



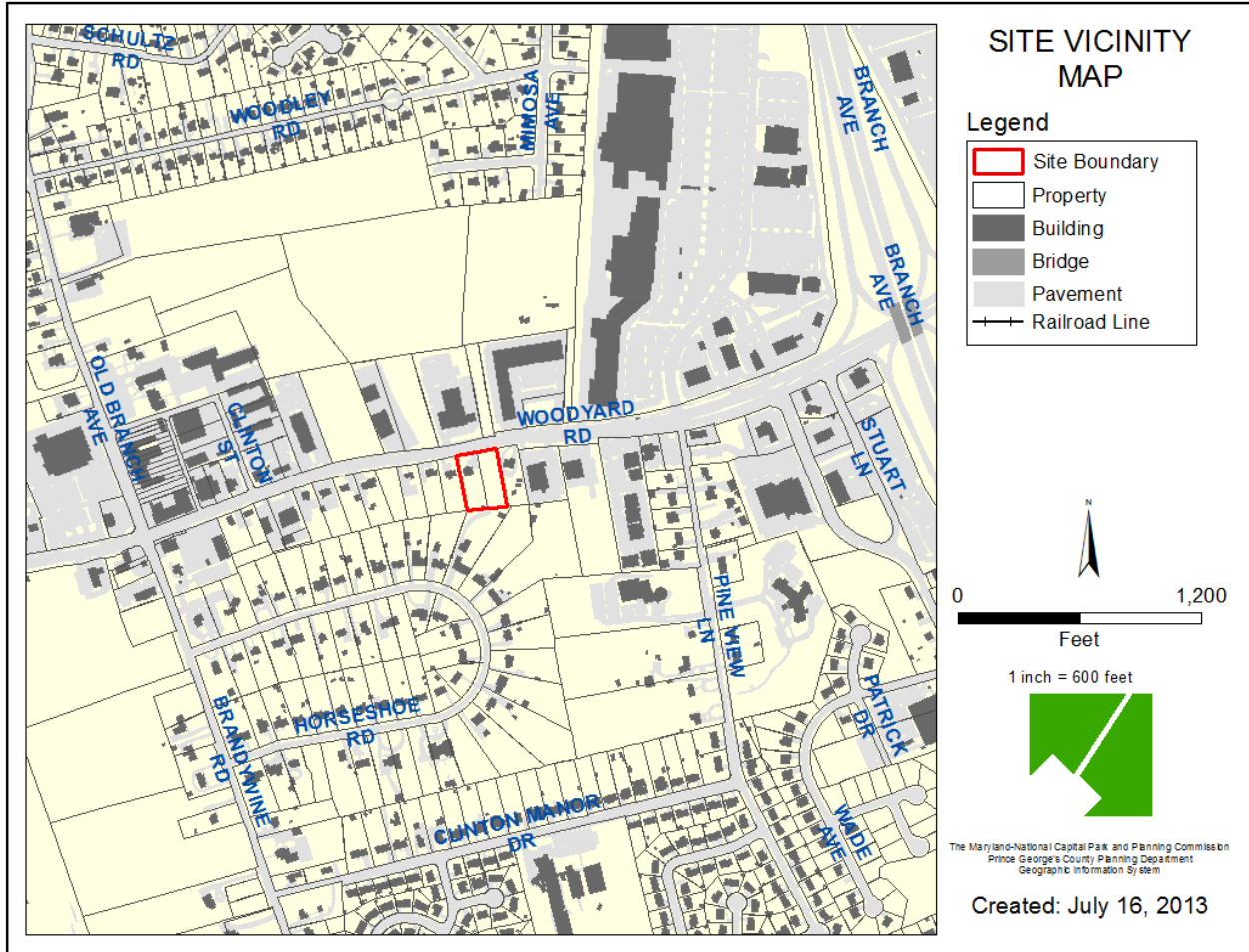
Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-13014

Application	General Data	
Project Name: Patient First, Clinton Location: On the south side of Woodyard Road (MD 223), approximately 600 feet southwest of its intersection with Pine View Lane. Applicant/Address: Brian McNeal c/o Rebkee Company 15871 City View Drive, Suite 300 Midlothian, VA 23113 Property Owner: Lot 11- Jose and Ruth Mararac 15801 Shapersville Road Waldorf, MD 20601 Lot 12- Entrust MidAtlantic LLC 125 South Carroll Street Frederick, MD 21701	Planning Board Hearing Date:	12/05/13
	Staff Report Date:	11/26/13
	Date Accepted:	10/01/13
	Planning Board Action Limit:	12/11/12
	Mandatory Action Timeframe:	70 days
	Plan Acreage:	1.35
	Zone:	C-S-C
	Gross Floor Area:	8,033 sq. ft.
	Lots:	0
	Parcels:	1
	Planning Area:	81
	Tier:	Developing
	Council District:	09
	Election District	09
	Municipality:	N/A
	200-Scale Base Map:	212SE06

Purpose of Application	Notice Dates	
To consolidate two lots into one parcel for the development of an 8,033-square-foot-medical clinic. Variation to Section 24-121(a)(3).	Informational Mailing	07/17/13
	Acceptance Mailing:	09/26/13
	Sign Posting Deadline:	11/05/13

Staff Recommendation		Staff Reviewer: Quynn Nguyen Phone Number: 301-780-2465 E-mail: Quynn.Nguyen@ppd.mncppc.org	
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 4-13014
Patient First, Clinton
Parcel 1

OVERVIEW

The subject site is located on Tax Map 116 in Grid D-3 and is known as Lots 11 and 12, Block A. The property consists of 1.35 acres within the Commercial Shopping Center (C-S-C) Zone. Lots 11 and 12 were recorded in Plat Book BB 6-16 on October 22, 1937. The subject property is improved with a 1,982-square-foot medical office building, which is to be razed. The applicant is proposing to consolidate the lots into Parcel 1 for the development 8,033-square-foot medical clinic in accordance with the C-S-C zoning.

