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## Preliminary Plan 4-06016

Application	General Data
<b>Project Name:</b> <b>WOODMORE TOWNE CENTRE</b>  <b>Location:</b> Northeast quadrant of I-95 and MD 202  <b>Applicant/Address:</b> Inglewood North, LLC. c/o Khov. Investment Group 4701 Apollo Drive	Date Accepted: 06/12/06
	Planning Board Action Limit: 09/21/06
	Plan Acreage: 244.67
	Zone: M-X-T
	Lots: 414
	Parcels: 17
	Planning Area: 73
	Tier: Developing
	Council District: 05
	Municipality: Glenarden
	200-Scale Base Map: 204NE08

Purpose of Application	Notice Dates
MIXED-USE DEVELOPMENT 1,079 dwelling units 750,000 square feet of retail commercial 1,000,000 square feet of office commercial 360 room hotel	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)
	05/12/06
	Sign(s) Posted on Site and Notice of Hearing Mailed: 08/21/06

Staff Recommendation		Staff Reviewer: Tom Lockard	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-06016  
Woodmore Towne Centre

OVERVIEW

The subject property is located on Tax Map 60, Grid D-2, and is known as Parcel 24. The property is approximately 244.67 and was rezoned by the District Council to the M-X-T Zone in 1988 via Zoning Map Amendment A-9613-C. The site has an approved Conceptual Site Plan, SP-03006, which provides for the development of up to 1,100 residential units (north and east of Ruby Lockhart Boulevard), 1,000,000 square feet of retail, 1,000,000 square feet of office and a 360-room hotel/conference center (south and west of Ruby Lockhart Boulevard).

The subject application proposes to subdivide the site into 375 lots for residential development, 39 lots for commercial development, and 17 parcels for dedication to a homeowners association for open space, recreation and stormwater management purposes. Access is proposed at Saint Joseph's Drive/Ruby Lockhart Boulevard, Campus Way North and Glenarden Parkway. In addition, the applicant has proffered to construct a bridge across the Capital Beltway to connect this development with Evarts Street. Ruby Lockhart Boulevard is shown as a spine road running along the perimeter of the commercial area, separating it from the residential uses. A combination of public and private streets/alleys are shown on both the approved site plan and this preliminary plan. The community is located at a major highway interchange approximately five miles from the District of Columbia and is within a two-mile radius from the New Carrollton Metro Station and a one-mile radius from the new Largo Town Center Metro Station extension of the Blue Line.

As shown on the approved CSP, development of the site will be centered around a "main street" corridor with plazas throughout the complex. In the residential area, a pool and two tennis courts will form the focal point along with additional amenities to be located throughout the residential area. An extensive pedestrian trail/sidewalk system will connect the two areas together. In addition, 13 acres are shown on the CSP as set aside for a potential public park site and will be developed with a variety of ballfields. The vision for the public park site has been altered as part of this application, as discussed later in this report. A variety of lot sizes is proposed throughout the single-family detached and attached areas of the residential Pod F to accommodate a variety of products.

SETTING

The subject site is located in the northeast quadrant of I-95 and MD 202. The site is undeveloped and predominantly wooded. Surrounding uses include:

North The property is bounded on the north by existing single-family detached subdivisions (Glenarden Heights and La Dova Heights) in the City of Glenarden. Several existing streets terminate into the northern edge of the subject property. They are 7<sup>th</sup> Street, 9<sup>th</sup> Street, 10<sup>th</sup> Street and 11<sup>th</sup> Street.

East The property is bounded on the east by a new single-family detached subdivision (Balk Hill) and undeveloped woodland soon to be developed for a single-family detached subdivision. The Balk Hill subdivision and future subdivision are dissected by a new extension of Campus Way North that will terminate at the eastern edge of the subject property.

South The property directly to the south is the Saint Joseph Roman Catholic Parish Center. Also, along the southern edge of the subject property is the end of Saint Joseph's Drive and vacant property that has been partially cleared of the existing woodland.

West The property is bounded to the west by Landover Road (MD 202) and the Capital Beltway (I-495/95).

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

Zone Use(s)	<b>EXISTING</b>	<b>PROPOSED</b>
	M-X-T Vacant	M-X-T 1,079 Dwelling Units 750,000 SF Retail Commercial 1,000,000 SF Office Commercial 360-room Hotel
Acreage	244.67	244.67
Lots	0	375 Residential 39 Commercial
Parcels	1	17
Public Safety Mitigation Fee		No
Dwelling Units		
Multifamily	0	450
Single Family Attached	0	162
Single Family Detached	0	208
Mid-rise Condos	0	108
Townhouse Condos	0	53
2-over-2 Condos	0	98
<b>Total</b>	<b>0</b>	<b>1,079</b>

2. **Previous Approvals**—

**Zoning Map Amendment A-9613-C:** The District Council rezoned the subject property to the M-X-T Zone, on March 14, 1988, with 11 conditions. The following conditions are pertinent to the review of this preliminary plan:

- “5. **Buildings located on lots that abut residentially zoned properties shall not exceed the height limit in that zone, unless a determination is made by the Planning Board that mitigating factors such as setbacks, topography and vegetation are sufficient to buffer the views from adjacent residential lands.**

The applicant has primarily proposed land uses that are compatible with adjacent residential land uses. Where buildings have been indicated in illustrative site plans, the applicant will be required to make an effort to conform to the regulations of the M-X-T Zone.

- 6. To the extent possible, development shall be oriented inward with access from internal streets. Individual building sites shall minimize access to Campus Way and Saint Josephs Drive, unless a determination is made that no safe, reasonable alternative is possible.**

The conceptual site plan identifies vehicular circulation in relationship to designated land uses and their orientation to Saint Joseph's Drive/Ruby Lockhart Boulevard, Campus Way North and the bridge at Evarts Street. Building placement will be defined in more detail in the detailed site plan submittal.

- 7. The zoning herein is further specifically conditioned upon a test for adequate public facilities, as follows:**
  - a. A comprehensive traffic study shall be submitted for Planning Board review and approval with both the Conceptual Site Plan and Preliminary Plat of Subdivision applications.**
  - b. The traffic study shall include a staging plan that will identify what specific highway improvements are necessary for each stage of development. The traffic study and staging plan shall also address how the various development proposals and highway improvements in the Route 202 corridor (Beltway to Central Avenue) will be coordinated.**
  - c. If Transportation Systems Management (TSM) techniques are necessary to assure adequate transportation capacity, the traffic study shall identify how TSM will be enforced, how it will be monitored, and the consequences if it is unsuccessful.**
  - d. As part of its Conceptual Site Plan and Preliminary Plat of Subdivision approval, the Planning Board shall specifically find that existing public facilities and/or planned public facilities (to be constructed by the State, County or developer) are then adequate or will be adequate prior to any development being completed.**

The Transportation findings and recommendations in this report address the conditions outlined in the recommendation and evaluation criteria sections of this report.

- 8. Any retail component planned for the property shall be designed as an integral part of the mixed use development, be oriented to primarily serve the subject development, and shall not be designed to serve as a neighborhood, community or village activity center.**

The applicant has identified the retail component of the project as an integrated town center in the core of the mixed-use development.

- 9. A minimum 150-foot building setback shall be required where the property abuts land in a residential zone or comprehensive design zone planned for residential uses. In addition, development or use of the subject property shall be substantially buffered from such residential uses by maintaining**

**existing vegetation, where appropriate, and by the use of other buffers and screening techniques, such as fences, walls, berms and landscaping. The purpose of this condition is to separate commercial and employment activities from adjacent residential areas, in order to protect the integrity of the adjacent planned low-density residential neighborhoods.**

The applicant has identified compatible land uses adjacent to existing and planned residential neighborhoods and will be required to take into account the setbacks outlined in this condition.

- 11. The District Council shall review for approval the Conceptual Site Plan, the Detailed Site Plan, and the preliminary plan of subdivision for the subject property.”**

The District Council has the right to review conceptual site plans and detailed site plans for this site but does not have the statutory authority to review preliminary plans of subdivision nor the ability to confer such authority upon itself.

**Conceptual Site Plan CSP-03006:** The District Council approved CSP-03006 on January 23, 2006, with 25 conditions. The following conditions are pertinent to the review of this preliminary plan.

- “1(k) The total number of stacked townhomes (two over two units) shall not exceed 98 units.**

The preliminary plan shows lots for 98 such units.

- 2A. At the time of the first preliminary plan submission for the project, the applicant and successors or assignees shall submit for approval a full traffic study, as required in the Planning Board’s Adopted Guidelines for the Analysis of the Traffic Impact of Development Proposals. Staff and Planning Board shall thoroughly review the anticipated impacts of the project on major intersections within Glenarden....**

The applicant has submitted this analysis. Staff review is found in Section 7 of this report.

- 13. Traditional single-family detached lots shall have a minimum net lot area of 5,000 square feet and these lots shall be limited to 30 percent of the total SFD lots.**
- 15. Prior to approval the approval of a preliminary plan of subdivision and detailed site plan, the plans shall reflect that of the total number of single-family detached residential units no more than 30 percent shall have lot frontages of 50 feet at the street line.**

Of the 208 SFD lots proposed, 62 may be 5,000 square feet in size with 50 feet of width at the street line. 41 are proposed.

- 22. At time of preliminary plan application, a Phase II noise study shall be submitted for review that addresses noise impacts for I-95, MD 202 and Campus Way North. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn for outdoor activity area and 45 dBA Ldn for**

**interior areas, and the recommendations of the Phase II noise study shall be addressed on the preliminary plan and TCPI.**

The applicant has submitted this study. Staff analysis is contained in Section 3 of this report.

- 24. At the time of preliminary plan, the applicant shall demonstrate that the proposed impacts to the Patuxent River Primary Management Area or extended stream buffer shall be minimized to the greatest extent possible, and any required variation requests or letters of justification shall be submitted.”**

The applicant has submitted this information. Staff analysis is contained in Section 3 of this report.

