

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Comprehensive Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 13, 2001, regarding Comprehensive Design Plan CDP-0102 for Brandywine Village the Planning Board finds:

1. On November 29, 1977, the District Council adopted CR-108-1977 for the entire 277-acre Brandywine Village, placing 213.2 acres in the M-A-C Zone and 64.7 acres in the R-U Zone (A-8898). In 1987, a Basic Plan Amendment was filed to rezone the M-A-C portion but it was unsuccessful. In 1992, another application (A-9878) was filed to rezone the property from the M-A-C to the E-I-A zone. On September 14, 1993, the District Council adopted the Sectional Map Amendment for Subregion V, rezoning this site into 46 acres of E-I-A, 16.4 acres of L-A-C and 149 acres of R-M (District Council Resolution No. CR-60-1993).
2. The subject Comprehensive Design Plan is proposed to include the 149-acre R-M zoned land. Section 27-516, Filing for Comprehensive Design Plans, states that a Comprehensive Design Plan, generally for the entire area included in a Basic Plan, shall be filed either prior to or at the same time as, the preliminary plat of subdivision. A Comprehensive Design Plan may include less than the entire area included in a Basic Plan only where the Basic Plan acreage has been divided in accordance with Section 27-197 (b). Section 27-197 (b) requires an amendment of an approved Basic Plan for dividing a single approved Basic Plan into two (2) or more separate Basic Plans. A condition of approval has been added to require the Comprehensive Design Plan to include the entire 212-acre parcel.
3. The subject Comprehensive Design Plan proposes development on a very small portion of the site. The proposal is for 11 lots proposed on approximately six acres, approximately four acres of open space, approximately four acres for continuation of Brinton Way and approximately thirteen acres for a community lake. **The remaining acres are intended for future development. There are only two design elements in this Comprehensive Design Plan, the community lake and 11 single-family lots.**

The 11 single-family lots are proposed in the R-M portion of the property at the end of Brinton Way with exterior access to McKendree Road. A stormwater management pond is proposed in the vicinity of the proposed lots. The design of the single-family lots is proposed to match the design of the lots in the adjacent McKendree Village. The extension of the natural open space area from McKendree Village will be primarily a conservation and forest preservation area..

The community lake is proposed on the north side of Chadds Ford Road approximately one-quarter of a mile west of US 301. It **will be opened only with future design and development of the area**

The area of the Comprehensive Design Plan is divided into three major sections by the two stream valleys running roughly from north to south. The easternmost of these sections runs along the western side of General Lafayette Boulevard and will contain the community lake. The westernmost section will be developed into single-family lots. The middle area, the majority of the site, is all >future development.=

4. CDZ Amendment 2 of Sectional Map Amendment for Subregion V establishes the following land use quantities for the R-M (5.8 to 7.8) Zone:

Gross Residential Acreage:	149 acres
Less Half Floodplain Acreage:	20 acres
Base Residential Acreage:	129 acres
Base Residential Intensity (5.8 du/acre)	748 units
Increment	271 units
Max. Residential Intensity (7.9 du/acre)*	1,019 units

*The actual number of dwelling units will be determined during review of the Comprehensive Design Plan on the basis of adjusted gross acreage in the CDP application, the approved development density and the proposed public benefit features.

5. COMPREHENSIVE DESIGN PLAN

Findings Required by Section 27-521, Required findings for approval of a Comprehensive Development Plan

(a) **Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:**

(1) **The plan is in conformance with the approved Basic Plan.**

A-9878 was incorporated into the Sectional Map Amendment for Subregion V . Twenty-six (26) conditions and three considerations of A-9878 were included in the Sectional Map Amendment. Therefore, the subject CDP must conform to the conditions of the Sectional Map Amendment for compliance with the above section. The following conditions of the Sectional Map Amendment (CDZ Amendment 2) are applicable to the subject CDP application:

10 (in part) Net residential densities will be within the ranges listed below:

Single-family detached 1.6 to 2.6 du/net acre

The CDP is proposing a net density of 2.6 du/acre and a gross density of 2.1 du/acre.

