



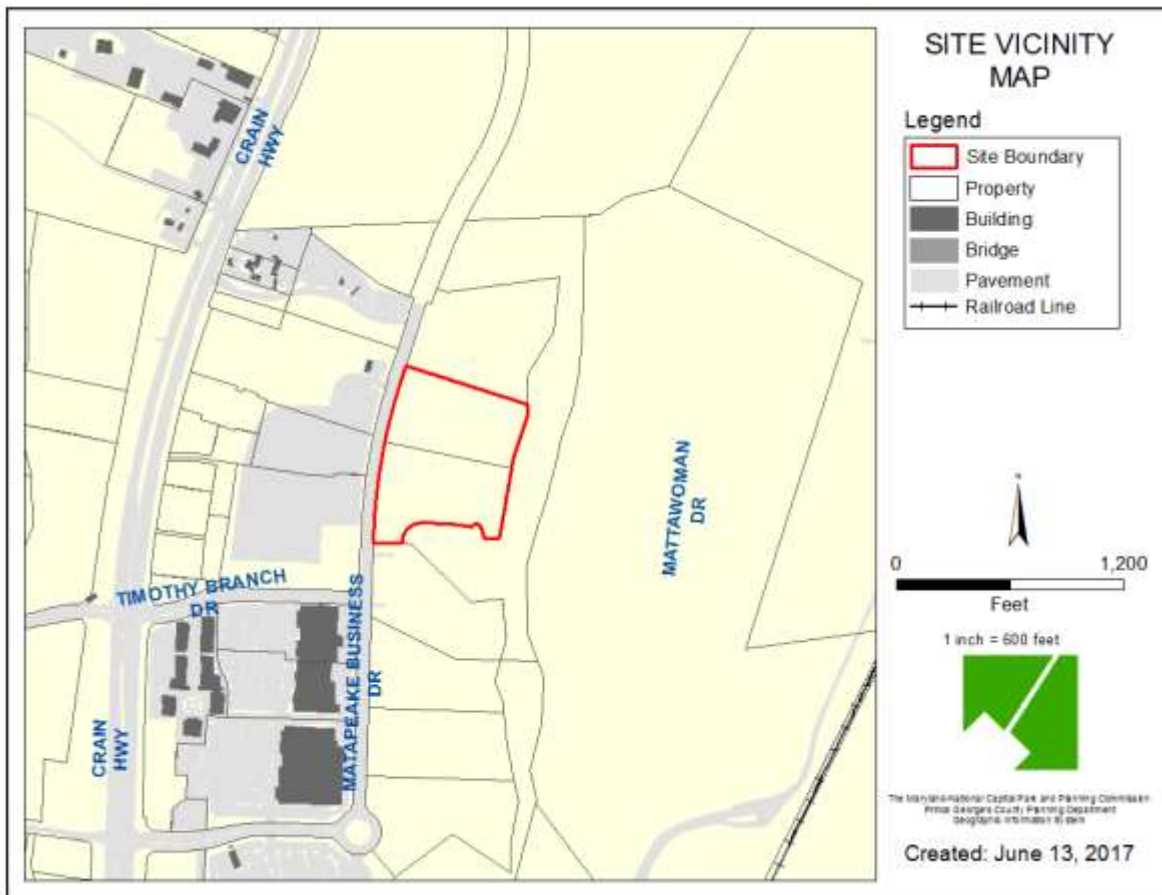
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>.

Preliminary Plan 4-16013

Application	General Data	
Project Name: Matapeake Business Park Location: One-quarter mile east of the intersection of Robert Crain Highway (US 301) and Timothy Branch Drive Applicant/Address: Fairfield Building Co. 3826 Parkway Drive Akron, Ohio 44321 Property Owner: Fairfield Building Co. 3826 Parkway Drive Akron, Ohio 44321	Planning Board Hearing Date:	07/20/17
	Staff Report Date:	07/12/17
	Date Accepted:	04/21/17
	Planning Board Action Limit:	10/09/17
	Mandatory Action Timeframe:	140 days
	Plan Acreage:	12.38
	Zone:	M-X-T
	Gross Floor Area:	N/A
	Lots:	0
	Parcels/Dwelling Units:	2/312
	Planning Area:	85A
	Council District:	09
	Election District	11
	Municipality:	N/A
	200-Scale Base Map:	220SE07

Purpose of Application	Notice Dates	
Two parcels for the development of 312 multifamily dwellings	Informational Mailing	05/03/16
	Acceptance Mailing:	03/10/17
	Sign Posting Deadline:	06/20/17

Staff Recommendation		Staff Reviewer: Sherri Conner Phone Number: 301-952-3168 E-mail: Sherri.Conner@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 4-16013
Matapeake Business Park, Parcels 1 and 2
Type I Tree Conservation Plan TCPI-026-91-04

OVERVIEW

The subject site is located on the east side of Matapeake Business Drive, one-quarter mile east of the intersection of Timothy Branch Drive and Robert Crain Highway (US 301). The subject site is currently vacant and consists of existing Parcels 8 and 9 recorded in Plat Books 198-51 and 203-50, respectively. The subject site is a total of 12.38 acres and located in the Mixed-Use Transportation-Oriented (M-X-T) Zone. The applicant is proposing two parcels (Parcels 1 and 2) for the construction of a residential development including 312 multifamily dwelling units. The proposed use is permitted in the M-X-T Zone. A Conceptual Site Plan CSP-16003, is being processed concurrently with this application and is scheduled to be heard before the Planning Board on July 13, 2017. The CSP includes the subject site, Parcels 8 and 9, and adjacent Parcel 7 which contains existing retail and commercial offices. Parcels 7, 8, and 9 satisfy the requirements for mixed-use development. A detailed site plan will be required for the development of this site in accordance with the requirements of the underlying zone.

SETTING

The property is located on Tax Map 155, Grid A3 in Planning Area 85A and is zoned M-X-T. The site is bounded to the north by vacant Parcel 12, within the Brandywine 301 Industrial Park, in the M-X-T Zone; to the east by Outlot C, within the Brandywine 301 Industrial Park, in the M-X-T Zone; to the south by the M-X-T-zoned Parcel 7 developed with a commercial flex building; and to the west by the public right-of-way of Matapeake Business Drive with abutting commercial uses, known as the Brandywine Crossing shopping center, in the C-S-C Zone on the west side of the right-of-way.

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(s)	M-X-T	M-X-T
Use(s)	Vacant	Multifamily Residential
Acreage	12.38 acres	12.38 acres
Lots	0	0
Outlots	0	0
Parcels	2	2
Dwelling Units:	0	312
Retail	0	0
Public Safety Mitigation Fee	No	No
Variance(s)	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on May 5, 2017.

