

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



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ZONING MAP AMENDMENT PETITIONS

A-9949/A-9950/A-9951

Application	General Data
Project Name: Henson Square Location: A-9949: West side of Indian Head Highway, approximately 1,400 feet south of Fort Foote Road. A-9950: West side of Indian Head Highway, approximately 160 feet south of Kerby Hill Road. A-9951: West side of Indian Head Highway, approximately 430 feet north of Palmer Road. Applicant: Kerby Hill Associates, LLC 6009 Oxon Hill Road, Suite 412 Oxon Hill, Maryland 20745 ATTN: Ron Adolph	Date Accepted 03/06/01
	Planning Board Action Limit N/A
	Tax Map & Grid 105/113/114 A-4/F-1/A-1
	Plan Acreage A-9949: 154.84 A-9950: 5.13 A-9951: 2.66
	Zone A-9949: R-R/R-80 A-9950: R-R/R-T A-9951: R-R
	Dwelling Units N/A
	Square Footage N/A
	Planning Area 80
	Council District 08
	Municipality None
	200-Scale Base Map 211/212SE1

Purpose of Application	Notice Dates
A-9949: Rezoning from R-80 and R-R to M-X-T A-9950: Rezoning from R-R and R-T to M-X-T A-9951: Rezoning from R-R to M-X-T	Adjoining Property Owners 11/20/01 (CB-15-1998)
	Previous Parties of Record N/A (CB-13-1997)
	Sign(s) Posted on Site N/A
	Variance(s): Adjoining Property Owners N/A
Staff Recommendation	Staff Reviewer
APPROVAL	Tom Lockard
APPROVAL WITH CONDITIONS	
DISAPPROVAL	
DISCUSSION	
A-9949	A-9950, A-9951

November 20, 2001

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Arie Stouten, Zoning Supervisor

FROM: Tom Lockard, Senior Planner

SUBJECT: **Zoning Map Amendment Application Nos. A-9949/A-9950/A-9951**

REQUEST: **A-9949:** Rezoning from R-80/R-R to M-X-T
A-9950: Rezoning from R-R/R-T to M-X-T
A-9951: Rezoning from R-R to M-X-T

RECOMMENDATION: **A-9949:** APPROVAL, subject to conditions
A-9950: DENIAL
A-9951: DENIAL

NOTE:

These applications are on the agenda for the Planning Board to decide whether or not to schedule a public hearing. If the Planning Board decides to hear the applications, they will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in these applications. The request must be made in writing and sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS:

A. Location and Field Inspection:

A-9949: This is the largest of the three parcels (■Tract A●) at 155ⅴ acres, stretching between Indian Head Highway (MD 210) to the east and Oxon Hill Road to the west. The center third of the site is forested, while the frontages along Indian Head Highway and Oxon Hill Road have been cleared for agricultural uses. The property has one single-family dwelling oriented toward Indian Head Highway, with numerous scattered outbuildings . There is one stream on the site, a tributary of Henson Creek which traverses from

northwest to
southeast.

A-9950: This parcel (■Tract B●) comprises 5½ acres and is located on the west side of MD 210, just south of its intersection with Kerby Hill Road. It is predominantly wooded and is undeveloped. Approximately one-third of the site is within the 100-year floodplain, associated with a stream running north to south in the eastern section of the property.

A-9951: This is the smallest of the three parcels (■Tract C●) at 2.5½ acres and is located on the west side of MD 210, 430½ feet north of its intersection with Palmer Road. It is wooded and almost completely within the 100-year floodplain for Henson Creek.

B. History: The 1984 *Subregion VII Sectional Map Amendment*:

A-9949: Retained the property in the R-R and R-80 Zones

A-9950: Reclassified the property to the R-R and R-T Zones

A-9951: Retained the property in the R-R Zone

C. Master Plan Recommendation: The 1981 Master Plan for Subregion VII recommends the following land uses for these properties:

A-9949: Suburban Residential (2.6 to 3.5 dwellings per acre) and Open Space as part of the Henson Creek Stream Valley Park.

A-9950: An interchange for MD 210 at Kerby Hill/Livingston Roads

A-9951: Open Space as part of the Henson Creek Stream Valley Park

D. Request: The applicant proposes mixed-use development

A-9949: ■Tract A● is proposed for up to 600,000 square feet of retail-commercial oriented toward Indian Head Highway on the eastern two-thirds of the parcel. The remaining one-third of the parcel is proposed for up to 400,000 square feet of flexible-office/light-industrial space. The concept plan for the development shows a major road through the property connecting Indian Head Highway with Oxon Hill Road.

A-9950: ■Tract B● is proposed as a satellite center for Prince George's County Community College with up to 45,000 square feet of development.