- 14 (in part) Total development of this 212 acre site shall be limited to 320,601 square feet of office, 115,000 square feet of retail, 1019 dwelling units in the R-M Zone and 118 dwelling units in the L-A-C Zone.**

The CDP is proposing 11 single-family detached lots, which is substantially less than the above cap of 1,019 dwelling units.

- 19. The Basic Plan shall retain the three proposed street connections between the subject property and the adjacent Brandywine Village R-M property at approximate locations shown on the Basic Plan.**

The CDP retains two street connections to McKendree Village on the south and one street connection to the R-R zoned property to the south.

- 25. The CDP shall provide possible future connections with adjacent properties to the north and south.**

Since only a small portion of the property is being developed, possible future connections with adjacent properties will be reviewed during the future development phase.

Based on the above discussion, the proposal is in conformance with the requirements of Basic Plan A-9878 which was incorporated into the Sectional Map Amendment for Subregion V.

The proposal must also conform to transportation-related conditions 13 to 19 of approval for the Basic Plan A-9878.

Compliance with these conditions and other findings regarding transportation issues are discussed in Finding #14.

- (2) The proposed plan would result in a development with a better environment than could be achieved under other regulations.**

The proposal includes the addition of 11 lots on approximately 6 acres (2.8 percent) of the 212-acre parcel. Therefore it will have minimal impacts on the subject property and the surrounding properties. Approximately 24 acres of land in two different flood plains will be permanent open space adjacent to the proposed single-family lots. There will be no disturbance to the existing 7+ acres of wetlands due to the development of the proposed single-family lots. A forest stand delineation for the entire 212-acre site and a Type I Tree Conservation Plan are already on file. It is unlikely that as much open space

would be preserved under a conventional development scenario.

- (3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project.**

The CDP includes the following design elements, facilities and amenities that satisfy the needs of the residents, employees and guests:

Design elements: The two main design features in the subject CDP are the 11 single-family lots and the community lake. The proposed lots are designed to integrate with the existing lots in McKendree Village. The extension of the natural open space area from McKendree Village will be primarily a conservation and forest preservation area. The excavation of the lake is to provide a source of good fill material for use in the development of the McKendree Village townhouses. The lake will serve as a future recreational focal point for the community and as a visual amenity along the primary access road and provide for stormwater management.

Facilities: The facilities are applicable to the needs of the proposed thirteen lots. With the development of Plat Two of McKendree Village all public utilities plus electric, telephone, gas and cable TV will be available on site. Water and sewer will be provided by WSSC. Water and sewer lines will be constructed within the right-of-way of Brinton Way by the developers of McKendree Village. The subject sites are relatively flat and drain directly into the respective flood plains. A stormwater management pond has been proposed in the vicinity of the proposed lots. The community lake will also be designed for stormwater management of run-off from future development. Vehicular and pedestrian access to the residential area will be from Brinton Way which connects to McKendree Road via Chadds Ford Road. Access to the community lake will be from US Route 301 via Chadds Ford Road.

- (4) The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**

The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings. The site is bounded to the north by undeveloped C-M Zone property, McKendree Village and R-R zoned property to the south and US 301 on the east side and existing McKendree Road and R-R zoned property on the west side. The proposed residential development and the community lake will be compatible with the existing residential zones and the existing amenities like open spaces, trails and recreational areas in the immediate surroundings.

- (5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

- (A) Amounts of building coverage and open space.**

- (B) Building setbacks from streets and abutting land uses.**
- (C) Circulation access points.**

The CDP proposes 11 single-family detached lots on a 212-acre property. The development standards for the lots will be compatible with the development standards for existing lots in McKendree Village with respect to lot size, building coverage and setbacks. The development standards for the proposed lots are as follows:

Minimum size:	6,000 square feet
Maximum building coverage:	40 percent
Minimum yards:	front: 10 feet
	rear: 20 feet (decks may project a maximum of 10 feet)
	side: 6 feet and 12 feet

Landscape buffers will be provided to buffer the proposed lots from abutting land uses.