3. **Environmental**—This 244.67-acre site in the M-X-T Zone is located in the northeast quadrant of the intersection of Landover Road (MD 202) and the Capital Beltway (I-495). The site is approximately 94 percent wooded. Regulated environmental features are associated with the site including: streams, wetlands, 100-year floodplain, severe slopes and areas of steep slopes with highly erodible soils are found to occur on the property. Landover Road (MD 202), future Ruby Lockhart Boulevard, a planned arterial road, and the Capital Beltway (I-495) have been identified as transportation-related noise generators and noise impacts are anticipated. Nine soil series are found to occur at the site according to the Prince George’s County Soil Survey. These soils include: Adelphia, Bibb, Collington, Monouth, Ochlochnee, Shrewsbury, Silty and Clayey Land and Sunnyside. Although some of these soils have limitations with respect to drainage and infiltration those limitations will have the greatest significance during the construction phase of any development on this property and will not impact the layout of the proposed uses. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program staff, rare and threatened species are not found to occur in the vicinity of this property. There are no designated scenic or historic roads located in the vicinity of this property. According to the approved Countywide Green Infrastructure Plan, there are no network features from the Plan associated with the site. The site is located in the headwaters of Cabin Branch in the Anacostia River Basin; and also in the Bald Hill Branch and Southwestern Branch watersheds of the Patuxent River Basin, and in the Developing Tier as reflected in the approved General Plan.

### **Natural Resources Inventory**

A staff signed natural resources inventory (NRI/021/06) was included in the preliminary plan submittal. The preliminary plan and TCPI have been reviewed in relation to the signed NRI and both plans show the PMA delineation and expanded buffers as depicted on the signed NRI.

A detailed forest stand delineation (FSD) was conducted in August 2003. A revised FSD was prepared in June 2005. During the review of CSP-03006, the revised FSD was found to fulfill all technical requirements. No further information regarding the FSD is necessary.

A total of 11 forest stands (Stands F-1 to F-11) were identified in a detailed forest stand delineation (FSD). Nineteen specimen trees are located at the site and these are identified in a Specimen Tree Table on the signed NRI. Of the 11 forest stands, Stand F-9 has a high priority retention due to the environmental features within the stand’s boundaries. These features include

streams, wetlands and areas of 100-year floodplain. Stand F-9 contains approximately 24.0 acres and is dominated by ash and red maple.

### **Regulated Environmental Features**

The site contains regulated environmental features including streams, wetlands, 100-year floodplain, steep and severe slopes within both the Anacostia and Patuxent River basins. The regulated features associated with the Anacostia River basin are within expanded buffers, and those features associated with the Patuxent River basin are within the Patuxent River Primary Management Area (PMA) as defined in the Subdivision Regulations (Section 24). All regulated site features are required to be delineated at the time of preliminary plan submission. A review of the preliminary plan and current TCPI finds the expanded buffers and PMA delineation appear to have been correctly shown in relation to the NRI.

Condition #24 of Planning Board Resolution No. 05-205 reads as follows:

**“24. At time of preliminary plan, the applicant shall demonstrate that the proposed impacts to the Patuxent River Primary Management Area or expanded stream buffer shall be minimized to the greatest extent possible, and any required variation requests or letters of justification shall be submitted.”**

To address Condition #24, a letter titled “Variation Request for Impacts to the Expanded Buffer and Justification Statement for Impacts to the PMA,” dated March 28, 2006, was initially submitted. A revised Variation Request letter dated August 18, 2006, has been submitted, in which proposed Impact 2 has been further revised based on recent determinations made in relation to Ruby Lockhart Boulevard as an arterial road. The current letter describes a total of four impacts (1-4) proposed in relation to the expanded buffer and five PMA impact areas (A-E). Impact areas C and D have several parts to them (i.e., C-1 to C-4 and D-1 to D-4, respectively).

A summary of the four proposed impacts in the variation request is as follows:

Impact 1—Permanent impact for stormdrain outfall into expanded buffer. Impact area totals 1,800 square feet.

Impact 2—Permanent impact for road construction for Ruby Lockhart Boulevard stream crossing. Impact area totals 20,000 square feet.

Impact 3—Temporary impact for sanitary sewer easement and permanent impact for stormdrain outfall. The temporary impact area totals 11,000 square feet and the permanent impact area totals 800 square feet.

Impact 4—Permanent impact for stormdrain outfall into expanded buffer. Impact area totals 1,800 square feet.

### **Preliminary Plan Variation Findings**

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

**Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

- (1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The installation of the stormdrain outfalls, sanitary sewer lines, and a stream crossing for road construction are required by other regulations to provide for public safety, health and welfare. All designs of these types of facilities are reviewed by the appropriate agency to ensure compliance with the regulations. These regulations require that the designs are not injurious to other property.

While it might appear that the stream crossing for the road that eventually crosses I-95 might be avoidable, there are several design reasons why the road must be placed in the location shown. In order to place the bridge over I-95 at the location shown, which is fixed on the western side, and in order to provide a grade that meets the minimum road standards, the foot of the bridge must be placed in the proposed location.

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

To properly convey stormwater off of this property and to provide for installation of sanitary sewer lines to serve this site and adjacent sites currently under development, the expanded stream buffer must be crossed in several areas. In relation to Impact 2, the design of proposed Ruby Lockhart Boulevard as an arterial road includes the shifting of its alignment in one location. The road will be designed as a 'ring road' around the town center, in order to move the anticipated vehicular and pedestrian traffic around the pedestrian-oriented main street area. The shifting of the roadway to the ring road concept necessitates a stream crossing not previously anticipated. A proposed circle segment of the road has been shifted farther northeast to avoid as much impact as possible and provide for a proposed bridge over the stream valley. Construction of the bridge and associated relocated Ruby Lockhart Boulevard necessitate a variation to this stream buffer in two places. The revised impact includes the stream crossing and an isolated wetland buffer impact for the construction of the circle. The actual stream crossing impact will be limited by the use of piers to support the bridge crossing.

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

The installation of the stormdrain outfalls, sanitary sewer lines, and a stream crossing for road construction are required by other regulations to provide for public safety, health and welfare. Because permits from other local, state and federal agencies are required by their regulations, the approval of this variation request would not constitute a violation of other applicable laws.



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

Design of stormdrain outfalls require that these be placed where these facilities will provide the proper drainage; the specific topography of the site dictates the location of these facilities. The proposed locations of sewer lines are necessary within a gravity flow system. Impacts represented in the design and shifting of proposed Ruby Lockhart Boulevard are the result of best engineering design and practices, and input from the Department of Public Works and Transportation. The proposed alignment of the road is the best alternative given the location of environmental features and the design constraints. The revised road design is intended to have minimal environmental impacts to ultimately produce a safe roadway.

The Environmental Planning Section supports the variation requests for the reasons stated above. It is further recommended the Planning Board make the finding that all of the proposed variation requests are essential for the development of this site.

### **PMA Impacts**

In addition to the expanded buffer features at this site, a portion of it is also within the Patuxent River basin. The Patuxent River Primary Management Area (PMA) is to be preserved to the fullest extent possible as required in Section 24-130(b)(5) of the Subdivision Ordinance. Generally, impacts are only recommended for essential development features. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), road crossings, etc., which are mandated for public health and safety. Nonessential activities are those, such as grading for lots, stormwater management ponds and parking areas which do not relate directly to the public health, safety or welfare.

### **Impact A**

Impact A is for a temporary impact to the PMA in the northeast corner of the site to drain the sewer for development pods on two sides of the stream toward the off-site existing sewer line to the north. The sewer easements must cross the PMA to connect to an existing off-site sewer location. Two stormdrain outfalls to this same stream valley are required (one on-site and one off-site) to outfall proposed stormwater management ponds #8 and #9 to the stream valley. The temporary on-site impacts total 24,500 square feet, the temporary off-site impacts total 18,000 square feet, and the permanent on-site impacts total 4,000 square feet.

### **Impact B**

Impact B is a temporary impact for sewer and stormdrain easements and permanent impact for grading for construction of Campus Way North through the PMA to the west of the circle at Campus Way North at the eastern property line. The installation of stormdrains is required to drain the portion of the site within the roadway and just north of the road by gravity toward a sewer connection. The proposed grading has been limited to the area of the stormdrain and sewer easements to consolidate PMA impacts to as little area as possible. The temporary impact area totals 10,200 square feet and the permanent impact area totals 12,000 square feet.

## **Impacts C and D**

Impacts C and D represent temporary impacts in the southern portion of the site to accommodate a major sewer easement through the property (C-1), which serves not only this site but also the upstream Balk Hill Village development. The proposed connections to this sewer line are limited to two areas, one at the western portion of the site south of the stream valley (C-2) to serve development south of the stream, and one at the western edge of the site, north of the stream valley (C-3) to serve development north of the stream. In addition, one sewer easement will impact the PMA in an area of topographic challenges (C-4) to allow sewer flow by gravity from one portion of the site to another, north of the stream valley to ultimately discharge into existing sewer at the same western portion of the site. Temporary impact areas total 137,100 feet and permanent impacts total 4,600 square feet.

## **Impact E**

Impact E is a permanent impact to the PMA for the proposed construction of Ruby Lockhart Boulevard across the stream valley in the southern portion of the site. This road crossing is necessary and unavoidable to allow access to the entire northern portion of the site from St. Joseph's Drive to MD 202. Without the construction of the road at this location, the entire site would have only one point of access from Campus Way North, which does not result in sufficient access for public safety vehicles. The proposed location of the road crossing is at the point of least impact.

The Environmental Planning Section supports all of these proposed PMA impacts because these are for essential infrastructure improvements required for the development of the site. It is further recommended that the Planning Board make the finding that all of the proposed PMA impacts are essential for necessary infrastructure improvements to develop this site.