2. **Previous Approvals**—In 1978, the Brandywine-Mattawoman Sectional Map Amendment (CR-106-1978) rezoned the entire Brandywine 301 Industrial Park property from the R-R (Rural Residential) Zone to the E-I-A (Employment and Institutional Area) Zone. The property was later rezoned in 1985 through Zoning Map Amendment A-9502-C from the E-I-A Zone to the I-1 and I-3 Zones. On July 18, 1991, the Planning Board approved a Conceptual Site Plan CSP-91012 and PPS 4-91030 for 19 lots and 3 parcels (170.5 acres) for 1,638,920 square feet of industrial development which included the subject property.

The 1993 *Approved Subregion V Master Plan and Sectional Map Amendment* retained the property in the I-1 and I-3 zoning categories (CR-61-2006). PPS 4-97124 was approved by the Planning Board on March 26, 1998, which included 19 parcels (166.18 acres) for 1,638,920 square feet of industrial development. The subject property was platted in accordance with PPS 4-9712 and recorded in the Land Records of Prince George's County in Plat Books 203-50 and 198-51 for Parcels 8 and 9, respectively.

A Detailed Site Plan DSP-05073 for Parcel 9 was approved by the Planning Board on March 30, 2006 for the development of 17,992 square feet for an office/warehouse building and storage yard.

On July 24, 2013, the District Council adopted County Council Resolutions CR-80-2013 and CR-81-2013 approving the 2013 Subregion 5 Master Plan and Sectional Map Amendment (SMA), which included the rezoning of approximately 48 acres of the Brandywine 301 Industrial Park Subdivision to the M-X-T Zone. The subject parcels were rezoned (SMA Nos 12, 14) from the I-1 (Light Industrial) Zone to the M-X-T (Mixed-Use) Zone via CR-81-2013, approved July 24, 2013.

Conceptual Site Plan CSP-16003 was accepted for Parcels 7, 8 and 9 on April 18, 2017 and is scheduled to be heard before the Planning Board on July 13, 2017. The CSP evaluates a

mixed-used development in accordance with the current M-X-T zoning of the property, with a commercial flex building being located on Parcel 7 and multifamily residential development located on Parcels 8 and 9. This PPS application is consistent with the location of uses proposed with the CSP. The CSP and subject PPS will supersede the previous approvals for the subject parcels.

3. **Community Planning**—In accordance with Section 24-121(a)(5) of the Subdivision Regulations, the proposed development is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), which supports medium high-residential density in Local Centers. However, the proposal should demonstrate that it will provide a walkable environment consistent with the General Plan recommendations for a walkable community center core area in anticipation of future transit availability and is discuss further in the Trails Finding.

The site is zoned M-X-T and is located within the boundary of the 2013 Approved Subregion 5 Master Plan (master plan). Goals for this area of the Master Plan are to establish a mixed-use, transit-oriented Brandywine Community Center, Core and Edge areas to expand existing concentrations of population and employment along the Branch Avenue (MD 5) corridor within the Brandywine Community Center. The core of the Brandywine Community Center, which includes the subject property, is an approximately 120-acre area recommended for transit-oriented, mixed-use development focused on a future transit station near the interchange of MD 5/US 301 and an arterial road, (A-55), Accokeek Road, relocated, that crosses over the freeway to connect The Core area from the west. The Master Plan envisions a high-amenity, pedestrian-oriented Core, with a strong 'sense of place' achieved through design features that would create an identity for Brandywine that would be unique in this region of the County.

The Community Center Core (see Plan Map IV-5) extends approximately one-quarter to one-half mile from the station area and is envisioned as a mixed-use area containing moderate to high-density residential (15 to 30 dwelling units per acre) and commercial and employment land uses that would generate up to 25 employees per acre. Public uses, such as schools, parks, and the transit station, would comprise 10 to 20 percent of the total area. To support the population past 2030, the Master Plan recommends a library facility be constructed in the Brandywine Community Center, which could be co-located with another public facility (Plan, page 133). The Master Plan also locates a school in the same vicinity. This is consistent with the recommendation that up to 20 percent of the Core Area be developed as civic uses, however, the appropriate location, design, and financing for the library and school has not yet been determined. Staff is coordinating with the public library and school systems, to determine if any portion of the subject site is appropriate for reservation for the library and/or school and will provide supplemental information at the Planning Board hearing.

The Timothy Branch Steam Valley Trail, east of the subject property, is shown to stretch along Timothy Branch between Dyson Road and Mattawoman Creek and will provide access to the Brandywine Community Center. As such, it is important that this development, located between the commercial uses in the Brandywine Community Center Core Area and the trail provide access to the trail. Specifically, the master plan recommends "Encourage developers at employment destinations to provide new sidewalks, bicycle trails, lockers, bike friendly intersection improvements, and trail connections as part of their development proposals." The master plan further recommends: "Construct pedestrian and bicycle facilities as part of new development in the Brandywine Community Center" and "Develop recreational and interpretative programs, facilities, and thematic trails that build on the recreational, natural, historic, and scenic attributes of the region." (Plan, page 121.) The location of the Master Plan Trail is further discussed in the Trails Finding.

This application conforms to the Master Plan recommendations to increase population in the Brandywine Community Center Core Area. However, the proposed development should provide a pedestrian and bicycle connection to the north and south and is further discussed in the Trails Finding.

3. **Stormwater Management**—A Conceptual Stormwater Management Plan (SWM) was submitted with the PPS application, but no SWM Concept Approval Letter has been submitted, and the SWM Concept Application number has not been identified. The SWM Concept Plan shows the extensive use of ESD elements to address water quality requirements.

Section 24-130 of the Subdivision Regulations requires the following with respect to stream, wetland, and water quality protection and stormwater management:

- (b) **The Planning Board shall require that proposed subdivisions conform to the following:**
 - (1) **The plat shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.**
 - (2) **The stormwater control shall be provided on-site unless the Planning Board, on recommendation from the County, waives this requirement.**
 - (3) **The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to preliminary plat approval.**
 - (4) **Where a property is partially or totally within an area covered by an adopted Watershed Plan, the plat shall conform to such plan.**

The approved stormwater concept 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, Section 172 Watershed Management Planning. As such, the requirements of Section 24-130(b)(4) of the Subdivision Regulations, which requires that a subdivision be in conformance with any watershed management plan are addressed with the approval of the SWM concept plan by Prince George's County. A revision to the existing lotting pattern is not proposed with this PPS, therefore staff does not believe that the pending SMW concept approval will have any effect on the approval of this PPS. Development of the site must be in conformance with an approved SWM Concept plan or subsequent revisions to ensure that on-site or downstream flooding does not occur.