Brinton Road will continue from McKendree Village as a standard Prince George's County street with a 50-foot right-of-way. The streetscape for the proposed lots will be consistent with the streetscape in McKendree Village with respect to the type of street trees, lighting and landscaping.

The community lake will be five acres in size and located as close to the 100 year-floodplain as possible to leave adequate room for a hiker-biker trail. The landscaping around the lake will be designed along with the design of the surrounding area. Therefore the land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other with respect to development standards, open space and circulation.

- (6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability.**

The development proposed by this Comprehensive Design Plan contains two elements, the development of the single-family lots and the community lake. The development of the single-family lots is linked to the development of single-family lots in McKendree Village and the development of the lake is linked to the townhouse portion of McKendree Village. The lake is intended to be a source of fill for the townhouse portion of the McKendree Village project. Therefore, each staged unit of development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing equality and stability.

- (7) The staging of development will not be an unreasonable burden on available public facilities.**

Findings 12 to 14 provide a basis for a finding of no unreasonable burden on public

facilities.@ The Growth Policy and Public Facilities Planning Section has recommended conditions of approval to alleviate the negative impact on fire and rescue services and the school capacity issues. The existing police facilities will be adequate to serve the proposed Brandywine development. The Transportation Planning Section has concluded that the proposed development will not be an unreasonable burden on transportation facilities which are existing, under construction or for which 100 percent construction funding is contained in the County CIP or the State CTP. A condition of approval has been added to require the applicant to participate in a road fund.

(8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:

- (A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting.**
- (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site.**
- (C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site.**

This section is not applicable to this proposal.

(9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d).

The plan incorporated several design guidelines set forth in Section 27-274 regarding green areas, public spaces and architecture. The onsite green area will be designed to complement the proposed active and passive recreational amenities for the development. It will be easily accessible and link the major residential areas of the development. Public spaces will be provided to enhance the development. The proposed community lake will be used for stormwater management purposes and as a recreational amenity. Pedestrian pathways and trails will be provided as a part of the future development to connect major uses and public spaces within the development. The proposed lots are to be integrated with the existing lots in McKendree Village through the use of similar design elements. The proposed architecture for these lots will use the same style, color range and general sizes as the houses in McKendree Village.

(10) The Plan is in conformance with an approved Tree Conservation Plan.

The Plan is in conformance with a Type I Tree Conservation Plan TCPI/47/96-01. TCPI/47/96-01 is recommended for approval in conjunction with the subject CDP.

6. Density Increment Analysis

Most of the Comprehensive Design Zones include a list of public benefit features and density or intensity increment factors. If a development proposes to include a public benefit feature in a development, the Planning Board may grant a density increment factor which increases the dwelling unit density or building intensity. The value of the public benefit feature determines the size of the density or intensity increase.

In this case, the applicant is proposing 11 lots that comprise 1.07 percent of the total number of units allowed. Therefore, the density increment feature is not applicable to this proposal at this time.

7. Development Standards

In most Comprehensive Design Zones, the applicant proposes development standards and standards for architectural massing, style and detail as part of the Comprehensive Design Plan.

In this case, the applicant is proposing only 11 lots that are to be integrated with the existing lots in McKendree Village through the use of similar design elements. The proposed architecture for these lots will use the same style, color range and general sizes as the houses in McKendree Village.