## **Woodland Conservation**

The site is subject to the Prince George's County Woodland Conservation Ordinance because there is a previously approved tree conservation plan.

The site has a woodland conservation threshold (WCT) of 15 percent or 34.76 acres as required by the zone and a woodland conservation requirement of 92.40 acres based on the proposed clearing. The current TCPI shows this requirement to be met with 23.27 acres of on-site preservation and 69.13 acres of off-site mitigation on another property. The TCPI shows 200.43 acres of existing woodland to be cleared (or approximately 88 percent of the existing woodland), including 2.82 acres in the floodplain and 0.45 acres of off-site clearing.

At the time of CSP review, the Type I Tree Conservation Plan showed the woodland conservation threshold (WCT) being met on-site. Since that review, the design has been refined and other negotiations regarding the design have occurred, resulting in fewer acres of woodland being available to meet the threshold acreage on-site.

In a letter dated September 8, 2006, the applicant requests a reduction in the threshold to 10 percent from the required 15 percent. Because the 15 percent threshold is a requirement of County Code, it cannot be reduced. The amount of woodland conservation provided on-site can be reduced, and the applicant's letter explains the reasons why this is being requested. In summary these include:

- (1) When the Conceptual Site Plan was approved, water and sewer plans were not completely studied and designed. These plans have now been completed and it has been determined that four major water and sewer lines are necessary that result in the clearing of several tree preservation areas previously proposed in the TCPI.
- (2) When the Conceptual Site Plan was approved, it did not include the Evarts Street bridge over the Beltway. Areas that were proposed to be placed in reservation for future construction of the bridge were also part of the site's proposed tree conservation area. Since the approval of the Conceptual Site Plan, it has been determined the construction of the bridge is an important transportation connection for traffic flow.
- (3) The construction of the Evarts Street bridge allows for additional density at the site and necessitates the extension of Ruby Lockhart Boulevard to be realigned and built to arterial road standards within a 110-foot right-of-way.
- (4) Part of the on-site tree preservation initially proposed for a portion of the 14-acre park site has changed due to necessary infrastructure improvements. Detailed grading studies, coupled with infrastructure improvements indicate it is not possible to locate additional conservation area elsewhere on-site.
- (5) When the Conceptual Site Plan was approved, the design of Ruby Lockhart Boulevard was proposed to be constructed through the center of the site. However, it was later determined that this road should be realigned and designed as an arterial road. In order for this type of road to be constructed at the site, its realignment was necessary which meant unavoidable impacts to wetlands that were previously not proposed. In addition, the first design of the road included tree preservation areas in relation to the wetlands.
- (6) The current TCPI represents a revision to the original plan that was submitted with the Conceptual Site Plan. The revision is an opportunity for flexibility relative to the required finding of substantial conformance that would normally apply to the TCPII. Since the revision is in fact a change, it is appropriate to revisit the threshold issue as part of a TCPI revision.
- (7) Although numerous areas of tree preservation were removed on the current TCPI, five new areas of preservation were added.
- (8) In addition to the 10 percent on-site preservation (23.27 acres), an additional 5.8 acres is being preserved but not counted in the 10 percent because, the additional acres are in areas too small to technically count (and are less than 35 feet wide) and total less than 3,500 square feet in total area each.
- (9) There is an existing WSSC easement adjacent to the Beltway. The area has existing woodland that cannot be counted toward on-site preservation; however, it will be preserved.

In addition to the discussion above, it should be noted that a TCPI that is associated with a CSP is considered to be very conceptual overall. At the time of preliminary plan review, the TCPI is refined based on greater detail. The most recent TCPI submitted (received September 6, 2006)

shows building locations and conceptual grading not previously shown. With this information it is possible to provide a complete analysis.

In summary, because of design changes and the additional information provided with the current application, it is appropriate to reduce the on-site woodland conservation below that shown on the initial TCPI approval. No additional information regarding the woodland conservation threshold is required.

### **Tree Conservation Plan Revisions**

The revised TCPI has some drafting errors and minor revisions that need to be addressed. Several locations on the plan the limits of disturbance (LOD) must be adjusted to eliminate gaps in the symbol to provide a continuous, legible LOD symbol. In addition, numerous proposed easements for sewer lines and stormwater management outfalls have the LOD shown inaccurately in relation to them. On Sheet 2 of 5, at proposed Lot 16 and the PMA, the LOD stops where it should make a connection to an adjacent area of the LOD parallel to the Beltway. On Sheet 3 of 5, there are several areas where the proposed LOD does not go around the outer edges of proposed sewer and stormdrain easements. In most instances, the proposed easements abut, or are located in proposed woodland preservation treatment areas and clearing is necessary. On Sheet 4 of 5, the LOD is not shown along the western edge of proposed Lots 4 and 5 of Block A in relation to the PMA to the east. There are several proposed sewer and stormdrain easements on this sheet that must show the LOD along the outer edge of these proposed easements, because clearing is necessary. Also, on Sheet 5 of 5, the LOD symbol is not shown in relation to the PMA east of proposed Lots 1 and 2. The plan should clearly show the LOD to eliminate gaps and provide a continuous symbol along the outer edges of the proposed easements identified above.

Because there are areas of expanded buffers associated at the site, the symbol for this feature should be shown in the legend as it is shown on the plan. In the legend, there is a proposed woodland treatment for preservation of woodland associated with the floodplain. This label should be adjusted to clarify these are areas 'not counted' and do not show shading or hatching in the floodplain areas as this makes the plans harder to read. On Sheet 2 of 5, the symbol in the legend for 'Woodland Preserved Not Part of Any Requirement' must be revised to make it match with the graphic symbol used on the plan.

Proposed building locations are shown on the revised TCPI in relation to the commercial areas along with a site plan in the recent submittal. The proposed building locations in the residential portions cannot be shown at this time because these are dependent on future grading. At the time of detailed site plan review, this aspect must be addressed prior to signature approval of the Type II Tree Conservation Plan.

### **Noise**

The Capital Beltway (I-95) is classified as a freeway with a noise impact zone (65 dBA Ldn noise contour) extending approximately 1,335 feet from the centerline of the roadway based on the Environmental Planning Section noise model. Landover Road (MD 202) is classified as an expressway with a noise impact zone (65 dBA Ldn noise contour) extending approximately 373 feet from the centerline of the roadway according to the same noise model.

Noise is regulated on roadways with a classification of arterial or greater because the amount of traffic generated results in the noise levels being 65 dBA Ldn or greater, the state noise standard for residential uses. For residential uses, the outdoor activity areas are where noise levels should

be 65 dBA Ldn or less. Interior noise levels can be mitigated through the use of building techniques to reduce levels to 45 dBA Ldn or less.

In general, noise issues on this site have been addressed through the placement of nonresidential uses closest to I-95 and residential uses being placed in areas “behind” the proposed nonresidential buildings. A noise study was submitted with the CSP and a revised noise study was submitted with the preliminary plan application. Noise contours and noise impacts are greatly affected by proposed grading and the placement of buildings. Because the final grading scheme and building elevations have not been determined at this time, the noise analyses should be considered preliminary in nature and should be refined at the time of detailed site plan review. The noise sources have been evaluated separately below for ease of review.

Noise from I-95 is being mitigated through the placement of residential uses away from the roadway and the placement of large buildings between I-95 and the residential uses. In addition, noise walls are being proposed to shield the outdoor activity areas of proposed townhouses along Ruby Lockhart Boulevard and Tower Place. Another noise wall is being proposed along the rear yard areas of the lots in Block E adjacent to the open space. A hotel is proposed adjacent to I-95, outside of the 80 dBA Ldn noise contour. Through the use of specialized building materials, noise levels will be reduced within the hotel to 45 dBA Ldn or less.

Noise from MD 202 is being mitigated through the placement of nonresidential uses in this area. The residential uses are separated from MD 202 in such a way as to reduce the impacts from this roadway.

Campus Way North is classified off-site as an arterial and even though it may be reduced in width as it enters the subject property, it is likely to carry the same volume of traffic—which is the determining factor in relation to noise. Noise from Campus Way North is being mitigated through the construction of “two-over-two” multifamily attached units along the roadway that provide shielding for the units to the north. Additional review of the noise in this area is needed during the review of the DSP.

Ruby Lockhart Boulevard is a planned arterial roadway adjacent to the proposed residential portions of this application. The plan proposes limited areas of residential uses along Ruby Lockhart Boulevard with the fronts of the units facing the roadway, resulting in a shielding affect for the outdoor activity areas to the rear. Noise barriers are proposed in strategic locations to mitigate noise where the buildings themselves do not provide shielding.

The plan proposes an outdoor athletic field that is in close proximity to residential lots both on-site and off-site. The plans do not show outdoor lighting of the field and no outdoor public address system has been mentioned. The potential for light and noise impacts from the field have not been addressed.

### **Water and Sewer Categories**

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003. Development on this site will utilize public systems.

4. **Community Planning**—The subject property is located within the limits of the Adopted and Approved Largo-Lottsford Master Plan (1990) in Neighborhoods D and F. The master plan land use recommendation is for low-suburban residential land use for a majority of the site and

office/employment park development for the balance. The 2002 General Plan locates the property in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. The application is generally in conformance with the master plan recommendations for land use. However, there are master plan issues with regard to potential transportation impacts on Landover Road (MD 202). In addition, the City of Glenarden has expressed strong concerns about the application's provisions for public safety and emergency access.

The master plan identifies the property as lying within Neighborhoods D and F. These neighborhoods are described on page 63 of the master plan as planned locations for Low Suburban single-family detached residential suburban development in Neighborhood D and mixed-use High Suburban density residential and office/retail uses in Neighborhood F. The master plan recommends use of the Comprehensive Design Zone technique as a plan implementation tool for this area.