The subject site is located in the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (PGCPB Resolution No. 13-09; CR-24-2013) (Central Branch Avenue Sector Plan). This preliminary plan of subdivision is the first development application since the approval and adoption of the sector plan. The property fronts on two master plan roadways. The sector plan recommends a primary 60-foot-wide residential street (P-507) over the southern portion of subject property to provide for a future street grid. The site also has frontage on Woodyard Road (MD 223) to the north, a master plan arterial roadway, under the jurisdiction of the State Highway Administration (SHA). The sector plan designates MD 223 as a multi-modal boulevard with specific features within the right-of-way (page 92):

- **35 feet (on each side of the centerline, comprised of 7 ft. or ½ of a 14 ft. median, two travel lanes, 11 and 12 ft., plus 5 ft. bike lane)**
- **30 foot wide bicycle/pedestrian landscaped median (comprised of two 10 ft. landscape medians; 10 ft. for pedestrian/bike path)**
- **20 feet curb-to-curb (comprised of a 12 foot travel lane and 8 feet for parking)**
- **10 feet curb-to-property line (comprised of 5 ft. landscape strip, 5 ft. sidewalk)**

Per the State Highway Administration, to accommodate all the features of the multi-way boulevard, the ultimate right-of-way (ROW) for MD 223 would need to be 190 feet, or 95 feet from the centerline.

Per the Maryland Land Use Article, Division II, Title 23 Dedication of Land for Roads, the maximum cumulative right-of-way dedication that can be required from any individual property is 60 feet. In this case, a previous record plat dedication and a later deed dedication totaled 35 feet of dedication from the centerline of MD 223 for this property. Therefore, only an additional 25 feet of dedication can be

requested, which the applicant is proposing with this preliminary plan of subdivision (PPS) along MD 223.

However, the PPS is subject to the 2013 Central Branch Avenue Sector Plan and the sector plan recommendation and vision for the rights-of-way of MD 223 and P-507. Both the MD 223 ROW (SHA) and the 60-foot ROW for P-507 (DPW&T) are master plan rights-of-way, which are subject to a determination by the Planning Board if they should be placed in reservation in accordance with Section 24-139 of the Subdivision Regulations.

As required by Section 24-139(a), **The Planning Board, when reviewing a preliminary plan, shall refer to the General Plan, master plan, or amendments and parts thereof, to determine the need for reserving for public use any of the land included in the preliminary plan; and (b) If a reservation appears desirable, the Planning Board shall refer the preliminary plan to the public agency concerned with acquisition for its consideration and report.** In order to address master plan conformance, the Transportation Planning Section (M-NCPPC) on November 4, 2013 sent out a request for reservation of P-507 to Department of Public Work & Transportation (DPW&T), and on November 15, 2013 sent out a request for reservation for MD 223 to SHA.

The timing of the referral to SHA was due to discussion between SHA and The Maryland-National Capital Park & Planning Commission (M-NCPPC) to determine the least amount of right-of-way necessary to implement the sector plan for MD 223. The sector plan indicates that the right-of-way of MD 223 is 210 feet including a building restriction line. SHA and staff have agreed that a dedicated right-of-way of 190 feet, with 95 feet from the center line is sufficient to ensure the multi-modal vision along MD 223 can be implemented. Once this was determined a request for reservation of an additional 35 feet of right-of-way for MD 223 was sent to SHA (November 15, 2015). In accordance with Division 7, Section 24-139 of the Subdivision Regulations, when reservation appears desirable, the PPS shall be referred out to the public agency concerned with acquisition for its consideration and shall allow thirty (30) days for reply.

The Planning Board hearing is scheduled for December 5, 2013, which will not allow thirty days for SHA to reply to the request for reservation, and at the writing of this report, staff has not received the SHA referral on the master plan right-of-way. At this time, staff cannot recommend that the Planning Board find that this PPS conforms to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* in accordance to Section 24-121(a)(5), which requires that the PPS conform to the master plan including maps and text. Conformance to the sector plan cannot be determined because the process for reservation of a master plan right-of-way is still outstanding. SHA response is critical to the determination of conformance to and implementation of the sector plan and the required finding of reservation.

The applicant was advised of this issue on two occasions; first with an email dated November 1, 2013 (Nguyen to Hatcher) where staff advised the applicant not to post the site due to this outstanding master plan issue and then again on November 15, 2013 (Nguyen to Hatcher). Staff reminded the applicant that the PPS was within the first 70-day mandatory action time frame. The applicant has the ability to grant a 70-day waiver, for a maximum 140-day action time frame, to allow SHA to respond within the legislated 30 days to address the issue of reservation. The applicant has indicated that the 2013 Central Branch Avenue Sector Plan does not clearly state a right-of-way width for MD 223 and therefore the ultimate right-of-way for MD 223 should be 120 feet based on the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and not 190 as determined by SHA and staff. It is the applicant's position that no additional right-of-way is required and therefore reservation is not needed. This would have implications to all future development along the MD 223 corridor within the 2013 Central Branch Avenue Sector Plan.

Staff has evaluated the PPS and the only outstanding issue is the question of conformance with the sector plan, and that of reservation. If SHA determines that reservation is desirable and have funds to purchase the area of reservation within a described period, staff would recommend reservation. However, if SHA does not provide a referral that is in the affirmative for both desiring the right-of-way and having the funds to purchase the right-of-way, staff will not recommend reservation. In that case and pursuant to Section 27-259 of the Subdivision Regulations, if the master plan right-of-way is not being reserved the applicant may obtain building permits within those areas of the site without County Council authorization. The property is viewed as unencumbered from the master plan rights-of-way for development purposes.

