PGCPB No. 18-109 File No. 4-17036

R E S O L U T I O N

WHEREAS, ZP NO. 139, LLC is the owner of a 4.14-acre parcel of land known as Parcel 88, said property being in the 17th Election District of Prince George's County, Maryland, and being zoned Local Activity Center (L-A-C); and

WHEREAS, on May 18, 2018, ZP NO. 139, LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-17036 for WAWA, Adelphi was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on October 25, 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 October 25, 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 TCP1-006-2018-01 and further APPROVED Preliminary Plan of Subdivision 4-17036, WAWA, Adelphi, including a Variation from Section 24-121(a)(3), for one parcel with the following conditions:

1. Prior to signature approval of this preliminary plan of subdivision, the following revisions shall be made:

    a. Revise General Note 4 to include "and food or beverage store."

    b. Revise General Note 5 to include Comprehensive Design Plan CDP-1702 and Zoning Map Amendment A-9954.

    c. Revise the zoning label for adjacent property "Coronado Condominium TM 24 Grid D3" from "R-10" to R-18".

2. Prior to signature approval of this preliminary plan of subdivision, the following revisions shall be made to the Type 1 tree conservation plan (TCP1):

    a. Revise the plan to graphically show the 0.15 acres of "woodland retained not part of

requirements" as cleared and update the woodland conservation worksheet accordingly.

b. Revise the TCP1 notes as follows:

(1) Revise Note 1 to follow the standard language.

(2) Revise Note 7 to refer to the Environmental Strategy Area as ESA-1.

c. Have the revised plan signed and dated by the qualified professional preparing the plan.

3. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-006-2018-01. 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 (TCP1-006-2018-01), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

4. 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.

5. Development of this site shall be in conformance with approved Stormwater Management Concept Plan No. 41257-2017-0 and any subsequent revisions.

6. Prior to approval, on the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:

a. Note the Prince George's County Planning Board's approval of a Variation from Section 24-121(a)(3) of the Subdivision Regulations for one direct access onto Adelphi Road.

b. Grant the 10-foot-wide public utility easements (PUEs) along the public rights-of way of Riggs Road, Adelphi Road, and Edwards Way.

c. Provide right-of-way dedication consistent the approved preliminary plan of subdivision.

7. In conformance with the *Approved Countywide Master Plan of Transportation,* the *Langley Park-College Park-Greenbelt Approved Master Plan* and Sectional Map Amendment, and

A-9954-C, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following, which shall also be shown on the plans at the time of SDP:

a. An eight-foot-wide sidepath (or wide sidewalk) along the subject property's entire frontage of Adelphi Road, unless modified by the Department of Permitting, Inspections, and Enforcement (DPIE).

b. A standard sidewalk along the subject site's entire frontage of MD 212 (Riggs Road), unless modified by State Highway Administration (SHA).

c. A standard sidewalk along the subject site's entire frontage of Edwards Way, unless modified by DPIE.

d. Provide sidewalk/crosswalk access from the public right-of-way to the building entrance.

e. Provide a bike rack(s) accommodating a minimum of five bicycles at a location convenient to the building entrance.

f. Crosswalk locations and treatments along Edwards Way, Riggs Road, and Adelphi Road will be determined at the time of SDP.

8. Total development shall be limited to uses that would generate no more than 198 AM and 145 PM peak-hour vehicle trips. Any development generating an impact greater than identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.

2. **Background**—The subject property is triangularly shaped and bounded on three sides by the public rights-of-way of MD 212 (Riggs Road), Edwards Way, and Adelphi Road. The property consists of 4.14 acres, is within the Local Activity Center (L-A-C) Zone and is currently undeveloped. The property is known as Parcel 88, a deed parcel recorded in the Prince George's County Land Records in Liber 20515 folio 554. The instant application proposes one parcel to develop 5,619 square feet of gross floor area of commercial development, which includes a food or beverage store and gas station.

The property is subject to the 1989 *Langley Park-College Park-Greenbelt Approved Master Plan and Adopted Sectional Map Amendment* and the 1990 *Adopted Sectional Map Amendment for Planning Areas 65, 66 and 67*. The property was rezoned from the Rural Residential (R-R) Zone

to the L-A-C Zone by Zoning Map Amendment A-9954-C, which was approved by the District Council on July 30, 2004.

