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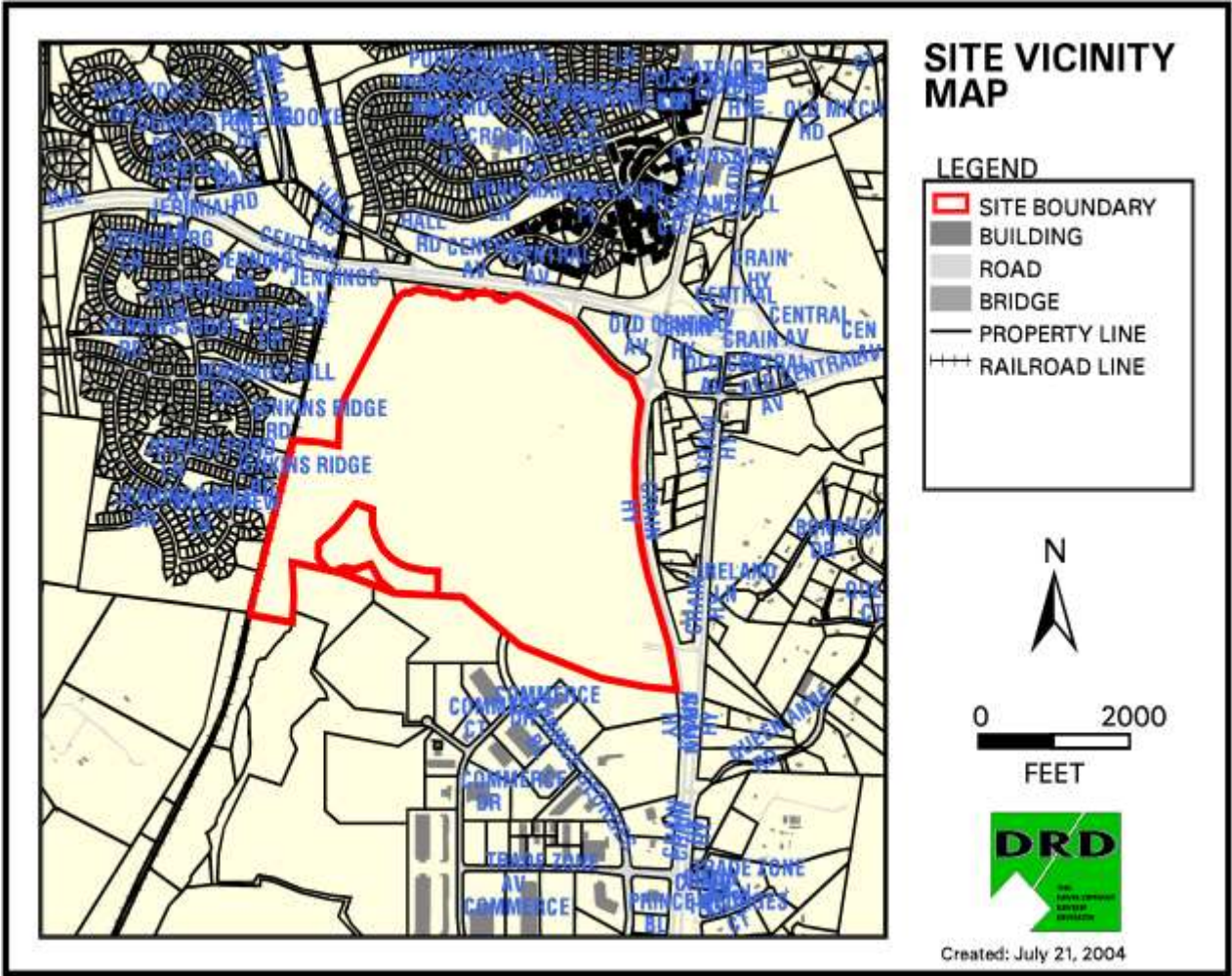
## Preliminary Plan 4-04035