4. **Parks and Recreation**—The proposed development is required to provide mandatory parkland dedication in accordance with Section 24-134 of the Subdivision Regulations. This application has been reviewed and evaluated for conformance with the requirements of the approved Master Plan, the Land Preservation and Recreation Program for Prince George's County, and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, as they pertain to public parks and recreational facilities.

The applicant proposes to develop the subject site with several multifamily buildings, totaling 312 multifamily dwelling units. Private on-site recreational facilities may be

approved by the Planning Board provided that the facilities will be superior, or equivalent, to those that would have been provided under the provisions of mandatory dedication. Further, the facilities shall be properly developed and maintained to the benefit of future residents through covenants, or a Recreational Facilities Agreement (RFA), with this instrument being legally binding upon the subdivider and their heirs, successors and assigns.

The applicant has provided conceptual information on the proposed private recreational facilities that will be constructed with the development and available to residents. Staff has determined that private recreational facilities are appropriate, given the proposed use of the property.

5. **Trails**—The subject application has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the applicable area Master Plan in order to implement planned trails, bikeways, and pedestrian improvements. The subject application is located on the east side of Matapeake Business Drive, to the south of the Timothy Branch Drive intersection. The application is zoned M-X-T and proposes 312 multifamily units adjacent to an existing 47,920 square feet of commercial space. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Master Plan). Because the site is located in the Branch Avenue Corridor and Brandywine Town Center, it is subject to the requirements of Section 24-124.01 of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2, 2013” at the time of Preliminary Plan.

One master plan trail/bikeway issue impacts the application, with a stream valley trail recommended along Timothy Branch (see MPOT map). The text from the MPOT regarding the Timothy Branch Trail is copied below:

Timothy Branch Stream Valley Trail: Provide a stream valley trail along Timothy Branch between Dyson Road and Mattawoman Creek. This trail will provide access to the developing employment center in Brandywine. Public use trail easements have been acquired as commercial development has occurred (MPOT, page 32).

A 65-foot-wide public use trail easement was established for the Timothy Branch Trail for the parcels within the Matapeake Business Park, including the subject property. This easement was established through Record Plats 203-50 and 203-51. Staff initially recommended construction of the trail within this easement for the subject site. However, after discussions with the Department of Parks and Recreation (DPR), it was determined that DPR had no plans to take over operation and maintenance of this trail, to construct any extension of the trail, or to acquire land within this stream valley as a park trail corridor. Because there is no public entity willing to take over the operation of a trail within the stream valley, staff does not recommend construction on the subject site and supports the removal of the easement for a public trail connection at this location. It has consistently been the Planning Department’s policy to not burden a Homeowners Association (HOA) with a public trail connection on private HOA space. This trail easement can be eliminated at the time the record plats are revised.

Moreover, to the north of the subject site, within the Villages of Timothy Branch subdivision, the stream valley trail has been implemented as an HOA trail only, with the majority of the trail located along parallel roadways to avoid impacts to the stream valley, and is not proposed for connection to the subject site along the stream valley. However, an 8-foot-wide sidepath (concrete sidewalk) to accommodate hikers and bikers along the east side Mattawoman Drive was approved as part of the development of the Villages of Timothy Branch. Mattawoman Drive

transitions to Matapeake Business Drive south of the Villages of Timothy Branch and north of the subject site. It was determined that the eight-foot-wide sidepath along Mattawoman Drive was more suitable to provide pedestrian connection to the Brandywine Community Center due to the signalized intersection at Mattawoman Drive and Brandywine Road. Staff recommends that the eight-foot-wide side path continue south from Mattawoman Drive to Matapeake Business Drive, and along the frontage of the subject site, within the public right-of-way rather than along the stream valley to achieve the public pedestrian connection linking properties north and south of the subject site.

The Complete Streets element of the MPOT reinforces the need for these recommendations and includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Sidewalks are recommended along all road frontages and along both sides of all internal roads consistent with these policies. Additional sidewalks are recommended along the east and south sides of Matapeake Business Drive, south of the subject continuing to the US 301 intersection. There is an existing sidewalk along the subject site's frontage of Matapeake Business Drive. However, the sidewalk does not appear to meet current County or Americans with Disabilities Act (ADA) standards or specifications.

Proposed On-Site Bicycle and Pedestrian Improvements:

The concurrently submitted conceptual layout reflects standard sidewalks along most road frontages, around the perimeters of most buildings and along both sides of most internal drive aisles. Staff recommends several additional sidewalk segments to what are shown on the plan. A standard sidewalk exists along the site's frontage of Matapeake Business Drive. However, this sidewalk does not appear to meet current County or ADA standards or specifications.

Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements:

Due to the location of the subject site within a designated Center, the application is subject to County Council Bill CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) of the Subdivision Regulations includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

County Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the cost cap is determined pursuant to Section 24-124.01(c) of the Subdivision Regulations:

The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.

Based on Section (C) and the 312 townhouse units proposed, the cost cap for the site is \$93,600.

Section 24-124.01 also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required, per Section 24-124.01(d):

(d) Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):

- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
- 2. installing or improving streetlights;**
- 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
- 4. providing sidewalks or designated walkways through large expanses of surface parking;**
- 5. installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
- 6. installing street trees.**

A scoping meeting was held with the applicant on July 15, 2016. The requirements of Section 24-124.01 of the Subdivision Regulations, the “Transportation Review Guidelines, Part 2, 2013” and possible off-site improvements were discussed at that time. The site is located within a town center with a mix of uses on the surrounding properties. Pedestrian facilities have been provided as development occurred, although gaps in the pedestrian network still exist. Major destinations in the vicinity of the subject site include the Brandywine Crossing Shopping Center, the nearby Chaddsford community, the Rose Creek Connector Trail, several bus stops and nearby uses along Matapeake Business Drive.

The revised BPIS report was submitted on June 14, 2017 and following off-site improvements were proffered. The conclusion of the report reads:

Our client is proffering the replacement of existing 4-foot sidewalks along Matapeake Business Drive. The walks will be replaced with 5-foot wide sidewalks. The scope and nexus of the sidewalk replacement will be determined at the time of Detailed Site Plan.

