



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: Staff reports can be accessed at <http://mncppc.igmp2.com/Citizens/Default.aspx>

Preliminary Plan of Subdivision Reconsideration Hearing Banan Forest

4-05058

REQUEST	STAFF RECOMMENDATION
Reconsideration Hearing	APPROVAL with amended findings and conditions

Location: On the north side of Edison Lane, approximately 550 feet east of the intersection of Cheltenham Road and Edison Lane.	
Gross Acreage:	10.00
Zone:	RR
Zone Prior:	R-R
Reviewed Per Prior Subdivision Regulations:	Section 24-1704(e)
Parcels:	0
Lots:	19
Planning Area:	81A
Council District:	09
Municipality:	N/A
Applicant/Address: Timberlake Banan Forest, LLC 304 Harry S Truman Parkway, Suite M Annapolis, MD 21401	
Staff Reviewer: Antoine Heath Phone Number: 301-952-3554 Email: Antoine.Heath@ppd.mncppc.org	



Planning Board Hearing Date:	06/09/2022
Planning Board Action Limit:	N/A
Memorandum Date:	05/27/2022
Date Received:	02/18/2022
Previous Parties of Record (Applicant)	02/18/2022
Previous Parties of Record (M-NCPPC)	02/23/2022 05/16/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

May 27, 2022

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Sherri Conner, Supervisor, Subdivision Section *SKC*
Development Review Division

FROM: Antoine Heath, Planner II, Subdivision Section *AH*
Development Review Division

SUBJECT: **Preliminary Plan of Subdivision 4-05058, Banan Forest**
Reconsideration Hearing

By letter dated February 18, 2022, Thomas Haller, representing Timberlake Banan Forest, LLC, requested a waiver of the Prince George's County Planning Board's Rules of Procedure and a reconsideration of Preliminary Plan of Subdivision (PPS) 4-05058, which was approved by the Planning Board on February 2, 2006. The resolution (PGCPB No. 06-29) was adopted on February 23, 2006 and mailed out on February 28, 2006.

On March 10, 2022, the Planning Board granted the waiver of the Planning Board's Rules of Procedure for a reconsideration request being submitted more than 14 days from the mailout of the resolution, in accordance with Section 10(a). The Planning Board also granted the applicant's request for a reconsideration, in accordance with Section 10(e), based on error, inadvertence and other good cause, and in furtherance of substantial public interest. Specifically, the applicant requests reconsideration of Condition 4a, related to a specific transportation improvement.

Pursuant to Section 24-1704(e) of the Prince George's County Subdivision Regulations, revisions or amendments to development approvals under the prior Subdivision Regulations shall be reviewed and decided under the Subdivision Regulations under which the original development approval was approved, unless the applicant elects to have the proposed revision or amendment reviewed under the current regulations. The subject application was approved, pursuant to the prior Subdivision Regulations, and this reconsideration is, therefore, reviewed according to the same. The applicant's request is specific to a single condition of approval that requires the applicant to construct road improvements at the intersection of MD 223 (Woodyard Road) and

Old Alexandria Ferry Road, as set forth in Condition 4a (PGCPB Resolution No. 06-29), which is currently stated, as follows:

4. **Prior to the issuance of any building permits within the subject property, the following road improvements shall have full financial assurances, have been permitted for construction, and have an agreed-upon timetable for construction with SHA and/or DPW&T:**
 - a. **Lengthen the westbound right turn lane on MD 223 to completely remove the westbound right turns from the through lane. This also will involve some re-striping along the MD 223 east leg of the intersection.**
 - b. **Restripe the northbound turn lanes on Dangerfield Road to provide separate left-turn, through, and right-turn lanes.**

When the subject PPS was reviewed, the subdivision was determined to generate fewer than 50 trips during either peak hour. As such, a traffic study was not required, and Transportation staff took note of the recent PPS for Bellefonte (4-03118). The Bellefonte application was approved based, in part, on findings of adequacy provided by a traffic study (June 2003) that was reviewed by staff. One of the intersections that was evaluated in the Bellefonte traffic study was the MD 223 and Dangerfield Road/Old Alexandria Ferry Road intersection, which was determined to be the critical intersection for the subject site. In evaluating this intersection for the subject application, staff used data from the June 2003 study, but with a 5 percent annual growth factor applied to the through movements to compensate for the fact that the traffic data were more than 12 months old at that time.

