. As noted in previous vibration studies submitted with PPS applications, the level of annoyance experienced will depend highly upon the tolerance of each individual. The purpose of the vibration study is to ensure that proper notice is provided for future residents and property owners of any potential vibration impacts in accordance with FTA standards.

Subsequent to review of the vibration report at the time of DSP, it should be referred to DPIE, as well as WMATA, for additional comments and recommendations. In regard to vibration analysis, DPIE has noted that a transit system, commuter rail in this case, often causes significant noise at nearby residences. FTA recommends that noise analysis shall be performed if the structure is located within 1,600 feet from the noise source. The proposed project is approximately 490 feet from the centerline of the track to the south, so noise analysis may be required with the DSP. The 65 dBA Ldn unmitigated noise contour should be indicated on the DSP from the Metro track. If noise impact exceeds the acceptable level, noise mitigation shall be proposed.

DPIE has indicated that the vibration excited by train movement rarely causes any damage to the structure. However, the measured ground-borne velocity, VdB, should be provided because, if it exceeds the FTA impact level for residential building, the future residence may experience vibration. Ground-only vibration impacts may vary depending on the proposed structure, and DPIE’s experience in dealing with vibration analysis is that the heavier the structure, the lower the vibration response will be. Lightweight material will most likely increase the vibration impact. If the vibration study or vibration information submitted with the DSP indicates that the residential land uses will be subject to vibration, the applicant should have the structural engineer work closely with an acoustical engineer/scientist (or firm) to come up with the best possible solution for any vibration impacts if it exists on-site.

### **Noise**

A Phase I noise analysis dated October 19, 2017 was prepared by Phoenix Noise and Vibration. The analysis measured roadway and railway noise from I-95/495, Medical Center Drive, and the adjacent Metro line. The noise analysis addressed outdoor noise and considered mitigation provided through conceptual building location. The noise measurement results indicate that the site will be subject to noise levels above 65 dBA Ldn (day-night average noise level), which may be mitigated to 45 dBA Ldn or less for interior noise and 65 dBA Ldn for outdoor activity areas through the use of building location and materials. The 2017 report is based on a conceptual layout of the buildings. However, building architecture for this project was not submitted as part of the analysis, and final building placement will be determined at the time of DSP. A Phase II noise analysis should be provided with the DSP, which evaluates the outdoor activity areas for the site, to ensure that appropriate mitigation is provided to reduce outdoor noise levels to 65 dBA Ldn or less. All residential buildings should have acoustical certification, at the time of building permit, that building shells have been designed to reduce interior noise levels to 45 dBA Ldn or less.

### **Soils**

The predominant soils found to occur, according to the U.S. Department of Agriculture Natural Resource Conservation Service Web Soil Survey, include the Collington-Wist, Udorthents, Urban land-Collington-Wist, and Widewater and Issue soils. According to available information, Marlboro clay and Christiana clays are not found to occur on or in the vicinity of this property.

### **General Plan**

The site is currently located within Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by the General Plan.

### **Sector Plan and Sectional Map Amendment**

In the approved sector plan, environmental recommendations are made for proposed development. These recommendations contain goals and strategies. The following guidelines have been determined to be applicable to the environmental review of the current project. The text in bold is the text from the sector plan and the plain text provides comments on plan conformance.

#### **Goal: A Green and Sustainable Community**

##### **Strategies:**

- **Identify places where green infrastructure elements of local significance can be permanently preserved and, where possible, restored and enhanced.**
- **Preserve the woodlands along streams as woodland conservation to meet their own requirements or those of adjacent sites.**
- **Identify suitable sites for and construct replacement green infrastructure elements within the Southwest Branch Watershed.**
- **Share stormwater management facilities and function between development sites to reduce the overall land consumption needed to manage stormwater with an emphasis on managing stormwater quantities in shared facilities.**
- **Identify priority downstream locations within the Southwest Branch Watershed for stream and wetland restoration projects required for mitigation.**
- **Integrate stormwater management and environmental site design features with complete street designs for all new and reconstructed interior streets within the sector plan area.**

The site contains regulated and evaluation areas based on the 2017 *Countywide Green Infrastructure Plan* (Green Infrastructure Plan). The regulated areas consist of regulated streams and 100-year floodplain on-site.

A Site Development Concept Plan, 46748-2017, has been submitted to DPIE for review to ensure that development of this site does not result in on-site or downstream flooding. Development shall be in accordance with the approval of this plan.

- **Reconstruct the stream system between the Largo Town Center Metro Station and the southeast portion of The Boulevard at the Capital Centre as an amenity and to serve a greater role in stormwater management to improve water quality.**

The site is adjacent to the above referenced stream system. The head of the stream originates from an existing pond located approximately 1,500 feet northeast, on the north side of Medical Center Drive. The pond was constructed in the late 1980s or early 1990s; the stream system appears to have been in existence at least since the late 1930s and appears to have previously functioned as a drainage channel for surrounding farmland. The system remained undisturbed until the riparian areas on the subject site were completely cleared and graded in the early 1970s with the construction of the Capital Centre. The remaining buffer, which is currently approximately 25–30 feet wide on the subject site, was preserved when the Boulevard Shopping Center was developed. With the approval of PPS 4-15009, a retaining wall was proposed to be placed within the remaining riparian area of the stream on the subject site. The plan did not show any in-stream impacts; however, the design leaves very limited opportunity to reconstruct the stream. Due to the existing and proposed development, stream improvements would be limited to the removal of invasive vegetation, removal of trash, and replanting where necessary.