Neighborhood F is within Major Employment Area 3. The master plan sets forth a number of specific development guidelines for Employment Area 3 on pages 86-90. The master plan envisions a High Suburban density mixed-use community with significant residential and commercial development served by Landover Road (MD 202), the future Campus Way North (A-29), and the future St. Joseph's Drive (C-145). The plan recommends the use of extensive buffering between employment and residential areas. It also recommends the preparation and submission of a comprehensive traffic study to be submitted for Planning Board review and approval.

5. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the above-referenced preliminary plan of subdivision for conformance with the conditions of approved Conceptual Site Plan SP-03006, approved Master Plan Amendment and Adopted Sectional Map Amendment for Largo-Lottsford, the Land Preservation and Recreation Program for Prince George's County and subdivision regulations as they pertain to public parks and recreation.

## **Background**

**Zoning Ordinance No. 13-1988, Condition 7d**, states: As part of its Conceptual Site Plan and Preliminary Plan of Subdivision approval, the Planning Board shall specifically find that existing public facilities and /or planned public facilities (to be constructed by the state, county or developer) are then adequate or will be adequate prior to any development being complete.

**Zoning Ordinance No. 13-1988, Condition 9** states: A minimum 150-foot building setback shall be required where the property abuts land in a residential zone or comprehensive design zone planned for residential uses. In addition, development or use of subject property shall be substantially buffered from such a residential use by maintaining existing vegetation, where appropriate, and by the use of other buffers and screening techniques, such a fence, walls, berms and landscaping. The purpose of this condition is to separate commercial and employment project the integrity of the adjacent low-density residential neighborhoods.

**Condition 18 of SP-03006** states: The applicant shall undertake the following actions regarding public parks:

- a. Dedication to the Commission of 13.5± acres as shown on Department of Parks and Recreation Exhibit A.
- b. Land to be dedicated shall be subject to Conditions 1 through 7 of attached Exhibit B.
- c. The applicant shall construct the following recreational facilities on the dedicated parkland: two combination football/soccer fields, softball field, 100 space parking lot, pavilion, drinking fountain, restroom facility and architectural fence. Other facilities of equal value may be substituted with written approval from the Department of Parks and Recreation.
- d. A concept plan showing the location and design of the recreational facilities on dedicated parkland shall be submitted to DPR for review 60 days prior to submission of the preliminary plan for the residential portion of the development.
- e. The recreational facilities shall be designed and constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.
- f. Prior to submission of final plat of subdivision for the residential lots, the applicant shall enter into a public Recreational Facilities Agreements (RFA) for the construction on dedicated parkland.
- g. The applicant shall submit a performance bond, letter of credit or other suitable financial guarantee to DPR to secure the grading and construction of the recreational facilities on park property, in an amount to be determined by the DPR, at least two weeks prior to applying for building permits.
- h. Detailed construction drawings for recreational facilities on park property including grading plan, layout and details shall be submitted to DPR for review 60 days in advance prior to submission of the detailed site plan for the residential development.
- i. Construction of the park shall be completed prior to 50 percent of the residential building permits.

## Findings

The Park Concept plan prepared by the applicant shows an 11.75± acre park and 2.5± acre adjacent parcel used for a hospice facility. This same area is where the 13.5-acre park was previously shown on the approved Conceptual Site Plan SP-03006.

At the time of review and approval of SP-03006, DPR staff had a concern about the constructability of the 13.5-acre park parcel because it includes steep slopes, a stream and stream buffers. To address these concerns, Condition-18c of the SP-03006 requires that **two combination football/soccer fields, softball field, 100 space parking lot, pavilion, drinking fountain, restroom facility and architectural fence** and if this facilities cannot be accommodated on proposed park parcel **other facilities of equal value may be**

**substituted with written approval from the Department of Parks and Recreation.** In addition, a concept plan showing the location and design of the recreational facilities on dedicated parkland was required to be submitted to DPR for review 60 days prior to application of the preliminary plan.

The Park Concept plan prepared by the applicant shows construction of one artificial turf soccer/football field, instead of two soccer/football fields and softball field, grading the field to provide “bowl type” lawn seating, a 100-space parking lot, a pavilion, restroom facility and an architectural fence on the 11.75-acre park parcel.

In response to the county’s need for a hospice facility (as expressed by representatives of the County Executive’s Office) and considering limitations of the park parcel due to its topography, DPR staff finds that the location of the proposed hospice building on the land that was previously part of the park parcel would not, in their opinion, interfere with use of the park.

The DPR staff met with the applicant, Planning Department staff and representatives of the County Executive’s Office on several occasions to discuss the proposed changes to the approved plan. After several meetings, the DPR staff agreed that the proposed artificial turf field with hillside berming would suffice as a replacement for the two-football/soccer fields that were required in the resolution. The artificial turf field will get more use than a natural grass field, it will require less maintenance and will have a longer playing season than a grass field because play will be impacted less by weather and season changes.

The applicant agreed to proffer \$250,000 in lieu of construction of the previously required softball field. This contribution will cover the cost of renovating the Glenarden Community Center softball with football/soccer overlay athletic field. This athletic field is currently in poor condition and needs extensive renovation. Unfortunately, there are no funds allocated in the current CIP for reconstruction of the field. This field is highly used by the Glenarden community and needs extensive renovation. The DPR staff has developed a plan for improvements to the field including: installation of irrigation system, regrading and upgrading the soil, upgrading the lighting system, fencing of perimeter of the field and providing a proper pedestrian and vehicular access.

The DPR staff has reviewed the proposed park development concept plan, as shown on the attached park Exhibit A, and finds it acceptable in general. However, staff believe that some modifications to the park concept plan will be required to address DPR’s concerns such as location of the restroom facility, landscaping and design of pedestrian access/plaza area. DPR staff would like to reserve the right to continue review of the park concept plan. DPR staff recommends that final concept plan should be reviewed and approved by the DPR staff prior to certification of the subject preliminary plan.

DPR staff believes that the proposed package of public recreational facilities which will include one artificial turf soccer/football field, a 100-space parking lot, a pavilion, a restroom facility and an architectural fence and plus of the contribution of \$250,000 for reconstruction of the softball/football/soccer field at Glenarden Community Center Park will provide an equal recreational value to the required recreational facilities previously required by Condition 18(c) of the Conceptual Site Plan SP-03006.

6. **Trails**—One master plan trail issue impacts the subject site. The Adopted and Approved Largo-Lottsford Master Plan recommends a trail/bikeway facility along Campus Way North. More



specifically, a Class II hiker-biker trail is proposed in the master plan (page 110). This trail will provide access to employment and shopping areas, as well as serve for recreational trail use.

The approved conceptual site plan (CSP-03006) included the following condition regarding trail and pedestrian facilities:

- “17. In conformance with the Adopted and Approved Largo-Lottsford Master Plan, the applicant and the applicant’s heirs, successors and/or assignees shall provide the following:**
- a. Provide the master plan trail along the public roadways extending from Campus Way North to office area “E” as indicated on the submitted CSP.**
  - b. Provide the urban pedestrian walkways as indicated on the submitted CSP. The width of the sidewalk within these walkways should be no less than eight feet in areas of street trees, planters, or pedestrian amenities.**
  - c. Provide sidewalks or wide sidewalks along both sides of all internal roads.**
  - d. Provide the trail connection through the park and/or school site from Campus Way North to the pedestrian walkway south of area “C.”**
  - e. A more specific analysis of all trail and sidewalk connections will be made at the time of detailed site plan. Additional segments of trail or sidewalk may be recommended at that time.”**

A comprehensive pedestrian network was proposed at the time of CSP. This network consisted of trails, urban pedestrian walkways, and sidewalks. Major facilities included on the Recreational Use Exhibit included:

- Trail along Campus Way North (south of the subject site)
- Trail from the traffic circle on Campus Way North and to the south (Land Area A on the CSP). This park trail transitions to a side path along the planned 110-foot right-of-way adjacent to Land Area A.
- Urban Pedestrian Walkways within the Town Center (Land Area D)
- Standard sidewalks along other road frontages
- Standard sidewalks on the planned bridge connection to Evarts Street. This is consistent with the standard sidewalks that exist along Evarts Street inside the Beltway.

This network reflects the master plan trail, includes wide sidewalks within the town center, and accommodates standard sidewalks throughout the rest of the development. The subject application only addresses the single-family residential portion of the Woodmore Town Centre (Land Area F on the CSP). Many of the trail and urban walkways fall beyond the scope of this portion of the town center.

**Issues/Concerns:**

- Trail through the Park Site (Land Area C)—The CSP included a trail from the traffic circle along Campus Way North and through the park site towards Ruby Lockhart Drive (at Land Area A). The CSP also reflected standard sidewalks along both roads abutting the park site. The submitted preliminary plan includes an eight-foot-wide trail parallel to Road A within the park site. Staff supports this trail. However, it should be noted that the trail through the park shown on the CSP should also be provided. If the trail along Road A is intended to replace the park trail, provision should be made for a trail connection between Campus Way North and the trail along Road A. This trail could either be along the original location shown on the CSP, or along the south side of Campus Way North (abutting the park site). This will ensure that the comprehensive trail connection through the site is provided as envisioned on the CSP.
- Pedestrian safety between the single-family residential development (Land Area F) and the Town Center (Land Area D). More specifically, staff is concerned about pedestrian safety across Ruby Lockhart Drive. Ruby Lockhart Drive is shown as a 110-foot right-of-way. Traffic circles are shown at intersections. This major roadway will separate the residential component of the development from the town center, and staff is concerned about the pedestrian safety for those walking to the town center across this road. Unlike traffic lights, which stop traffic in certain directions to allow pedestrians an opportunity to cross, traffic circles are often not as easily negotiated on foot. Traffic frequently continues to move at a fairly fast, consistent speed, and motorists are occupied with where they want to be in the circle and what other motorists are doing. This can make for a difficult or dangerous situation for pedestrian.