Referral Responses

8. The Zoning Section (Jones to Srinivas, June 25, 2001) has stated that the subject Comprehensive Design Plan must be in conformance with the approved Basic Plan.
9. The Department of Environmental Resources (De Guzman to Srinivas, May 25, 2001) has stated that the site plan for Brandywine Village is consistent with the stormwater management concept approval #11966-2001.
10. The Community Planning Division (Rovelstad to Srinivas, June 26, 2001) has stated that the proposed lots are consistent with the land use recommendations of the 1993 Master Plan for Subregion V for low suburban residential land use. The proposed community lake and the open space systems generally correspond to the themes illustrated on the Master Plan. The development proposals for the remainder of the tract designated as future development should be reviewed for compliance with the Master Plan and the R-M Zone Basic Plans when submitted.
11. The Environmental Planning Section (Markovich to Srinivas, June 4, 2001) has stated

that there are extensive areas of woodlands, streams, wetlands, flood plains, steep slopes and severe slopes on this property. There are no noise impacts to the proposed residential lots in the R-M portion of this property. The applicant has submitted a detailed forest stand delineation (FSD) in accordance with the Prince George=s County Woodland Conservation and Tree Preservation Technical Manual. The proposal is subject to the provisions of the Prince George=s County Woodland Conservation Ordinance because there are existing woodlands and there are previously approved Type I and Type II Tree Conservation Plans. The applicant has submitted a Type I Tree Conservation Plan TCPI/47/96-01 which is recommended for approval with the subject CDP application. Additional revisions will be required when further development is proposed for the property. The Section has recommended revision of the configuration of the lake to avoid impacts to the wetland area which currently bisects the northern third of the lake. A Phase I Noise Study is recommended for any development proposed within 200 feet of Chadds Ford Drive or General Lafayette Boulevard and within 600 feet of US 301. Conditions of approval have been added to require the same.

12. The Growth Policy and Public Facilities Planning Section (Williams to Srinivas, June 27, 2001 and White to Srinivas, September 4, 2001) has recommended that all residential structures be fully sprinklered in accordance with the National Fire Protection Association Standard 13D and all applicable Prince George=s County Laws in order to alleviate the negative impact on fire and rescue services. A condition of approval has been added to require the same. The existing police facilities will be adequate to serve the proposed Brandywine development. The affected Brandywine Elementary and Gwynn Park High Schools have projected percentages of capacities greater than 105 percent.

Finding

Projected Impact on Affected Public Schools

Affected School Name			Development Pupil Yield	5-Year Projection	Adjusted Enrollment	Total Projected Enrollment	State Rated Capacity	Projected% Capacity
Brandywine Elementary School	13 sfd	0.24	3.12	750	762.48	765.60	569	134.55%
Gwynn Park Middle School	13 sfd	0.06	0.78	715	718.12	718.90	864	83.21%
	13 sfd	0.12	1.56	1687	1690.24	1691.80	1274	132.74%

Gwynn Park High School								
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Source: Prince George's County Planning Department, M-NCPPC, January 2001

Therefore, the adequate public facilities fee is \$3,360.00 per unit. The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines.

The guideline recommend states that if any affected school=s projected percentage of capacity exceeds 130 percent no permits may be issued until (a) capacity exists below 130 percent in all affected schools; or (b) four (4) years have elapsed since the time of the approval of the preliminary plan of subdivision. The section has proposed the following conditions:

Prior to the issuance of a building permits, the applicant, his heirs, successors and/or assigns shall pay an Adequate Public Facilities fee of **\$3,360.00** per dwelling unit for the schools, unless fully offset by a school facility surcharge payment. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at **Brandywine Elementary and Gwynn Park High Schools.**

No permits shall be issued for this Comprehensive Design Plan until the projected percentage of capacities at **all the affected schools** are less than or equal to 130 percent or four years have elapsed since date of the adoption of the resolution of the approval of this preliminary plat of subdivision.

13. The Transporation Planning Section (Shaffer to Srinivas, June 25, 2001) has stated that the adopted and approved Subregion V Master Plan recommends a master plan trail along the stream valley which runs between Parcel I and proposed outlot 5. Recommendations regarding this trail will be made when development proposals for the remainder of the tract are submitted.
14. The Transportation Planning Section (Masog to Srinivas, September 1, 2001) has concluded that the proposed development will not be an unreasonable burden on transportation facilities which are existing, under construction or for which 100 percent construction funding is contained in the County CIP or the State CTP. The proposed 13 lots do not require a traffic study but analysis of traffic impacts of the future development must be done by the applicant when the future development is proposed. The proposed roads are consistent with the Subregion V Master Plan. A condition of approval regarding participation in a road club for funding various improvements has been added. A condition of approval has also been added to require traffic analysis of the future

development by the applicant.

