

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 PETITION NO. A-9956

| Application                                                                                         | General Data                    |
|-----------------------------------------------------------------------------------------------------|---------------------------------|
| Project Name<br><br>Balk Hill Village                                                               | Date Accepted 3/20/02           |
|                                                                                                     | Planning Board Action Limit N/A |
|                                                                                                     | Tax Map & Grid 060 E-3          |
| Location<br><br>East side of Landover Road at St. Josephs Drive.                                    | Plan Acreage 123.2              |
|                                                                                                     | Zone I-3                        |
|                                                                                                     | Dwelling Units 420              |
| Applicant<br><br>Rocky Gorge Homes<br>7611 Little River Turnpike #101E<br>Annandale, Virginia 22003 | Square Footage N/A              |
|                                                                                                     | Planning Area 73                |
|                                                                                                     | Council District 05             |
|                                                                                                     | Municipality None               |
|                                                                                                     | 200-Scale Base Map 203NE8       |

| Purpose of Application                     |                          | Notice Dates                            |            |
|--------------------------------------------|--------------------------|-----------------------------------------|------------|
| Rezoning from the I-3 to M-X-T Zone 27-213 |                          | Adjoining Property Owners (CB-15-1998)  | 3-25-02    |
|                                            |                          | Previous Parties of Record (CB-13-1997) | N/A        |
|                                            |                          | Sign(s) Posted on Site                  | N/A        |
|                                            |                          | Variance(s): Adjoining Property Owners  | N/A        |
| Staff Recommendation                       |                          | Staff Reviewer: Jimi Jones              |            |
| APPROVAL                                   | APPROVAL WITH CONDITIONS | DISAPPROVAL                             | DISCUSSION |
|                                            |                          | X                                       |            |

April 23, 2002

**TECHNICAL STAFF REPORT:**

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

VIA: Arie Stouten, Zoning Supervisor

FROM: Jimi Jones, Planning Coordinator

SUBJECT: **Zoning Application No. A-9956**

REQUEST: **Rezoning from the I-3 to the M-X-T Zone**

RECOMMENDATION: **DENIAL**

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NOTE:

This application is 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 application, it 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 this application. 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.

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## FINDINGS:

- A. Location and Field Inspection: The subject property is a large, irregularly shaped parcel on the east side of Landover Road at St. Josephs Drive. This undeveloped property contains rolling terrain with open agricultural fields and some stands of mature trees. A stream is located in the northwestern portion of the property.
- B. History: The subject property was retained in the I-3 Zone by the 1990 Sectional Map Amendment for Largo-Lottsford and vicinity.
- C. Master Plan Recommendation: The *Largo-Lottsford and Vicinity Master Plan* (1990) recommends Employment Area 3, of which the subject property is included, as an industrial park/business campus. The master plan also addresses a land use alternative for the majority of the subject property. This alternative encourages residential land use, which could be in addition to employment land use. The master plan recommends that any residential alternative on the site be implemented through comprehensive design zones or the M-X-T Zone.
- D. Request: The applicant is requesting a rezoning of the subject property from the I-3 to the M-X-T Zone to allow the development of a mixed-use community. The proposed ■Balk Hill Village■ community would consist of approximately 393 dwelling units (both attached and detached) and a 20-acre office park with offices built at a ■residential scale■.
- E. Neighborhood and Surrounding Uses: The neighborhood is defined by the following boundaries:

North - Ardmore-Ardwick Rd.  
East - Enterprise Rd.  
South - Landover Rd. and Lottsford Rd.  
West - Capital Beltway

The property is surrounded by the following uses:

North - Undeveloped land in the R-S Zone and single-family detached homes further north in the R-R Zone.  
East - Across Campus Way North is the Tartan South subdivision, which is currently being developed with single-family homes in the R-S Zone.  
South - Undeveloped land in the I-3 and C-O Zone to the southeast. Southwest of the subject property across St. Josephs Dr. is St. Josephs Church in the R-R Zone. Further south across Landover Road is the Ingelwood office park in the I-3 Zone.  
West - Undeveloped land in the M-X-T Zone and the Capital Beltway (I-495).

F. Zoning Requirements:

1. M-X-T Findings: Section 27-213(a) provides the following findings that are required for approval of the M-X-T Zone:
- (1) **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).**

The property lies within the vicinity of the intersection of several major interchanges. The property is located less than 1,000 feet southeast of the intersection of Landover Road ( an expressway) and the Capital Beltway (freeway).

The intersection of Landover Road and Lottsford Road (an arterial) is approximately 850 feet south of the subject property. The intersection of Campus Way North (an arterial) and Lottsford Road is also less than 1,200 feet southeast of the property. The property is, therefore, eligible for rezoning under this criteria.

(B) **Criterion 2. The applicable Master Plan recommends mixed land**

- (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.**

The master plan recommends a mix of land uses that differs significantly from the applicant's proposal. The plan strongly recommends an emphasis on office and other types of employment uses. Whereas, the applicant proposes devoting the majority of the available acreage to residential development.

In addition, approval of the applicant's proposal will result in the substantial impairment of the plan's recommendation for this employment area. It will effectively reduce the potential for employment development opportunities by approximately 50 percent. These opportunities will be lost forever in this plan-designated employment corridor.