## Reconsideration Hearing

Application	General Data	
<b>Project Name:</b> Karington  <b>Location:</b> Southwest corner of the intersection of Central Avenue (MD 214) and Robert S. Crain Highway (US 301).  <b>Applicant/Address:</b> Karington, LLC 10100 Business Parkway Lanham, MD 20706  Property Owner: Karington, LLC 10100 Business Parkway Lanham, MD 20706	Planning Board Hearing Date:	01/25/18
	Memorandum Date:	01/18/18
	Date Accepted:	07/13/17
	Planning Board Action Limit:	N/A
	Mandatory Action Timeframe:	N/A
	Plan Acreage:	381.52
	Zone:	E-I-A
	Gross Floor Area:	1,025,000 sq. ft.
	Lots/Dwelling Units:	463
	Parcels:	86
	Planning Area:	74A
	Council District:	04
	Election District	07
	Municipality:	N/A
	200-Scale Base Map:	201NE14

Purpose of Application	Notice Dates	
Reconsideration Hearing	Previous Parties of Record (Applicant)	07/13/17
	Previous Parties of Record (M-NCPPC)	07/14/17 01/16/18

Staff Recommendation		<b>Staff Reviewer:</b> Sherri Conner <b>Phone Number:</b> 301-952-3168 <b>E-mail:</b> sherri.conner@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



January 18, 2018

**MEMORANDUM**

TO: The Prince George's County Planning Board

FROM: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section,  
Development Review Division

SUBJECT: **Reconsideration Hearing for Preliminary Plan of Subdivision 4-04035  
Karington**

The Prince George's County Planning Board approved a preliminary plan of subdivision (PPS) for the above case, and the resolution of approval (PGCPB Resolution No. 04-247(C/2)(A)), has adopted on October 21, 2004. By letter dated July 12, 2017, Matthew Tedesco and Arthur Horne, Jr., representing the owner/applicant, Karington, LLC, requested a waiver of the Planning Board's Rules of Procedure (Section 10.a.) and a reconsideration (Section 10.e.), which was granted by the Planning Board on July 27, 2017, for other good cause in furtherance of substantial public interest. Pursuant to the applicant's letter dated July 12, 2017, the reconsideration seeks to adjust the transportation network, site access, and alignment of the Master Plan trail. The applicant's request specifically requested reconsideration of Findings 6, 7 and 8 and Conditions 14 through 19, 25, 26, 29, 37, 38, 40, 41, and 43 of PGCPB Resolution No. 04-247(C). Through the review, staff identified additional conditions directly related to the original request that need modifications, which are set forth in the Recommendation section of this memorandum.

The following modifications to the approved PPS and TCP are proposed as a result of the request:

- **Access:** The access to the subject site from the south side of MD 214 (Central Avenue) is removed from the western part of the frontage, opposite Hall Road on the north side of MD 214. This consolidates access from MD 214 to the east part of the frontage, along the Old Central Avenue, proposed as a roundabout. The consolidation eliminates the need for signalized access at the west and reduces the environmental impacts that would have been need for the street connection.
- **Circulation:** Due to the removal of the west access from MD 214, the internal circulation for development in the northwestern portion of the site will be from the eastern access remaining along Old Central Avenue and access locations along US 301. Road infrastructure previously shown from the western access along MD 214 has been removed from the plans. The mid access road from US 301 is proposed to become a private street, known as "Street J," instead of a public right-of-way. An additional private street connection is proposed to connect the subject development to a sports complex anticipated to the south of the site.
- **Trail:** As a result of the removal of the access and circulation along the west, the master

plan trail head and trail location previously shown along the Collington Branch Stream Valley, within dedicated parkland, is proposed to be relocated and developed as a 10-foot-wide sidepath along the internal streets within the public right-of-way. The trail relocation further reduces environmental impacts, which would have been needed to implement the trail along the stream valley.

The applicant submitted a revised PPS and TCP reflecting the new transportation network, consolidated access, and trail location. Amendments to the findings and conditions of the PPS approval are necessitated by the revisions proposed. Staff supports the applicants request to modify the transportation network, access along MD 214 and relocation of the Master Plan trail based on analysis conducted by Subdivision, Environmental Planning, Department of Parks and Recreation, and the Transportation Planning Sections. However, the mid access road from US 301 would require the approval of a variation if it were a private street. No variation was filed as part of this request, therefore, staff recommends the street remain public. The PPS reconsideration conforms to Subtitles 24 and 27 of the Prince George's County Code, and adequate transportation facilities will exist to serve to subjects site, with conditions.