Woodyard Road (MD 223) is a master planned arterial roadway; pursuant to Section 24-121(a)(3) of the Subdivision Regulations, when lots or parcels are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. A variation request for direct access onto MD 223 has been submitted, and is discussed further in the Variation finding of this report.

The property contains no regulated environmental features that are required to be protected under Section 24-130 of the Subdivision Regulations. The property is exempt from the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property contains less than 10,000 square feet of woodland on-site.

SETTING

The subject site is located on the south side of Woodyard Road (MD 223), approximately 600 feet southwest of its intersection with Pine View Lane. The neighboring properties to the north, east, and west are in the C-S-C Zone and are developed with commercial uses. The neighboring properties to south are in the One-Family Detached Residential (R-80) Zone and are developed with single-family dwellings.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	C-S-C	C-S-C
Use(s)	Medical Office To be razed (1,982 sq. ft.)	Medical Clinic (8,033 sq. ft.)
Acreage	1.35	1.35
Lots	2	0
Outparcels	0	0
Parcels	0	1
Dwelling Units	0	0
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	Yes (24-121(a)(3))

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on October 25, 2013. The requested variation to Section 24-121(a)(3) of the Subdivision Regulations, for lots that are adjacent to an existing arterial road to be designed to have frontage and direct access onto an interior street or service road, was accepted on October 29, 2013 as discussed further in the Variation finding of this report. The variation was heard on November 8, 2013 at SDRC as required by Section 24-113(b) of the Subdivision Regulations.

2. **Community Planning**—The 2002 *Prince George's County Approved General Plan* (General Plan) designates the subject property within 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. Approval of this application does not violate the General Plan's growth goals for the year 2025, upon review of Prince George's County's current General Plan Growth Policy Update.

The subject property is located in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA) (PGCPB Resolution No. 13-75, CR-80-2013) adopted by the County Council on July 24, 2013, and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (PGCPB Resolution No. 13-09; CR-24-2013) adopted by the County Council on April 2, 2013. The boundaries of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan (CBA)* lie within Subregion 5 Master Plan. The Subregion 5 Master Plan recognizes and incorporates by reference all the recommendations for the portion of the CBA sector plan that falls within the Subregion 5 Master Plan boundary. The recommendations of the CBA sector plan supersede those of the Subregion 5 Master Plan and the CBA sector plan provides specific, detailed information on the planning vision, goals, development program, design guidelines, and public facilities recommendations for the portion of the CBA sector plan within Subregion 5.

The property was retained in the C-S-C Zone in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*. The approved CBA sector plan recommended residential land use for

the subject property, however a Sectional Map Amendment to implement the recommended zoning was not included with the CBA sector plan. Section 24-121(a)(5) of the Subdivision Regulations provide provision if District Council has not imposed the recommended zoning then the PPS is not subject to the land use recommendation of the master plan. Since the recommended zoning of CBA sector plan was not implemented by a Sectional Map Amendment, then the existing zoning of C-S-C for the subject site prevails. The PPS proposes a development of a medical clinic which is permitted in the C-S-C Zone.

A major recommendation in the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (CBA), for this area is the development of a multi-way boulevard for Woodyard Road (MD 223). The congestion on Woodyard Road has long been a major issue to the community. The sector plan specifically addresses the segment of MD 223 where the subject property is located as follows:

During the planning process mobility, connectivity, a sense of identity, access and safety were the primary concerns of stakeholders during community workshops. Traffic congestion during rush hours, coupled with excessive ingress and egress points on the commercial section of MD 223, makes it difficult for drivers to get in and out of existing shopping centers and other businesses on both sides of the roadway. Another hindrance to mobility during rush hours is the gridlock at the intersection of MD 223 and Old Branch Avenue.

A primary residential street, P-507, was also recommended to provide a future street grid to improve connectivity for the future residential development envisioned for this area without having to access MD 223 directly. Street P-507 is proposed by the sector plan to be aligned at the southern portion of the subject property. The Transportation Planning Section has sent a request for reservation of P-507 to the Department of Public Works & Transportation (DPW&T) and is discussed further in the Reservation finding of this report.

The sector plan envisions future development along this segment of MD 223/Woodyard Road as follows (page 76):

Automobile and pedestrian circulation along Woodyard Road is greatly improved by a new multi-way boulevard that offers facilities for pedestrian, bicycle, and automobile usage.

Implementing a multi-way boulevard along Woodyard Road will enhance connectivity and the driving, walking, and biking experience. It is intended to provide better circulation and for residents as well as to serve the commuter traffic. It will also revitalize this area by transforming it into the kind of place that residents, workers, shoppers will want to be and could help stimulate new investment and re-development.

The sector plan designates MD 223 as a multi-way boulevard with a right-of-way (R-O-W) width of 210 feet, building-to-building (including privately owned area). The specific widths of features comprising the multi-modal boulevard are shown in the sector plan as follows:

- **35 feet (on each side of the centerline, comprised of 7 ft. or ½ of a 14 ft. median, two travel lanes, 11 and 12 ft., plus 5 ft. bike lane)**
- **30 foot wide bicycle/pedestrian landscaped median (comprised of two 10 ft. landscape medians; 10 ft. for pedestrian/bike path)**

- **20 feet curb-to-curb (comprised of a 12 foot travel lane and 8 feet for parking)**
- **10 feet curb-to-property line (comprised of 5 ft. landscape strip, 5 ft. sidewalk)**

As determined by the State Highway Administration, the Community Planning Division, and the Transportation Planning Section that the right-of-way necessary to implement the improvements would be 190 feet or 95 feet from center line. Taking into account the ten-foot public utility easement on private property, the building restriction line is established at a distance of 105 feet from the centerline of MD 223.