#### **Countywide Green Infrastructure Plan**

The Green Infrastructure Plan was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the Green Infrastructure Plan, the site contains regulation and evaluation areas within the designated network of the plan.

The following policies and strategies 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.**

Most of the evaluation area is currently developed and will be redeveloped with this proposal, along with associated stormwater management structures and parking. Much of the regulated area is shown to be preserved, with areas to be restored by removing existing impacts.

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

A stormwater management concept plan was approved, showing the use of numerous micro-bioretenment facilities throughout the site and ultimately draining to an existing pond. Further, the PPS shows the removal of impervious area within the PMA.

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

Much of the existing woodland on-site is located within and adjacent to the mapped regulated area; however, the 77.83-acre site contains only 9.08 acres of net tract woodland and 5.83 acres of wooded floodplain. The TCP1 worksheet shows 6.28 acres of woodland proposed to be cleared with the previous phase, and no clearing for this proposal. Of the woodland conservation requirement of 17.23 acres, 15.62 acres is proposed to be met off-site, with 1.91 acres of on-site preservation. The technical requirements of the TCP1 are discussed in detail in the Woodland Conservation section.

The development is in conformance with the Green Infrastructure Plan.

**Environmental Review**

**Natural Resources Inventory/Existing Conditions**

This site has an approved Natural Resources Inventory, NRI-014-05-01. The TCP1 and PPS show all the required information correctly in conformance with the NRI.

No revisions are required for conformance to the NRI.

**Woodland Conservation**

This property is subject to the provisions of the 2010 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, TCPI-022-05-03, was submitted with the application.

The TCP1 must be revised to meet all technical requirements of Subtitle 25 prior to signature approval of the PPS; however, the information submitted to date demonstrates general conformance with the WCO.

The 77.83-acre property, which includes this 49.71-acre application, contains 9.08 acres of existing woodland on the net tract and 5.83 acres of woodland within the 100-year floodplain. The site has a woodland conservation threshold (WCT) of 15 percent of the net tract area or 10.69 acres. The TCP1 shows a total woodland conservation requirement of 17.23 acres. The previous phase of development (PPS 4-15009) shows 6.28 acres of woodland removal in the net tract area. No clearing is proposed for this phase of development (PPS 4-17023). The TCP1 shows that the applicant will meet this requirement by providing 1.91 acres of on-site woodland preservation and 15.62 acres of off-site woodland conservation credits.

### **Specimen Trees**

No specimen trees are being removed as a part of this application.

### **Preservation of Regulated Environmental Features/Primary Management Area**

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

Based on the information submitted, the Planning Board finds that the application adequately demonstrates the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible.

20. **Urban Design**—The M-X-T Zone requires that a conceptual site plan (CSP) and a DSP be approved for all uses and improvements. The CSP previously approved (CSP-02003) only applies to signage for the existing shopping center, which is to be demolished. As the site was previously approved under the ETOD provision in Section 27-290.01 of the Zoning Ordinance, a CSP is not required. All dwelling types, except for mobile homes, are permitted in the M-X-T Zone.

The application is in general conformance with Section 27-544 of the Zoning Ordinance regarding regulations in the M-X-T Zone and is proposing a mixed-use development. The applicant may use the optional method of development for the project by proposing a residential component as part of the overall development. This increases the permitted floor area ratio (FAR) by 1.0 above the base allowed of 0.40, if more than 20 dwelling units are provided. The subject PPS proposes 3,000 dwelling units; therefore, it is eligible for this bonus and 1.4 FAR is permitted for the overall development. The anticipated FAR should be provided on the PPS to demonstrate conformance to the M-X-T regulations.

### **Conformance with the 2010 Prince George's County Landscape Manual**

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*, except for those requirements specifically modified by the D-D-O Zone standards. Conformance with the applicable landscaping requirements will be determined at the time of DSP review.

**Tree Canopy Coverage Ordinance**

Proposed development on property zoned M-X-T is required to provide a minimum of 10 percent of tree canopy coverage per the requirements of Section 25-128(b) of the Tree Canopy Coverage Ordinance. Compliance with this requirement will be determined at the time of DSP.


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.

\* \* \* \* \*

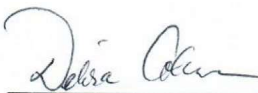
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, April 12, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May 2018 \*and was corrected administratively on June 14, 2023.

Dorothy Bailey  
Vice Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:AT:rpg



Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel

Dated 7/3/23

\*Denotes Correction

Underlining indicates new language

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