#### STAFF RECOMMENDATION

**APPROVAL** of Reconsideration of Preliminary Plan of Subdivision 4-04035 and Type I Tree Conservation Plan TCPI-048-02-02 to modify the transportation network, access, and alignment of the Master Plan trail, with the following amended findings and conditions to be set forth in an amended resolution of approval:

#### **Additional Findings:**

Add the following language (underlined) to Finding 6 at the end of the Department of Parks and Recreation analysis on Page 25 of PGCPB Resolution No. 04-247(C/2(A)):

On January 25, 2018, the Planning Board granted a Reconsideration for the realignment of the master plan trail. In 2004, the Planning Board approved Preliminary Plan 4-04035 with conditions 14, 15, 16, 18, 19, 35, 37, 38, 41 and 43 most of which were related to the development of trail called for in the adopted Master Plan along Collington Branch Stream Valley with trailhead facilities located within the Karington subdivision.

The Preliminary Plan 4-04035 established timing for the dedication of parkland and the construction of the trails and trailhead facilities on dedicated parkland. However, in 2017, the applicant proposed a major realignment of road infrastructure, which affected access to the planned trail and future public trailhead facilities located in the western part of the site. The vehicular and pedestrian access to the planned trail and trailhead facilities is no longer viable due to severe slopes, floodplain and wetlands on the dedicated parkland. As such, the planned trail needs to be realigned to fit into the new road system and to provide the most convenient public access to the trail and trailhead facilities.

Given the challenges associated with the location of the master-planned trail, the most appropriate alternate location for the trail is along the major loop road within the subdivision. As such, the associated conditions of approval are modified to allow for the realignment of the master plan trail.

Add the following language (underlined) to Finding 7 at the end of the Trail analysis on Page 26 of the

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resolution:

On January 25, 2018, the Planning Board granted a Reconsideration for the adjustment of the site access, circulation and realignment of the master plan trail. The master plan trail is realigned from the stream valley to alongside internal roads within the subject site. Exhibit A, submitted by the applicant with the reconsideration, reflects the realignment and includes a cross section for the trail. The design includes a 10-foot-wide asphalt trail with a 10-foot wide landscape strip, which buffers the trail from automobile traffic and provides a more “park like” along the road edge. The current design extends from MD 214 and through the subject development to the planned sports complex just south of the subject site. Traffic calming, pedestrian safety features, and improvements to the planned pedestrian crossing of MD 214 will be evaluated at the time of DSP. The landscape strip/buffer along the trail is wider than what is typically included in road construction and will provide an ample separation for trail users from motor vehicle traffic and green space for the street trees. The wider buffer was intended to create a more “park like” setting along the trail than is typically found along a sidewalk or sidepath.

It has not been determined if the roads will be maintained by DPW&T or the City of Bowie. The City of Bowie currently has a signed and recorded agreement to annex the site. However, this agreement is contingent on the approval of tax increment financing (TIF), which has not occurred yet. If the TIF is not implemented for the site, the City of Bowie will not annex the property, at least under the current agreement. If the subject site is annexed into the municipality, the City of Bowie may maintain the trail.

Discussions with DPW&T have indicated that if the trail is to be maintained by the County, some revisions to the cross section will have to be made to bring it into conformance with the approved Road Specifications and Standards. DPW&T will not maintain the trail as currently proposed by the applicant. It is a “non-standard” treatment, meaning that it does not match or comply with their road specifications and standards. For DPW&T to accept maintenance of the facility, it would have to meet the requirements included in STD. 100.18, DPW&T’s standard road section for a Concrete Hiker/Biker Trail within an Urban Right-of-way. More specifically, the applicant proposes a 10-foot-wide asphalt trail and a 10-foot-wide landscape strip/buffer between the trail and the curb. Both of these dimensions would have to be reduced to eight feet to comply with the standard. Furthermore, for DPW&T to accept maintenance of the trail, it would have to be concrete, not asphalt.