Per the guidance of Section 24-124.01 of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2, 2013,” only the portion of the sidewalk off of the immediate frontage

of the subject site will count towards the off-site cost cap. Using the Department of Public Works and Transportation (DPW&T) Construction Price List, staff developed a cost estimate for the proposed sidewalk work. The costs covered in the estimate include removal of the four-foot-wide sidewalk, construction of a five-foot-wide sidewalk, and ADA ramp installation. The limits of the work include the frontages of Parcels 4, 5, 6, and 7 on the east side of Matapeake Business Drive and Parcels 3 and 11 on the south side of Matapeake Business Drive. The cost estimates and proposed limits of the sidewalk construction was evaluated and is shown to be in the required cost cap for off-site improvements.

Demonstrated nexus between the subject application and the off-site improvements:

Section 24-124.01(c) of the Subdivision Regulations, requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities. This section is copied below, and the demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized by transportation planning section staff below.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

Demonstrated Nexus Finding:

The off-site sidewalk construction will directly benefit the future residents and guests to the subject site by providing pedestrian and ADA access to the existing shopping center, the adjacent office space, and several existing bus stops in compliance with County specifications and standards.

Finding of Adequate Bicycle and Pedestrian Facilities:

County Council Bill CB-2-2012 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of Preliminary Plan. County Council Bill CB-2-2012 is applicable to Preliminary Plans within designated Centers and Corridors. The subject application is located within the designated Branch Avenue Corridor and Brandywine Town Center, as depicted on the *Adequate Public Facility Review Map of the General Plan*. County Council Bill CB-2-2012 also included specific guidance on the criteria for determining adequacy, as well as what steps can be taken if inadequacies need to be addressed.

As amended by County Council Bill CB-2-2012, Section 24-124.01(b)(1) and (2) of the Subdivision Regulations includes the following criteria for determining adequacy:

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**

- 1. The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
 - a. the degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**
 - b. the presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).**

The proffered off-site sidewalk construction will provide adequate and ADA compatible access from the subject site to surrounding uses including the existing shopping center and several bus stops. The existing sidewalk along Matapeake Business Drive is narrow and does not conform to current county standards or specifications and does not comply with ADA guidance.

- 2. The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
 - a. the degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
 - b. the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**
 - c. the degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**
 - d. the availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

Bicycle parking is recommended at the multifamily buildings. A portion of Matapeake Business Drive will accommodate a median which will provide a refuge for pedestrians crossing the road, reduce crossing distances for pedestrians and calm traffic for bicyclists. A wide sidewalk (or sidepath) to the north of the site along A-63 will accommodate bicyclists to nearby residential communities and dedicated parkland to the north.

6. **Transportation**—The proposed development will consist of 312 multifamily dwelling units, which will add a net total of 162 (32 in, 130 out) AM peak trips, and 187 (122 in, 65 out) PM peak trips, calculated using the “Transportation Review Guidelines, Part 1, 2012” (Guidelines).

The traffic generated by the proposed PPS will impact the following intersections:

- MD 5/US 301 @ Timothy Branch Drive
- Matapeake Business Drive @ Timothy Branch Drive
- Matapeake Business Drive @ Site Access

The findings and recommendations outlined below are based upon a review of the materials and analyses conducted by staff, consistent with the “Guidelines.”

The subject property is located within the Transportation Service Area (TSA) 2, as defined in the *Plan Prince George’s 2035 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;
- **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 critical lane volume (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, 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.

Traffic Impact

Staff anticipated that greater than 50 trips would be generated during either peak hour, consequently, a traffic impact study (TIS) was requested. To that end, the applicant provided staff with a TIS dated July 9, 2016. Using data from this recent traffic analyses the following results were determined:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)/Delay	(LOS/CLV)/Delay
MD 5-US 301 @ Timothy Branch Drive	B/1093	E/1463
Matapeake Business Drive @ Timothy Branch Drive *	9.0 seconds	9.5 seconds
Matapeake Business Drive @ Site Access *	n/a	n/a
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

In evaluating the effect of background traffic, the TIS included approximately 15 developments that could impact some or all of the critical intersections. Additionally, a growth of one percent per year for six years was applied to the through traffic volumes. Combining the effect of background developments plus regional growth, a second analysis was done. The table below shows the results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)/Delay	(LOS/CLV)/Delay
MD 5-US 301 @ Timothy Branch Drive	E/1568	F/2143
Matapeake Business Drive @ Timothy Branch Drive *	9.9 seconds	17.4 seconds
Matapeake Business Drive @ Site Access *	9.1 seconds	9.1 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

Regarding the total traffic scenario, the TIS applied trip generation rates for apartments based on the “Guidelines”. It is worth noting that the property was the subject of previous subdivisions and consequently, various trip caps were assigned to the subject property. Pursuant to Planning Board Resolution No. 08-106, Parcels 8 and 9 were assigned trip caps of 82 AM and PM peak-hour trips. For the purpose of computing the trips for the pending application, those trips were evaluated as part of the background developments. Based on the proposed development of 312 multifamily dwelling units, the TIS used County rates resulting in a trip generation of 162 (32 in, 130 out) AM peak trips, and 187 (122 in, 65 out) PM peak trips. A third analysis (total traffic) revealed the following results:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)/Delay	(LOS/CLV)/Delay
MD 5-US 301 @ Timothy Branch Drive	E/1559	F/2143
Matapeake Business Drive @ Timothy Branch Drive *	10.4 seconds	22.6 seconds
Matapeake Business Drive @ Site Access *	9.6 seconds	9.4 seconds
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable.		

The results of the traffic analyses show that under total traffic, the two unsignalized intersections will operate within acceptable adequacy thresholds. The intersection of MD 5/US 301 at Timothy Branch Drive, however, will operate at failing levels of service. Ordinarily, when an intersection or a road link operates inadequately under total traffic, the applicant is usually required to provide improvements to bring the facility to the policy level of service (LOS) threshold. However, on March 28, 2017, the County Council of Prince George's County adopted County Council Resolution CR-9-2017, which amends CR-60-1993. Specifically, this new resolution establishes a fee structure for payment in the Brandywine Road Club. Pursuant to CR-9-2017, the new fee for the subject application will be \$999 per dwelling unit to be indexed by the appropriate cost indices to be determined by the Department of Permitting, Inspections and Enforcement (DPIE). Pursuant to County Council Bill CB-22-2015, once the appropriate payment is made to the satisfaction of the Department of Permitting, Inspection and Enforcement (DPIE), no further obligation will be required of the applicant regarding the fulfillment of transportation adequacy requirements of Section 24-124(a)(8) of the Subdivision Regulations.