At the time of submittal of this preliminary plan of subdivision (PPS), the applicant requested a Variation from Section 24-121(a)(3) of the Subdivision Regulations, which requires that sites adjacent to a planned arterial roadway not access those roads directly and be designed to front on an interior road. The applicant requests approval of a variation for direct access onto MD 212 (Riggs Road), an arterial roadway. The variation is approved, as discussed further.

3. **Setting**—The property is located on Tax Map 24 in Grid E-3 in Planning Area 65, is known as Parcel 88, and is zoned L-A-C. The subject site is triangularly shaped and bounded on three sides by public rights-of-way. Riggs Road bounds the site to the south, with property beyond zoned Commercial Shopping Center (C-S-C). Edwards Way bounds the site to the west with property beyond zoned Multifamily High Density Residential (R-10) and Multifamily Medium Density Residential (R-18). Adelphi Road bounds the site to the east with property beyond zoned Rural Residential (R-R).

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

	EXISTING	APPROVED
Zone	L-A-C	L-A-C
Use(s)	Vacant	Commercial
Acreage	4.14	4.14
Gross Floor Area	0	5,619 sq. ft.
Parcels	1	1
Lots	0	0
Outlots	0	0
Variance	No	No
Variation	No	Yes 24-121(a)(3)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on June 15, 2018. The variation from Section 24-121(a)(3) was accepted on May 18, 2018, and heard before the SDRC on June 15, 2018, as required by Section 24-113(b) of the Subdivision Regulations.

5. **Previous Approvals**—The site is subject to a previous PPS 4-10019 approved by the Prince George's County Planning Board on June 16, 2001 (PGCPB Resolution No. 11-63), which included 4.14 acres for three parcels for a commercial/retail development. The parcels approved with 4-10019 have not received final plat approval. This PPS (4-17036) will supersede PPS 4-10019 for the subject 4.14 acres.

The subject property has an approval history dating back to the 1989 *Langley Park-College Park-Greenbelt Approved Master Plan* and the 1990 *Adopted Sectional Map Amendment for Planning Areas 65, 66 and 67* when the property was retained in the R-R Zone. On July 30, 2004, the Prince George's County District Council adopted Zoning Ordinance No. 10-2004 approving Zoning Map Amendment A-9954-C, rezoning the subject property to the L-A-C Zone, subject to 10 conditions of which the following are applicable to the review of this PPS*:*

(2) The Applicant will provide a double left-turn lane along southbound/westbound MD 212 at the approach to Adelphi Road. Timing of this improvement will be determined at the preliminary plan of subdivision.

The transportation improvements required of this condition were a result of the traffic analysis conducted at the time of the basic plan approval which evaluated up to 55,900 square feet of retail space. Transportation adequacy is reevaluated with this application based on the current development proposal which is further outlined in the Transportation finding herein. Under the current proposal, adequate transportation facilities will exist to serve the subject site without the improvement listed in the condition above. Section 27-195(a)(2) of the Zoning Ordinance specifically allows the adequacy findings at the time of Basic Plan to be modified, and it is determined that this improvement need not be carried forward in this approval.

(4) During the review of Preliminary Plan of Subdivision, the Applicant shall provide more detailed operational analyses at the intersections of MD 212/Edwards Way and MD 212/site entrance. The scope of these analyses will be determined after approval of the proposed Basic Plan and in consideration of the permitted access to the site.

A traffic signal warrant study was submitted by the applicant for this intersection. The results of the warrant analysis at MD 212 and Edwards Way determined that a signal is not warranted under existing or future traffic conditions. The full movement access at MD 212/site entrance was also evaluated and deemed to be adequate. Therefore, this condition will not be carried forward or enforced further.

(5) Total commercial development of the subject 4.14 acres site shall be limited to a maximum of 40,000 square feet.

The total commercial development approved on the site is 5,619 square feet.

(6) During the Comprehensive Design Plan and subdivision review, the Applicant shall address the addition of public streets to accomplish access from Adelphi Road or obtain a variance from Section 24-121 of the Subdivision Regulations.

A variation from Section 24-121(a)(3) of the Subdivision Regulations has been submitted and has been analyzed further in this resolution.

(7) Development of the subject property shall have a woodland conservation threshold of 20 percent. If off-site mitigation is proposed, the first priority for mitigation sites shall be within the Anacostia Watershed.