To address the non-standard right-of-way and maintenance requirements of DPW&T, the applicant will construct the trail as shown on Exhibit A within the public right-of-way and develop an (MOU) Memorandum of Understanding for the maintenance of the trail. This will allow for a wider asphalt trail and the inclusion a wider landscaped buffer than is typically found in the road specifications and standards.

Add the following language (underlined) to Finding 8 at the end of the traffic analysis on Page 40 of the resolution:

On January 25, 2018, the Planning Board granted a Reconsideration for the modification of access to the site. By letter dated July 24, 2017 (Lenhart to M-NCPPC Development Review Division), an analysis was provided, detailing operating conditions at three critical intersections under the revised access configuration: MD 214/Hall Road, MD 214/Old Central Avenue, and

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Old Central Avenue/site access. This analysis has been reviewed in accordance with the procedures as detailed in the “Transportation Review Guidelines,” and has been deemed to be acceptable. For the three intersections critical to this analysis, when analyzed with traffic using counts, existing lane configurations, and approved development as utilized in the 2005 traffic study for the subject property, operate as follow:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 at Hall Road	1,224	919	C	A
MD 214 at Old Central Avenue	1,163	764	C	A
Old Central Avenue at site access	future			

Total traffic from the approved 2005 traffic study is summarized below:

<b>TOTAL TRAFFIC CONDITIONS WITH EXISTING ACCESS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 at Hall Road	1,393	1,302	D	D
MD 214 at Old Central Avenue	1,198	837	C	A
Old Central Avenue at site access	future			

With the deletion of the MD 214/Hall Road access and the provision of a new access point onto Old Central Avenue, revised total traffic is summarized below:

<b>TOTAL TRAFFIC CONDITIONS WITH REVISED ACCESS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 at Hall Road	1,381	1,126	C	B
MD 214 at Old Central Avenue	1,550	1,242	E	C
Old Central Avenue at site access	1,020	983	B	A

Two intersections in the above table require further discussion:

Old Central Avenue at site access: In place of requiring the MD 214/Hall Road/site access and the related traffic control improvements, the PPS submitted by the applicant reflects a roundabout at this location. It was determined that a roundabout at this location conforms to the adequacy findings required by the Transportation Guidelines and meets the v/c ratio of 0.85 or less. The Maryland State Highway Administration (SHA) has jurisdiction at this location, and will determine signal warrants and lane configurations at the time of detailed site plan. At this time, SHA has not agreed to the implementation of the roundabout and may require that the applicant construct a signalized intersection at this location. The right-of-way reflected on the PPS is sufficient to accommodate either improvement.

MD 214 at Old Central Avenue: This intersection has been analyzed in its current configuration

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with a single-lane approach for Old Central Avenue. The analysis indicates that the addition of an exclusive left-turn lane is needed for acceptable operations.

Delete the following language on page 32 of the resolution:

~~†As a means of ensuring that the Phase II improvements are completed, it was determined that development in the northern part of the site near the proposed MD 214/Hall Road connection should immediately trigger the start of Phase II. Therefore, it is determined that development within 1,400 linear feet of the MD 214/Hall Road/site entrance intersection will immediately trigger the start of Phase II development. Any related final plats shall reflect this staging line.~~

**Revised/Additional Conditions:**

The conditions of approval in contained in PGCPB Resolution No. 04-247(C/2)(A) shall be modified in plain text as follows:

1. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/48/02-01 (see -02 revision for reconsidered TCPI), shall be revised as follows:
  - a. ~~\*Whenever feasible, [R]revise the alignment of the neighborhood trails so that they are located at the top of the slopes or the bottom of the slopes, not midway up the slopes where significant grading and woodland clearing will be required.~~
  - b.a. Add information to the TCPI that identifies the locations of all off-site road improvements that will be required and indicate which of those improvements may require the clearing of woodlands.
  - e.b. Show the location of the mitigated 1.5 safety factor line on the TCPI and the preliminary plan of subdivision and adjust the lot layout for proposed Lots 210–246, Block ‘A,’ so that the lots are located entirely outside the limits of the mitigated 1.5 safety factor line.
  - d.c. Prior to DSP, revise the Type I tree conservation plan to minimize the portion of PMA Impact #5 associated with the construction of the clubhouse and swimming pool. Also, revise PMA Impact 6 to further minimize and/or eliminate the proposed impact.
  - e.d. Revise the preliminary plan of subdivision and the Type I tree conservation plan to reflect the revised lot layout and the location of the mitigated 1.5 safety factor line based on “Marlboro Clay Safety Factor Exhibit A.”
2. Prior to signature approval of the preliminary plan of subdivision, the preliminary plan and the Type I tree conservation plan shall be revised:
  - a. So that no portion of the Patuxent River Primary Management Area (PMA) outside of the approved PMA impact area is located within the limits of a lot or parcel less than two acres in size.
  - b. To include the 10-foot-wide public utility easement parallel and contiguous to all public rights-of-way.