The memorandum from the Transportation Planning Section states that:

The Transportation Planning Section has reviewed the Comprehensive Design Plan (CDP) application referenced above. The subject property consists of approximately 149.47 acres of land in the R-M zone. The property is located along the east side of McKendree Road between US 301/MD 5 and MD 373. The applicant proposes residential development, open space, and a community lake area on approximately 23 acres of the site, leaving the remainder for a future plan. The residential development consists of 13 single-family lots.

The applicant has not prepared a traffic impact study nor was one required by the transportation staff given the applicant's desire to only develop 13 single-family lots. The findings and recommendations outlined below are based upon a review of all relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

For larger developments, the Planning Board relies on the applicant to perform the bulk of the analyses needed to demonstrate compliance with necessary findings of transportation adequacy. The Planning Board also relies upon the State's and the County's input into the findings. Therefore, requests for significant additional development which would generate 50 trips or more would require an amendment to the current CDP or a new CDP which would be accompanied by a traffic study. This future study would be processed, referred, and reviewed using standard procedures.

Summary of Traffic Impacts

The application is a plan for a residential subdivision consisting of 13 single-family residences. The proposed development would generate 10 AM (2 in, 8 out) and 12 PM (8 in, 4 out) peak hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Appendix A of the CDP text notes that the adjacent R-M property, which received its current zoning several years prior to the subject property but was originally a part of Brandywine Village, was originally approved for 64 single-family residences but platted for 48. This is correct and is relevant since the proposed residential development would receive its access fully through the existing platted subdivision (now known as McKendree Village). This provided additional justification for staff to not require further analyses for these lots, as it was doubtful that 13 proposed lots together with the 48 platted lots would generate transportation requirements beyond those needed to serve the original 64 lots which were approved. Added to findings made under SDP-9614/01 that the reconfiguration of the prior approved Brandywine Village development would have less impact than previously planned along McKendree Road, staff determined that the development proposed by this CDP would have no significant impact at MD 373/McKendree Road, which would be the

critical intersection for the subject property.

AMcKendree Village was required to bond physical improvements and study signalization at MD 373/McKendree Road. The signal warrant study was done, and the signal was determined to not be warranted. With the issuance of permits within McKendree Village, all improvements required have been bonded.

ANotwithstanding the above findings, the residential development planned must conform to the conditions of approval for the Basic Plan A-9878, as noted in the *Subregion V Sectional Map Amendment*. Specific transportation conditions include:

ACondition 13: This condition requires a pro-rata share toward a list of significant transportation improvements in the area, and the Brandywine Road Club fee consistent with this condition will be imposed with this plan.

ACondition 14: This condition sets a development cap. The 13 residences is well within the ultimate cap for the site.

ACondition 15: This condition requires dedication along US 301/MD 5; this applies to other portions of A-9878.

ACondition 16: This condition requires dedication along C-502; this is General Lafayette Boulevard, and the area which has been dedicated is appropriate.

ACondition 17: This condition concerns the US 301/Chadds Ford Drive intersection, and was addressed under 4-96083.

ACondition 18: This condition concerns the US 301/Chadds Ford Drive intersection, and was addressed under 4-96083.

ACondition 19: This condition requires three street connections between Brandywine Village (aka McKendree Village) and the area covered by A-9878 to be retained. The subject development utilizes one of the planned connections, with the other two to be addressed at a later time.

APlan Comments

AThe *Subregion V Master Plan* includes a recommendation for a north-south major collector along the eastern side of the site. The 100-foot right-of-way shown on the plan for General Lafayette Boulevard is consistent with the right-of-way that was determined for this facility during the review of Preliminary Plat of Subdivision 4-96083 for Brandywine Village Road Access. The location of proposed Chadds Ford Drive is also consistent with that plan.