The PPS proposed a right-of-way dedication of 60 feet from the centerline of MD 223. To implement the 2013 approved CBA sector plan, an additional right-of-way of 35 feet is necessary to provide the ultimate 190-foot wide right-of-way or 95 feet from the center line of MD 223. The Transportation Planning Section sent a request for a reservation of the additional 35 feet of right-of-way to SHA on November 15, 2013, which is discussed further in the Reservation finding of this report. At the time of the writing of this report, staff has not received SHA comments regarding the reservation of the master roadway. Therefore conformance to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* cannot be determined at this time because the process for reservation of a master plan right-of-way is still outstanding. The SHA response is critical to the determination of conformance to and implementation of the sector plan and the required finding of reservation.

This property is within the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) area. The property is within Imaginary Surface E, with a maximum height limit of approximately 447 feet above the runway surface. This property is outside of the 65 dBA Ldn and above noise contours, so noise attenuation is not required. The property is not in an accident potential zone, so no controls on use or density are required. These categories do not prevent any of the proposed development and should be noted on the PPS.

3. **Urban Design**—The 2010 *Prince George's County Landscape Manual* (Landscape Manual) and the Zoning Ordinance contain site design guidelines and requirements that are applicable to the development of this property, which will be evaluated at the time of permit review.

2010 Prince George's County Landscape Manual

Landscaping, screening, and buffering of development in the C-S-C Zone is subject to the requirements of the Landscape Manual. More particularly, the application is subject to Section 4.3, Parking Lot Requirements; Section 4.4 Screening Requirements; Section 4.6(c)(2), Buffering Development from Special Roadways; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The requirements of Sections 4.6 and 4.7 will have a great impact on the development layout as follows:

- a. **Section 4.6(c)(2)**—Woodyard Road (MD 223) is a designated historic road. Compliance with Section 4.6, Buffering Development from Special Roadways, is required. In the Developing Tier, a minimum 20-foot-wide landscape buffer planted with 80 plant units per 100 linear feet of frontage, excluding driveway openings, is required. The Urban Design Section recommends that the required buffering along the street be provided outside of the public utility easement and the proposed Washington Suburban Sanitary Commission (WSSC) easement.

- b. **Section 4.7**—Pursuant to Section 4.7 of the Landscape Manual, a medical practitioner’s office is categorized as a medium impact use. A Type “C” buffer inclusive of a 40-foot-wide building setback and a 30-foot-wide landscape yard is required on the subject property along all property lines that abut one-family detached uses.

Conformance with all of the landscaping requirements will be evaluated at the time of permit review.

Zoning Ordinance

Section 27-461, Uses Permitted, of the Zoning Ordinance, specifies the uses that are permitted in the C-S-C Zone. A medical practitioner office or medical clinic is permitted by-right in the C-S-C Zone.

Conformance with Section 27-462, Regulations, of the Zoning Ordinance is required for the proposed development, and will be evaluated at the time of permit review. The required side and rear yard setbacks are those indicated in Section 27-462, or the buffer required in the Landscape Manual, whichever is greater. Because the property is adjacent to existing residential uses, compliance with the requirements of the Landscape Manual should be demonstrated at the time of permit review.

4. **Environmental**—A signed Natural Resources Inventory (NRI-110-13) and an approved NRI Equivalency Letter was issued on July 15, 2013, with an expiration date of July 15, 2018, for the subject property. The site is exempt from the Woodland and Wildlife Habitat Conservation Ordinance (WCO) and a standard letter of exemption, S-116-13, was issued on July 12, 2013 with an expiration date of July 12, 2015. A Type 1 tree conservation plan (TCP1) was not submitted with the review package and is not required.

Conformance to the Master Plan

The master plan for this area is the Subregion 5 Master Plan and Sectional Map Amendment . The Environmental Infrastructure section of the master plan contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

POLICY 1: Implement the master plan’s desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.

- **Ensure the new development incorporates open space, environmental sensitive design, and mitigation activities.**
- **Protect, preserve and enhance the identified green infrastructure network within Subregion 5.**

The project site does not contain regulated environmental features or woodland areas. The site does not contain any elements of the 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan) with regards to environmental site design; the site is required to provide bioretention and infiltration per the approved stormwater management concept letter. The open space requirement will be addressed by the Urban Design Section.

POLICY 2: Encourage the restoration and enhancement of water quality in degraded areas and the preservation of water quality in areas not degraded.

- **Protect and restore groundwater recharge areas such as wetlands and headwater areas of streams.**

This proposal is for the subdivision of two commercial zoned lots. The site contains one two-story building; however, a significant portion of the site is undeveloped. The stormwater management design is required to be reviewed and approved by the Prince George's County Department of Permits, Inspections and Enforcement (DPIE) to address surface water runoff issues in accordance with Subtitle 32, Water Quality Resources and Grading Code, which requires that environmental site design be implemented to the maximum extent practicable. The site has an approved stormwater management concept plan and letter.

The Stormwater Management Concept Plan (22761-2013-00) submitted with the subject application proposes three micro-bioretenion ponds. No outfall structures are shown for these facilities. The site does not contain any wetlands or streams, nor would any be directly affected by the proposed concept.

POLICY 3: Enhance the county's Critical Area protection management in response to local, regional, and statewide initiatives and legislative changes.