Staff recommends that the pedestrian crossings of Ruby Lockhart Drive be addressed at the time of detailed site plan. Details should be provided illustrating how pedestrians will get across the road at-grade. If crosswalks at the traffic circles are to be incorporated, it should be demonstrated how the crossings will be made safe with signage, pavement markings, pedestrian refuges, lighting, etc. The Planning Department and the Department of Public Works and Transportation must be satisfied that pedestrian safety is adequately accounted for with these design features. If the safety of these crossings cannot be demonstrated, additional improvements may be required. Additional options may include a mid-block pedestrian signal or pedestrian bridge. However, staff wants to stress that making the at-grade crossings safe should be the primary focus, and a grade-separated crossing would only be considered as the last alternative to make the crossing safe.

### **Sidewalk Connectivity**

Standard sidewalks are recommended along both sides of all roads within the residential portion of the development. The submitted plan also reflects a five-foot-wide hiker-biker trail along the west side of Road A. Staff recommends that this trail be widened to six-feet in width, in keeping with current HOA trail guidelines.

During the appropriate DSP, the trail through the park property should be addressed. If the trail connection is not provided through the park as shown on the CSP, a trail may be recommended along the south side of Campus Way North in place of the standard sidewalk.

7. **Transportation**—The applicant prepared a traffic impact study dated March 2006, that was prepared in accordance with the methodologies in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” An addendum detailing an analysis at an additional

intersection was submitted dated July 2006. Both studies have been referred to the County Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). Both agencies provided comments on the earlier study; no comments were received on the addendum. The latest comments from both agencies were received to the file. The findings and recommendations outlined below are based upon a review of all materials received and analyses conducted by the staff, are consistent with the Guidelines.

### **Growth Policy—Service Level Standards**

The subject property is located within the Developing Tier, as defined in the 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.

**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 traffic controls) if deemed warranted by the appropriate operating agency.

### **Staff Analysis of Traffic Impacts**

The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

MD 202 and Brightseat Road (signalized)  
MD 202 and I-95 SB ramps (signalized)  
MD 202 and I-95 NB ramps (signalized)  
MD 202 and McCormick Drive/St. Joseph's Drive (signalized)  
MD 202 and Lottsford Road (signalized)  
Lottsford Road and Campus Way (signalized)  
Glenarden Parkway and Brightseat Road (signalized/contained in addendum)

The traffic counts were completed in March 2006. Existing conditions in the vicinity of the subject property are summarized below:

<b>EXISTING TRAFFIC CONDITIONS</b>			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 202 and Brightseat Road	1,227	1,451	C E
MD 202 and I-95 SB ramps	919	1,448	A D
MD 202 and I-95 NB ramps	996	795	A A
MD 202 and McCormick Drive/St. Joseph's Drive	1,236	1,358	C D
MD 202 and Lottsford Road	1,350	1,218	C B

Lottsford Road and Campus Way	952	653	A	A
Glenarden Parkway and Brightseat Road	429	569	A	A

A review of background development was conducted by the applicant, and the area of background development includes over 20 sites encompassing over 1,000 approved residences and 3.7 million square feet of mixed commercial and employment space. The traffic study also includes a growth rate of 2.0 percent per year along the facilities within the study area to account for growth in through traffic.

There are no programmed improvements in the County Capital Improvement Program (CIP); however, the State Consolidation Transportation Program (CTP) includes a project to convert the I-95/I-495/Arena Drive interchange to a full movement interchange. Background conditions did not reassign existing traffic, but did assume the impact of the construction of this interchange on background development and site assignments. Not reassigning existing traffic probably provides a worst-case scenario for future traffic in the study area.

Background traffic is summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202 and Brightseat Road	1,319	1,565	D	E
MD 202 and I-95 SB ramps	1,353	2,158	D	F
MD 202 and I-95 NB ramps	1,226	1,345	C	D
MD 202 and McCormick Drive/St. Josephs Drive	1,887	2,341	F	F
MD 202 and Lottsford Road	2,115	2,075	F	F
Lottsford Road and Campus Way	1,784	1,444	F	D
Glenarden Parkway and Brightseat Road	474	609	A	A

In the traffic study, the site is proposed for development in three phases, with the third of the residential, 20 percent of the office, and 70 percent of the retail components planned for Phase I, the remainder of the retail and residential with another 40 percent of the office planned for Phase II, and the remainder of the office planned for Phase III. It is noted, however, that much of the residential development is proposed on top of retail, making the staging plan in the traffic study somewhat suspect. For that reason, total traffic is analyzed by staff as unstaged. Staging will be considered as the conditions of approval are developed.

Also, the uses are different now versus at the time of the preparation of the traffic study, and the development quantities shown on the submitted preliminary plan are used herein. The number of residences has been increased, and the retail component has been increased as well. It is also noted that the traffic study analyzed all apartments as townhouses—the Guidelines do specify apartment rates that may be more appropriate for the housing proposed, and these rates are employed herein. It is noted with the revised quantities that the site generates 11 more AM trips and 3 more PM trips—hardly significant quantities to warrant revision of the traffic study. Site trip generation is summarized below:

	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Retail</b>	<b>750,000 Square feet</b>					
Total Trips	320	204	524	1,125	1,125	2,250
Pass-By	-114	-70	-83	-404	-387	-791
Internal	-34	-30	-64	-116	-158	-274
New Trips	172	104	276	605	580	1,185
<b>Office</b>	<b>1,000,000 Square feet</b>					
Total Trips	1,800	200	2,000	350	1,500	1,850
Pass-By	-5	-10	-15	-32	-34	-66
New Trips	1,795	190	1,985	318	1,466	1,784
<b>Hotel</b>	<b>360 Rooms</b>					
Total Trips	126	108	234	162	126	288
Internal	-6	-5	-11	-34	-30	-64
New Trips	120	103	223	128	96	224
<b>Residential</b>	<b>1,079 residences</b>					
Single-Family Det.	31	125	156	123	64	187
Townhouse	44	175	219	163	88	251
Condo/Multi-Family	56	234	290	218	117	335
Internal	-14	-23	-37	-106	-71	-177
New Trips	117	511	628	398	198	596
<b>TOTAL SITE</b>	<b>2,204</b>	<b>908</b>	<b>3,112</b>	<b>1,449</b>	<b>2,340</b>	<b>3,789</b>

Total traffic is summarized below:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202 and Brightseat Road	1,433	1,695	D	F
MD 202 and I-95 SB ramps	1,778	2,821	F	F
MD 202 and I-95 NB ramps	1,486	1,803	E	F
MD 202 and McCormick Drive/St. Josephs Drive	3,770	4,768	F	F
MD 202 and Lottsford Road	2,351	2,142	F	F
Lottsford Road and Campus Way	1,838	1,848	F	F
Glenarden Parkway and Brightseat Road	557	705	A	A

**Traffic Impacts:** The following improvements are determined to be required for the development of the subject property in the traffic study:

- A. MD 202/Brightseat Road: Revise the lane use on the southbound Brightseat Road approach to include exclusive right-turn, through, and left-turn lanes and a shared through/left-turn lane
- B. MD 202/I-95 SB Ramps: Provide a third through lane along eastbound MD 202 through the intersection.
- C. MD 202/I-95 NB Ramps: Provide a third through lane along westbound MD 202 through the intersection. Provide additional pavement to allow an exclusive right-turn lane, a shared through/right-turn lane, and two through lanes at the westbound MD 202/I-95 NB on-ramp diverge point. Modify signals, signage, and pavement markings as needed.
- D. MD 202/McCormick Drive/St. Joseph's Drive: Provide a fourth through lane along westbound MD 202 through the intersection. Along the westbound MD 202 approach, provide four through lanes, an exclusive right-turn lane, and an exclusive left-turn lane. Along the eastbound MD 202 approach, provide four through lanes, an exclusive right-turn lane, and two exclusive left-turn lanes. Along the southbound St. Joseph's Drive approach, provide an exclusive right-turn lane, an exclusive through lane, two exclusive left-turn lanes, and a shared through/left-turn lane. Modify the northbound McCormick Drive approach to cut back the median and channelization as needed. Modify signals, signage, and pavement markings as needed.
- E. MD 202/Lottsford Road: Provide a fourth through lane along westbound MD 202 through the intersection.
- F. Other improvements: The traffic study proffers the construction of Campus Way through the site to I-95, and proffers the construction of the Evarts Street overpass from the end of Campus Way over I-95.

DPW&T has expressed several concerns with the study, and these are discussed in more detail below:

- DPW&T notes that the report states that the service level at several intersections along MD 202 will be LOS F even with proposed improvements. This point will be discussed further below.
- DPW&T states that Glenarden Parkway would be overwhelmed by traffic accessing the development from the west. The addendum to the traffic study suggests that 5 percent of site traffic would utilize Glenarden Parkway—this would result in approximately 160 AM peak hour trips, 190 PM peak hour trips, and 1,750 daily trips. The additional traffic clearly does not overwhelm Glenarden Parkway and its intersection with Brightseat Road. Even if more than double the traffic were to utilize Glenarden Parkway as the traffic study claims, existing traffic plus site traffic would make Glenarden Parkway a busy two-lane street, but the traffic would not overwhelm the situation or result in operational issues at the Brightseat Road intersection. Nonetheless, the impact of the site on Glenarden Parkway will be somewhat reduced by the fact that Glenarden Parkway extended does not directly connect to Campus Way, and will be further reduced by the construction of the Evarts Street connection over the Capital Beltway.

