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## ZONING MAP AMENDMENT A-9987 & A-9988

Application	General Data
<b>Project Name:</b> VILLAGES AT TIMOTHY BRANCH  <b>Location:</b> <b>A-9987:</b> East of US 301/MD 5, on the south side of Mattawoman Drive, north of Matapeake Drive. <b>A-9988:</b> East of US 301/MD 5, on the south side of Short Cut Road and Brandywine Road  <b>Applicant/Address:</b> Timothy Brandywine One, LLC. & Timothy Brandywine Investments Two, LLC. 14440 Old Mill Road Upper Marlboro, MD 20772	Date Accepted: 2/2/07
	Planning Board Action Limit: N/A
	Plan Acreage: 334
	Zone: I-3 & E-I-A
	Dwelling Units: 1,200 to 1,500
	Square Footage: 220,000 to 270,000 sq. ft.
	Planning Area: 85A
	Tier: Developing
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 219SE07

Purpose of Application	Notice Dates
Rezoning from the I-3 and E-I A Zones in order to develop mixed residential, office, retail and employment uses	Adjoining Property Owners Previous Parties of Record Registered Associations: 11/2/06 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 10/16/07

Staff Recommendation		Staff Reviewer: Jimi Jones	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

**THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION**

**PRINCE GEORGE'S COUNTY PLANNING BOARD**

**TECHNICAL STAFF REPORT**

**SUBJECT:** A-9987 & A-9988 Villages at Timothy Branch

**REQUEST:** A-9987 : Rezoning from the I-3 and E-I-A Zone to the R-M Zone  
A-9988 : Rezoning from the I-3 and E-I-A Zone to the L-A-C Zone

**RECOMMENDATION: DENIAL**

**NOTE:**

The Planning Board has scheduled this application for a public hearing on the agenda date indicated at the top of the cover sheet. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information

## FINDINGS:

- A. **Location and Field Inspection:** The subject property is located east of US 301 (Crain Highway) and MD 5 (Branch Avenue) on the south side of Short Cut Road and Brandywine Road and approximately 600 feet southeast of the intersection on Branch Avenue and Crain Highway. The site is largely undeveloped and wooded. A tributary of the Timothy Branch also runs through the property.
- B. **History:** The 1993 Subregion V SMA retained this property in the previously existing E-I-A (Employment and Institutional Area) and I-3 (Planned Industrial/Employment Park) Zones.
- C. **Master Plan Recommendation:**
- 2002 General Plan:** These applications are located in a possible future center in the Developing Tier. The vision for centers is to promote development of mixed residential and nonresidential uses at moderate to high densities and intensities in context with surrounding neighborhoods and with a strong emphasis on transit-oriented design. "The Centers in the Developing Tier should be developed at densities that are high enough to generate ridership that justifies the cost of extending rail transit. Developing Tier Centers...should be developed at sufficient intensities with integrated mixed land uses, sustain existing bus service, and create additional opportunities for more walk-, bike-, or drive-to-transit commuting." (General Plan. P. 43)
- Master Plan:** The 1993 Subregion V master plan recommends employment industrial and a planned industrial/employment park for the property.
- D. **Request:** The applicant is requesting that the subject 334.26-acre site be rezoned from the I-3 (Planned Industrial/Employment Park) and E-I-A (Employment and Industrial) Zones to the L-A-C (Local Activity Center) and R-M (Residential Medium Density) Zones. The R-M-zoned portion of the development (A-9987) would contain approximately 262 gross acres, which would accommodate approximately 1,200 to 1,500 residential units. The L-A-C-zoned portion (A-9988) of the development would contain approximately 72 gross acres and would be developed as a mixed-use village center. The village center would consist of retail/commercial, office, and warehousing and distribution, as well as light manufacturing and industrial flex space.

The proposed basic plan reflects the following land use types and quantities:

A-9987:

Total area:	262± acres
Land in the 100-year floodplain:	19 acres
Adjusted gross area:	243 acres
Density permitted under the R-M Zone:	3.6–5.7 du/ac
Permitted Dwelling Unit Range	874.8–1385.1 du

Proposed Land Use Types and Quantities:

One-family detached, townhouse, two-family attached (two-over-two), and multifamily

A-9988:

Total area:	72± acres
Land in the 100-year floodplain:	8 acres
Adjusted gross area:	64 acres
Density permitted under the L-A-C Zone:	10–15 du/ac
Permitted dwelling unit range:	640 – 960 du
Floor area ratio:	0.2–0.4 FAR
Proposed commercial/employment:	220,000–270,000 sq. ft.

Proposed Land Use Types and Quantities:

Commercial/office, retail, light industrial flex space for office, manufacturing, warehousing and distribution uses

E. **Surrounding Uses:** The property is surrounded by the following uses:

North—	Across Brandywine Road is undeveloped land in the I-1 Zone and single-family detached homes to the northeast in the R-R Zone.
East—	Single-family detached homes in the R-R Zone and undeveloped land farther southeast in the I-3 and I-2 Zones.
South—	Scattered storage and light industrial uses in the I-1 and I-2 Zones.
West—	Across US 301 is undeveloped land in the R-R Zone and commercial and warehouse uses in the E-I-A Zone

F. **Zoning Requirements:** Section 27-195(b) provides that prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(1) (A) The proposed Basic Plan shall either conform to:

- (i) The specific recommendation of a General Plan map, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.