A woodland conservation threshold of 20 percent has been established per this condition. Off-site mitigation has been approved and first priority is for the requirement to be satisfied within the Anacostia watershed.

(9) Additional conditions of approval:

A. The leadership of the Buck Lodge Citizen's Association, White Oak Manor Civic Association, and Hampton's Association will each nominate two representatives and one alternate to participate with the developer, during each of the phases of development (including but not limited to the Preliminary Plan of Subdivision, Comprehensive Design Plan, and Specific Design Plan) of the property.

Due to the concurrent processing of the CDP, PPS and SDP, the applicant provided a statement of justification with the submittal of the CDP application, which indicates they have contacted the leadership of the communities to collectively discuss the pending applications.

B. At the time of Preliminary Plan application, the developer of the subject property shall include the intersection of Metzerott Road and Riggs Road in its traffic study, to demonstrate the adequacy of transportation facilities in the surrounding area.

A traffic study was provided with this application which included the intersection of Metzerott Road and Riggs Road as required by this condition. The results of the study are provided within the transportation finding of this resolution.

C. Any required widening and improvements to the public rights-of-way for Riggs Road, Adelphi Road, and Edwards Way shall include five-foot wide sidewalks, in accordance with applicable State and County standards.

The standard width of five feet is recommended for sidewalks along MD 212 and Edwards Way. An eight-foot-wide sidewalk (or sidepath) is required along Adelphi Road, consistent with the recommendations of the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) for this roadway, unless modified by the operating agency.

D. The developer of the subject property shall work with the Maryland State Highway Administration on the improvements to Riggs Road, Maryland Route 212, to provide a center turn lane to allow northbound traffic to make

left turns into the subject property without impeding through traffic.

The applicant proposes to provide a center turn lane which has been indicated in their statement of justification provided with the CDP. This improvement will require the approval of the Maryland State Highway Administration.

E. The developer of the subject property shall be responsible for payments for all road and intersection improvements necessary to mitigate any failing traffic condition caused by the on-site development. Such improvements will be determined at the time of Preliminary Plan review.

A traffic study was provided with this application and the analysis conducted and reveals that no intersection improvements are necessary to support the approved development. Right-of-way dedication is approved as shown on the PPS and will be required along all abutting streets.

F. The developer of the subject property shall work with the various transit authorities and agencies to maintain the locations of the existing bus stops along Riggs Road and Adelphi Road. The developer shall construct a bus pull-off area to allow the loading and unloading of passengers out of the travel lanes of the roadways, within the public rights-of-way.

The applicant does not propose any changes to the existing bus stop locations and proposes a bus pull-off area within the right-of-way of MD 212 and Adelphi Road. The applicant will be required to coordinate the improvements within the public rights-of-way with the appropriate operating agency.

G. The developer of the subject property shall work with the Prince George's Department of the Environment, to utilize low impact stormwater management techniques to the degree practicable.

An approved Stormwater (SWM) Concept Plan (41257-2017-0) was submitted with this application which demonstrates the use of environmental site design to the maximum extent practicable as required.

H. The developer of the subject property shall take all reasonable actions to alleviate and reduce the possibility of crime occurring on or adjacent to the property.

This condition shall be further evaluated with the SDP, with the placement and design of buildings, vegetation and lighting, to address safety.

J. The developer shall keep clean all areas of the subject property, during and after development.

The developer intends to comply with this condition.

K. The developer shall incorporate trees, shrubs, open areas, flowers, walkways, and lighting into the site plan. The property shall be cleared of poorly lit or secluded areas, and adequate safety lighting shall be installed to improve visibility into the site and deter illegal activity.

Conformance with this condition will be determined at the time of SDP review.

A Comprehensive Design Plan, CDP-1702, was heard before the Planning Board on October 25, 2018 and approved preceding this application. The CDP was approved for a food and beverage store in combination with a gas station on the subject site. The applicant filed a variance to Section 25-122(b)(1)(G) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) for the removal of 27 specimen trees and submitted a statement of justification for environmental impacts. These requests were evaluated and approved with the review of CDP. The development approved with the CDP, is consistent with the development analyzed herein.