A-9951: ■Tract C● is proposed for open space.

E. Neighborhood and Surrounding Uses: The site is surrounded by the following uses:

- A-9949:** North - The Fort Foote Elementary School in the R-R Zone, the Brook Manor single-family subdivision in the R-55 and R-80 Zones, and the Indian Head Manor subdivision in the R-T Zone
- East - Across MD 210 are apartments in the R-18 Zone, a park-n-ride and former drive-in theater in the C-S-C Zone, and the Henson Creek Stream Valley Park in the R-O-S Zone.
- South - The Tor-Bryan Estates single-family subdivision in the R-80 Zone, the Henson Creek Stream Valley Park in the R-O-S Zone, and undeveloped land in the R-R Zone (the subject of A-9951).
- West - Single-family residences in the R-R Zone and a small retail center (■Potomac Plaza■) in the C-S-C Zone.
- A-9950:** North - A gas station in the C-M Zone and a church in the C-S-C Zone
- East - Across Indian Head Highway are single-family residences in the R-80 Zone
- South and West - Townhouses in the R-T Zone
- A-9951:** North - A thin strip of undeveloped land in the R-O-S Zone (Henson Creek Stream Valley Park), beyond which is the subject property for A-9949
- East - Across Indian Head Highway is undeveloped land in the R-O-S Zone (Henson Creek Stream Valley Park)
- South - Undeveloped land in the R-R Zone
- West - Undeveloped land in the R-R and R-O-S Zones

The neighborhood is defined by the following boundaries:

- North - Kerby Hill Road
- East - Indian Head Highway (MD 210)
- South - Henson Creek
- West - Oxon Hill Road

The surrounding neighborhood is suburban in character and developed with a mixture of single-family residences, townhouses and apartment complexes. The few commercial uses are located along Oxon Hill Road (Potomac Plaza) and at the intersection of Kerby Hill Road and MD 210.

F. Zoning Requirements: Section 27-213(a) - Criteria for approval of the M-X-T Zone:

The District Council shall only place land in the M-X-T Zone if at least one (1) of the following two (2) criteria is met:

- (A) **Criterion 1. The entire tract is located within the vicinity of either:**
- (i) **A major intersection or major interchange (being an intersection or interchange in which at least two (2) of the streets forming the intersection or interchange are classified in the Master Plan as an arterial or higher classified street reasonably expected to be in place within the foreseeable future); or**
 - (ii) **A major transit stop or station (reasonably expected to be in place within the foreseeable future).**

Finding: The three tracts of property are located in the vicinity of a major intersection, Indian Head Highway (MD 210, an expressway) and Palmer Road (an arterial), which is the proposed alignment for Allentown Road Relocated. The State Highway Administration (SHA) is presently studying alternatives to make MD 210 a freeway with grade-separated interchanges. Two of these interchanges are likely to be located at Palmer Road, south of the three tracts, and Livingston Road/Kirby Hill Road, to the north.

- (B) **Criterion 2. The applicable Master Plan recommends mixed land uses similar to those permitted in the M-X-T Zone.**

Finding: The 1981 Master Plan for Subregion VII does not recommend any of the three properties for a mixed land use.

- (2) **Prior to approval, the Council shall find that the proposed location will not substantially impair the integrity of an approved General Plan, Area Master Plan, or Functional Master Plan and is in keeping with the purposes of the M-X-T Zone. In approving the M-X-T Zone, the District Council may include guidelines to the Planning Board for its review of the Conceptual Site Plan.**

Finding: The 1981 *Master Plan for Subregion VII* does not envision this mix of uses for these properties, with the exception of the open space proposed for the ■Tract C• (A-9951). In its referral reply dated May 1, 2001, the Community Planning Division (M-NCPPC) provides the recommendations of the 1981 Master Plan and 1982 *General Plan*:

1981 Master Plan

■The 1981 *Master Plan for Subregion VII* clearly identifies the properties subject to these rezoning applications for the following future land uses:

- A-9949: Suburban residential land use at a density of 2.6 to 3.5 dwelling units per acre in the Fort Foote community or as part of the stream valley park for Henson Creek;
- A-9950: Part of a proposed highway interchange right-of-way; and
- A-9951: Part of the proposed stream valley park system.