Master Plan, Right-of-Way Dedication

The property is located in an area where the development policies are governed by the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*. The property fronts on Matapeake Business Drive which is a master planned Major Collector, MC-503) requiring 100 feet of right-of-way. The road is currently built as a four-lane undivided road within 70 feet of right-of-way. Consequently, at the time of record plat, the applicant will be required to dedicate 15 feet of right-of-way.

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision as required in accordance with Section 24-124 of the Subdivision Regulations, if the application is approved with conditions.

8. **Schools**—This preliminary plan was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters Multifamily Dwelling Units

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 6	High School Cluster 6
Dwelling Units	312 DU	312 DU	312 DU
Pupil Yield Factor	0.119	0.054	0.074
Subdivision Enrollment	38	17	24
Actual Enrollment	5,318	1,695	2,911
Total Enrollment	5,356	1,712	2,935
State Rated Capacity	6,487	2,457	4,013
Percent Capacity	83%	70%	73%

County Council Bill CB-31-2003, established 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 (WMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,017 and \$ 15,458 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a one-quarter mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the 2010 *Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment*. The bill also established an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in Section 27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone then within a one-quarter mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

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

9. **Fire and Rescue**—This preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e)(1)(E) of the Subdivision Regulations states that “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Brandywine Fire/EMS Co. 840, a first due response station (a maximum of seven (7) minutes travel time), is located at 14201 Brandywine Road.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of July 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

The Deputy Fire Chief, Dennis C. Wood, MS, NR-P, Emergency Services Command of the Prince George’s County Fire/EMS Department, has confirmed as of July 6, 2017, that the subject site is within the required seven-minute drive time.

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site.

10. **Police Facilities**—The subject property is located in Police District V, Clinton. The response time 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 April 21, 2016.

Based on the most recent available information provided by the Police Department as of December 2015, the police response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls are met.

11. **Water and Sewer**—Section 24-122.01(b)(1) 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* designates this property in Water and Sewer Categories 3, Community System, within Tier 1 under the Sustainable Growth Act and will therefore be served by public systems.

12. **Use Conversion**—The total units included in this PPS is 312 multifamily dwellings in the M-X-T Zone. If a substantial revision to the mix of uses on the subject property is proposed, that affects Subtitle 24 adequacy findings as set forth in the resolution of approval, the revision of the mix of uses shall require approval of a new PPS prior to approval of any building permits.
13. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public 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, Matapeake Business Drive, that is to be dedicated. The right-of-way dedication and PUE will also be required to be reflected on the final plat prior to approval.

14. **Historic**—There are no existing structures on the property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. Portions of the subject property were previously graded. The subject property does not contain and is not adjacent to any Prince George’s County Historic Sites or Resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not recommended on the subject property.
15. **Environmental**—The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-91030	TCPI-026-91	Planning Board	Approved	7/18/1991	N/A
DSP-05073 (Parcel 9)	TCPII-133-91-04	Planning Board	Approved	3/30/2006	06-74
NRI-090-05	N/A	Staff	Expired	9/15/2005	N/A
4-97124	TCPI-026-91-02	Planning Board	Approved	12/18/1997	98-84
NRI-090-05-01	N/A	Staff	Approved	4/28/2016	N/A
CSP-16003	TCPI-026-91-04	Planning Board	Pending	Pending	Pending
Preliminary Plan 4-16013	TCPI-026-91-04	Planning Board	Pending	Pending	Pending

The two parcels under review are currently zoned M-X-T, but there is a lengthy zoning history for this site. In 1978, the Brandywine-Mattawoman Sectional Map Amendment rezoned the entire Brandywine 301 Industrial Park property from the R-R (Rural Residential) Zone to the E-I-A (Employment and Institutional Area) Zone.

The property was later rezoned in 1985 through Zoning Map Amendment A-9502-C from the E-I-A Zone to the I-1 and I-3 Zones. The 1993 *Subregion V Approved Master Plan and Sectional Map Amendment* retained the property in the I-1 and I-3 zoning categories (CR-61-2006). On July 24, 2013, the District Council adopted County Council Resolutions CR-80-2013 and CR-81-2013 approving the approved 2013 Subregion 5 Master Plan and SMA, which included the rezoning of approximately 48 acres of the Brandywine 301 Industrial Park Subdivision to the M-X-T Zone, including Parcels 8 and 9.

Portions of this site were previously evaluated by the Environmental Planning Section in conjunction with previous applications, including review and approval of: Zoning Map Amendment ZMA-9502-C; Preliminary Plan of Subdivision 4-91030 and Type I Tree Conservation Plan, TCPI-026-91 and Preliminary Plan of Subdivision 4-97124 and Type I Tree Conservation Plan, TCPI-026-91-02. A Type II Tree Conservation Plan, TCPII-133-91, for the entire Brandywine 301 Industrial Park was first approved on July 13, 1998, which has had numerous revisions and expansions to reflect the development of Brandywine Crossing, and includes the subject property. An NRI-158-06 and an '-01' revision for the Brandywine 301 Industrial Park were approved in 2008, but both have since expired.

Parcel 9 was subject to the approval of Detailed Site Plan DSP-05073 and Type II Tree Conservation Plan TCPII-133-91-04 for a 17,992-square-foot office/warehouse under I-1 zoning standards. Grading was completed, but no structure was constructed, and the DSP has since expired.

Proposed Activity

The current application is a preliminary plan and revised TCPI, which includes a change of use from previous approvals to multifamily dwellings on Parcels 8 and 9. As a new PPS, the application is also subject to review for other current and applicable standards.

Grandfathering

This application is subject to environmental regulations that came into effect on September 1, 2010, because the application is a new PPS. It is being concurrently reviewed with a conceptual site plan, which must be approved first.

The application is subject to the Woodland and Wildlife Habitat Conservation Ordinance, Subtitle 25, Divisions 2, which became effective September 1, 2010, because this is a new project.

Site Description

The overall property of the Brandywine 301 Industrial Park, including Brandywine Crossing, Phase III, has expanded over time to include 182.35 acres in the I-1, C-S-C and M-X-T Zones.

The current application is for a 12.38-acre site comprised of two parcels in the M-X-T zone located on the east side of Matapeake Business Drive within the Brandywine Crossing development. Both Parcels 8 and 9 have been previously graded in accordance with Type II Tree Conservation Plan TCPII-133-91, as revised.