The subject property is not located in the Chesapeake Bay Critical Area.

POLICY 4: Reduce air pollution through transportation demand management (TDM) projects and programs.

- **Promote "climate-friendly" development patterns through the planning processes and land use decisions.**
- **Increase awareness of the sources of air pollution and green-house gas emissions.**

Air Quality is a regional issue that is currently being addressed by the Council of Governments.

POLICY 5: Encourage the use of green building techniques that reduce resource and energy consumption.

The development applications for the subject property which require architectural approval should incorporate green building techniques and the use of environmentally-sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques should be encouraged and implemented to the greatest extent possible.

POLICY 6: Ensure that excessive noise-producing uses are not located near uses that are particular sensitive to noise intrusion.

The project proposes to construct a medical clinic. The site is bounded on the east, west and south by a single-family dwelling. The project area is located in an area of Woodyard

Road that contains a mixed use of commercial and residential areas. This road is identified as an arterial roadway that has enough traffic to produce noise levels above 65 dBA Ldn.

No residential units are proposed as part of the development and no mitigation is required. No noise mitigation is required as part of this development.

The site is also located in the *Approved Central Branch Corridor Revitalization Sector Plan* (April 2013). The Environmental section of the approved sector plan contains goals, policies, recommendations, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

Recommendation 1: Expand tree and forest canopy coverage by ensuring that new development meets its woodland conservation requirement either on-site or within the plan area's watershed. Establish woodland conservation banks within Piscataway and Henson Creek watersheds for use when off-site woodland conservation acreage is needed as part of new development.

The project area does not contain any wooded areas within the project boundary. The site has a Standard Letter of Exemption and is exempt from Woodland Conservation requirements.

Recommendation 2: Protect existing woodland and natural areas, restore wetlands and forests (HOAs) and institutions such as schools and churches who own large tracts of undeveloped land, to preserve forested stream buffers, minimize forest fragmentation, and establish reforestation banks or woodland banks on their properties.

The site contains no woodlands, wetlands, streams, or Primary Management Areas. No woodland replacement requirements are needed for this project.

Recommendation 3: Promote the use of environmentally sensitive (green) development techniques in redevelopment and new development projects including the use of bioretention landscaping, minimizing impervious surfaces, and the use of grass swale channels and swales to reduce runoff and sheet flow into stream and wetland buffers.

The subject application proposes three micro-bioretention ponds with no outfall structures. These facilities will use infiltration as part of their stormwater management requirement.

Recommendation 4: Ensure that site and street designs include the use of full cut-off optic lighting system that provide consistent light levels throughout the revitalization areas.

Full cut-off optic light fixtures shall be used throughout this site to reduce light intrusion to off-site properties.

Recommendation 5: Mitigate noise created by transportation uses on existing and future residential communities by designing the proposed residential uses to

minimize noise impacts through building placement or construction materials. Discourage inappropriate land uses, such as outdoor recreation, in areas subject to high noise levels.

No residential units are proposed as part of the development and no mitigation is required. No noise mitigation is required as part of this development.

Conformance with the Green Infrastructure Plan

The site is not located within the designated network of the Countywide Green Infrastructure Plan.

Environmental Review

No woodland areas are located on-site. According to mapping research and as documented with the approved NRI, no regulated environmental features (stream buffers, wetlands, 100-year floodplain, and steep slopes) are found on the property. This site is within the Piscataway watershed which flows into the Potomac River basin. The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), include the two forms of Beltsville-Urban land soil types. According to available information, Marlboro clay and Christiana complexes are not found to occur on this property. This information is provided for the applicant's benefit. The county may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit review process. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered (RTE) species mapped to occur on or in the vicinity of this property.

Woodyard Road is a designated historic road. Roadway design criteria will be determined for this roadway by SHA with consideration for any scenic or historic features of the site which may be identified.

This property is exempt from the provisions of the WCO because, although the gross tract area of the subject property is greater than 40,000 square feet, there are less than 10,000 square feet of existing woodland and it has no previously approved tree conservation plan. The Standard Letter of Exemption (S-116-13) issued for the site on July 12, 2013 expires on July 12, 2015. No specimen trees were found on-site.

5. **Stormwater Management**—DPIE has determined that on-site stormwater management is required. A Stormwater Management Concept Letter, 22761-2013-00, for the site was approved on October 1, 2013 and is valid until October 1, 2016. The applicant proposes three micro-bioretenention ponds to handle stormwater management for the entire project. Development must be in accordance with the approved plan or any subsequent revisions as long as revisions are not inconsistent with the PPS approval.

The approved stormwater management plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32, Water Resources and Protection; Division 3, Stormwater Management Plan; Section 172, Watershed Management Planning, of the Prince George's County Code. As such, the requirement of Section 24-130(b)(4) of the Subdivision Regulations, which requires that a subdivision be in conformance with any watershed management plan, has been addressed with the approval of the stormwater management concept plan by DPIE.

6. **Parks and Recreation**—In accordance with Section 24-134(a)(3)(B) of the Subdivision Regulations, the subdivision is not subject to the mandatory dedication of parkland because the development proposed is nonresidential.
7. **Trails**—This PPS has been reviewed for conformance with Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the appropriate area master plan in order to implement planned trails, bikeways, and pedestrian improvements. The subject property is not located within a General Plan corridor or center and is therefore not subject to Section 24-124.01 of the Subdivision Regulations (CB-2-2012).

The site is located within the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The vision described in the sector plan includes improved pedestrian and bicycle facilities that would connect to area land uses and a proposed transit station east of Branch Avenue near Woodyard Road. The proposed transit station would be within walking distance from the subject property.