A Specific Design Plan SDP-1703 application is pending and will be heard before the Planning Board on a future agenda for development of the subject site, which will be evaluated for conformance to the CDP and this PPS.

6. **Community Planning**—*Plan Prince George's 2035 Approved General Plan* (Plan 2035) locates the subject site in the Established Communities. The vision for the Established Communities is to accommodate context-sensitive infill and low- to medium-density development.

The 1989 *Langley Park-College Park-Greenbelt Approved Master Plan* (CR-111-1989) designated Metzerott Plaza as a Village Activity Center located at Riggs and Adelphi roads, opposite the subject property and recommends Suburban Low land use on the subject property. The resolution approving the corresponding SMA specifically explains that the subject property was retained in the R-R Zone as a holding zone until it could be rezoned to a comprehensive design zone.

The 1990 *Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* retained the subject property in the R-R Zone. Specifically, the resolution approving the SMA states (CR-39-1990, Section 2, page 10; Master Plan, page 224):

> **Section 2. BE IT FURTHER RESOLVED that the District Council considers the Comprehensive Design Zone process the appropriate way to address concerns related to the 4.1± acre Edwards property bounded by Adelphi Road, Riggs Road, and Edwards Way, although the Sectional Map Amendment retains R-R zoning for this property. The District Council is specifically concerned about preservation, to the greatest possible extent, of the existing woodland and control of access to the property. A sensitive approach to site development is warranted and should be**

facilitated through the CDZ process.

The subject property was subsequently rezoned from the R-R to the L-A-C Zone (Local-Activity-Center, Comprehensive Design Zone) through Zoning Map Amendment A-9954-C, which was approved by the District Council on September 9, 2004. The Suburban Low land use recommended by the Master Plan was supported by the previous R-R zoning; by reclassifying the property to the L-A-C Zone, the property may develop at a greater density or intensity than that recommended by the Master Plan. Therefore, pursuant to Section 24-121(a)(5), this PPS is not required to conform to the 1989 *Langley Park-College Park-Greenbelt Approved Master Plan*.

7. **Stormwater Management**—This project has a Stormwater Management (SWM) Concept Plan approval (41257-2017-0), which expires on April 6, 2021 and has been determined to meet water quality and quantity requirements, in accordance with an approved SWM concept plan approved by the Site/Road Plan Review Division of the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Development shall conform with the SWM concept plan approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs.

   According to the approval, micro-bioretention and a submerged gravel wetland are proposed for water quality control purposes and 100-year attenuation is required for water quantity control. The approval letter states that a floodplain waiver is required prior to permit.

   Conditions regarding the timing of approval of the floodplain waiver, as well as tying the stream restoration to the stormwater management approval were approved with the CDP. No additional information regarding stormwater management is needed with this PPS.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, this PPS is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.

9. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area master plan in order to implement planned trails, bikeways, and pedestrian improvements. The property is not located within a designated Center or Corridor; therefore, it is not subject to Section 24-124.01 of the Subdivision Regulations and the "Transportation Review Guidelines, Part 2."

   Mater Plan of Transportation Compliance
   The property was the subject of a previously approved Zoning Map Amendment (ZMA) application; A-9954-C. Condition 8 of A-9954-C required a pedestrian-friendly streetscape along all their frontage roads that includes street furniture, trash receptacles, bike racks, crosswalks, and a bus stop.

   8. During the Comprehensive Design Plan and the Specific Design Plan review, the Applicant shall address the following issues:

C. The streetscape shall create a pedestrian-friendly environment with consideration of the following elements:

(1) Street furniture including pedestrian lighting
(2) Trash receptacles
(3) Bike racks
(4) Pedestrian crosswalks should be a contrasting paving material
(5) Need for bus stop

The MPOT includes two master plan trail recommendations for roads surrounding the subject property. A side path or wide sidewalk is recommended along Adelphi Road and sidewalks and on-road bicycle facilities are recommended along MD 212 (Riggs Road). The text from MPOT regarding these mater plan recommendations is copied below:

> **Adelphi Road Shared-Use Side path: The extension of the existing wide sidewalk along Adelphi Road is recommended to improve access to the University of Maryland. On-road bicycle facilities are also recommended, with bike lanes being preferred along this high-volume corridor if right-of-way constraints allow (MPOT, page 26)**
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> **Riggs Road (MD 212): Continuous sidewalks and on-road bicycle accommodations are necessary along this corridor. Currently, sidewalks are fragmented or missing along some segments of the road. Right-of-way constraints may prohibit bike lanes, but wide outside curb lanes should be considered. Crosswalk improvements and other pedestrian safety features may be appropriate at some locations (MPOT, page 29).**

Conditions of approval are provided for master plan facilities included in the MPOT. Sidewalk improvements are also required along Edwards Way. A small amount of bicycle parking is also required. Crosswalk locations and treatments can be determined at the time of specific design plan (SDP).