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3. Development of this subdivision shall be in compliance with an approved Type I tree conservation plan †[(~~TCPI/48/02-01~~)] (TCPI/48/02-02). The following notes shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan †[(~~TCPI/48/02-01~~)] (TCPI/48/02-02) or as modified by the Type II 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/Tree Preservation Policy.”
4. The detailed site plan for the area that includes proposed Street ‘K’ shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.
5. The detailed site plan submittal which includes Lots 210–246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.
6. Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.
7. Prior to approval of the detailed site plan and the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.
8. The final plat of subdivision shall show a minimum 50-foot building restriction line (unless a lesser restriction is approved by DER) from the limits of the mitigated 1.5 slope safety factor line.
9. The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George’s County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.
10. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section for accuracy prior to approval. In addition, 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

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consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted.”

11. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.
12. Prior to the issuance of any building permits for this site an approved stormwater management plan that is consistent with the approved detailed site plan and the Type II tree conservation plan shall be submitted to the Environmental Planning Section.
13. Failure to obtain either federal and/or state permits for the construction of the proposed lake will be considered a major change to the overall concept of this application and will require the submission and approval of a new preliminary plan of subdivision.
14. ~~Subject to Condition \*[41] 43, the applicant, his heirs, successors and/or assignees shall construct the master plan eight foot wide asphalt trail connector from the stream valley trail to the road adjoining the private park. The trail shall be a minimum of eight feet wide and asphalt.~~
15. ~~Prior to submission of the first detailed site plan for residential development, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.~~
14. Prior to submission of the first detailed site plan for residential development, other than for multifamily development for the first 400 units, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact realignment of the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue through the project to the southern property line, as further depicted in Applicant’s Exhibit A. The alternate alignment shall be approved by DPR consistent with the master plan. If the alternate master plan trail is located within a private right-of-way or any privately owned land, the applicant, prior to the approval of the applicable record plat, shall provide M-NCPPC with a public access easement to ensure public access to the alternate master plan trail located within the private right-of-way or privately owned land.
16. ~~Subject to Condition \*[41] 43, the location of the trail shall be staked in the field and approved by DPR prior to construction.~~
17. ~~Subject to Condition \*[41] 43, the applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.~~
15. The applicant, his successors, and/or assignees shall construct the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue to the southern property line in phase with road construction with the exception of the southern connection of private Street W in accordance with Condition 39. Private Street W shall be platted in phase with development, at which time the applicant, his successors, and/or assigns shall provide an easement for the alternate 10 foot wide master plan trail to ensure ultimate connectivity to the southern property line.

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- ~~18.~~ ~~Subject to Condition \*<sup>†</sup>[41] 43, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines* and all standards related to handicapped accessibility.~~
16. Prior to certificate approval of the detailed site plan for infrastructure (or an amendment thereto) that includes a portion of the proposed alternate master plan trail, the applicant shall submit detailed construction drawings for the relevant portion of the alternate master-planned trail to DPR for review and approval. The trail within the public or private right-of-way shall be designed in accordance with Applicant's Exhibit A.
- ~~19~~17. ~~All~~ The 10-foot-wide alternate master-planned trails~~s~~ shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.
- ~~20.~~ ~~In-road bicycle facilities shall be considered prior to the first DSP for residential development along the four-lane, divided roads entering the site from MD 214 and US 301, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.~~
18. In-road bicycle facilities and/or trail facilities designed in accordance with Applicant's Exhibit A shall be considered along with the DSP for infrastructure (or any amendment thereto) along public roads entering the site from MD 214/Old Central Avenue and US 301 at the main site entrance, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.
- ~~21~~19. The following note shall be placed on the final plat:
- “An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”
- ~~22~~20. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Prior to approval of the detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological*

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*Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines. This condition shall not apply if the applicant can provide evidence that these studies have been reviewed and approved.