The details of the *Largo-Lottsford and Vicinity Master Plan* (1990) and the *MD 202 Corridor Study* are provided by the Community Planning Division (April 17, 2002 memo, Fields to Jones):

*The Largo-Lottsford and Vicinity Master Plan (1990):*

The subject site is included in Employment Area 3. The master plan states (page 86) that development activity during the master plan preparation in 1990 focused a great deal of attention on the area to the east and north of MD 202. Originally planned for residential development, access to the Beltway and the influence of the emerging industrial development within Employment Area 1 (south of MD 202) led to the realization of the potential for expansion of the planned employment area. Employment Area 3 contains approximately 500 acres (at plan approval) mostly located between MD 202 and proposed Campus Way North. It also includes the portion of the Inglewood II property lying north of Campus Way North. The area is readily accessible to the Beltway. Office uses are to be a significant component of employment development in this area.

The master plan (page 86) proposes a Central Business District for Inglewood II (abutting the subject site to the west) which will incorporate employment, limited commercial, and recreational uses, as well as a hotel. This center will provide a focal point to the larger office and business park type development within Employment Area 3 .

The master plan states (page 87) that the type of development within Employment Area 3 is an important consideration. As with the other major employment areas within Planning Area 73, an industrial park/business campus approach is recommended. Office, research and development space and light assembly are the preferred uses. Because of its configuration, this employment area will be readily visible from well-traveled roads such as the Capital Beltway, MD 202, Campus Way North, and Lottsford Road. These roads can be seen as "gateways" with MD 202 entering from the Beltway into the central portion of the county... • Further, MD 202 is identified as an employment corridor in the master plan.

Based on the land use recommendations in the 1990 master plan for Employment Area 3, the master plan indicates that a combination of major transportation improvements and Transportation Systems Management (TSM) trip reduction measures will be necessary to provide adequate service to the area. The master plan recommends that development within Employment Area 3 should conform to five transportation conditions identified on pages 87 and 88.

The master plan states that the design of the employment area (and possible related residential area) can have an impact on the transportation system. The master plan (page 88) includes a number of transportation site planning recommendations.

Further, the master plan addresses land use compatibility between employment and residential uses in this area. The master plan (page 90), sets forth design criteria to protect the integrity of residential areas. The master plan does provide an alternative to the primary land use recommendation of employment. The master plan (page 88) states that,

Although Employment Area 3 offers great opportunities for employment development, limited modifications of the development pattern may also be desirable. The master plan map shows, through the use of a striped pattern, portions of Employment Area 3 where residential development could be feasible. Any such residential development would need to be carefully incorporated into the overall development pattern. Land use compatibility, internal circulation, and protection from noise impacts from nearby highways should be major concerns during design. The master plan recommends that any residential alternatives be implemented through comprehensive design zones or the M-X-T Zone. However, like employment proposals, any residential alternatives shall be guided by the recommended densities shown on the master plan map and the previously described transportation limitations.

*Approved Biennial Growth Policy Plan :*

The *Approved Biennial Growth Policy Plan* (2000), also known as the *Interim General Plan*, includes growth, land use and public facilities objectives. The objectives are measurable steps, intended as benchmarks, to measure the county's progress in achieving its growth management goals. The Growth Objective No. 4 states that the county seeks to increase the jobs to housing ratio. It identifies the desired ratios in five-year intervals from 2005 to 2020. Further, regarding Priorities of the plan, quality economic development is listed as the Number 2 priority after schools. The plan states that county residents should have greater access to upper income, higher value-added jobs in the county. Benefits listed include improved economic opportunities for county residents, a reduction in the tax burden imposed on residents to provide high quality public services and facilities and in the amount of time residents spend traveling to work.

*MD 202 Corridor Study:*

In 1996, the Planning Department initiated the MD 202 Corridor Study to evaluate whether the land use recommendations of the 1990 *Largo-Lottsford Master Plan* needed to be revised in the vicinity of, and including, the subject property. The transportation analysis for projected development in the study area was updated. Community members and other stakeholders participated in developing a vision for the area. Ultimately, in terms of land use, the MD 202 Corridor Study reinforced the recommendations of the master plan.

As part of this planning effort, the Planning Group (property owners in the study area and concerned citizens) elaborated on their vision of the study area. Lists of preferred and undesirable land uses were

created that drew support from the community and the participating county officials (Study, Part One, page 6). Also noteworthy, is the description of the land use vision in Part Two, page 4 as follows:

“The Planning Group confirmed the land use recommendations in the 1990 *Largo-Lottsford Master Plan*. There was consensus on the general land use types recommended in the plan and their locations.

The Planning Group’s “preferred uses” list was culled from a brainstorming session, the purpose of which was to articulate a vision defining the future character of the study area. It was agreed that each of the listed uses would be supportable within the community. The county has consistently supported revenue-producing development at this location.

“The concept plan prepared by the Planning Group illustrates their consensus on general land uses and land use patterns in the study area. As envisioned, a fully developed study area would abound with Class A corporate offices. They would be located on spacious, meticulously landscaped sites; especially at signature locations, such as major gateways along prominent roads. Pathways would connect with the surrounding community. Buildings would be oriented to internal streets and attractive gateway features would enhance the entrances to the development as indicated on the Planning Group’s concept plan.”