A platted 100-year floodplain easement is co-located adjacent to the eastern property boundaries of the two parcels on the property line. Steep slopes which occur on the site are the result of previous grading and stockpiling operations. The predominant soils found to occur according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include: Grosstown gravelly silt loam; and Udorthents, evidence of previous gravel mining on the site. According to available mapping information, Marlboro clay and Christiana clay does not occur on or in the vicinity of this property. There is Potential Forest Interior Dwelling Species (FIDS) habitat mapped on-site contiguous with FIDS habitat mapped east of the current application site within the 100-year floodplain and on properties located to the east, and the Timothy Branch stream valley acts as a wildlife corridor Mattawoman. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. There are wetlands, wetland buffers and a stream system located to the east of Parcels 8 and 9, which is part of the Mattawoman Creek subwatershed, and the Potomac River basin. The site has frontage on Business Drive, which is identified as a major collector in the 2009 *Countywide Master Plan of Transportation* (MPOT). Potential noise issues related to the residential use proposed will be evaluated by the Development Review Division (DRD). The site is located within: the Subregion 5 Master Plan; Environmental Strategy Area (ESA) 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*; the Brandywine Town Center, and the Priority Funding Area. According to the 2005 *Approved Countywide Green Infrastructure Plan*, contained in the recently approved 2017 *Resource Conservation Plan*, the site contains Regulated Areas and Evaluation Areas.

Conformance with the 2013 Approved Subregion 5 Master Plan and Sectional Map Amendment

The 2013 *Approved Subregion Master Plan and Sectional Map Amendment* were approved by the District Council Resolutions (CR-80-2013 and CR-81-2013) on July 24, 2013, rezoning approximately 48 acres on the east side of Matapeake Business Drive to the M-X-T Zone, including the two parcels which are the subject of the current application. The current application is a development requirement related to the change in use from industrial to residential and conformance with the current zoning.

Conformance with Plan Prince George's 2035 Approved General Plan

The site is located within ESA-2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), and in the Brandywine Town Center. Plan 2035 designated 26 Local Centers, as focal points for development and civic activity based on their access to transit or major highways. Plan Prince George's 2035 contains recommendations for directing medium- to medium-high residential development, along with limited commercial uses, to these locations. The proposed medium-density multifamily residential development is consistent with the General Plan.

Conformance with Green Infrastructure Functional Master Plan

The current Green Infrastructure Plan was adopted on April 19, 2017 as part of the *Resource Conservation Plan* and contains policies and strategies to be implemented through the development process, which are shown below in **bold font**. Staff comments follow in standard font.

POLICY 1: Preserve, enhance and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1 Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:**
- a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.**
 - e. Coordinating implementation between County agencies, with adjoining jurisdictions and municipalities, and other regional green infrastructure efforts.**
 - f. Targeting land acquisition and ecological restoration activities within state-designated priority waterways such as stronghold watersheds and Tier II waters.**

The Timothy Branch Stream Valley primary management area (PMA) and the 100-year floodplain easement co-located on the eastern property line has not been shown on the preliminary plan or TCPI. The required 25-foot-wide building restriction from the existing 100-year floodplain easement, or as expanded should be respected.

- 1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored and protected.**
- a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**
 - b. Prioritize use of public funds to preserve, enhance, connect, restore and protect critical ecological systems.**

No sensitive species project review areas have been identified within this site on the expired NRI-158-06-01, and the revalidation of the NRI should confirm the previous finding. The Timothy Branch Stream Valley Park connects with Mattawoman Creek which is a special conservation area (SCA). The current application maintains the connectivity of the stream valley with the

designated SCA, although there are some blockages south of this site resulting from transportation improvements.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**
- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

No networks gaps have been identified with the current application. If off-site mitigation for woodland conservation is required, it will be placed in an approved bank, with preference to locations with the same subwatershed and basin.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**
 - a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced or new roads are constructed.**
 - b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer they must be designed to minimize clearing and grading and to use low impact surfaces.**

Trail/walking connections to the north and south of this development site will be provided within the public right-of-way by widening the existing sidewalk along Matapeake Business Drive to a width of eight feet, with an enhanced landscape strip equivalent to requirements found in the 2010 *Prince George's County Landscape Manual*.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

The 100-year floodplain adjacent to this site has already been placed in a platted conservation easement. If any portion of 100-year floodplain is found to extend onto the current site when the NRI is reapproved, will be placed into a conservation easement at time of final plat. Based on plans submitted, no woodland conservation is proposed to be retained on-site. Staff has strongly recommended that the residential buildings be located so the buildings are directly adjacent to the green infrastructure network, providing attractive views and connection with the adjacent stream valley park. The proposed layout will be further evaluated with review of a detailed site plan.

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.

Stormwater management provided on-site to meet water quality standards will be in micro-bioretenion areas. Impacts to regulated environmental features are limited to those identified with prior preliminary plan approvals.

5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.

A stream valley corridor of off-site wooded floodplain has been preserved adjacent to the developing property.

POLICY 7: Preserve, enhance, connect, restore and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.

No woodland conservation is proposed on-site under the current application. The additional woodland conservation requirement of 1.22 acres, based on 2:1 replacement for clearing below the threshold, is proposed to be provided through off-site banking, is consistent with the density proposed for the site and the desired development pattern within a Town Center.

7.2 Protect, restore and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.

The use of native plants on site will be addressed through the 2010 *Prince George's County Landscape Manual* Sustainable Landscaping requirements.

7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.

Appropriate location for trees and appropriate soil treatments and amendments will be addressed through design criteria and planting requirements of the Prince George's County Landscape Manual.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**

The forest edge is proposed to be moved off the developing site and into the adjacent stream valley. All on-site planting will be addressed as part of the Landscape Plan in conformance with the 2010 *Prince George's County Landscape Manual*.

- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

The connected, closed canopy forest of the adjacent stream valley will be protected and maintained after development of this site.

- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

The concept layout shown on the SWM concept plan and TCPI includes central open space and environmental site design (ESD) techniques for the treatment of stormwater. The layout and site design, including green areas, tree canopy coverage and conformance with the requirements of the Landscape Manual will be further evaluated with review of a detailed site plan.

POLICY 12: Provide adequate protection and screening from noise and vibration.

- 12.2 Ensure new development is designed so that dwellings or other places where people sleep are located outside designated noise corridors. Alternatively, mitigation in the form of earthen berms, plant materials, fencing, or building construction methods and materials may be used.**

The proposed residential use is not located in a noise or vibration corridor based on the master planned classification of the roadways.

Environmental Review

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resource Inventory/Environmental Features

An approved Natural Resources Inventory – Equivalency Letter (NRI-158-06-03) was submitted with the application. The issuance of this letter was based on the finding that there were regulated environmental features located on Parcel 8 and 9, there was an implemented TCPII, and there was no change to the limit of disturbance (LOD) based on information submitted by the applicant.