10. **Transportation**—This application is supported by a traffic study dated June 2018 using traffic counts taken in May 2017. The findings outlined below are based upon a review of these materials and analyses conducted, consistent with the "Transportation Review Guidelines, Part 1" (Guidelines).

Analysis of Traffic Impacts
The application has a prior PPS for a retail store however, this PPS (4-17036) supersedes the previous approval. The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site:

Trip Generation Summary, 4-1702, Wawa Adelphi Road								
			AM Peak Hour			PM Peak Hour		
Land Use	Use Quantity	Metric	In	Out	Tot	In	Out	Tot
Wawa Gas Station with Convenience Store	16	Fuel Positions	266	267	533	212	212	424
Total 63% AM & 66% PM Percent Pass-By:			167	168	335	139	140	279
Total Net Trips			**99**	**99**	**198**	**73**	**72**	**145**

The traffic generated by this PPS will impact the following intersections, interchanges, or links in the transportation system:

- Adelphi Road & Edwards Way (unsignalized)
- Adelphi Road & Site Access (unsignalized)
- Adelphi Road & MD 212 (signalized)
- Adelphi Road & Metzerott Road (signalized)
- MD 212 & Site Access (unsignalized)
- MD 212 & Edwards Way (unsignalized)
- MD 212 & Metzerott Road (signalized)

The subject property is located within the Transportation Service Area – TSA 1, as defined in Plan 2035. As such, the subject property is evaluated according to following standards:

> **Links and Signalized Intersections:** Level of Service (LOS E), with signalized intersections operating at a critical lane volume of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections subject to meeting the geographical criteria in the "Guidelines for the Analysis of the Traffic Impact of Development Proposals."
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> **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, and (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume (CLV) is computed.

A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure, and (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, 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.

The following critical intersections identified above, when analyzed with existing traffic using counts taken in May 2017 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
Adelphi Road & Edwards Way (unsignalized)	685	815	A	A
Adelphi Road & Site Access (unsignalized)	--	--	--	--
Adelphi Road & MD 212 (signalized)	1230	1465	C	E
Adelphi Road & Metzerott Road (signalized)	800	889	A	A
MD 212 & Site Access (unsignalized)	--	--	--	--
MD 212 & Edwards Way (unsignalized)	29.9*	26.5*	--	--
MD 212 & Metzerott Road (signalized)	1277	1296	C	C

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations.

At the hearing before the Planning Board, a question was raised by a party of record as to the date of the traffic counts. The traffic counts were taken on May 31, 2017, which was the Wednesday after Memorial Day. The question raised was whether possible vacation schedules resulted in a lower traffic count that may impact the level of service at Adelphi Road and MD 212. The Planning Supervisor of the Transportation Section confirmed that the date of the counts conforms to the Guidelines. Notwithstanding, the transportation consultant who performed the traffic counts, Mr. Michael Lenhart with Lenhart Traffic Consulting, Inc., also testified that the State Highway Administration had conducted traffic counts at the intersection on May 16, 2018 and that he had recalculated the critical lane volume utilizing those counts to determine if there was any change in the level of service. The May 16, 2018 counts did not change the operating level of service of the intersection. A copy of the State Highway Administration counts and a copy of the analysis prepared by Mr. Lenhart were provided to the Planning Board.

Background Traffic

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of

Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program. Background traffic has been developed for the study area using one prior approved development in the area. An annual growth rate of one percent was applied for two years. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
Adelphi Road & Edwards Way (unsignalized)	704	840	A	A
Adelphi Road & Site Access (unsignalized)	--	--	--	--
Adelphi Road & MD 212 (signalized)	1264	1507	C	E
Adelphi Road & Metzerott Road (signalized)	822	915	A	A
MD 212 & Site Access (unsignalized)	--	--	--	--
MD 212 & Edwards Way (unsignalized)	31.1*	27.6*	--	--
MD 212 & Metzerott Road (signalized)	1303	1331	D	D

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations.