- DPW&T opines that traffic at MD 202 and McCormick Drive/St. Joseph's Drive would be better served by a grade-separated interchange. This point will be discussed further below.
- DPW&T indicates uncertainty about which party would fund the improvements along MD 202. The applicant has proffered to fund these improvements.
- DPW&T believes that Ruby Lockhart Boulevard should have been included in the traffic study. It probably was not included because it is a road that does not exist connecting to another road that does not exist. Nonetheless, the volume of traffic suggests that the St. Joseph's Drive/Ruby Lockhart Boulevard intersection will not function acceptably as an unsignalized intersection. It will be recommended that a report analyzing traffic control and potential lane use at this intersection will be required at the time of submittal of the initial detailed site plan. The review of this report by DPW&T, plus any recommended conditions, will be made a part of the staff recommendation for that plan.

SHA likewise had expressed several comments about the study, and these are discussed in more detail below:

- SHA makes two separate comments regarding weaving and queuing along MD 202 between I-95 and McCormick Drive. It is indicated that the roadway section cannot handle the traffic without the I-95/Arena Drive interchange being available full-time. For that reason, staff will recommend that the phasing suggested in the traffic study be employed, and that no construction within Phase II as identified in the traffic study would occur until the I-95/Arena Drive interchange is available to full-time traffic. This phasing in the traffic study appears to be consistent with the timing of the conclusion of construction funding shown in the State CTP.
- SHA indicates that the MD 202/I-95 SB Ramp intersection would be reconfigured as a part of the construction for the I-95/Arena Drive interchange. Design was occurring when the study was prepared, and is continuing today—therefore, the ultimate configuration at this location cannot be ascertained for planning purposes at this time. Staff believes that the study has been done to consider future conditions to the extent practical. The applicant will have to obtain permits for improvements at this location at a later date, and SHA will be able to ensure that their concerns are addressed at that time.
- SHA suggests that the capacity of the free-flow right-turn lane at St. Joseph's Drive needs to be investigated further. Once again, this is an issue that will need to be investigated once detailed designs for St. Joseph's Drive and MD 202 are submitted for review.
- SHA states that the study did not recommend improvements at the MD 202/Brightseat Road intersection. However, the study did so, and these recommendations will be carried forward.

- Concerns are stated about the poor service level at MD 202 and McCormick Drive/St. Joseph's Drive in two separate comments. This is discussed further below.

This area was studied extensively by transportation planning staff during the MD 202 Corridor Study. This study was a part of the Planning Department's FY1997 work program, and was completed in 1997. The study originally began as a study in support of a Sectional Map Amendment generally including properties within an area bounded by MD 202, the Capital Beltway, Lake Arbor Way and the proposed alignment of Campus Way. During the course of the study, it evolved into a visioning and implementation study. Much of the direction of the study during its duration was the result of collaborative discussions within a series of study group meetings, with the study group composed of technical staff, citizen representatives and development interests. From a transportation perspective, the MD 202 Corridor Study involved a comprehensive study of transportation in the MD 202 corridor. This comprehensive study included:

1. Traffic analyses of intersections within a study area along MD 202 adjacent to the properties forming the focus of the study.
2. Consideration of the development of the study area properties along with the development of other undeveloped zoned properties in the area.
3. Identification of the transportation facilities that would be needed in the future to provide adequate transportation facilities.
4. Development of a plan for staging necessary transportation improvements to occur coincidentally with development on the subject property and other undeveloped zoned properties in the area.

The traffic analysis indicated that the transportation network identified in the 1990 Largo-Lottsford Master Plan, as modified by a 1996 amendment to the plan adding a special-use interchange at I-95 and Arena Drive, was required to serve a buildout level exceeding 5.0 million square feet within the MD 202 Corridor Study area. The Planning Group, after considering the transportation facility requirements for several development scenarios and the likely development patterns that could occur, indicated their support for a cap of 2.7 million square feet within the study area properties.

An important conclusion of the MD 202 Corridor Study is that the cost of the needed future transportation improvements in the area should be shared by government and by private developers. The study indicated that further review would be needed to determine the appropriate costs to be borne by private developers and a means of dividing those costs among the various properties. The major improvements considered to be necessary for future development, up to the development cap, are:

1. Four lanes (each direction) along MD 202
2. Extension of Campus Way over the Beltway to Brightseat Road
3. Full-time operations at I-95/Arena Drive interchange



4. Overpass and partial interchange at MD 202 and St. Joseph's Drive/McCormick Drive

It is noted that this applicant is providing (1) and (2) above. Improvement (3) is now fully funded in the state CTP. The staging of improvement (4) listed above will need to be addressed by the next succeeding project in the area. It is important to note that the MD 202 Corridor Study intended that development would share the cost of the facilities ultimately needed for adequacy, but that interim stages might result in inadequate operations within the corridor. DPW&T provided comments that the MD 202/St. Joseph's Drive intersection will fail badly and that the intersection would operate better as an interchange. In the context of the MD 202 Corridor Study, each development was supposed to construct their portion of the ultimate improvements needed. The subject application is proffering their fair share of the ultimate improvements in the area. This concept was approved by the District Council, and forms the basis for the District Council's approval of the Conceptual Site Plan earlier this year.

### **Plan Comments**

The current plan has been reviewed extensively at the conceptual cite plan phase and the current phase by the transportation staff, and we would offer the following comments:

1. The proposed access and circulation plan is satisfactory. Most of the development is arrayed around a grid-like street pattern. It appears that the streets incorporate vehicular and non-vehicular access.
2. Most of the streets proposed appear to be adequately-sized to handle the quantity of development proposed, with the one exception noted below. All public streets within and adjacent to this development area within the City of Glenarden will be maintained by either the City or DPW&T. Therefore, all cross-sections must have approval of the City of Glenarden prior to detailed site plan approval.
  - a. Street F between the northern property line and Street K is the extension of Glenarden Parkway into the development. It is recommended that the proposed right-of-way be increased from 50 feet to 60 feet. The standard for the 50-foot, or secondary residential street, indicates pavement 26 feet in width and parking on both sides of the street. Where traffic exceeding more than about 600 daily trips would use the street, parked vehicles result in excessive conflicts between oncoming vehicles because the pavement is not wide enough to allow two-way vehicle operation. Increasing the right-of-way to 60 feet improves the situation by increasing the pavement width to 36 feet, allowing two-way traffic to proceed with parked vehicles on each side. Street F, by the applicant's own assessment, would serve up to 5 percent of site traffic, or approximately 1,750 daily vehicles at a minimum.
3. Campus Way is shown on the master plan as an arterial facility to the east of the subject property, transitioning to a collector facility to cross the Capital Beltway. The plan directs this roadway into a traffic circle, connects the Beltway overpass by a major collector facility to the platted St. Josephs Drive/Ruby Lockhart Boulevard intersections, and shows a major collector connection between Campus Way and the overpass access roadway. This is acceptable for the following reasons:

- a. Campus Way was given latitude to be four lanes instead of six in the master plan.
  - b. The plan preserves the connection across the Capital Beltway to link areas north of MD 202.
  - c. All needed vehicular links are made in consideration of environmental features.
4. It is noted that Ruby Lockhart Boulevard narrows considerably at the point that it is proposed to cross a major environmental feature. That is acceptable; however, given the mix of land uses on each side of the environmental feature, the right-of-way must be sufficient to construct four travel lanes along Ruby Lockhart Boulevard, five-foot bike lanes in each direction, and five-foot sidewalks on each side.

A prior plan has several conditions that require review. The status of the transportation-related conditions is summarized below:

**CSP-03006**

**Condition 2A:** This condition requires that the applicant submit a full traffic study at the time of preliminary plan of subdivision. This study was done, and includes two major intersections within or adjacent to the City of Glenarden. Further work is required at the time of detailed site plan to perform a study showing the effects of the proposed connection between the project and Glenarden Parkway. This study should include any traffic calming along the portions of Glenarden Parkway within the site and along the existing roadway. Full requirements for this follow-up study should be primarily coordinated with the city.

**Condition 14(g):** This condition is enforceable at the time of detailed site plan, and requires that locations of pedestrian connections, crosswalks, and bus stops be shown on the plan. The connection between Campus Way and Brightseat Road, termed Evarts Street earlier in this memorandum, will be constructed by the applicant and is clearly shown on the preliminary plan.

**Condition 16(a):** This condition enumerates several conditions that were determined to be necessary for adequacy at the time of conceptual site plan review. Subcondition (vii) requires that the amount of the Road Club fee be determined at the time of preliminary plan. This is further discussed below. Subcondition (viii) requires that the timing for the construction of the improvements in (i) through (vi) be determined at the time of preliminary plan. All of these improvements will be required at the time of building permit for Phase I.

**Condition 16(b):** This condition requires that cross-sections for city streets must be approved by the city. This requirement is enforceable at the time of detailed site plan.

**Condition 16(c):** This condition requires that the preliminary plan show a public street connection between the site and Glenarden Parkway. This has been done.

**Condition 16(d):** This condition requires that several rights-of-way be shown as publicly dedicated streets at the time of preliminary plan. This has been done.

**Subcondition (vii) of Condition 16(a)** requires that the Road Club fee for the various major off-site roadway improvements be determined at the time of preliminary plan of subdivision. This has arisen from a conclusion of the MD 202 Corridor Study, which indicated the appropriateness of a cost-sharing methodology for the purpose of funding regional improvements needed for the whole area. The MD 202 Corridor Study determined that a number of improvements were needed in the area. This was further substantiated with the District Council's approval of A-9956 on a neighboring site. In that approval, the following cost information was presented:

- A. Four lanes (each direction) along MD 202: Needed widening within I-95/MD 202 interchange estimated at \$375,000. Along MD 202 between Arena Drive and I-95, at \$500 per linear foot and 7,500 feet, cost is estimated at \$3,750,000. Total cost: \$4.125 million.
- B. Extension of Campus Way over the Beltway to Brightseat Road: New road construction over 7,000 feet at \$900 per linear foot, or \$6,300,000. Beltway overpass estimated at \$6,700,000. Total cost: \$13 million.
- C. Full-time operations at I-95/Arena Drive interchange: State's Option 1 has an estimated cost of \$18 million. It was determined that FHWA will not approve low-cost improvements (i.e., less than \$1 million) for opening the interchange to full-time traffic.
- D. Overpass and partial interchange at MD 202 and St. Josephs Drive/McCormick Drive: Estimated in traffic study at \$10 million.