This study was transmitted by the Planning Board to the County Council in 1997. The recommendations in the study provided a basis for the ongoing *MD 202 Minor Public Facility* amendment. The amendment project is scheduled for a public hearing on April 30, 2002. The three amendments subject to the public hearing are addressed in the *Preliminary MD 202 Minor Public Facility Amendment* (February 2002).

**(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.**

**(B) The finding by the Council of adequate transportation facilities at**

The Transportation Planning Section, in a memo dated April 15, 2002 (attached), notes that:

The applicant prepared a traffic impact study dated March 2002, and generally prepared 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). Due to the need to provide timely comments for the technical staff report, comments from these agencies are not included. Both agencies are routinely given 30 days for comment on a study, and neither agency has had sufficient time for a full review. Comments, along with any staff responses, will be forwarded for the record when they are received. 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. Due to the short time frame allowed for review, staff's analyses are somewhat limited. The Transportation Planning Section's recommendation in this memorandum represents staff's best judgement based upon the information at hand as of this date, consistent with the *Guidelines*. More detailed analyses, along with comments from the operating agencies, may result in amendments to these recommendations prior to the hearing by the Zoning Hearing Examiner.

A residential property to the northeast of the subject property is also known by the name "Balk Hill"; that property has filed a Comprehensive Design Plan and a subdivision plan which are both currently under review. The traffic study filed for the subject case is identical to the one filed for the residential cases; as such, it fully accounts for the development of the subject plan and the other two residential plans.

#### Summary of Traffic Impact Study

The applicant has prepared a traffic impact study in support of the application using new counts taken in October 2001. The traffic impact study prepared and submitted on behalf of the applicant reviews the following intersections:

MD 202/I-95 SB on-ramp  
MD 202/I-95 NB on-ramp (unsignalized)  
MD 202/McCormick Drive/St. Josephs Drive  
MD 202/Lottsford Road  
MD 202/Technology Way  
MD 202/Lake Arbor Way/Arena Drive  
Lottsford Road/Campus Way  
Lottsford Road/Lottsford Vista Road

This area was studied extensively by transportation planning staff during the MD 202 Corridor Study. This study was a part of the Planning Department's FY 1997 work program and was completed in 1997. The study originally began as a study in support of a Sectional Map Amendment



generally including properties within an area bounded by MD 202, the Capital Beltway, Lake Arbor Way and the proposed alignment of Campus Way. During the course of the study, it evolved into a visioning and implementation study. Much of the direction of the study during its duration was the result of collaborative discussions within a series of study group meetings, with the study group composed of technical staff, citizen representatives, and development interests. From a transportation perspective, the MD 202 Corridor Study involved a comprehensive study of transportation in the MD 202 corridor. This comprehensive study included:

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

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

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

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

4. Overpass and partial interchange at MD 202 and St. Josephs Drive/McCormick Drive

Another important conclusion was that the comprehensive study of transportation staging done as part of the MD 202 Corridor Study would be considered part of the empirical evidence in support of development applications in the area for a period of ten years. As this study is currently five years old, it will provide a suitable basis for the transportation recommendations for the subject application.

With the development of the subject property and using the MD 202 Corridor Study as a basis, the traffic consultant has determined that adequate transportation facilities in the area can be attained. The study recommends that the applicant pay a pro-rata share toward improvements along MD 202 and construct, to full section, on-site portions of St. Josephs Drive and Campus Way. The methodology is based upon needed adequacy improvements to MD 202 being funded approximately 18 percent by the applicant.

Based on the information submitted by the applicant, the Transportation Planning Section made the following determinations:

Speaking strictly from the Transportation Planning perspective, the application meets the needed findings in Sections 27-213(a)(2) and 27-213(a)(3). With regard to the finding in Section 27-213(a)(2), the uses which are proposed would not exceed the impact of the subject site on surrounding transportation facilities.

With regard to the finding in Section 27-213(a)(3), there are three issues which must be considered in staff's recommendation:

1. The applicant's finding is based, in part, upon the use of a pro-rata share in obtaining adequacy in the area. Notwithstanding the language in the Zoning Ordinance, the MD 202 Corridor Study was approved with a recommendation stating that "We (the planning group) recommend that fair-share funding allocations be determined on a case by case basis".
2. The applicant's finding is based, in part, upon improvements not being entirely developer-funded, consistent with the recommendation that "The overall cost of identified road improvements must be shared by the public and private sectors.
3. The applicant's finding is made in spite of the fact that at-grade staged improvements at the MD 202/McCormick Drive/St. Josephs Drive intersection do not provide adequacy under a LOS D standard. However, the traffic analysis for the MD 202 Corridor Study was based upon a comprehensive set of improvements being in place. Lacking that full set of improvements, there could be localized inadequacies.

Recognizing this issue, the study included a recommendation that states that, as long as development proposals are consistent with the MD 202 Corridor Study, no further comprehensive traffic studies or staging plans would be required for the development of individual properties. As an adequacy finding is, at its basis, a staging plan, this recommendation suggests that consistency with the MD 202 Corridor Study, from the aspect of appropriately funding needed transportation improvements, is sufficient to show adequacy.