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described, operate as follows:

FUTURE TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Adelphi Road & Edwards Way (unsignalized)	721	845	A	A
Adelphi Road & Site Access (unsignalized) Maximum Vehicle Delay (seconds)	11.4*	11.3*	-- Pass	-- Pass
Adelphi Road & MD 212 (signalized)	1345	1510	D	E
Adelphi Road & Metzerott Road (signalized)	833	919	A	A
MD 212 & Site Access (unsignalized) Maximum Vehicle Delay (seconds)	17.2*	26.5*	-- Pass	-- Pass
MD 212 & Edwards Way (unsignalized) Maximum Vehicle Delay (seconds)	31.7*	27.6*	-- Pass	-- Pass
MD 212 & Metzerott Road (signalized)	1323	1335	D	D

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations.

Under future conditions the signalized intersections are operating at acceptable levels of service and/or intersection delay as defined by the Guidelines. Site access on MD 212 and Adelphi Road does not exceed 50 seconds of minor street delay in the background and total traffic conditions during morning and evening peak hour. Therefore, tier two and three of the three-tier test of adequacy was not conducted, and site access is deemed to be adequate.

The intersection of MD 212 at Edwards Way does not exceed 50 seconds of minor street delay in the background and total traffic conditions during morning and evening peak hour. Therefore, this intersection is deemed to be adequate. However, the prior zoning approval for A-9954-C, included conditions, requiring the applicant to provide a more detailed operational analysis at the intersection of MD 212 and Edwards Way. A traffic signal warrant study was submitted by the applicant for this intersection. The results of the warrant analysis at MD 212 and Edwards Way determined that a signal is not warranted under existing or future traffic conditions. This condition will not be carried forward or enforced further.

A trip cap consistent with the trip generation assumed for the site, 198 AM and 145 PM peak-hour vehicle trips is required, consistent with the analysis.

Master Plan Roads

Adelphi Road is listed in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) as a Master Plan Arterial Facility with a proposed right-of-way of 80 to 100 feet and four and two lanes. Dedication of 40 feet from the centerline for MD 212 Riggs Road, 50 feet from the centerline of Adelphi Road, and 35 feet of right-of-way from centerline of Edwards Way is required. The plan shows the required dedication along all frontage.

Site Access Evaluation
The site will have two access points. The one from MD 212 will be a full access point and the second from Adelphi Road shall be restricted to a right-in/right-out movement.

The right-in/right-out access point on Adelphi Road, a roadway designated as an arterial in the Approved Countywide Master Plan of Transportation, requires a variation from Section 24-121(a)(3) of Subdivision Regulations.

Variation Request—Section 24-121(a)(3) requires the following findings (in **bold**):

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.

The property has frontage on Riggs Road, Edwards Way, and Adelphi Road; the request is to allow a restricted right-turn into and right-turn out of its property from Adelphi Road. Adelphi Road is a County roadway of arterial or higher classification, designated in the Master Plan of Transportation as A-10. 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 District Council determined that the subject property should be rezoned from R-R to L-A-C, which is primarily a commercial zone. In doing so, the District Council determined that new commercial uses will significantly benefit the surrounding area. Of the three street frontages, only two (Riggs Road and Adelphi Road) can accommodate an entrance. The right-in and right-out access along southbound Adelphi Road is critical to the site for adequate circulation and access for the property. Without the right-in and right-out access point on Adelphi Road, there would be very difficult conditions for traffic to adequately enter and exit the property. This would focus a very high volume of left-turning vehicles out of the Riggs Road access which would be difficult due to the proximity of the traffic signal at MD 212 and Adelphi Road, therefore, the public safety, health, or welfare 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;

The triangular shape and modest size of the property, as well as its infill location with right-of-way frontage on all sides and environmental constraints, are unique to the property. Safe access from Edwards Way is not possible; environmental features prohibit access at the northern end, the southern end is too close to the intersection of Riggs Road to provide safe access, and the middle is too steep to provide safe access. The combination of conditions applicable to the subject property are not generally 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 sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation. The approval of access permits will also be required by the roadway authority, the Department of Public Works and Transportation and/or DPIE.