■The master plan also indicates *staged future development* for two of these applications (A-9949 and A-9950), specifically during Stage II:

■*Proposed areas of development at this stage are based upon the planned transportation facilities. These include: the construction of the Rosecroft Metro Line with three stations, the improvement of Indian Head Highway with three grade separations north of Palmer Road....At this stage, all the remaining recorded subdivision lots are expected to be developed. Also, if the proposed public facilities become available, it is expected that a limited amount of additional residential and nonresidential growth will occur in direct response to the increased transportation system capacity.....Policy recommendations at this stage are:*

* * * * *

- (2) *With the improvement of Indian Head Highway, the large vacant parcels between Oxon Hill Road and Indian Head Highway in the Fort Foote community can begin to develop in accordance with the Plan recommendations.* • (Master Plan, pp. 159-160)

Living Areas

As recognized by the applicant, the Master Plan describes nine residential communities and a supporting network of commercial areas, activity centers, and employment areas. This proposal is located along the eastern edge of the Fort Foote Community with extensive frontage on a regional highway. The proposal to substitute a major employment/commercial center for recommended suburban residential development in the Fort Foote Community is a significant departure from the county land use policies as illustrated by the Master Plan map.

Commercial Areas and Activity Centers

The commercial element of the 1981 Master Plan identifies commercial areas and local and regional activity centers designed to serve the needs of each community as it developed. Two village activity centers are recommended to serve the Fort Foote Community:

1. At Oxon Hill Road and Old Fort Road, just to the south of the subject property, developed with the Livingston Square shopping center and an assortment of commercial office and service-commercial uses along Livingston Road. Vacancies and poor maintenance of older structures are

too common in this area. Redevelopment potential in this area is somewhat limited by fragmented ownerships, small parcel sizes and constraints of the existing highways and stream valley floodplains.

2. At Oxon Hill Road and Fort Foote Road (North), just to the north of the subject property, there is a limited selection of service-commercial uses and an office building, which has stood vacant for a long period of time. Several small commercial lots remain for development in this area.

A major community activity center is designated at Swann Creek Road and MD 210, several miles south of the subject property. It is developed with the Old Fort Village Shopping Center, which at one time contained a junior department store (now vacant). A health care center, post office, and service-commercial areas are located along Livingston Road, north of this shopping center.

The economic assessment for the Master Plan identified several problems with existing commercial development in the 1970s (Master Plan, p. 77). These include poor distribution and poor siting; locations along major roadways rather than in the areas they are intended to serve; most centers were single-purpose retail centers; dispersion of public and semipublic facilities, professional offices, recreational uses and moderate density residential uses contribute to lack of focal points for emerging communities. A number of shopping centers were declining or suffering from obsolescence due to changes in their market areas and/or consumer shopping habits. In order to encourage renovation and prevent them from further decline, it was deemed imperative that the Plan protect their trade areas from adding new commercial facilities which would reduce their market support and the economic incentives for private redevelopment.

The Plan recommended conversion of approximately 185 acres of undeveloped land, then zoned for retail-commercial use, to office or residential zoning. The District Council did not implement this Plan recommendation in the 1984 SMA, retaining much of the undeveloped commercial-retail zoning and, in fact, adding more commercial zoning to the inventory. Notably, the Gudelsky tract, which has become Rivertowne Commons Shopping Center, was recommended for employment and high-density residential land use, but it was retained in a retail-commercial zone. It was subsequently developed with some offices and substantial competing retail uses.

With the exception of the Rivertowne Commons Shopping Center, there has been little retail-commercial development in the subsequent two decades, and many of the problems cited in the 1981 Master Plan remain today. There is still a substantial amount of undeveloped and under-developed commercial zoning scattered around this Subregion; vacancies are common at many of the centers; noncommercial uses are major tenants in a number of the centers.

The applicant accurately notes that commercial development trends and shopping patterns have changed dramatically in the past 20 years, much to the detriment of small, constrained centers like many of those in Subregion VII. Perhaps, in spite of

an abundance of commercially zoned land, none are suitable for development of a contemporary retail or restaurant center as is advocated in this application. (It is worth noting that one of these is a comparably sized, undeveloped parcel already in the M-X-T Zone and which is part of the National Harbor project, e.g., the ■Beltway Parcel■ which is planned for future office and retail development such as is advocated here.)

The impact of the Henson Square proposal on surrounding commercial areas is uncertain. Many are marginal or run-down already, and whether new competition would spur improvement, or further deterioration, is a matter of opinion. The applicant should be asked if its market study (referenced on page 48 of the justification statement) addresses that issue.

Employment Areas

The master plan identifies a number of employment centers in this part of the Subregion; none have developed as planned since approval of the master plan, and there is considerable commercial office, industrial park and M-X-T zoning in this area already (Salubria, Oxon Hill West, Broad Creek Center). The proposed support services office development could be located in one of these still undeveloped areas rather than A-9949, which is recommended for residential use.

Stream Valley Parks

The area for one of the applications for the M-X-T Zone (A-9951) is recommended by the Master Plan for stream valley park purposes. The applicant appears to be proposing only open space for that application. This is a single use proposal for open space in the M-X-T Zone that requires a mix of two of three retail, office or residential uses.