Given the apparent conflict between the precise language of the finding and the statements and intent expressed in the MD 202 Corridor Study, the transportation staff believes that the MD 202 Corridor Study, with its focus on enabling development of the area, including the subject property, provides the appropriate basis for recommending approval of the subject application. This recommendation is subject to the following conditions:

1. The following improvements shall be funded by the applicant, with the timing to be determined at the time of preliminary plan of subdivision:
  - A. The construction of Campus Way as an arterial facility within the limits of the subject property.
  - B. The construction of St. Josephs Drive as a collector facility within the limits of the subject property.
2. The applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the applicant shall provide a second eastbound left-turn lane along MD 202 at the McCormick Drive/St. Josephs Drive intersection. These improvements shall be either directly provided by the applicant, or shall be funded by the applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis.
3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:
  - A. Campus Way, an arterial facility with a right-of-way of 120 feet.
  - B. St. Josephs Drive, a collector facility with a right-of-way of 80 feet.
  - C. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Josephs Drive.
4. The applicant shall study the planned Campus Way/St. Josephs Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.

5. The development of the subject property should be limited to 20,000 square feet of retail space, 328,480 square feet of general office space, and 393 residences, or other permitted uses which generate no more than 1,013 AM and 1,058 PM peak-hour vehicle trips.

G. Environmental Impact: The Environmental Planning Section provides the following assessment (March 27, 2002 memo, Ingram to Jones):

Background

The Environmental Planning Section previously reviewed this site as rezoning application number A-9636-C. A portion of the site is subject to Tree Conservation Plan (TCP) I/05/97 which was approved with preliminary plan 4-97013.

Site Description

Current air photos indicate that portions of the site are wooded and portions contain open agricultural fields. This property is within the Western Branch watershed, which is part of the Patuxent River Watershed. A stream is located in the northwestern portion of this property and wetlands may occur adjacent to this stream. Steep and severe slopes have also been found to occur on the property. Campus Way North, a planned arterial highway, will be a future noise source. Marlboro Clay does not occur in the area. The predominant soils found to occur according to the Prince George's County Soil Survey are the Collington Series which do not pose any difficulties for development. The sewer and water service categories are S-4 and W-4. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled ■Ecologically Significant Areas in Anne Arundel and Prince George's Counties, • December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of the property.

Environmental Review

1. A-9636-C predates the Woodland Conservation Ordinance. However, it contains the following conditions which relate to woodland conservation on this site:

Condition 2. ■The Conceptual Site Plan shall include a tree-stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams, and where they serve as a buffer between the subject property and adjacent residentially zoned land. •

Condition 8. ■A minimum 150-foot building setback shall be required where the property abuts land in a residential zone or comprehensive design zone planned for residential use. In addition, development or use of the subject property shall be substantially buffered from such residential uses by maintaining existing vegetation, where appropriate, and by the use of other buffers and screening techniques, such as fences, walls, berms and landscaping. . . •

*Comment: The two above conditions should be carried forward on the subject application.*

2. A Forest Stand Delineation (FSD) and a Tree Conservation Plan (TCP) are not required at this time. However, an FSD and TCPI are required as part of a Conceptual Site Plan submission. The text of an FSD was included in the zoning map amendment petition but a map for the FSD was not included. The text of the submitted FSD provides conflicting information stating that two large forest stands are located in the north western end of the property. A complete and accurate FSD must be submitted at time of Conceptual Site Plan.

The current zoning of the property has a woodland conservation requirement of 15 percent. The M-X-T Zone, which is proposed, also has a woodland conservation requirement of 15 percent. Because the most developable portions of the site are not wooded at this time, and the woodlands are mostly found in areas that will remain protected, i.e., the stream, wetlands, and on steep slopes, a change in zoning category will not have a substantial effect on the protection of significant woodlands.

*Comment: At time of Conceptual Site Plan submission all information with respect to environmental reviews will be required.*

3. A portion of this site is subject to TCPI/05/97.

*Comment: TCPI/05/97 requires woodland reforestation and preservation along St. Joseph's Drive and Campus Way North. If the future Conceptual Site Plan and TCPI do not show these areas as either in reforestation or preservation, TCP I/05/97 will need to be revised.*

- H. Applicant's Position: The applicant contends that the proposed development meets all criteria in Section 27-213. With respect to the master plan, the applicant's position is as follows:

■The M-X-T Zone is a floating zone. Maryland courts have held that the main inquiry in floating zones is that of compatibility. In previous M-X-T zoning applications, the District Council has found a presumption of compatibility by the statement in the Zoning Ordinance, Section 27-542, that one purpose of the M-X-T Zone is ■to encourage diverse land uses, which blend together harmoniously.● Granting approval of the rezoning of this property would allow for development of a high quality, revenue-generating project.

■This plan of development will be of high overall quality. It specifically satisfies and upholds the County Planning Goals of the General Plan. The General Plan recognizes that no set of Planning Goals can be attained completely, however, many of the relevant Goals will be met by this proposed development.

■To achieve an improved quality of life through the development of human resources.

■(d). By preserving and creating identifiable communities and a variety of living environments through imaginative urban design;

■This development will provide model architecture and site design. The innovative and imaginative concepts will help to achieve an improved quality of life.

■4. To improve the quality of development and the image of the County as a good place to live and work.