Woodyard Road (MD 223) is recommended to contain bike lanes, paved paths, and sidewalks. MD 223 is envisioned to be a multi-modal boulevard with right-of-way of 190 feet to accommodate all the pedestrian and bicycle facilities and design features. Also, there is a newly planned road (P-507) that is shown across the southern portion of the subject property in the approved area master plan. This road is recommended to contain bicycle lanes and sidewalks. P-507 is a planned 60-foot-wide public street that would create a new block to implement the future land use vision.

It is recommended that the PPS conform to and show the rights-of-way of all highways, streets, and transit facilities recommended in the sector plan, specifically MD 223 and P-507. Dedication or reservation of the master-planned rights-of-way will include sufficient rights-of-way to allow bicycle lanes, sidewalks, and other facilities, which are described in the sector plan, to be constructed in the future. Details of future bicycle and pedestrian facilities as described in the sector plan would be the subject of future plan reviews and possible highway capital improvement projects. There are no county or state funded capital improvement projects at this time that would directly affect the subject application. There is an existing marked pedestrian crossing over MD 223, which is at the intersection of MD 223 and Pine View Lane. This is the nearest legal road crossing to the subject subdivision.

Sidewalks will be needed to access the proposed subdivision. Sidewalks exist across from the subject property on MD 223 and east of the subject property on MD 223. Sidewalks do not exist along the subject property frontage nor west of the property. It is recommended that the applicant construct new sidewalks along the entire subject property frontage of MD 223, unless modified by SHA. Internal sidewalks (sidewalks on the subject property) should connect the proposed building to the existing sidewalk system.

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Subdivision Regulations if the application is approved with conditions.

8. **Transportation**—The site is located on the south side of MD 223 (Woodyard Road) approximately 600 feet west of its intersection with Pine View Lane. The applicant proposes a commercial subdivision of a single lot for the development of an 8,033-square-foot-medical office building.

Growth Policy-Service Level Standards

The subject property is located within the Developing Tier, as defined in the *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

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

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The application is supported by weekday peak-hour traffic counts dated September 2013 that were provided by the applicant. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the "Transportation Review Guidelines, Part 1," otherwise termed within this memorandum and related transportation findings as the Guidelines.

Analysis of Traffic Impacts

The proposed development would generate 23 AM and 31 PM weekday peak-hour vehicle trips as determined using the "Transportation Review Guidelines, Part 1."

The traffic generated by the proposed preliminary plan of subdivision would impact the following intersections, interchanges, and links in the transportation system:

- MD 223 and site access (unsignalized)
- MD 223 and Pine View Lane (signalized)

The following critical intersections, interchanges and links identified above, when analyzed with existing traffic using counts taken in September 2013 and existing lane configurations, operate as follow:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223 and site access	future		--	--
MD 223 and Pine View Lane	761	1,149	A	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program." Background traffic has been developed for the study area using several approved but unbuilt developments within the study area. A 1.0 percent growth rate for a period of two years has been assumed; this is a conservative estimate because the historical growth rates for this area indicate no traffic growth. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follow:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223 and site access	future		--	--
MD 223 and Pine View Lane	864	1,236	A	C
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above and the distribution as follows: 60 percent east along MD 223, and 40 percent west along MD 223, operate as follow:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223 and site access	19.2*	27.5*	--	--
MD 223 and Pine View Lane	865	1,243	A	C
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

It is found that all critical intersections operate acceptably under total traffic in both peak hours. In accordance with this analysis, a trip cap consistent with the trip generation assumed for the site will be recommended.

Master Plan Rights-of-Way and Reservation

A-54 Facility (MD 223):

With regard to the master plan for the site, the site is adjacent to MD 223 (Woodyard Road). MD 223 at this location is part of a planned arterial facility. The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* recommends the A-54 facility as a multi-way boulevard. This would include four travel lanes with a median, one-way service roadway with on-street parking on each side of the main roadway, and two-way cycle tracks on each side of the main roadway. The overall right-of-way would be 190 feet (95 feet from centerline), and with ten-foot-wide public utility easements on each side the roadway would measure 210 feet building-to-building. The submitted plan provides for dedication of 60 feet from centerline along the site's frontage.

The Maryland Land Use Article, Division II, Title 23, indicates that the maximum dedication that can be exacted from a property is the width of a primary roadway, or 60 feet. The applicant has furnished documentation that 35 feet from the centerline of MD 223 was previously deeded or dedicated; this limits the additional dedication during this subdivision process to an additional 25 feet (for a total of 60 feet), which matches the dedication reflected on the plan.

Given the constraints on the site and the need posed by the master plan, it was determined that the plan should be referred for reservation in accordance with Section 24-139(b). The referral to the Maryland State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T) was done on November 15, 2013 for an additional 35 feet of right-of-way to MD 223. Much of the delay in making the referrals was the result of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* not being in final print; the Community Planning Division is currently finalizing the plan, and the discussions centered upon the intent and the right-of-way limits indicated by the approved sector plan. After several meetings with the applicant as well as several internal meetings, a final determination was made on November 14, 2013 and the reservation referral was sent the next day.

The preliminary plan of subdivision is required to conform to the sector plan. Making an appropriate determination of dedication or reservation is a significant part of demonstrating that conformance. In the case of MD 223, Section 24-139(b) states, **If a reservation appears desirable, the Planning Board shall refer the preliminary plan to the public agency concerned with acquisition for its consideration and report; and to the County Executive, County Council, and any municipality within which such property is located, for their comments.** That section goes on to state that, **The Planning Board may propose alternate areas for such reservation and shall allow thirty (30) days for reply.** In accordance with the requirement, the reservation referrals were sent on November 15, 2013, and they allowed 30 days for comment. At this time, there is no expectation that comments regarding the reservation can be received prior to the Planning Board hearing date for this case of December 5, 2013. Given that a 30-day review is the means by which land acquisition agencies are given due process in terms of reviewing a master plan impact, it is determined at this time, lacking definitive direction regarding the reservation of land for a master plan right-of-way, that a finding of consistency with "the General Plan and the amendments thereto" required by Section 24-103 cannot be made at this time.