AThe street cross-section shown in the CDP is consistent with the county=s public secondary roadway standard, and is acceptable.

Recommendations

Based on the preceding comments and findings, the Transportation Planning Section concludes that the proposed development will not be an unreasonable burden on transportation facilities which are existing, under construction or for which 100 percent construction funding is contained in the county CIP or the state CTP. Therefore, the transportation staff believes that the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met if the application is approved with the following condition.....@ (see proposed Condition 4.c below).

15. The applicant will be required to submit Preliminary Plat applications and Specific Design Plan applications for each phase of the development. The applicant has already filed a Preliminary Plat application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Comprehensive Design Plan CDP-0102, Brandywine Village for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the Comprehensive Design Plan, the following revisions shall be made:
 - a. The Comprehensive Design Plan shall include the entire 212-acre tract in the E-I-A, L-A-C and R-M Zones covered by A-9878, CDZ Amendment 2 to CR-60-1993 implementing the Sectional Map Amendment for Subregion V.
 - b. The configuration of the community lake shall be revised to avoid impacts to the wetland area which currently bisects the northern third of the lake or get a variation and any and all appropriate State and Federal wetland permits.
2. The applicant shall submit a revision to the subject Comprehensive Design Plan for development of the remainder of the tract designated as future development. The revisions shall be reviewed for compliance with the Master Plan and the R-M Zone Basic Plans.
3. The applicant shall submit Preliminary Plat of Subdivision and Specific Design Plan applications for development covered by the subject Comprehensive Design Plan prior to issuance of any permits.
4. Prior to issuance of building permits, the applicant, his heirs, successors and/or assigns shall:
 - a. ensure that all residential structures be fully sprinklered in accordance with the National Fire Protection Association Standard 13D and all applicable Prince

George=s County laws in order to alleviate the negative impact on fire and rescue services.

- b. pay an Adequate Public Facilities fee of **\$3,360.00** per dwelling unit for the schools, unless fully offset by a school facility surcharge payment. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at **Brandywine Elementary and Gwynn Park High Schools.**
- c. contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a Road Club which will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along U.S. 301/Md. 5 between T.B. (the intersection of U.S. 301 and Md. 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board.

For development of the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:

For each single-family detached unit, a fee calculated as $\$1,472 \times$ (the most recent FHWA Highway Construction Cost Composite Index four-quarter average available at the time of building permit application) / (FHWA Highway Construction Cost Composite Index for first quarter, 1993)

Payment is to be made in trust to the Road Club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to the M-NCPPC that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the Road Club escrow account by Road Club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- (1) Widen US 301/MD 5 from a four (4) lane road to a six (6) lane road beginning at Timothy Branch (north of Cedarville Road) and extending

northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.

- (2) Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.
 - (3) Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.
 - (4) Widen US 301 from a four (4) lane road to a six (6) lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.
 - (5) Reconstruct the traffic signal at US 301/MD 381.
 - (6) Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.
 - (7) Provide a grade separation at the point the Spine Road crosses US 301 northeast of T.B.
 - (8) Reconstruct the traffic signal at MD 5/Brandywine Road.
 - (9) Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.
 - (10) Construction of an interchange in the area of MD 5 and A-63 north of T.B.
 - (11) Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.
 - (12) Widen US 301/MD 5 from a six (6) lane road to an eight (8) lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.
 - (13) Widen MD 5 from a four (4) lane road to a six (6) lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.
5. No permits shall be issued for this Comprehensive Design Plan until the projected percentage of capacities at **all the affected schools** are less than or equal to 130 percent or four years have elapsed since date of the adoption of the resolution of the approval of this preliminary plat of subdivision.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

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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 Brown, seconded by Commissioner Lowe, with Commissioners Brown, Lowe, Eley, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 13, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of October 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:LS:rmk