- (a) *by ensuring high standards of construction in all forms of housing as well as high quality environments for all residential areas.*
- (d) *by developing employment areas in accordance with the principles of good architectural and site design, with emphasis on the industrial park approach;*
- (e) *By improving the visual quality of the county through landscaping and aesthetic improvements of streets highways, and commercial and industrial areas.*

■The residential units will use modern architectural construction standards and by well thought out design and construction procedures, create a high quality environment. The development will provide model architecture and site layout. The residential units will provide a living area convenient to the existing and proposed employment areas in the immediate vicinity. In addition, the quality of development will be improved by sensitive use of tree lined streets and adequate buffering.

■The development proposed will provide model architecture and site design. It will become a major employment area enabling other quality development to occur in the immediate vicinity of the project.

■7. To provide a favorable climate for business, industry, and agriculture.

- (a) *by improving the county's employment base through attracting higher income/skilled workers to the county.*
- (e) *by encouraging an ample supply and diversity of housing to meet the needs of new employees of prospective industries and businesses.*

■This project will enable the applicant to fulfill both of these goals through variation of lots and architecture.

■8. To assure sound economic development and expansion of the tax base.

- (f) *by encouraging the development of upper-income housing.*

■This proposal will provide for some upper-income housing.

- (a) *environmental amenities to enhance the character, quality and livability of the County:*

■10. To preserve and protect environmental quality.

■(c) *by preserving natural and scenic assets as an integral part of the development process and by utilizing existing environmental amenities to enhance the character, quality, and livability of the County;*

■(e) *by maintaining the natural character and aesthetic qualities of stream valleys and wetlands properly planning for storm water so as to prevent loss of life, to minimize property damage, and to avoid interruption of services;*

■(h) *by controlling the location and intensity of residential development within areas of high noise levels as airports and near major highways and railroads;*

■This proposal will honor, to the extent possible, the natural features of the site and be sensitive to the environmental guidelines of the county.

■11. *To protect and improve the quality of neighborhoods:*

■(a) *by encouraging neighborhood design which stresses neighborhood quality and which minimizes the cost of subsequent neighborhood maintenance and upkeep to taxpayers;*

■(f) *by providing for the effective transition between residential neighborhoods and adjoining nonresidential uses through the imaginative use of urban design and the development of effective buffering techniques and standards;*

■(j) *by providing the local educational, recreational, commercial, and service facilities be designed and situated so as to be community assets:*

■(k) *by providing local recreation facilities, trails, and bikeways, as well as sidewalks, in neighborhoods at the time of development;*

■This project intends to stress quality and innovation of design in order to provide, among others, effective, safe, and efficient transition between residential and non-residential uses. Also community assets, either recreational, educational, or commercial will be provided to protect and improve the quality of neighborhoods.

■13. *To provide an efficient, effective transportation system to maximize accessibility and the movement of people and goods:*

■(a) *by designing, developing, and improving the transportation system as a comprehensive network:*

■(b) *by enabling residents and employees to minimize vehicular miles traveled, as well as total travel time, in order to minimize air pollution and to conserve fuel;*

■(e) *by locating employment areas where adequate access exists or will exist for employees and for good movement;*

■The circulation system will maximize the utilization of the internal development of the property. Employee opportunities will be close to major intersection for ease of commuting, thus, reducing total travel time and minimizing air pollution.

■4. To assure the orderly and efficient utilization of land:

- (1) *by encouraging a variety of residential neighborhoods offering a variety of urban to rural lifestyles;*

■This proposal will provide for a unique subdivision not otherwise possible with a more traditional zoning method. This uniqueness will encourage a variety of lifestyles.

■**Compliance With The Master Plan**

■Balk Hill is located in Planning Area 73 covered by the Largo-Lottsford Master Plan, approved in July 1990. The Balk Hill Village property is located in Neighborhood F of the Enterprise Community.

■The Zoning Map Amendment Petition follows the guidelines and policies of the Master Plan and development of Balk Hill will be in conformance with the Master Plan recommendations. Conformance with the Master Plan thus assures compliance with the zoning criteria of 27-213.

■Specific guidelines from the Master Plan that relate to Balk Hill are discussed below

■1. **Circulation and Transportation** (Page 33 of the Master Plan)

■Goal: To provide a reasonable transportation network within Largo-Lottsford that maximizes safety and efficiency, and provides for all modes of travel in an integrated manner.

■Objectives:

- 1. To reduce existing traffic congestion, improve circulation deficiencies, decrease accidents, and develop a reasonable transportation system with sufficient capacity to accommodate additional traffic generated by future land development.
- 2. To encourage mass transit system of bus and rail services, including public parking facilities, which provides efficient and comfortable service to supplement private automobiles, conserve energy, and improve air quality.
- 3. To facilitate the safe and orderly movement of both local and through traffic by minimizing conflicts, where possible, between types of traffic trips and by reducing through traffic on local or collector roadways.
- 4. To plan roads or improvements providing efficient access to residential, commercial and employment areas, while minimizing dislocation and disruption resulting from the construction of such roads and improvements.