All four major improvements have a total cost of \$45.1 million. Throughout the MD 202 Corridor analyses, the MD 202/McCormick Drive/St. Josephs Drive intersection proved to be the critical intersection in terms of establishing capacity for development in the study area. Figure 9 of the MD 202 Corridor Transportation Study indicated that an average of 6,315 peak hour vehicles from development in the study area would use this intersection. Similarly, Figure 10 indicates that an average of 15,740 peak hour vehicles, in total, would use this intersection. However, it is important to recall that these trips are based upon full buildout per approved zoning; in fact, the study participants—which included representatives of all five study area properties—agreed to a cap of 2.7 million square feet of commercial space. This cap serves to reduce the peak hour impact of the properties by approximately 1,535 trips at the critical intersection. This leaves an average of 4,780 vehicles from study area development at the critical intersection, with a total of 14,205 vehicles using the intersection. This suggests that traffic generated within the study area is 33.65 percent of the total traffic, and it would follow that developers in the area should be responsible for the same percentage of the costs of the regional transportation improvements.

The traffic study shows 2,637 average peak hour trips assigned to the MD 202/McCormick Drive/St. Josephs Drive intersection. This would be (2,637/4,780), or 55.17 percent of the study area trip impact.

Given that the subject property generates 55.17 percent of the trip impact, the Balk Hill development should be responsible for (33.65 percent) X (55.17 percent) or 18.56 percent of the costs. Given the total price tag of \$45.1 million, this applicant should fund improvements or pay toward improvements a total of \$8.37 million. Given the list (A) through (D) above and the documented costs in that list, this applicant will construct Campus Way through his property to the Beltway—3,000 linear feet at \$900 per foot for \$2.7 million, construct the Capital Beltway

overpass for Evarts Street for \$6.7 million, and construct a fourth through lane along much of MD 202. Given that the two items for which costs are noted above total \$9.4 million (with MD 202 costs not estimated or included), which exceeds the required Road Club fee, it is determined that no Road Club fee is required of this applicant above and beyond the improvements required and/or proffered.

### Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with the conditions found at the end of this report.

8. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the residential component of this preliminary plan for impact of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations, CB-30-2003, and CR-23-2003 and concluded the following:

### Finding

Impact on Affected Public School Clusters

Affected School Clusters	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	1,079 units	1,079 units	1,079 units
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	258.96	64.74	129.48
Actual Enrollment	6,327	7,218	10,839
Completion Enrollment	132	112	223
Cumulative Enrollment	11.28	25.5	51
Total Enrollment	6,693.72	7,411.36	11,224.72
State Rated Capacity	6,339	6,569	8,920
Percent Capacity	105.6%	112.82%	125.84%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

These figures are correct on the day the referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I- 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an

existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,671 and \$13,151 to be paid at the time of issuance of each building permit.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003, CB-31-2003, and CR-23-2003.

9. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of public facilities and concluded the following:

### **Commercial**

The existing fire engine service at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 4.84 minutes, which is beyond the 3.25-minutes travel time guideline.

The existing paramedic service at Kentland Fire Station, Company 46, has a service travel time of 4.84 minutes, which is within the 7.25-minutes travel time guideline.

The existing ladder truck service at Bunker Hill Fire Station, Company 55, located at 3716 Rhode Island Avenue, has a service travel time of 4.84 minutes, which is beyond the 4.25-minutes travel time guideline.

The above findings are in conformance with the standards and guidelines contained in the 1990 *Approved Public Safety Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system should be provided in all new buildings proposed in this subdivision, unless the Prince George’s County Fire/ EMS Department determines that an alternative method of fire suppression is appropriate.

### **Residential**

The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

The Prince George’s County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station Kentland, Company 46, using the “Seven-Minute Travel Times and Fire Station Locations Map” provided by the Prince George’s County Fire Department.

Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

10. **Police Facilities**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of public facilities and concluded the following:

**Commercial**

The proposed commercial development is within the service area for Police District II-Bowie. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed development.

**Residential**

The preliminary plan is located in Police District II. The response standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on June 6, 2006.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-05/05/06	10.00	22.00
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met on May 5, 2006. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Health Department**—The Health Department reminds the applicant that raze permits are required prior to demolition of any structure on the site. The Health Department also noted that wells and septic systems to be abandoned must be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04.
12. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #20908-2003-01, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
13. **Historic Preservation**—The applicant has submitted a document titled "Phase I Archeology Survey of the Woodmore Towne Centre at Glenarden Property" which is currently under review by the Historic Preservation staff. If it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of any detailed site plan or final plat, the applicant shall provide a plan for:

- a. Evaluating the resource at the Phase II level, and if necessary, a Phase III level, or,
- b. Avoiding and preserving the resource in place.

Section 106 review may require archeological survey for state or federal agencies, also. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

- 14. **Variations/Variance/Justification**—The applicant seeks two additional variations and one variance not covered as part of the environmental analysis for this development. In addition, the applicant seeks permission to allow for four instances of more than six units in a string of townhouses.

#### **Variation Request for Section 24-121(a)(4)**

Section 24-121(a)(4) of the Subdivision Regulations requires residential lots fronting on arterial roadways (such as Ruby Lockhart Boulevard) to have a minimum depth of 150 feet, with adequate protection from traffic nuisances being provided by earthen berms, plant materials, fencing, and/or the establishment of building restriction lines. There are 17 residential lots along Ruby Lockhart Boulevard that fail to meet this standard, a variation down to 79 feet at the closest point is requested.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

**Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

- (1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The 1990 Largo-Lottsford Master Plan and Sectional Map Amendment governs development of this site. The plan calls for the type of mixed-use development being proposed, which the applicant has chosen to implement through a “town center” development scheme.

**Town center character area** development standards emphasize the creation of a pedestrian-oriented streetscape that will welcome residents and visitors, often establish a build-to line to ensure a common street wall that creates a comfortable sense of enclosure, and minimize total parking requirements while encouraging shared parking. In particular, residential uses above first-floor retail or commercial uses are desired in the town centers to infuse the areas with new residents who can enliven the streets and

support commercial retail, middle- to high-end housing with structured parking as is demonstrated in this proposal.

Although the master plan does not establish a build-to line, it is a common standard in town center guidelines found in current plans. The requirement for a 150-foot lot depth is somewhat at odds with this design standard. Relaxing this standard would not be injurious to the public or adjoining properties, and would bring it into conformance with the now accepted standard for town center development, particularly in view of the fact that Ruby Lockhart Boulevard, although sized as an arterial, will contain several traffic circles acting as traffic controlling devices.

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

This site, as discussed previously, is being developed according to development standards for a town center. Thus, the requested variation is not generally applicable to other properties.

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

Because the applicant will have to obtain permits from other local, state and federal agencies as required by their regulations, the approval of this variation request would not constitute a violation of other applicable laws.

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

The 1990 master plan envisions a substantial amount of mixed-use development on this site. Requiring a 150-foot lot depth along Ruby Lockhart Boulevard would encumber a substantial portion of the residential frontage, thus cutting the development potential for this site well below that envisioned by the plan or the approved conceptual site plan.

Staff supports this variation request for these reasons.

#### **Variation Request for Section 24-128(a)**

Section 24-128(a) of the Subdivision Regulations generally requires all lots and parcels created in a preliminary plan to have frontage on and direct vehicular access to a public street. There are numerous exceptions to that requirement, with private roads and access easements permitted in certain circumstances. In this case, the applicant is proposing to utilize private roads and cross easements in the commercial side of the development. These lots are to be sold as fee-simple lots rather than as leased lots in an integrated shopping center. Most of the commercial lots have access provided through pipe stems to Ruby Lockhart Boulevard, however, six lots in Block C (Lots 2, 6, 8, 9, 10 and 13) do not.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:



**Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

- (1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The granting of this request will be unperceivable by the general public as access will be provided to all lots through a network of privately maintained roads and driveways associated with the retail town center. In fact, if these lots were part of an integrated shopping center rather than fee-simple lots, such private roads and easements would be permitted in accordance with Section 24-128(b)(15).

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

This site, as discussed previously, is being developed according to development standards for a town center with fee-simple lots. Thus, the requested variation is not generally applicable to other properties.

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

Because the applicant will have to obtain permits from other local, state and federal agencies as required by their regulations, the approval of this variation request would not constitute a violation of other applicable laws. The applicant is seeking a variance from a similar requirement contained in the Zoning Ordinance.

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

The subject property has extensive frontage on the Capital Beltway and is sandwiched between that major roadway and a planned arterial. It is the subject of an approved conceptual site plan and associated illustrative plan that has been reviewed extensively by staff, the Planning Board, District Council and the City of Glenarden. Deviation from this approved concept would constitute a loss of design intent and would not allow for fee-simple sales of these lots. To ask the applicant to change the design at this point would constitute a hardship.

Staff supports this variation request for these reasons.

**Variance Request for Section 27-548(g)**

Section 27-548(g) also requires lots in the M-X-T Zone to have frontage on a public street. Variances may be granted provided the application meets the following criteria, contained within Section 27-230(a) of the Prince George's County Code.

- (1) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographical conditions, or other extraordinary situations or conditions;”**

The property does not have exceptional narrowness, shallowness, or shape, or exceptional topographical conditions. However, the subject property has extensive frontage on the Capital Beltway and is sandwiched between that major roadway and a planned arterial. It is envisioned in the 1990 Master Plan for extensive mixed-use development and is the subject of an approved conceptual site plan and associated illustrative plan. These factors combine to create an extraordinary situation not generally applicable to other properties in the area.