Similar to the Bellefonte PPS, the intersection of MD 223 and Dangerfield/Old Alexandria Ferry Roads was shown to not meet the level-of-service (LOS) D standard during the AM peak hour under existing traffic, and during both peak hours under background traffic and total traffic. In response to the inadequacy, the approved Planning Board resolution imposed improvements to the critical intersection, as identified in Condition 4a above.

On July 18, 2019, the Planning Board acted on and subsequently approved a reconsideration request for PPS 4-03118 for Bellefonte, and revised findings and recommendations related to the MD 223 and Dangerfield Road/Old Alexandria Ferry Road intersection. The reconsideration was supported by staff primarily for the following three reasons:

1. **Counts:** The applicant stated that, during the review of the Bellefonte reconsideration, counts that were used to determine the improvements were flawed; they were inappropriately high in comparison with other counts taken. Staff analyzed all available information related to traffic trends over the past 16 years and focusing on the years between 2003 and 2008, relevant to the original approval. In the end, it was believed that several adjustments to the counts used for the original Bellefonte approval were appropriate.

Given that those adjustments were made for that case, and given that the recommendation for the subject case was tied to the original counts that were adjusted, it is reasonable to take a fresh look at the recommendation for Banan Forest and adjust the counts, as appropriate.

2. **Impacts of Construction:** The applicant stated that during the review of the Bellefonte reconsideration, counts were affected by construction occurring at the intersection of MD 5 (Branch Avenue) and Surratts Road. The Transportation Planning Section has checked aerial photography at this location and believes that during 2003, the Maryland State Highway Administration was adding a third lane northbound along MD 5.

Given that adjustments for the impact of construction were made for that case, and given that the recommendation for the subject case was tied to the original counts that were adjusted, it is reasonable to take a fresh look at the recommendation for Banan Forest and adjust the counts, as appropriate.

3. **Impacts of Future Access Changes:** The applicant stated that during the review of the Bellefonte reconsideration, the analysis failed to consider the redirection of access in and around Joint Base Andrews, as a result of the reconstruction and opening of the Pearl Harbor gate, along Dower House Road. It appears that the Pearl Harbor gate became operational during 2007, and that the changes to the access were done in response to a base master plan done around 2000. The access changes were never factored into the analyses.

These access changes substantially altered the findings for Bellefonte. This adjustment is appropriate to account for changes in access to Joint Base Andrews that were occurring at the time of the approval of the PPS, and it is appropriate to apply the same type of adjustment, as part of the recommendation for Banan Forest.

Other issues were raised during the reconsideration for Bellefonte. At that time, the applicant raised a concern about the feasibility of the recommended improvements and the consistency of the recommendation with other approvals. Those issues were discussed in connection with the Bellefonte reconsideration. In this case, it is believed that the three technical issues listed above provide more than sufficient justification to support the reconsideration.

Staff is in receipt of materials from the applicant, with the latest of such materials being dated January 6, 2022. These materials attempt to reassess the traffic analysis for PPS 4-05058 considering the approval of the reconsideration of Bellefonte. The materials submitted with this application and all assumptions made in the traffic study have been reviewed for correctness and for consistency with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals" (the "Guidelines" that were in effect in 2003 and 2004 when this PPS was reviewed).

Recent aerials indicate that the restriping on the northbound approach of Dangerfield Road, shown to be needed for adequacy in 2006 when this subdivision was reviewed, has been completed. It is therefore acknowledged that imposing the recommended condition has little effect; the restriping is in place and once this reconsideration is complete the applicant can move forward from the standpoint of traffic-related adequacy improvements. Nevertheless, the analysis shows that this improvement is not needed for this development. Staff finds that adequate transportation facilities will exist to serve the proposed development, as required by Section 24-124 of the prior Prince George's County Subdivision Regulations, subject to the recommended amendments provided below.

If the Planning Board approves the reconsideration, staff will prepare an amended resolution to reflect the amended findings and condition, which will be placed on a future Planning Board agenda for adoption.

RECOMMENDATION

APPROVAL of a reconsideration of Preliminary Plan of Subdivision 4-05058 (PGCPB Resolution No. 06-29) to **amend Finding 8 and Condition 4**, as follows (text with brackets and strikethrough indicates language to be deleted and text with underline indicates new language to be added):

Amendment 1-Finding 8

Finding 8 of PGCPB Resolution No. 06-29, Transportation, revise the entire finding to read as follows:

- 8. Transportation**—The Transportation Planning Section has reviewed the subdivision application and determined that a traffic study was not warranted by the size of the proposed development. However, several traffic counts for the intersection of MD 223 (Woodyard Road) and Dangerfield Road were available to staff from previous applications. These counts, taken in 2003, were used to determine adequacy. Therefore, the findings and recommendations outlined below are based upon a review of 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.