- 5. To maintain, where possible, the design capacity and traffic flow efficiency of planned highways by controlling access, providing adequate rights-of-way and discouraging high traffic generating developments with immediate access adjacent to intersections and/or interchanges.
- 6. To reduce vehicle miles driven, fuel consumption, traffic overload, excessive noise, air pollution, and other environmental deficiencies resulting from an inefficient circulation and transportation system.
- 7. To develop and recommend nonvehicular facilities, including pedestrian/hiker trails, bicycle ways and equestrian paths, which may link residential areas to each other and to commercial retail facilities, employment centers, recreation areas, and other transportation facilities.
- 8. To encourage development of transportation system management strategies for major employment areas designed to reduce reliance on low-occupancy vehicles and increase reliance on pooling and public transportation, thereby relieving future employment-generated traffic and congestion.

■The Zoning Map Amendment (ZMA) provides for the safe and orderly movement of local traffic and discourages through traffic since it does not provide an easy link to major thoroughfares for other communities. The Plan provides only one access point to Campus Way North, thus limiting points of ingress and egress. The Plan provides for the continuation of Campus Way North providing easy access to residents of Balk Hill to Lottsford Road and the proposed Largo Metrorail extension.

## ■2. **Environmental Envelope** (Page 49 of the Master Plan)

■Goal: To protect the physical environment and enhance the character, quality and livability of the Largo-Lottsford Planning Area by preserving natural environmental assets as an integral part of the community structure.

### ■Objectives:

- 1. To identify and preserve natural and man-made features that have a significant influence on the environmental and aesthetic quality of the Planning Area.
- 2. To locate development according to the opportunities and constraints presented by the local environmental characteristics.
- 3. To define a permanent open space system comprised of private, governmental, and institutional facilities.
- 4. To ensure the provisions of adequate open space within each community based on application of adopted M-NCPPC park and recreation standards.

- 5. To create a system of greenways and trails to link living areas, parks, schools, commercial and employment centers and other focal points as part of the open space network.
- 6. To guide development in a manner that will minimize any adverse impacts on the natural environment, giving particular emphasis to the stream valleys.
- 7. To maintain the natural character and aesthetic qualities of stream valleys and wetlands, proper planning for stormwater management to prevent loss of life, to minimize property damage, and to avoid interruption of service.
- 8. To maintain water quality to provide for the protection and propagation of fish and wildlife and the enjoyment of water recreation facilities.
- 9. To encourage the use of careful site planning and construction techniques to minimize the adverse impact of noise, vibrations, fumes, visual intrusion, etc. on the human environment.
- 10. To establish an implementation strategy that utilizes existing laws, ordinances, and public policies for achievement of the environmental objectives by guiding development into the most appropriate areas.
- 11. To endorse the development of necessary new laws, ordinances, and public policies to encourage and promote harmonious development respecting the natural environment.

■The Zoning Map Amendment (ZMA) for Balk Hill provides a permanent open space network to ensure adequate open space within the community. In addition, the open space system is located to provide buffers between residences and any adverse impact of noise, fumes, or visual intrusion from Campus Way North and St. Josephs Drive. The site is planned so as to minimize impact on environmentally sensitive areas, such as wetlands, floodplain and streams. In addition, a Forest Conservation Plan is submitted with this development proposal that shows areas of tree preservation.

■Preservation of naturally occurring non-tidal wetlands and 100-year floodplain has been a factor in the design of the subdivision layout. The ZMA makes every attempt to preserve the significant and aesthetic quality of these features and at the same time take advantage of the opportunities presented by the local environment to enhance the quality of life for the residents. There may be some need to disturb jurisdictional non-tidal wetlands for utilities, road crossing, stormwater management, and/or lot fill but these have been kept to the minimum necessary. By maintaining the natural character of the non-tidal wetlands, stream valley, floodplains and waterways, the ZMA also needs to maintain water quality in order to provide for the protection and propagation of fish and wildlife and the enjoyment of water recreational facilities.

■This will be achieved by establishing a 25' building restriction line from all 100-year floodplain elevations consistent with County Code. The 25' State mandated buffer will be maintained adjacent to the non-tidal wetlands that were not authorized for disturbance. To

the extent possible with this layout, a 50' buffer from the top of the stream bank will be left undisturbed.

**■3. Living Areas (Page 57 of the Master Plan)**

■Goal: To create a residential structure and housing pattern, which strengthens the sense of community identity, provides for a broad range of housing opportunities, fosters, residential stability and community character, and enhances the overall quality of life in the Planning Area.

■Objectives:

- 1. To promote and continually state the need to upgrade the quality of existing and developing neighborhoods with the assets and amenities that will insure stability and provide a sound basis for the protection and enhancement of homeowner equities.
- 2. To provide for a contiguous residential development pattern that will minimize the costly scattering of public services, facilities, and utilities.
- 3. To encourage the design of residential neighborhoods, which preserve as much of the original land form and tree cover as possible.
- 4. To place high priority on the continual upgrading, rehabilitation, and conservation and existing living areas through both public and private actions and by strategically utilizing public programs and capital improvements toward this end.
- 5. To assure that future housing and neighborhoods are designed and located to provide protection from floods, stormwater damage, erosion, unstable soil conditions, noise, vibration, aircraft accidents and other incompatible uses, and to place a high priority on correcting and preventing these deficiencies.
- 6. To locate and design neighborhoods such that an efficient circulation system is possible.
- 7. To provide for an effective transition between residential uses and adjoining nonresidential uses through imaginative use of urban design and the development of effective buffering techniques and standards.
- 8. To minimize undesirable social and physical impacts on residential areas resulting from new construction of or improvement to transportation facilities.
- 9. To encourage the design of housing and living areas that create safe spaces, which in turn minimize vulnerability to crime and facilitate unobstructed access for emergency vehicles.
- 10. To provide a broad range of housing opportunities and neighborhood choices which meet the needs of different age groups, family sizes, life styles, and incomes.