Community College Proposal

The proposal to locate a satellite facility for Prince George's Community College, perhaps related to the entertainment industry, needs to be verified. The community college system already owns substantial acreage in the southern part of the county for expansion:

1. Several hundred acres south of Piscataway Road in Clinton, adjacent to the Surratt-Clinton Library.
2. In the southeast quadrant of Fort Washington Road and Livingston Road in Fort Washington with the recently acquired site for the new police station.

Regardless, if a unique educational program focusing on the hospitality industry were developed in partnership with National Harbor, consideration should be given to integrating this use with the support services operation proposed on Tract A.

The 1982 General Plan

The 1982 *General Plan* indicates staged future development for the subject property. The Implementation Guidelines for the Indian Head Highway Trafficshed-Watershed in the *General Plan* text specifically indicate that the subject property is appropriate for development during Stage II of implementation:

Stage II: The opening of a number of areas to development would require the improvement of transportation facilities throughout the trafficked-watershed. Portions of the Friendly Community north of Allentown and Steed Roads, as well as remaining portions of the Fort Foote Community could be developed. A Regional Waterfront Development at Smoot Bay could begin construction during this stage. In order to serve this development, the Rosecroft Metro Line would have to be completed. Indian Head Highway would have to be improved with grade separated interchanges and a major east-west transportation facility (A-51) would have to be constructed. This stage corresponds to Stages Two and Three of the Subregion VII Plan. (General Plan, pp.180-182)

As indicated previously, the State Highway Administration (SHA) is engaged in project planning studies to improve MD 210. The Metro Line has been built to Branch Avenue, not Rosecroft. A-51, Allentown Road, remains as a collector road, not the relocated major east-west facility proposed in the Master Plan, i.e., Allentown Road relocated. Thus, some of the major facilities identified as needed for continued development in the Subregion have been built or are in project planning.

As to land use, the 1982 *General Plan* does not designate a particular type of land use for particular areas, with the exception of major employment areas and larger activity centers. The property subject to these applications is not recognized as either an employment area or an activity center. A revision to the 1982 *General Plan* is now in progress, based on the recently adopted Biennial Growth Policy Plan. It is anticipated that this revision will be completed in 2002.

Plan Impairment vs. Opportunity:

Based upon the plan analysis provided by the Community Planning Division, there is no question that these applications propose a development scenario that is different from the recommendations of the Master Plan. However, this difference alone does not necessarily constitute a substantial impairment of the plan. The applicant correctly points out that the Master Plan is a guide, and that strict conformance with its recommendations is not a prerequisite for the requested rezoning. In addition, the applicant notes that the Master Plan has not been comprehensively evaluated for nearly 20 years, despite major changes that have occurred in the Subregion.

One such change includes the recent transformation of the former Port America M-X-T to the National Harbor M-X-T. The approved development concept has been

revised from an office and residential land-dominant community to a comprehensive entertainment, hotel, retail and convention center destination, focused on the Potomac River, which is to become a world-class attraction for Prince George's County and the State of Maryland. Couple the above with the proposed rebuilding of the Wilson Bridge to 12 lanes, and a reconstruction of all of the ramps connecting I-295 and I-495 with the development at National Harbor, Indian Head Highway and Oxon Hill Road, and there is an opportunity for a new focus for development in this area.

Initial development at National Harbor is proposed to include 2,000 hotel rooms, a convention center with 400,000 square feet of exhibition space, 200,000 feet of retail, dining and entertainment venues that will serve the entire Metropolitan area as well as tourists who come to Washington, D.C., from all over the world.

National Harbor will be a catalyst for a significant percentage of new development the market will absorb. With the anticipation of millions of visitors each year to National Harbor, there will be an expansion of employment opportunities and it is estimated 7,000 to 10,000 new jobs will be created. This area of the Subregion does not have extensive shopping facilities that can capture the dollars from the local residents and those new employees who will use the Indian Head Highway corridor to reach their jobs at either this location or other areas north and south of this site.

These applications could provide the county with an opportunity to take advantage of a prime highway location for a significant mixed-use development comprised of office, retail-commercial and employment uses.

Purposes of the M-X-T Zone

The purposes of the M-X-T Zone are contained in Section 27-542. They are:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;
- (2) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;
- (3) To promote the effective and optimum use of transit and other major transportation systems;
- (4) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a

maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

- (5) To encourage diverse land uses which blend together harmoniously;
- (1) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;
- (2) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;
- (8) To permit a flexible response to the market; and
- (9) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

Finding: Of the three rezoning applications, only one (A-9949) proposes a mix of uses which could be considered as being in keeping with the purposes of the M-X-T Zone. The applicant would like to have the three applications considered as one ■companion development■ which could be controlled by one development plan. However, as evidenced by the three separate application numbers, we are considering three distinct and non-adjacent properties each to be judged on its own merits. A-9950 and A-9951 propose single uses (a community college and open space, respectively). Therefore, they cannot be considered as keeping with the purposes of the M-X-T Zone.