Growth Policy–Service Level Standards

The site is within the Developing Tier, as defined in the 2002 General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6), is permitted at signalized intersections, subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

Vehicle delay in any movement exceeding 50.0 seconds 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.

Staff Analysis of Traffic Impacts

The transportation staff is basing its findings on the traffic impacts at one critical intersection, which is signalized. The traffic generated by the proposed preliminary plan would impact the intersection of MD 223 and Alexandria Ferry Road. The critical

intersection is not 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.

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In addition, staff has taken note of several items that affected the counts and analyses used for Bellefonte and other developments affecting this intersection. A construction project along northbound MD 5 (Branch Avenue) had the effect of diverting traffic into the MD 223/Old Alexandria Ferry Road intersection, and staff has adjusted traffic downward on the northbound through and left turn approaches from Dangerfield Road in both peak hours. The Federal Capital Improvement Program includes a project to improve the Pearl Harbor gate for Joint Base Andrews (JBA); this improvement would divert some employee, contractor, and commercial traffic from the Virginia Avenue gate of JBA to the Pearl Harbor gate. The staff analysis has made adjustments to several traffic movements along MD 223, Old Alexandria Ferry Road, and Dangerfield Road. Finally, staff has noted that the overall counts at the MD 223/Old Alexandria Ferry Road intersection are high by about 7.5 percent in the PM peak hour (they appear normal in the AM peak hour), and has adjusted all turning movements at the intersection downward accordingly during the PM peak hour.

The table below identifies the intersection on which the proposed development would have the most impact:

<u>Existing Conditions</u>		
<u>Intersection</u>	<u>AM LOS/CLV</u>	<u>PM LOS/CLV</u>
<u>Woodyard Road (MD 223)/Dangerfield Road</u>	<u>B/1263</u>	<u>D/1416</u>

The transportation staff has reviewed approved development and assumed a 5 percent annual growth rate for through traffic along MD 223 and Dangerfield Road. There are currently no funded transportation improvements in this area in either the County Capital Improvement Program (CIP) or the state Consolidated Transportation Program. Also, the analysis includes the impact of the Federal CIP project to improve the Pearl Harbor gate for JBA. Background conditions are summarized below:

<u>Background Conditions</u>		
<u>Intersection</u>	<u>AM LOS/CLV</u>	<u>PM LOS/CLV</u>
<u>Woodyard Road (MD 223)/Dangerfield Road</u>	<u>C/1221</u>	<u>D/1361</u>

The application is a plan for a residential development of 19 single-family dwelling units. The proposed development would generate 14 AM (3 in, 11 out) and 17 PM (11 in, 6 out) peak-hour vehicle trips, as determined using the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (Revised September 2002). Staff distributed these trips, as follows:

20 percent—East along MD 223
25 percent—West along MD 223
30 percent—South along Old Alexandria Ferry Road
20 percent—North along Dangerfield Road
5 percent—North along Commo Road

Given these assumptions, we obtain the following results under total traffic:

<u>Total Conditions</u>		
<u>Intersection</u>	<u>AM LOS/CLV</u>	<u>PM LOS/CLV</u>
<u>Woodyard Road (MD 223)/Dangerfield Road</u>	<u>C/1224</u>	<u>D/1369</u>

Based on the staff's review of transportation adequacy issues in the area, the transportation staff notes that the intersection of MD 223/Old Alexandria Ferry Road would operate acceptably during the AM and PM peak hours.

Based on the preceding findings, adequate transportation facilities exist to service the proposed subdivision, as required under Section 24-124, if the application is approved.

Amendment 2-Condition 4a and 4b

Delete Condition 4a of PGCPB Resolution No. 06-29 and renumber Condition 4b of the same resolution as follows:

4. Prior to the issuance of any building permits within the subject property, the following road improvements shall have full financial assurances, have been permitted for construction, and have an agreed-upon timetable for construction with SHA and/or DPW&T:
 - ~~a. — Lengthen the westbound right turn lane on MD 223 to completely remove the westbound right turns from the through lane. This also will involve some re-striping along the MD 223 east leg of the intersection.]~~
 - a[b]. Restripe the northbound turn lanes on Dangerfield Road to provide separate left-turn, through, and right-turn lanes.**