- 11. To make attractive provision for the encouragement of upward mobility in housing choices within the Planning Areas as an alternative to out-migration.
- 12. To encourage public and private efforts to ensure high standards of construction in all forms of housing, for all residential developments.
- 13. To encourage the demolition of vacant, dilapidated house which cannot or will not be upgraded in order to eliminate their blighting influence.
- 14. To encourage removal if incompatible, illegal, and nonconforming uses that intrude into or disrupt the living environment of the neighborhoods.

■The Largo-Lottsford area provides one of the most desirable living areas in Prince George's County. It has an excellent transportation system, as well nearby recreational facilities. It is also developing a strong employment and proposes retail and entertainment facilities in the near future. These are some of the reasons that the Balk Hill property was selected for the development of higher quality. Such housing will satisfy the objective of the Master Plan to provide for upward mobility in housing choices as an alternative to out migration of County residents.

■The proposed Balk Hill development is located in Enterprise Community of the Planning Area. It is included in Neighborhood F. This neighborhood recommends the development of high suburban density units. The Balk Hill proposal is in compliance with this recommendation.

■In addition, the Balk Hill proposal satisfies the Master Plan objectives by providing a contiguous residential development pattern along Campus Way North that minimizes the scattering of public services and facilities. As stated earlier in the environmental discussion, the public open space areas provide area adjacent to existing public open space to facilitate the provision of public open space and recreational facilities.

■The goals and objectives of the Master Plan are primarily concerned with increasing the overall living environment of the Planning Area. The Balk Hill project proposes higher quality housing with monumental entrances to announce the residential community, thus, increasing the overall quality of housing in the Planning Area. The project provides housing opportunities for upwardly mobile County residents. Therefore, Balk Hill provides a community that will satisfy the goals and objectives of the Master Plan.

#### ■4 **Public Facilities** (Page 93 of the Master Plan)

■Goal: To provide needed public infrastructure and services, including schools, libraries, police, fire and rescue, and health facilities and services within the Largo-Lottsford Planning Area in a timely manner and with attention given to the needs of specific user groups.

■Objectives:

- 1. To determine current and future needs in response to economic development and population change.

- 2. To plan appropriately sized facilities to meet current and future requirements.
- 3. To assure orderly and efficient utilization of land in accordance with approved plans by guiding developments so that the capabilities of existing and programmed facilities are not exceeded.
- 4. To coordinate public and private sector plans and set priorities for the acquisition of land and development of public facilities, so as to minimize public costs.
- 5. To support development which is economically advantageous to Prince George's County by maintaining and/or improving the provision, if necessary on a priority basis, of public facilities and services.

■The Balk Hill Project proposed staged responsible growth in order to allow the public infrastructure time to adjust to the influx of residential dwelling units and commercial opportunities offered in this proposal. In addition, the applicant proposes to shoulder a fair share of the infrastructure burden of items such as roads, utilities, schools and parks.●

The applicant also points out that the proposed development is close to the intersection of roads that are of arterial classification or higher (see Criterion 1). Campus Way is classified as an arterial, a three-lane divided highway that cuts through the Largo-Lottsford community in a north-south direction. Immediately south, within 1,000 feet of the property, is the intersection of Lottsford Road with Campus Way. Lottsford Road also has an arterial classification. Lottsford Road connects with Enterprise Road and Landover Road (MD 202), providing an arterial connection east-west through the planning area. Additionally, the site is also in the vicinity of the intersection of Lottsford Road and Landover Road an expressway (E-6) as identified in the master plan on page 42 paragraph 1.

With respect to Criterion No. 2, the applicant notes the master plan recommends high-density suburban mixed land use in this area. Page 63 of the plan indicates that Neighborhood F of the Enterprise Community should be developed as follows:

■However a portion of this area is shown for a potential residential development alternative described in the Employment Area Chapter. Any such residential area would be developed at a high suburban density and would need to be carefully integrated with the larger employment area.●

Page 88 of the master plan goes onto indicate for Employment Area 3:

■Careful incorporation of a residential component into this area could promote a more efficient use of the area's transportation system.● The plan further recommends on page 88 that any residential alternative be implemented through comprehensive design zone or the M-X-T Zone.●

In addition, the applicant provided the following information in a supplemental Statement of Justification, received April 22, 2002:

Description of Request: As part of this request to rezone approximately 125 acres from the I-3 Zone to the M-X-T Zone, the applicant will donate 20 acres of land for employment use

to the Revenue Authority. The purpose of this donation is to jump start employment activity in Employment Area 3 and 13+ years without employment development activity. With the donation of the 20 acres of land for employment uses to the Revenue Authority, the Revenue Authority can stimulate economic activity by selling, at or below market, or with attractive discounts, land or finished lots to the type of users contemplated by the master plan. Development of the donated 20 acres can be the catalyst to stimulate other employment development in Employment Area 3. In addition, development of these 20 acres can generate as much as 348,000 square feet of employment (at a 0.4 FAR) to support the Balk Hill Village residential component.