(3) Adequate transportation facilities.

- (A) **Prior to approval, the Council shall find that transportation facilities that are existing, are under construction, or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development.**

Finding: The Transportation Planning Section makes the following comments in its referral dated November 14, 2001:

■The applicant prepared a traffic impact study dated November 2001, and prepared it in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The study has been referred to the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). However, there was not time to receive comments from either agency prior to the preparation of the technical staff report. The Transportation Planning

Section has reviewed the application and the study, and the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff which are consistent with the *Guidelines*. Comments, when received, will be forwarded with Transportation Planning Section responses.

Summary of Traffic Impact Study

The applicant has prepared a traffic impact study in support of the applications using new counts taken in December 2000. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

- MD 210 service road/Kerby Hill Road
- NB MD 210 ramps/Livingston Road
- SB MD 210 ramps/Livingston Road
- NB MD 210 ramps/Palmer Road
- Oxon Hill Road/Fort Foote Road (north)
- Oxon Hill Road/site access (north)
- Oxon Hill Road/site access (middle)
- Oxon Hill Road/site access (south)
- Oxon Hill Road/Fort Foote Road (south)
- Oxon Hill Road/Livingston Road/Old Fort Road

The plans show two right-in/right-out site access points along MD 210, with no median break. These are not analyzed because they would be unsignalized, and the unsignalized procedure in the Highway Capacity Manual does not allow three through lanes along the major street of an unsignalized intersection. The transportation staff concurs with this fact; however, it is possible that merge/diverge analyses might have been feasible for analysis, and should be considered at such time that this traffic study is updated.

With the development of the subject property, the traffic consultant has determined that adequate transportation facilities in the area can be attained, with the conversion of the existing signalized intersections along MD 210 to interchanges. The applicant has indicated, however, that initial phases of the proposed development should not be conditional upon these interchanges, but upon other improvements of a similar scope to those contained in the February 2001 traffic study.

Staff Analysis of Traffic Study

Due to the fact that the study was received on November 8, 2001, and the technical staff report was planned to be drafted by November 16, 2001, there was insufficient time to give the study a thorough review. As agency comments are received, the study will be reviewed in greater depth and any

findings will be provided. At this time, the review will be mostly limited to repeating the major results of the study.

Existing conditions in the vicinity of the subject property are summarized as follows:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210/Kerby Hill Road/Livingston Road	1,739	1,672	F	F
MD 210/Palmer Road/Livingston Road	1,615	1,571	F	E
Oxon Hill Road/Fort Foote Road (north)	805	895	A	A
Oxon Hill Road/site access (north)	planned			
Oxon Hill Road/site access (middle)	planned			
Oxon Hill Road/site access (south)	planned			
Oxon Hill Road/Fort Foote Road (south)	670	809	A	A
Oxon Hill Road/Livingston Road/Old Fort Road	887	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 the <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.				

Under existing conditions, the analysis indicates severe operational issues at the two existing intersections along MD 210.

A review of background operating conditions in the area was conducted by the applicant. The study notes that (a) National Harbor is the only background development assumed; (b) National Harbor is assumed to add vehicles only to MD 210; and (c) a growth factor of 2.1 percent per year was applied only to mainline traffic along MD 210.

Some of the issues raised during review of the February 2001 study should have been more completely addressed. Furthermore, the use of the interchanges in the analyses in the traffic study as an element of existing and background traffic is improper since these interchanges are clearly not programmed for construction—they are still under study, with no current timetable for final design, funding or construction. Background traffic should be summarized as follows:

BACKGROUND CONDITIONS		
Intersection	Critical Lane Volume (AM & PM)	Level of Service (LOS, AM & PM)

MD 210/Kerby Hill Road/Livingston Road	1,895	1,837	F	F
MD 210/Palmer Road/Livingston Road	1,744	1,727	F	F
Oxon Hill Road/Fort Foote Road (north)	805	895	A	A
Oxon Hill Road/site access (north)	planned			
Oxon Hill Road/site access (middle)	planned			
Oxon Hill Road/site access (south)	planned			
Oxon Hill Road/Fort Foote Road (south)	670	809	A	A
Oxon Hill Road/Livingston Road/Old Fort Road	887	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 the *Guidelines*, an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.