P-507 Facility:

With regard to the master plan for the site, the site is adjacent to the planned P-507 facility, as shown on the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. P-507 is planned as a primary residential facility with a 60-foot-wide right-of-way to connect properties on the south side of MD 223 to Clinton Street and Pine View Lane. The submitted plan provides no proposed dedication for P-507. Staff review could not find a basis to require the dedication of P-507 at this time.

Given the lack of a nexus to require the dedication and the need posed by the master plan, it was determined that the plan should be referred for reservation in accordance with Section 24-139(b). The referrals to the Maryland State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T) were done on November 4, 2013 for P-507. In accordance with Section 24-139(b), the referrals allowed 30 days for comment. At this time, responses have not been received. We have an expectation that any comments regarding the reservation may be received prior to the Planning Board hearing date for this case of December 5, 2013. However, at the writing of this staff report that information has not been received. Therefore, there is no position regarding the potential reservation for P-507.

Transportation Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that it cannot be recommended that the Planning Board find that this preliminary plan of subdivision conforms to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. Conformance to this sector plan cannot be determined at this time because the process for reservation of a master plan right-of-way is still outstanding. In the case of P-507, it is anticipated that the process can be resolved prior to the Planning Board hearing date. However, in the case of A-54, at the time of the hearing on December 5, 2013, the Planning Board will not have allowed adequate time for the agencies to comment on the proposed reservation. It is noted that sufficient time will have been allowed for comment on December 15, 2013.

The issue of conformance is the only outstanding issue with the preliminary plan of subdivision. At the time that the conformance issue can be resolved, it is determined that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

9. **Reservation of Master Plan Right-of-Way**—At the time of the writing of the staff report, staff has not received Prince George's County Department of Public Works and Transportation (DPW&T) and Maryland State Highway Administration (SHA) referrals and comments on the request for reservation of the 60-foot right-of-way P-507 and the additional 35-foot right-of-way of MD 223. If SHA and/or DPW&T recommends reservation, additional findings and conditions would be required.
10. **Variation to Section 24-121(a)(3)**—The PPS proposes one direct access onto Woodyard Road (MD 223), a master plan freeway facility, from Parcel 1. The applicant filed a variation request from Section 24-121(a)(3) of the Subdivision Regulations to allow direct access onto an arterial or higher classification of roadway. Section 24-121(a)(3) states:
 - (3) **When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in**

a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.

Section 24-121(a)(3) establishes design guidelines for lots that front on arterial roadways. This section requires that these lots be developed to provide direct vehicular access to either a service road or an interior driveway when feasible. This design guideline requires that an applicant develop alternatives to direct access onto an arterial or higher classification of roadway. The applicant is requesting relief from this requirement to allow direct access onto MD 223 from Parcel 1.

The applicant has filed a Variation from Section 24-121(a)(3), which was submitted on October 29, 2013 and was heard on November 8, 2013 at the SDRC meeting, as required by Section 24-113(b).

Section 24-113(a) sets forth the required findings for approval of variation requests as follows:

(a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and 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 will not be detrimental to the public safety, health, welfare, or injurious to other property;

The direct access to the arterial is proposed at a location that allows the access to be shared with an adjacent property to the west. The Maryland State Highway Administration (SHA) has not indicated any opposition to or issues with the recommended shared access along the site's frontage. In any regard, the access will need to be reviewed under SHA's permit process.

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

While the physical situation of the property is well-understood, this single property is not unique; however, the row of several lots along the south side of MD 223 between Old Branch Avenue and Pine View Lane having the same zoning, similar commercial or service uses, and frontage on MD 223 only, is a unique situation in the context of the entire county. It can be accepted that this grouping of lots is unique in its configuration, which underscores that a single lot or pair of lots should not be considered apart from the others. For that reason, means of sharing access points between users is recommended as a condition of the approval of this variation and should be a part of any approval in this area.

The access exhibit submitted with the variation request, indicates a shared access easement location.

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

The access has been reviewed by SHA and would not violate any law, ordinance, or regulation. Access to MD 223 is regulated by SHA.

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

It is agreed that MD 223 provides the only street frontage and because of the shape and depth of the property the sole street frontage is MD 223. Denial of access to this arterial would result in the property not being able to be developed and would be a particular hardship to the landowner.

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

The site is not located in any of the listed zones, therefore, this condition does not apply.

Based on the preceding findings, the criteria for approval of the variation request from Section 24-124(a)(3) of the Subdivision Regulations, subject to conditions, has been met for the subject parcel for the proposed share right-in/right-out access onto MD 223 with adjacent Lot 10 to west.

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

12. **Fire and Rescue**—The proposed PPS has been reviewed for adequacy of fire and rescue services in accordance with Sections 24-122.01(d) and 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations:

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
25	Clinton	Engine	9025 Woodyard Road	0.53	3.25	Within
25	Clinton	Ladder Truck	9025 Woodyard Road	0.53	4.25	Within
25	Clinton	Ambulance	9025 Woodyard Road	0.53	4.25	Within
25	Clinton	Paramedic	9025 Woodyard Road	0.53	7.25	Within

Capital Improvement Program (CIP)

There are no Prince George’s County CIP projects for public safety facilities proposed in the vicinity of the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

13. **Police Facilities**—The proposed development is within the service area of Police District V, Clinton. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department, and the July 1, 2012 (U.S. Census Bureau) county population estimate is 881,138. Using 141 square feet per 1,000 residents, it calculates to 124,240 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

14. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System Adequate for Development Planning. Water and sewer lines in Woodyard Road (MD 223) abut the site.