- ~~23~~21. Prior to the issuance of permits \*(other than infrastructure), the applicant, his heirs, successors and/or assignees shall have the scrap tires hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt shall be turned in to the Health Department.
- ~~24~~22. **MD 214 at Church Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- a. The addition of a northbound left-turn lane along Church Road.
  - b. The addition of an eastbound left-turn lane along MD 214.
  - c. The addition of a westbound left-turn lane along MD 214.
  - d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.
- ~~25. **MD 214 at Hall Road/site access:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, ~~†other than for infrastructure, signage, or model homes~~ within the subject property and install it at a time when directed by the responsible permitting agency. ~~†~~[Also, prior to the issuance of any building permits within the subject property,] Prior to any building permit that generates more than 1,047 AM and/or 1,421 PM net off-site peak hour trips or any building permit, other than for infrastructure, model homes, or signage that is otherwise within 1,400 linear feet of the proposed MD 214/Hall Road intersection, the following road improvements shall, ~~†if deemed to be necessary by the operating agency,~~ (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. The addition of an eastbound exclusive right turn lane along MD 214.~~
  - ~~b. The ~~†~~[addition of a] provision of an exclusive westbound left turn lane along MD 214 at the site access.~~
  - ~~c. The construction of the northbound approach to include two left turn lanes and a shared through/right turn lane, ~~†or lane use otherwise required by SHA.~~~~

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23. **Old Central Avenue at Site Access:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

~~26~~24. **US 301 at Old Central Avenue:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.

~~27~~25. **US 301 at site entrance/median crossover:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, ~~†other than for infrastructure, model homes, or signage,~~ within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, ~~†other than for infrastructure, model homes or signage,~~ within the subject property, 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. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.
- b. The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301
- c. The construction of a northbound left-turn lane approaching the median crossing.
- d. The construction of a southbound right-turn lane along the southbound US 301 approach.
- e. †Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).

~~28~~26. **US 301 widening:**

- a. Prior to the issuance of any permits, ~~†other than for infrastructure, signage, or model homes,~~ within ~~†[Phase I (other than construction buildings and model homes)] Phase II,~~

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as defined in the trip cap condition contained in this report, the following road improvement shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of a new US 301 southbound lane ~~†[to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.]~~ beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue, to tie into the existing third southbound lane that already exists at Queen Anne Road, for a total distance of approximately 2,800 feet.

- b. Prior to the issuance of any permits within ~~†[Phase II]~~ Phase I that require the construction of a new access point(s) along southbound US 301, as defined in the trip cap condition contained in this report, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of new acceleration/deceleration lanes along ~~†[northbound]~~ southbound US 301 at the site entrance(s).
- c. The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction of the respective Phases, the applicant shall pay to Prince George's County a sum calculated as \$725,094.25 x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989). This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined prior to signature approval of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Condition 28A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements less the cost of the SHA mandated access improvements.

~~†2927.~~ **MD 214 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

~~†[29]-3028.~~ Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to ~~†[774 AM and 1,242 PM]~~ 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than ~~†[774 AM and 1,242 PM]~~ 1,047 AM and 1,421 PM net off-site peak-hour trips ~~or is within 1,400 linear feet of the proposed MD 214/Hall Road intersection.~~ Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event

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that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.

†~~31-~~ ~~The preliminary plan of subdivision and detailed site plan(s) shall reflect the staging line of 1,400 linear feet from the Central Avenue (MD 214) and Hall Road intersection for transportation analysis.~~

†[30]-~~32~~29. Prior to ~~\*[signature approval of the preliminary plan]~~ detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.

†[34]-~~33~~30. Prior to approval of the final plat of subdivision, the applicant, his successors and/or assignees shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately-funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan (other than infrastructure), transportation planning and DPW&T staff shall review bus routing plans.