According to the traffic study, the subject property is proposed to contain up to 400,000 square feet of light-industrial (Support Service Operations) space and 600,000 square feet of retail space. Access is planned from two right-in/right-out access points along MD 210 and three separate access points (one major one serving the light-industrial and retail space and two minor ones serving parking areas adjacent to the light-industrial space) along Oxon Hill Road. The new analysis of the site has addressed the majority of staff's comments regarding this portion of the analysis.

The proposed development would generate 827 AM (607 in, 220 out) peak-hour vehicle trips and 1,504 PM (604 in, 900 out) peak-hour vehicle trips. The analysis uses rates from the Institute of Transportation Engineers' *Trip Generation Manual* for analyzing the light-industrial space. This is acceptable, as the rates used are greater than those which are recommended in the *Guidelines*, and they may actually be more representative of the type of development planned. Total traffic conditions (existing plus background plus site traffic) are summarized below:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210/Kerby Hill Road/Livingston Road	1,933	1,917	F	F
MD 210/Palmer Road/Livingston Road	1,856	1,810	F	F
Oxon Hill Road/Fort Foote Road (north)	812	922	A	A
Oxon Hill Road/site access (north)	20.1*	362.2*	--	--
Oxon Hill Road/site access (middle)	21.1*	96.6*	--	--
Oxon Hill Road/site access (south)	26.1*	52.8*	--	--

Oxon Hill Road/Fort Foote Road (south)	928	1,196	A	C
Oxon Hill Road/Livingston Road/Old Fort Road	1,288	2,054	C	F

*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 the *Guidelines*, an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.

The submitted traffic study has indicated that the planned interchanges along MD 210 are part of existing, background and total traffic. Because these interchanges are not funded for final design or construction, their inclusion does not follow normal procedures for performing a traffic study. As the study recommends these interchanges for the ultimate development of the property, however, it is appropriate to consider them as improvements associated with the subject development.

The *Guidelines* identify signalized intersections operating at LOS E or F during any peak hour as unacceptable. The intersection of Oxon Hill Road/Livingston Road/Old Fort Road operates unacceptably, at LOS F, in at least one peak hour. The applicant indicates that the addition of an exclusive southbound left-turn lane on the Livingston Road approach would produce acceptable traffic operations.

The *Guidelines* identify unsignalized intersections operating with a maximum delay exceeding 50.0 seconds in at least one peak hour to be unacceptable. At each of the planned site entrances along Oxon Hill Road, the maximum delay in at least one movement would exceed 50.0 seconds in at least one peak hour. In response to inadequacies identified at unsignalized intersections, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the unsignalized intersection. It is not likely that signals would ever be justified at all three entrances; but the likelihood of installing at least one signal must be investigated at the appropriate stage in the process, and future traffic studies must more closely examine potential traffic operations along the short portion of Oxon Hill Road adjacent to the subject property.

Overall, the applicant has shown that adequacy can be achieved at the critical intersections within the study area under current regulations. The improvements proposed in the traffic study are implementable in some form. Total traffic conditions (existing plus background plus site traffic) with the improvements which are recommended in the traffic study are summarized below:

TOTAL TRAFFIC CONDITIONS WITH PROPOSED IMPROVEMENTS					
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)		
MD 210 Service Road/Kerby Hill Road	587	663	A	A	
NB MD 210 ramps/Livingston Road	495	396	A	A	
SB MD 210 ramps/Livingston Road	646	771	A	A	
NB MD 210 ramps/Palmer Road	723	561	A	A	
Oxon Hill Road/Fort Foote Road (north)	812	922	A	A	
Oxon Hill Road/site access (north)	20.1*	362.2*	--	--	
Oxon Hill Road/site access (middle)	21.1*	96.6*	--	--	
Oxon Hill Road/site access (south)	26.1*	52.8*	--	--	
Oxon Hill Road/Fort Foote Road (south)	928	1,196	A	C	
Oxon Hill Road/Livingston Road/Old Fort Road	858	1,319	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 the <i>Guidelines</i> , an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures and should be interpreted as excessive.					