Compliance with Master Plan: The location of the employment component of Balk Hill Village, while providing a stimulus for the employment market, also achieves the master plan goals to carefully incorporate a residential component into the overall development pattern of the subject property. The residential component of Balk Hill Village is located so as to provide an appropriate buffer between the large lot, single-family R-S development northeast of Campus Way North and the 20-acre Revenue Authority employment development abutting MD 202. The placement of the employment component of Balk Hill Village closer to MD 202 also achieves the master plan goals of land use compatibility by locating employment next to other employment-zoned land. In addition this location protects the residential component from noise impacts from MD 202.

The employment component is connected to the approximately 30 acres of the I-3-zoned King property and 200-acre Inglewood II M-X-T property providing the potential for up to 4.0 million square feet of employment development in keeping with the master plan goal of providing substantial employment in Employment Area 3 while still providing the recommended residential component to provide a more efficient use of the transportation network and provide a closer proximity of workers to workplace (page 88).

The employment component of Balk Hill is located on the part of the property with frontage on MD 202 to provide visibility and access for potential employment users. As stated above, the combination of this 20 acres and the approximately 230 acres of other undeveloped employment zoned land in Employment Area 3 could generate as much as 4.0 million square feet of employment (at a 0.4 FAR). This level of development is in excess of the 2.7 million-square-foot level of development recommended by the 202 Corridor Study as a maximum development level for the proposed road network.

I. Conformance with the Purposes of the Zone Requested:

(a) Section 27-542 provides the following purposes of the M-X-T Zone:

- (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;
- (6) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;
- (7) 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.

The first purpose of the M-X-T Zone seeks to ■...enhance the economic status of the county.● A development that features the right mix of office, residential and retail could generate significant tax revenue as well as employment. While the proposed development could provide living opportunities, there are many such opportunities in the vicinity. Employment use is the primary recommendation of the master plan, and it should be a major component of a development proposal for the subject property.

The proposed development does not encourage diverse land uses which blend together harmoniously. The proposed development will essentially divide the Employment Area in two, thus eliminating the continuity of Employment Area 3 and the anticipated development character.

The proposed development would conserve the value of land and buildings by providing residential, office and support commercial uses. However, when viewed within the context of the master plan, the proposal does not provide the appropriate mix of these uses with only 20 acres for office use and the remaining 103 acres for residential use.

The proposal does not facilitate and encourage a 24-hour environment. It does not provide for a diverse mix of functionally related uses. Uses that promote a 24-hour environment such as restaurants, hotels, grocery stores, and entertainment facilities are not mentioned in this proposal.

#### **DETERMINATIONS:**

The primary land use recommendation in the *Largo-Lottsford and Vicinity Master Plan* (1990) for the subject site and Employment Area 3 is employment. The master plan states that offices are to be a significant component of the employment development in this area. The plan encourages an industrial park/business campus approach to the development. The applicant's proposed development will be predominately residential with a relatively small component of nonresidential.

It is important to retain land that is zoned for employment uses, particularly at key locations in the county, such as the subject area. The property's accessibility to the Beltway, the proximity to the Blue Line extension to the Largo Town Center, the existing employment character and gateway aspect of the MD 202 corridor in this area, all elevate the need to retain employment zoning and support the master plan's primary land use recommendation for this area. Further, almost one quarter of the 500 acres planned for employment use in Employment Area 3 has been reduced since the master plan was approved in 1990. Approximately 80 acres was rezoned to residential at Woodview Village on the south side of Lottsford Road, and a church is being constructed in the I-3 Zone (approximately 15 acres) on Lottsford Road. With the proposed rezoning of the subject site, the employment development opportunities in Employment Area 3 will be reduced by approximately 50 percent.

The master plan addresses a residential land use (high suburban use) alternative for the northern half of the subject site. The master plan states this use may also be desirable; however, the master plan stresses that the residential development would need to be carefully incorporated into overall development of Employment Area 3 and that land use compatibility should be a major concern in the design of the development. The balance of the property is shown on the master plan map for employment land use.

The subject site is centrally located in Employment Area 3. A rezoning to allow residential land use in the middle of the employment area will essentially divide the area in two. It will eliminate the continuity of employment land use and development character for this area.

The subject site meets the locational criterion for the M-X-T Zone. However, the proposed development would substantially impair the plan's primary recommendation, which emphasizes employment potentials, by devoting a majority of the property to residential development. Furthermore, the applicant's development proposal does not satisfy several purposes of the requested M-X-T Zone. Among them are purposes 1, 2, 4, 5, and 6.

Although the proposal contains multiple uses, it is not a true mixed-use development. The proposed residential and office components are quite easily delineated as separate entities, as if developed in different zones, at different times and by independent developers. A true mixed-use development would include a diverse array of uses, dynamically interrelated in horizontal and vertical configurations.

The property's accessibility to the Beltway, proximity to the Metro Blue Line extension to Largo Town Center, the area's employment character, and the gateway aspect of the MD 202 corridor make it a strategic location for employment uses that will support the county's long-term economic development goals.

#### **RECOMMENDATION:**

**DENIAL** of A-9956.