- (2) **The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property;**

The hardship to the owner would be a redesign and lot reconfiguration from that approved at the time of the conceptual site plan and its associated illustrative plan. Deviation from this approved concept would constitute a loss of design intent from the original approval.

- (3) **The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

The granting of this variance will not substantially impair the intent, purpose, or integrity of the 1990 Largo-Lottsford Master Plan and Sectional Map Amendment. The plan calls for the type of mixed-use development being proposed, which the applicant has chosen to implement through a “town center” development scheme.

Staff supports this variance request for these reasons.

#### **Justification for more than Six Townhouses in a String (Section 27-548(h))**

Section 27-548(h) of the Zoning Ordinance allows up to 20 percent of townhouse groups to contain more than six units (but not more than eight) for development in the M-X-T Zone. The applicant must show that allowing such groups would create a more attractive living environment or would be more environmentally sensitive. In this case there are 30 groups of townhomes on the plan. Up to six are eligible to contain more than six units. The applicant requests permission for four groups to contain seven units. The location of these four groups will present a better atmosphere than would two groups of three and four units. The applicant is attempting to establish an urban core at the center of the development at and around the intersection of Ruby Lockhart Boulevard and Campus Way North, as shown on the approved site plan and illustrative. Allowing for the blocks of seven units preserves the bulk required, while allowing for much larger end lots that provide corridors into surrounding open space. Staff supports this request for these reasons.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, or (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. MD 202/Brightseat Road: Revise the lane use on the southbound Brightseat Road approach to include exclusive right-turn, through, and left-turn lanes and a shared through/left-turn lane
  - b. MD 202/I-95 SB Ramps: Provide a third through lane along eastbound MD 202 through the intersection.
  - c. MD 202/I-95 NB Ramps: Provide a third through lane along westbound MD 202 through the intersection. Provide additional pavement to allow an exclusive right-turn lane, a shared through/right-turn lane, and two through lanes at the westbound MD 202/I-95 NB on-ramp diverge point. Modify signals, signage, and pavement markings as needed.
  - d. MD 202/McCormick Drive/St. Joseph's Drive: Provide a fourth through lane along westbound MD 202 through the intersection. Along the westbound MD 202 approach, provide four through lanes, an exclusive right-turn lane, and an exclusive left-turn lane. Along the eastbound MD 202 approach, provide four through lanes, an exclusive right-turn lane, and two exclusive left-turn lanes. Along the southbound St. Joseph's Drive approach, provide an exclusive right-turn lane, an exclusive through lane, two exclusive left-turn lanes, and a shared through/left-turn lane. Modify the northbound McCormick Drive approach to cut back the median and channelization as needed. Modify signals, signage, and pavement markings as needed.
  - e. MD 202/Lottsford Road: Provide a fourth through lane along westbound MD 202 through the intersection.
2. Prior to the issuance of any building permits for uses generating more than 876 AM and 1,397 PM peak hour trips within the subject property, as defined in the March 2006 traffic study as Phases II and III with trip generation determined in a consistent manner with the same traffic study, the following road improvements shall (a) have full financial assurances, or (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. Campus Way: Construct Campus Way as a major collector, or other standard deemed appropriate by DPW&T, through the site to I-95.
  - b. Evarts Street Connection: Construct an overpass over the Capital Beltway from the end of Campus Way to existing Evarts Street.
3. Prior to the issuance of any building permits for uses generating more than 876 AM and 1,397 PM peak hour trips within the subject property, as defined in the March 2006 traffic study as Phases II and III with trip generation determined in a consistent manner with the same traffic study, the I-95/I-495/Arena Drive interchange shall be open for full-time usage.

4. At the time of submittal of the initial detailed site plan within the subject property, the applicant shall submit an acceptable study of traffic control and lane usage to the transportation planning staff and DPW&T for signalization at the intersection of St. Joseph's Drive and Ruby Lockhart Boulevard. 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 operating agencies. If a signal or other traffic control improvements are deemed warranted at that time, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by that agency. The recommended improvements and traffic control shall be made a part of the recommendation for the initial Detailed Site Plan within the subject property.
5. Prior to signature approval, the preliminary plan shall be modified to show a 60-foot right-of-way along Street F between the northern property line and Street K.
6. The crossing of Ruby Lockhart Boulevard over the environmental feature in the southern portion of the site shall provide for four travel lanes, five-foot bike lanes in each direction, and a five-foot sidewalk on each side. This shall be confirmed at the time of detailed site plan, and the right-of-way for Ruby Lockhart Boulevard shall be adjusted accordingly if necessary.
7. At the time of final plat approval, the applicant shall dedicate right-of-way along Campus Way, the extension of Evarts Street, and Ruby Lockhart Boulevard, except as may be adjusted by means of Condition 6 above, as shown on the submitted plan.
8. Total development within the subject property shall be limited to uses which generate no more than 3,112 AM and 3,789 PM peak-hour vehicle trips, with trip generation determined in a consistent manner with the March 2006 traffic study. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
9. A Type II tree conservation plan shall be approved at the time of approval of the DSP.
10. Development of this site shall be in conformance with Stormwater Management Concept Plan #20908-2003-01, and any subsequent revisions.
11. Prior to signature approval of the preliminary plan of subdivision, the applicant shall obtain signature approval of the approved Conceptual Site Plan (CSP-03006).
12. In conformance with the Adopted and Approved Largo-Lottsford Master Plan and approved CSP-03006, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:
  - a. Provide six-foot wide trail along the west side of Road "A."
  - b. Provide the urban pedestrian walkways on both sides of Ruby Lockhart Drive within the town center.
  - c. Provide sidewalks or wide sidewalks along both sides of all internal roads.
  - d. At the time of detailed site plan, provide specifications and graphics of the planned pedestrian crossings of Ruby Lockhart Drive between the residential component of the

development and the town center. These graphics should address the location and design of the crossings, as well as surface materials, lighting, signage, pedestrian refuges, and other pedestrian safety features. These crossings should be approved by the Planning Department and the Department of Public Works and Transportation. If necessary, additional crossing options may be considered to ensure safe pedestrian access between the residential development and the town center.

13. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
14. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association (HOA) has been established and that the common areas have been conveyed to the HOA.
15. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 15.27 acres of open space land. Land to be conveyed shall be subject the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
  - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

16. The applicant, his successors, and/or assigns, shall provide adequate, private recreational facilities on site on the Home Owners Association (HOA) land in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
17. A Detailed Site Plan review by the Planning Board is required for the proposed siting of private recreation facilities.
18. Submission of three original, executed Recreational Facilities Agreements (RFA) to the DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by the DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
19. Submission to the DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DRD, within at least two weeks prior to applying for building permits.
20. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to ensure retention and a future maintenance of the proposed recreational facilities.
21. At the time of final plat, the applicant, heirs, successors, and/or assignees shall dedicate to M-NCPPC 11.73± acres as shown on the Department of Parks and Recreation (DPR) Exhibit "A."
22. Land to be conveyed to M-NCPPC 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.
  - 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.
  - 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. Stormdrain 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.
23. The applicant will be responsible for any needed revisions to the Condition 18(a) of the Conceptual Site Plan SP-03006 for reduction of the size of the parkland.
24. The applicant shall construct the following recreational facilities on the dedicated parkland: one artificial turf soccer/football field, a 100-space parking lot, a pavilion, a restroom facility and an architectural fence.
25. The applicant shall provide DPR with a fee of \$250,000 prior to first final plat for subdivision of any residential lots/parcels, for the reconstruction of athletic fields at Glenarden Community Center Park.
26. Prior to certification of the preliminary plan, the park development concept plan shall be revised to address DPR's concerns, and reviewed and approved by DPR staff.
27. All bridges constructed on this site that cross streams shall be designed using piers to reduce impacts. The DSP shall include a detail showing the proposed design, including side views and areas of disturbance needed for construction.
28. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain streams, wetlands, 100-year floodplain and severe slopes within the PMA and the expanded buffer, except for areas of approved disturbance, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:
- "Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
29. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland

- permits, evidence that approval conditions have been complied with, and associated mitigation plans.
30. All future tree conservation plans shall show woodland conservation on-site to be no less than 10 percent of the gross tract area.
31. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
- a. Clearly show the limits of disturbance on Sheets 2, 3, 4 and 5 of 5 so there are no gaps where the symbol should be continued and so the outer edges of proposed sewer and stormdrain easements have this symbol around them to distinguish where clearing is necessary.
  - b. Provide the symbol for expanded buffers in the legend as it is shown on the plan.
  - c. Adjust this label in the legend to clarify the proposed woodland treatment for preservation of woodland associated with the floodplain are areas of 'Woodland Preservation in Floodplain, Not Counted' and do not show shading or hatching in these areas.
  - d. On Sheet 2 of 5 the symbol in the legend for 'Woodland Preserved Not Part of Any Requirement' must be revised to make it match with the graphic symbol used on the plan.
  - e. After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
32. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/013/05-01). The following note 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/013/05-01), 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 Ordinance. This property is subject to the notification provisions of CB-60-2005.”
33. Prior to acceptance of the first detailed site plan, the package shall be inspected to ensure that it includes a revised Phase II noise study that reflects the proposed building and grading locations shown on the DSP. A separate sheet within the DSP shall show all unmitigated noise contours and mitigated contours at a scale that clearly shows the noise mitigation measures proposed.
34. Prior to the approval of building permits for residential buildings and the hotel, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.
35. The proposed athletic field shall not be equipped with athletic field lighting or a public address system.



36. The DSP and TCPII shall show all required landscape buffers between stormwater management ponds as required in the stormwater concept approval.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/013/05-01 AND VARIATIONS TO SECTION 24-128 AND 24-121 OF THE SUBDIVISION REGULATIONS.

STAFF RECOMMENDS APPROVAL OF THE REQUESTED VARIANCE TO SECTION 27-548(h) OF THE ZONING ORDINANCE.