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Staff Analysis of Traffic Impacts--Long-Term (Buildout)

The following table compares the site trip generation between the existing zoning and the proposal as presented in the traffic study:

Comparison of Estimated Trip Generation, A-9949/9950/9951					
Zoning or Use	Units/Square Feet	AM Pk. Hr. Trips		PM Pk. Hr. Trips	
		In	Out	In	Out
Existing Zoning					
R-T (37.52 acres)	300 units	42	168	156	84
R-80 (74.69 acres)	253 units	38	152	152	76
R-R (50.78 acres)	93 units	14	56	56	28
	TOTAL	94	376	364	188
Proposed Zoning and Uses					

M-X-T (light industrial)	400,000 square feet	380	76	64	360
M-X-T (retail)	600,000 square feet	227	144	540	540
	TOTAL	607	220	604	900
Difference		+513	-156	+240	+712

This comparison indicates that the proposal would generate approximately 350 more AM peak-hour trips than the current zoning, but would generate 950 more PM peak-hour trips than the current zoning. The impacts are greatest on MD 210, which is a planned freeway facility in the Master Plan with a number of planned interchanges within the corridor. SHA currently has a project planning study which covers the adjacent section of MD 210. That study is a multimodal study to relieve traffic congestion along MD 210 and improve intersections. However, none of the interchanges shown on the Master Plan have environmental approval, nor are any funded for construction at this time. The analysis shown in the traffic study, which is based on preliminary designs for the proposed interchanges, shows that there is considerable capacity at the ramp junctions with the adjacent roadways.

The subject site, if developed with 400,000 square feet of light-industrial space and 600,000 square feet of retail space, would generate $(3,244 + 14,400 =) 17,644$ daily vehicle trips. Oxon Hill Road is a planned collector facility four lanes (two lanes in each direction) within a right-of-way of 80 feet. The portion of Oxon Hill Road adjacent to the site currently operates as a two-lane facility. It is noted that the revised traffic study assigns 33 percent of light-industrial traffic and 60 percent of retail traffic onto Oxon Hill Road (note that 40 percent of retail traffic is pass-by traffic along MD 210, leaving 8,640 new daily trips). Therefore, this proposal alone would add 6,250 daily cars to Oxon Hill Road. While this quantity would not be sufficient to require that Oxon Hill Road be reclassified to a higher facility, this amount of traffic would double the existing traffic along Oxon Hill Road. It is very likely that this development would eventually necessitate the widening of the entire length of Oxon Hill Road to four lanes.

The greatest concern is about the new access points which are proposed by this plan. The Master Plan is very clear that existing at-grade intersections will be replaced by interchanges. The submitted plan suggests a service road connection to the north. Staff would be much more positive about the proposal if the plan did not suggest access onto MD 210, even if it is only right-in/right-out access. Although the subject plan provides better assurances about future access to the site, it is not at all clear that driveway access from this site onto MD 210 would be appropriate once grade-separated interchanges are built at Kerby Hill and at Palmer Roads. There is capacity for the site to make greater use of the planned interchanges, their ramps, and the service road for access rather than the right-in/right-out

accesses. However, this type of access would also greatly diminish the potential viability of the retail use on the property. Possibly a more employment-oriented zone, such as the E-I-A Zone, could be more feasible at this location in the long term.

A final issue concerns the location of the proposed zone versus the existing and planned transportation facilities. There are no major transit stops or stations, either existing or planned, adjacent to the site, although the site is currently served by Metrobus services which use MD 210. The nearest major intersection or interchange would be the intersection of MD 210 and Palmer Road. MD 210 is a planned expressway/freeway facility, and Palmer Road is the route for A-52 (Allentown Road Relocated). Although this intersection appears to be about 500 feet south of the subject property, the plan does not present a proposal to connect to that intersection/future interchange. Any connection would need to cross Henson Creek, a crossing which would present significant environmental obstacles. It would seem that the requirement for the zone to be in the vicinity of a major intersection or interchange would be primarily for the purpose of access, a level of access which will not likely exist for this property.

Conclusion

The Transportation Planning Section concluded that the applicant has provided sufficient evidence in the traffic studies dated February 2001 and November 2001 to show that transportation adequacy can be achieved for the implementation of the M-X-T Zone. However, the improvements proposed by the applicant are not contained in any currently approved policy document at the state or county level. In addition, public funding is not currently approved to provide these facilities.

Therefore, if these applications are approved, they should be conditioned upon the applicant providing all the facility improvements that are necessary to serve the proposed development. Furthermore, the following conditions are also recommended as a minimum, to ensure a demonstration of adequacy at the time of preliminary plan consideration:

- (1) At the time of preliminary plan, the applicant will show adequacy as required by Section 24-124 at the intersections of MD 210/Kerby Hill Road/Livingston Road and MD 210/Palmer Road/Livingston Road. This finding may be made by means of the construction of at-grade roadway improvements by the applicant, or by a phased combination of at-grade improvements and the implementation of the ultimate grade-separated interchanges. Any at-grade improvements or possible modifications to planned interchanges must have the concurrence of the State Highway Administration prior to Planning Board approval.