(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;

Due to the triangular shape and modest size of the property and the fact that the site is limited to a single access if the second access onto the arterial roadway is

not permitted, a particular hardship to the owner would result if the strict letter of these regulations is carried out.

This would severely limit vehicular access to the property due to the extreme environmental constraints that exist on this small property. The site would operate inefficiently for the approved use. Forcing all left turning vehicles out of the Riggs Road access would be difficult due to the proximity of the signal at MD 212 and Adelphi Road. In addition, the movement of fuel trucks needed to service the site would be challenging, at best, without Adelphi Road access.

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

The subject property is zoned L-A-C; therefore, this provision does not apply.

The site is unique to the surrounding properties, and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which is to guide development according to Plan 2035, the area master plan, and their amendments.

Therefore, the Planning Board approves the variation from Section 24-121(a)(3) to allow one right-in, right-out driveway access from the site to Adelphi Road.

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

11. **Schools—**This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (Council Resolutions CR-23-2001 and CR-38-2002), and it was determined that the subdivision is exempt from a review for schools because it is a nonresidential use.

12. **Public Facilities**—In accordance with Section 24-122.01, this PPS has been reviewed for adequacy of water and sewerage, police facilities, and fire and rescue facilities, and is found to be adequate to serve the subject site as outlined in a memorandum from the Special Projects Section dated May 30, 2018 (Mangalvedhe to Turnquest), incorporated by reference herein.

13. **Use Conversion**—The total development included in this PPS is 5,619 square feet of commercial development for the development in the L-A-C Zone. 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.

14. **Public Utility Easement (PUE)**—Section 24-122(a) of the Subdivision Regulations requires that, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

> "Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748."

The standard requirement for public utility easements (PUEs) is 10 feet wide along both sides of all public rights-of-way. The site has frontage along Riggs Road, Edwards Way, and Adelphi Road. The PPS correctly delineates a 10-foot-wide PUE along the public rights-of-way.

15. **Historic—**A Phase I archeological survey was completed on the subject property in September 2006. Four copies of the final report, *A Phase I Archeological Survey of the Edwards Property: A 4-Acre ± Parcel Located at the Intersection of Adelphi and Riggs Roads in Adelphi, Prince George's County, Maryland (Development Case No. CDP-0502)*, were received and accepted by Historic Preservation staff on May 19, 2008. One archeological site, 18PR841, an early to mid-twentieth century sanitarium park or garden, was identified on the property. This site did not contain intact cultural deposits or significant historical information and no further work was recommended. No further archeological work is necessary on the subject property.

This proposal will not impact any known Prince George's County historic sites, historic resources, or archeological resources.

16. **Environmental**—The subject application includes a Type 1 Tree Conservation Plan which has been reviewed for conformance with the previous plan approvals, the pending CDP-1702 application, the applicable master plan, the 2017 *Countywide Green Infrastructure Plan*, the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO), and the Subdivision Regulations. As outlined in the Environmental memorandum dated September 21, 2018 (Reiser to Turnquest), incorporated by reference herein, the subject application conforms to the applicable requirements with the recommended technical revisions to the plans.

The removal of specimen trees and environmental impacts on the subject site were reviewed and approved with CDP-1702. Pursuant to Section 24-130, the environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the need to address invasive species removal, the limits of disturbance and re-establishment of the natural stream channel shown on the tree conservation plan submitted for review. No conservation easements are required because the stream restoration will be permitted at the state level and the state's requirements will cover the long-term protections.

17. **Urban Design**—In accordance with Section 27-515(b) of the Zoning Ordinance, the gas station is a permitted use in the L-A-C Zone. As the site is subject to a CDP, a specific design plan (SDP) is required prior to the issuance of any permit.

Conformance with the 2010 Prince George's County Landscape Manual
In accordance with Section 27-528(a)(1) of the Zoning Ordinance, the development is subject to the 2010 *Prince George's County Landscape Manual*, specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements which will be reviewed at the time of SDP.

Tree Canopy Coverage Ordinance
Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned L-A-C are required to provide a minimum of 10 percent of the gross tract area within the TCC. Conformance with the applicable TCC requirement will be determined at the time of SDP review.

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.

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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, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, October 25, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of November 2018.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:AT:gh