†[32]-~~34~~31. Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.

†[34]-~~35~~32. Prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant's heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to M-NCPPC, including the additional land to be conveyed pursuant to the reconsideration approved January 25, 2018. Land to be conveyed shall be subject to the following:

- a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat for the parkland.
- b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
- c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.

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- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
- i. No stormwater management facilities, ~~or tree conservation~~ or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

†[35] ~~36~~33. The subdivider, his successors and/or assignees shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plan of subdivision.

†[36] ~~37~~. ~~Subject to Condition \*[41] 43, the applicant shall construct an eight foot wide master planned trail from the stream valley trail to the road adjoining the private park.~~

†[37] ~~38~~. ~~At a time to be determined at detailed site plan, the applicant shall construct a trailhead at the main access road (Street A); facilities shall be determined at the time of the DSP and may include a parking lot and a shelter.~~

34. At a time to be determined at detailed site plan, the applicant shall construct a publicly accessible trailhead in the location generally shown on Applicant's Exhibit A, or in an alternate location mutually agreeable to the applicant and DPR. Trailhead facilities may include a parking lot and a shelter. The timing of construction and the trailhead facilities shall be determined at the time of any detailed site plan that includes the trailhead location.

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- †[38] ~~39~~35. Proposed PMA impacts #5 and #6 shall be further evaluated during the review of the first Detailed Site Plan proposing these specific PMA impacts in order to further minimize and/or avoid the impacts once more detailed topographic, Geotechnical and grading information becomes available. If proposed PMA impact #5 cannot be sufficiently minimized the proposed pool and clubhouse shall be relocated and Parcel 79 shall be eliminated.
- †[39] ~~40~~36. The applicant shall submit three original, executed recreational facilities agreements (RFA) for trail construction to DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
- †[40] ~~41~~. ~~The applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR, within at least two weeks prior to applying for building permits.~~
37. In accordance with Condition 34, prior to the issuance of the fine grading permit or building permit(s) for any portion of the alternate master plan trail and related trailhead facility to be located outside of the public right-of-way, the applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR.
- †[41]-~~42~~38. The approval of the first detailed site plan for residential development (other than infrastructure) shall establish the timing for the submission of the recreational facilities agreements and associated bonding requirements for the public trail construction and the private recreational facilities.
- †[42]-~~43~~. ~~Notwithstanding any condition related to the proposed Master Plan trail or connections thereto, applicant will not be required to construct same trail until the M-NCPPC constructs or assigns the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leland Road.~~
39. Notwithstanding any condition related to the ultimate connection of the proposed alternate Master Plan trail to the southern property line, the applicant will not be required to bond, permit, or actually construct the ultimate connection to the southern property line along Street W until Street W and Prince George's Boulevard are graded and actually connected. If private Street W is not ultimately constructed, an easement for the master plan trail connection to the southern property line of the site shall still be provided in accordance with Condition 14.
- †~~44~~40. Pursuant to the Planning Board reconsideration action on February 16, 2017, the preliminary plan of subdivision (PPS) and TCPI (-02) shall be recertified prior to approval of a detailed site plan (not infrastructure) and shall include the following additional information:
- a. Add an additional approval block to the PPS and adjust the lot and parcel totals, including a breakdown of commercial, residential, single-family dwellings, and two family attached.
  - b. Add a new general note that states "The Planning Board approved (PGCPB Resolution No. 04-247(C)(A)) a reconsideration on February 16, 2017 to convert dwelling unit types

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and increase the number of lots to 800 and the number of parcels to 97 with no increase to the maximum dwelling units approved of 1,294.”