- (2) At the time of preliminary plan, the applicant will show adequacy as required by Section 24-124 at the intersection of Oxon Hill Road/Livingston Road/Old Fort Road. Any proposed roadway improvements at this location must have the concurrence of the County Department of Public Works and Transportation prior to Planning Board approval.
- (3) At the time of preliminary plan, the applicant will study adequacy and operational concerns at any proposed site access points along Oxon Hill Road, and provide appropriate recommendations to address inadequacies.
- (4) At the time of preliminary plan, a traffic study of similar scope to those submitted in support of the subject application will be provided for review. Any potential access to MD 210 directly from the site will be subject to a preliminary review and conceptual approval by the State Highway Administration prior to Planning Board approval. The granting of the M-X-T Zone on the subject property and the acceptance of the February 2001 and the November 2001 traffic studies for review shall not be interpreted as a recommendation by any approving body that the subject property should receive direct access onto MD 210. •
(Memorandum, Masog to Lockard, November 14, 2001)

(B) The finding by the Council of adequate transportation facilities at this time shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

Finding: The applicant is aware of this provision.

CONCLUSION:

Zoning Applications A-9950 and A-9951 do not meet all the requirements for reclassification to the M-X-T Zone. Individually, they propose single-purpose uses and therefore are not in keeping with the purposes of the M-X-T Zone. Therefore, A-9950 and A-9951 are recommended for DENIAL.

Zoning Application A-9949 meets all the requirements for reclassification in the M-X-T Zone. It is located in the vicinity of a planned major interchange. Although it proposes a mixed-use development that differs from the recommendations of the Subregion VII Master Plan, the proposal does not constitute a substantial impairment of the plan, and the development concept is in keeping with the purposes of the M-X-T Zone. In addition, the applicant has demonstrated that transportation adequacy can be achieved with specific transportation improvements, although they are not currently funded as part of any public policy document.

Therefore, it is recommended that A-9949 be APPROVED, subject to the condition that the applicant shall be required to provide all the transportation facility improvements that are necessary to serve the proposed development. Furthermore, the following conditions are also recommended as a minimum, to ensure a demonstration of adequacy at the time of preliminary plan consideration and as CDP considerations:

1. At the time of preliminary plan, the applicant will show adequacy as required by Section 24-124 at the intersections of MD 210/Kerby Hill Road/Livingston Road and MD 210/Palmer Road/Livingston Road. This finding may be made by means of the construction of at-grade roadway improvements by the applicant, or by a phased combination of at-grade improvements and the implementation of the ultimate grade-separated interchanges. Any at-grade improvements or possible modifications to planned interchanges must have the concurrence of the State Highway Administration prior to Planning Board approval.
2. At the time of preliminary plan, the applicant will show adequacy as required by Section 24-124 at the intersection of Oxon Hill Road/Livingston Road/Old Fort Road. Any proposed roadway improvements at this location must have the concurrence of the County Department of Public Works and Transportation prior to Planning Board approval.
3. At the time of preliminary plan, the applicant will study adequacy and operational concerns at any proposed site access points along Oxon Hill Road, and provide appropriate recommendations to address inadequacies.
4. At the time of preliminary plan, a traffic study of similar scope to those submitted in support of the subject application will be provided for review. Any potential access to MD 210 directly from the site will be subject to a preliminary review and conceptual approval by the State Highway Administration prior to Planning Board approval. The granting of the M-X-T Zone on the subject property and the acceptance of the February 2001 and the November 2001 traffic studies for review shall not be interpreted as a recommendation by any approving body that the subject property should receive direct access onto MD 210.
5. The woodland conservation threshold for A-9949 shall be 20 percent. In addition to the bonus incentives listed in Section 27-545(b) of the Zoning Ordinance, woodland conservation in excess of 30 percent of the gross tract may be evaluated to increment the maximum floor area ratio.
6. Stream buffers as defined in Section 24-130 of the Subdivision Regulations shall be included in woodland conservation areas to the fullest extent possible.
7. Individual specimen trees or groups of specimen trees shall be retained as part of the Type I Tree Conservation Plan.
8. In addition to the requirements of Section 27-273(e)(9) of the Zoning Ordinance, a wetland delineation shall be submitted with the Conceptual Site Plan.
9. In addition to the requirements of Section 27-273(e)(9) of the Zoning Ordinance, a geologic map shall be submitted with the Conceptual Site Plan. The map shall include at least one east-west cross-section through the site.
10. In addition to the requirements of Section 27-273(e)(9) of the Zoning Ordinance, a soil map shall be submitted with the Conceptual Site Plan. The map should clearly indicate areas of highly erodible soils on slopes of 15 percent or greater.
11. In addition to the requirements of Section 27-273(e)(9) of the Zoning Ordinance, the Conceptual Site Plan shall show the 65 dBA (Ldn) highway noise contour for Indian Head Highway.