15. **Health Department**—The Prince George’s County Health Department has evaluated the proposed PPS and offered the following comments:

“Since the existing structure predated the public water connection, be advised that there are likely to be hand dug well(s). One was observed immediately behind the existing structure which is partially backfilled. All wells must be properly backfilled and sealed by a licensed well driller or under the supervision of an environmental health specialist.”

16. **Public Utility Easement**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The PPS correctly delineates a ten-foot-wide public utility easement along the public rights-of-way as requested by the utility companies.

17. **Historic**—A Phase I archeological survey is not recommended on the above-referenced 1.357-acre property located at 9000 Woodyard Road in Clinton, Maryland. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicate the probability of archeological sites within the subject property is low.

Tax and deed records indicate that the existing house on Lot 11 in Block A of the Clinton Gardens subdivision was built around 1951 for Elmer E. and Elsie G. Melson. The Melsons owned the property until 1987 when it was sold to the current owners, Jose D. and Ruth Valencia Mararac.

The existing house and outbuildings on Lot 11 in Block A of the Clinton Gardens subdivision should be recorded on a Maryland Inventory of Historic Properties form prior to its demolition. The documentation should include a floor plan and representative interior and exterior photographs. A copy of the form should be submitted to Historic Preservation staff for review and approval prior to final plat.

18. **Use Conversion**—The subject application is not proposing any residential development; however, if a residential land use were proposed, a new PPS is recommended. There exists different adequate public facility tests comparatively between residential and nonresidential uses, and there are considerations for recreational components for a residential subdivision. A new PPS is recommended if residential development is to be proposed.
19. **Conditions**—At the time of the writing of this technical staff report, staff is unable to find conformance to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* without recommendations from SHA regarding right-of-way reservation along MD 223. Therefore, the outstanding issues result in a recommendation for disapproval. The following is a list of conditions, to date, that would be applicable to this application. Additional conditions could be necessary if this application were to be approved.

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the following technical corrections shall be made:
 - a. Label the centerline and provide the dimension of Woodyard Road (MD 223).
 - b. Label the disposition of the building as to be razed.
 - c. Delineate the master plan right-of-way of Woodyard Road (MD 223) at the front of the property and the master plan primary residential street P-507 at rear of the property.
 - d. Re-label proposed new Lot 11 as Parcel 1 and revise General Note 5 as proposed Parcel 1.
 - e. Revise General Note 12 to state that the site is located within Sustainable Growth Tier 1.

- f. Revise General Note 13 to state the following:

“The site is located within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”
- g. Remove General Note 14.
- h. Revise General Note 16 to include the approval date of the stormwater management concept plan.
- i. Revise General Note 22 to include the issuance date of the standard letter of exemption from the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance.
- j. Delineate the building restriction line of 105 feet from the centerline of Woodyard Road (MD 223) for the entire site.
- k. Delineate the shared direct vehicular access easement to Woodyard Road with the adjacent property to the west, Lot 10.
- l. Add a note that states the following:

“A variation request to Section 24-121(a)(3) has been granted for the shared direct vehicular access to Woodyard Road with the adjacent property to the west, Lot 10.”
- 2. Development of this site shall be in conformance with Stormwater Management Concept Plan 22761-2013-00, and any subsequent revisions.
- 3. At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way of Woodyard Road (MD 223) as delineated on the approved preliminary plan of subdivision.
- 4. At the time of final plat, the following note shall be placed on the plat:

“This plat lies partially within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”
- 5. At the time of final plat approval, the applicant and the applicant’s heirs, successors, and/or assignees shall delineate a building restriction line of 105 feet from the centerline of Woodyard Road (MD 223).
- 6. Residential development shall require approval of a new preliminary plan of subdivision prior to approval of any building permits.
- 7. Prior to building permits, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following in accordance with the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* recommendation:

- a. A minimum four-foot-wide sidewalk along the entire subject property frontage of Woodyard Road (MD 223), unless modified by the Maryland State Highway Administration (SHA).
 - b. A minimum four-foot-wide sidewalk that connects the proposed building to the sidewalk system on Woodyard Road (MD 223).
 - c. Provide full cut-off optic light fixtures throughout the site to reduce light intrusion.
8. Prior to issuance of any demolition permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a Maryland Inventory of Historic Properties form for all standing structures on the subject property to be reviewed and approved by Historic Preservation Section. The form shall include floor plans, representative interior and exterior photos of the dwellings, and exterior photographs of the outbuildings.
9. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit evidence from the Prince George's County Health Department that any abandoned well associated with the existing structure has been properly backfilled and sealed in accordance with Code of Maryland Regulations (COMAR) 26.04.04 by a licensed well driller.
10. Total development within proposed Parcel 1 shall be limited to uses that would generate no more than 23 AM and 31 PM peak-hour vehicle trips. 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.
11. At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 60 feet of right-of-way from centerline along MD 223 as delineated on the approved preliminary plan of subdivision.
12. Access shall be limited to a single driveway onto MD 223 along the western side of the subject property, to be shared with the adjacent property to the west when that site redevelops. Prior to final plat a recorded shared access easement shall be approved by M-NCPPC in accordance with this PPS and recorded in land records with the liber and folio reflected on the final plat prior to recordation.

RECOMMENDATION

Staff recommends DISSAPPROVAL because a finding for conformance to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* cannot be made at this time.