With the current application, a change to the LOD on Parcels 8 and 9 is proposed, and there is not consistency in reflecting the regulated environmental features of the site on the CSP, preliminary plan and TCPI. In addition, DPIE requested a verification of the 100-year floodplain site. To confirm the location of the 100-year floodplain, the required stream buffers, and the location of the primary management area (PMA), and in response to change to the limit of disturbance on

these two parcels, the Environmental Planning Section has determined that an NRI Equivalency Letter is insufficient, and an NRI is required. This can be in the form of a revision to NRI-158-06, or a separate NRI limited to Parcels 8 and 9.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because there are previously approved Type I and Type II tree conservation plans for the site. The TCPI and TCPII are for the gross tract area of the overall site which is 182.35 acres, which encompasses all parcels of the original TCPI and additional lots from Long's Subdivision. The Woodland Conservation Threshold for TCPI-026-91-04 is 24.58 acres, based on a 15 percent woodland conservation requirement in the M-X-T, I-1, I-3 and C-S-C Zones.

The amount of woodland conservation required based the proposed clearing of 19.09 acres on-site, 0.05 acres of clearing in the 100-year floodplain, and 1.25 acres of off-site clearing, is 35.85 acres. The TCPII proposes to meet the requirement with 16.26 acres of on-site preservation, and 19.59 acres of off-site mitigation. The additional off-site woodland conservation requirement of 1.22 acres has resulted from the clearing of 0.61 acres from Parcel 8 and 9 at a replacement rate of 2:1 (below the threshold) which can no longer be provided on-site.

Technical revisions to the TCPI are required and have been included as recommended conditions of approval of this application.

Regulated Environmental Elements

No regulated environmental features exist on the subject property according to the expired NRI plan, but a platted 100-year floodplain easement runs along the southern boundary line of the property. The location of this 100-year floodplain easement is immediately adjacent to this site has not been indicated on the preliminary plan, but was shown on the expired NRI plan, and is shown on the TCPI. The location of the 100-year floodplain easement should also be labeled on the preliminary plan.

DPIE has requested confirmation of the 100-year floodplain delineation for the site, which will be necessary to complete a full review of the required NRI plan. If the 100-year floodplain is more extensive than the previous delineation and extends on the subject property, it should be delineated on the preliminary plan and TCPI, and placed in a conservation easement at time of final plat.

The preliminary plan and TCPI shall also show the location of the 25-foot-wide required 100-year floodplain buffer as required by Subtitle 32, Division 4. At time of final plat, the 25-foot-wide 100-year floodplain buffer shall be placed on the plat.

No impacts to regulated environmental features were requested with the current application, and no Statement of Justification was submitted. Because no impacts were requested, and no updated NRI was provided showing the approved floodplain limits, the limits of disturbance on the TCPI shall be revised as necessary to avoid impacts to the PMA if it extends onto the subject site.

Based on the level of design information currently available, the limits of disturbance shown on the TCPI, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

16. **Urban Design**—This case is being processed concurrently with Conceptual Site Plan CSP-16003. The following comments are offered with respect to the Urban Design review of the PPS:

Conformance with the Requirements of the Zoning Ordinance

Multifamily-residential units are permitted in the M-X-T Zone. The property is the subject of the Conceptual Site Plan, CSP-16003, which proposes 300 to 325 multifamily units, in conjunction with 47,920 square feet of existing commercial space on adjacent Parcel 7.

Conformance with the following Zoning Ordinance regulations is required for the proposed development at time of the required Detailed Site Plan (DSP) review, including, but not limited to the following:

- Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented Zone;
- Sections 27-544 and 27-548 regarding regulations in the M-X-T Zone; and
- Section 27-547(b) regarding the Table of Uses for the M-X-T Zone.

Section 27-548(g) of the Zoning Ordinance reads as follows:

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

A lot is defined in Section 27-107.01(a)(129) as follows:

Lot: A designated area of land to be used, developed, or built upon as a unit (in accordance with this Subtitle), and having the minimum contiguous area required for a “Lot” in the applicable zone and frontage on a public “Street,” or private road, right-of-way, or easement approved in accordance with Subtitle 24. A “Lot” shall be made up of one (1) or more entire “Record Lots.”

The submitted PPS (4-16013) shows two parcels, each with direct frontage on Matapeake Business Drive, a public street. If both parcels are proposed to share one vehicular access, they will be considered one lot for development purposes and will be required to be reflected together on future DSPs and permit plans for development of the site.

Conformance with Conditions of Prior Approvals

Conceptual Site Plan CSP-16003—Conceptual Site Plan CSP-16003 is scheduled to be heard before the Planning Board on July 13, 2017, and is recommended for approval by staff subject to five conditions. If the Planning Board adopts the recommended conditions, the following are applicable to this PPS:

2. **Total development within the subject property shall be limited to uses which generate no more 162 AM peak trips, and 187 PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The condition above is consistent with findings and recommendations provided with this PPS.

Conformance with the 2010 Prince George's County Landscape Manual

Per Section 27-544(a) of the Zoning Ordinance, landscaping, screening, and buffering for the property zoned M-X-T is subject to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the requirements of the Landscape Manual should be determined at the time of DSP review when detailed information is submitted. The following discussion of the relevant provisions of the Landscape Manual is provided for informational purposes.

- a. **Section 4.1, Residential Requirements**—This section requires a certain number of plants be provided based on the amount of green area provided within the multifamily development.
- b. **Section 4.3, Parking Lot Requirements**—This site will be subject to Section 4.3, which requires that a minimum interior planting space be provided within proposed parking lots, as will be needed for the multifamily development.
- c. **Section 4.6, Buffering Development from Streets**—Compliance with Section 4.6, Buffering Residential Development from Streets, is required along Matapeake Business Drive, which is a master-planned major collector roadway. The site is within the geography previously designated as the Developing Tier and reflected on Attachment H(5) of the *Plan Prince George's 2035 General Plan* (Plan Prince George's 2035) as found in PGCPB Resolution No. 14-10 (see County Council Resolution CR-26-2014, Revision No. 31); therefore, a 50-foot-wide planting strip is required between the multifamily development and the street.
- d. **Section 4.7, Buffering Incompatible Uses**—This site will be subject to Section 4.7, Buffering Incompatible Uses. This section does not apply to the interior property lines of unified developments. More specific information regarding bufferyard requirements along exterior property lines will be evaluated at the time of DSP.
- e. **Section 4.9, Sustainable Landscaping Requirements**—This site will be subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants, along with other sustainable practices.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet or greater of gross floor area or disturbance and require a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP review.