- c. Parcel 91 shall be adjusted to avoid impacts to tree conservation areas.
- d. The original tree line, per the approved forest stand delineation/Tree Conservation Plan Type I, shall be shown on the plans.
- e. The TCPI shall show the most current approval block.
- f. Delineate and label lot depth in accordance with Section 24-121(a)(4) of the Subdivision Regulations.
- g. Add a note to the PPS that states “The recertification of this PPS, pursuant to the reconsideration action approved on February 16, 2017 and adoption of PGCPB Resolution No. 04-247(C)(A), does not extend the validity period of the PPS, nor change the date of the original approval.”
- h. Provide an inset on the PPS which reflects the applicant’s “Exhibit for Typical Minimum Lot Layout” dated \*\*[February 27, 2017] February 7, 2017.
- ~~i. Reflect the staging line of 1,400 linear feet from the proposed Central Avenue (MD 214) and Hall Road intersection for transportation analysis.~~
- ~~ji. Label denied access along Robert Crain Highway (US 301), with the exception of the street connections, and reflect the proposed access easements authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations with arrows with a heavy line weight, which may be subject to revisions at the time of DSP.~~
- ~~kj. Revise the lotting pattern for Parcels 49, 72, and 73 in accordance with Applicants Access Exhibit.~~
- ~~lk. Dimension all streets and alleys, and label.~~

~~†4541.~~ Prior to approval of the final plat, if needed, the applicant and the applicant’s heirs, successors, and/or assignees shall submit a draft access easement, pursuant to Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access to serve the commercial retail as reflected on the approved detailed site plan. If needed, the draft document shall identify the Maryland-National Capital Park and Planning Commission (M-NCPPC) as the grantee and shall submit it for review and approval. The limits of the shared access shall be reflected on the final plat. Prior to recordation of the final plat, the 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 vehicular access. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.

~~†4642.~~ Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised as follows:

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- a. Update the TCP approval block to the current standard with all previous approval information typed-in.
- b. Add the standard Development Review QR code approval block.
- c. Remove the steep slopes and proposed treeline.
- d. Revise the limit of disturbance to the standard line-type.
- e. Revise the location of the limit of disturbance to follow the current location of the proposed water and sewer connections.
- f. Show the unmitigated 65 dBA Ldn noise contour with a darker line and provide labels for the line on each sheet of the plan set.
- g. Revise the name of the qualified professional responsible for the plan on the worksheet and have the revised plan signed and dated by the qualified professional who prepared the plan.

†~~47~~43. Prior to approval of a detailed site plan [for residential development](#) (not infrastructure), the following shall be demonstrated on the plans:

- a. Private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, in at least three locations with each location being within a 100-foot radius of the proposed townhouses.
- b. To provide adequate pedestrian circulation and access, homeowners association open space windows, which are a minimum of eight feet wide, shall be provided between the end unit lot lines of single-family attached (townhouse) building sticks where appropriate, as determined at the time of detailed site plan.
- c. Homeowners association (HOA) open space shall be provided between groups of lots, which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements shall be provided every (15) fifteen contiguous single-family detached units, or as determined at the time of detailed site plan.

44. Pursuant to the Planning Board reconsideration action on January 25, 2018, the preliminary plan of subdivision (PPS) and TCPI (-03) shall be recertified prior to approval of a detailed site plan and shall include the following revisions:

- a. Have the revised plan signed and dated by the qualified professional who prepared the plan.
- b. Indicate on the plans that Street J is to be a public right-of-way.
- c. Show and label the east property line of private Street A at public Street A.

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45. Prior to the approval of any permits, the applicant shall vacate the right-of-way previously dedicated for the western access to MD 214 and file a plat of correction, to the plat recorded at REP 215-89, to be approved and recorded reflecting the area which has been vacated and is to be incorporated into land previously platted with REP 215-89. The plat of correction shall include all land previously shown on plat REP 215-89. With the plat of correction, the applicant shall enter into a memorandum of understanding (MOU) with DPW&T for the maintenance of the master plan trail within the public right-of-way and the Liber and folio of the of the MOU shall be reflected on the final plat prior to recordation, unless the operating agency agrees to maintain the master plan trail within the right-of-way.
46. At the time of detailed site plan, appropriate transitions from in-road bicycle facilities to the master plan hiker/biker trail shall be shown.
47. At the time of detailed site plan, which includes the access at Old Central Avenue, the Type 2 Tree Conservation Plan shall account for the off-site woodland clearing associated with the proposed traffic circle graphically on the plan, in updates to the off-site clearing table, and in the woodland conservation worksheet, unless the traffic circle is no longer required.

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