Recreational Facilities

The Subdivision Regulations requirement for mandatory parkland dedication (Section 24-134) is proposed to be met by a combination of on-site facilities and a fee-in-lieu according to the submitted PPS. In the review of Conceptual Site Plan CSP-16003, the Department of Parks and Recreation (DPR) recommended that private recreational facilities are appropriate given the proposed use of the property. The recommendation for private on-site recreational facilities has been carried forward in this PPS. The CSP illustrative shows a clubhouse, pool and green spaces which would be appropriate for on-site facilities. If private on-site recreational facilities are

approved to meet this requirement, the proper siting should be reviewed at the time of DSP review.

Further design issues will be evaluated at the time of Detailed Site Plan.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the following technical corrections shall be made to the plan:
 - a. The preliminary plan shall be revised to label the existing 100-year floodplain adjacent to the site.
 - b. If the NRI plans shows primary management area (PMA) on the property, the preliminary plan and Type I tree conservation plan (TCPI) shall be revised to show the delineated PMA
 - c. A 25-foot-wide 100-year floodplain buffer shall be delineated on the preliminary plan and TCPI from the platted 100-year floodplain easement.
 - d. The limits of disturbance on the TCPI shall be revised as necessary to avoid impacts to the PMA if it extends on to the subject site.
 - e. Revise the general notes to indicate the mandatory parkland dedication requirement is to be met with private on-site recreational facilities.
 - f. Revise the title block to indicate Parcels 1 and 2.
 - g. Add the plat references to General Note 1 for existing Parcels 8 and 9.
 - h. Revise General Note 18 to indicate the site is not within the M-I-O Zone.
 - i. Label the abutting properties.
2. A substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require the approval of a new preliminary plan of subdivision prior to the approval any building permits.
3. Development of this site shall be in conformance with an approved Stormwater Management Concept Plan and any subsequent revisions. The final plat shall note the Stormwater Management Concept Plan number and approval date.
4. At the time of final plat, the applicant and the applicant's heirs, successors and/or assignees shall:
 - a. Dedicate 15 feet of right-of-way along the property frontage on Matapeake Business Drive.

- b. Grant a 10-foot public utility easement (PUE) along all public rights-of-way as delineated on the approved preliminary plan of subdivision.
 - c. Delineate and label the 25-foot-wide 100-year floodplain buffer.
- 5. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, the following improvements shall be provided:
 - b. Replace the existing four-foot-wide sidewalk with an eight-foot-wide sidepath (or eight-foot-wide concrete sidewalk) along the subject site's entire frontage of Matapeake Business Drive, unless modified by the Department of Permitting, Inspections and Enforcement (DPIE).
 - c. Bike parking shall be provided at each of the multifamily buildings. The location, type and number of bicycle racks will be determined at the time of DSP.
- 6. Prior to the approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Reconstruct the existing sidewalk along the east/south side of Matapeake Business Drive to meet current County and Americans with Disabilities (ADA) specifications and standards. The sidewalk and ADA ramp reconstruction will extend from the southern boundary of the subject site, across the frontages of Parcels 3, 4, 5, 6, 7, and 12.
 - b. At the time of the Detailed Site Plan, provide an exhibit that illustrates the location and limits of all off-site improvements recommended by staff for the review of the operating agencies. This exhibit shall show the location of the ADA ramps, crosswalk and sidewalk installation, and provide any necessary details and specification for the improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations. If it is determined at the time of Detailed Site Plan that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section(d), be within one-half mile walking or biking distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section(c). The Planning Board shall find that the substitute off-site improvements are consistent with the bicycle pedestrian impact statement (BPIS) adequacy finding made at the time of Preliminary Plan.
- 7. Prior to signature approval of the preliminary plan, a valid Natural Resources Inventory (NRI) plan shall be approved, which includes Parcels 8 and 9.
- 8. Prior to signature approval of the preliminary plan, the regulated environmental features of the site as shown on a valid Natural Resources Inventory (NRI) plan shall be correctly delineated on the preliminary plan and TCPI.
- 9. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:

- a. The plan shall be revised to show the correct delineation of the PMA based on a valid Natural Resources Inventory Plan.
 - b. If the 100-year floodplain is found to be more extensive in area, no woodland conservation shall be credited within the 100-year floodplain, and the woodland conservation worksheet shall be adjusted to reflect the additional floodplain area.
 - c. The note under the woodland conservation worksheet shall be revised as necessary to reflect the "additional off-site woodland conservation credits required."
 - d. Note 11 shall be revised to reflect the conceptual stormwater management concept approval letter number for Parcel 8 and 9.
 - e. After the revisions are made, revise any calculations, notes or tables that are affected.
 - f. Have the revised TCPI signed and dated by the Qualified Professional who prepared it.
10. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCPI-026-91-04). The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCPI-026-91-04), or as modified by the Type 2 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. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland–National Capital Park and Planning Commission, Prince George’s County Planning Department."
 11. At time of final plat, a conservation easement shall be described by bearings and distances if PMA exists on the subject property. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for approved impacts, 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."
 12. At the time of detailed site plan, a copy of the approved SWM Concept Approval Letter and associated plans shall be submitted.
 13. Total development within the subject property shall be limited to uses which generate no more 162 AM peak trips, and 187 PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

14. Prior to issuance of any building permit, the applicant and/or the applicant's heirs, successors, and/or assignees shall, pursuant to the provisions of County Council Resolution CR-9-2017, pay to Prince George's County (or its designee) a fee of \$999 per dwelling unit (given in first quarter 1993 dollars), to be indexed by the appropriate cost indices to be determined by the Department of Permitting, Inspections and Enforcement (DPIE).
15. The applicant and the applicant's heirs, successors, and/or assignees, shall provide adequate, private on-site recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*. The applicant shall allocate appropriate and developable areas for the private recreational facilities within the common open space land. The private recreational facilities shall be reviewed by the Urban Design Section, of the Development Review Division (DRD), of the Planning Department for adequacy and property siting, including appropriate triggers for construction, with the submittal of the Detailed Site Plan.
16. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed recreational facilities agreements (RFAs) to DRD, for construction of recreational facilities, for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the county Land Records of Prince George's County and the liber and folio of the RFA shall be noted on the final plat prior to recordation.
17. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities prior to the issuance of building permits.

STAFF RECOMMENDS:

- Approval of PPS 4-16013
- Approval of Type I Tree Conservation Plan TCPI-026-91-04