**Applicant's Position:** The applicant contends that the proposed plan conforms to the principals and guidelines of the General Plan, which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties. The General Plan lays the foundation for all future planning activities in the county. See General Plan at 4. "This guidance is expressed as goals, objectives, policies, and strategies that, taken together, determine the preferred development pattern and the transportation system, public facilities and

environmental features needed to accommodate that pattern.” See General Plan at 13. Countywide goals featured in the General Plan included encouraging quality economic development and making efficient use of existing and proposed local, state and federal infrastructure investment.

The General Plan locates the property in the Developing Tier of the county, which is defined as a largely suburban area located primarily in the central portion of the county. See General Plan at 5. The property is further defined as a possible future “community center” in a “corridor with limited access.” See General Plan at 26. Within the Developing Tier, a policy overlay for centers and corridors focuses on specific areas where more intense development is encouraged to take advantage of public investments in transportation facilities. See General Plan at 27. Visions for the Developing Tier include *distinct commercial centers*; compact, *higher-intensity, mixed uses* in centers and corridors; and community focal points in planned commercial centers. (Emphasis supplied).

The General Plan strongly recommends mixed-use housing such as will be provided in the R-M Zone, stating that “mixed use housing is integral to this general plan.” See General Plan at 78.

Community centers are defined in the General Plan as areas with a “concentration of activities, services and land uses that serve, and are focal points for, the immediate neighborhoods.” See General Plan at 104. The Brandywine Center is specifically described in the General Plan as follows, “[t]he Brandywine Center is located on *both side of MD 5/US 301* north of the Charles County line. On the east side is a partially developed employment area. On the west side is the Brandywine Special Study Area identified in the 1993 Subregion V Master Plan. This area is currently recommended for a mix of residential, employment and retail uses.” A stated on page 43, “these are areas where the benefits to the County for future development can far outweigh the costs to the County.” See General Plan. Thus, the plan for this property conforms to the principles and guidelines as outlined in the General Plan.

**Staff Comment:** The comments from the Community Planning Division go into great detail about the vision of the 2002 General Plan. These comments are noted below:

“In approving the 2002 General Plan, the District Council states that ‘upon approval, the General Plan...will amend current master plans and functional plans with respect to countywide goals, objectives, policies and strategies...’ (CR-47-2002 (DR-2), page 2, lines 9 – 13). Accordingly, there are several General Plan goals, guiding principles, priorities, objectives and policies with respect to centers in the Developing Tier that are pertinent to evaluation of these applications.

- Economic Development

“The 2002 General Plan specifies that ‘with the exception of high-quality schools, quality economic development is the highest countywide priority. Related to this, a major objective of the general plan is to increase the jobs to population ratio (J:P) by 39 percent over the next 25 years.’ (p. 75) In addition, the General Plan includes ‘detailed criteria for future planning priorities in designated growth Tiers, Centers, Corridors, and countywide’ in Table 8: Evaluation Criteria (p. 98). It is worth noting that for centers or corridors, one of three criteria is the ‘potential for mixed-use projects with a heavy employment component that will increase the jobs-to-housing ratio.’ Should Brandywine be designated as a center, the approval of these applications in its current form would not help the county achieve this objective.

Regardless, if these applications is approved in some form, in order to ensure that the proposed employment development occurs (albeit limited), consideration should be given to requiring some or all of the proposed commercial construction prior to or concurrent with approval of residential building permits.

- Developing Tier -Possible Future Center Designation

“These applications are located in a possible future center in the Developing Tier. A possible future center is one that is anticipated for more intense development at some point in the future, but is not accorded any priority status for public facilities, programming, grants, loans, programs, standards, etc., until after being designated as a ‘center’ by the District Council in some future plan (biennial, area or sector plan). In most cases, there are significant new public infrastructure facilities that need to be programmed in order for significant development to occur, such as the Waldorf Bypass (or some substitute) for Brandywine. The Maryland–State Highway Administration is currently reevaluating the proposed Waldorf Bypass in Subregion V as part of the ongoing US 30–Waldorf Transportation Improvement Study.

“Furthermore, according to the General Plan, the boundaries of existing or possible future centers ‘should be confirmed or revised when master plans or sector plans are prepared to implement the general plan.’ (p. 47) At the same time, the scale of the center (whether classified as a community, regional, or metropolitan) can be evaluated. The Brandywine future center boundaries encompass a very large area, including both Employment Area “C” and the Brandywine Special Study Area community, which are divided by MD 5/US 301. The size of the Brandywine General Plan center area is large enough for several mixed-use focal points or centers with transit or pedestrian orientations. Due to its size, the recommended scale of the Brandywine center may be reclassified from community center to regional scale or higher. The subject properties alone are large enough to encompass the nucleus for two (or three) centers or focal points, especially when viewed in context of adjoining properties.

“Center boundaries could also be revised to reduce the size of the currently identified possible future center land area. In this circumstance, the subject property could be excluded from the center designation, and revert to the Developed Tier. Another set of General Plan land use policies would apply, but the overall priority for employment would remain. Thus, the existing master plan recommendation for a high quality industrial park could still be the appropriate land use policy for this area.

“Regardless, at all General Plan centers, development is envisioned as a higher intensity mix of uses (both vertical and horizontal) with a strong emphasis on pedestrian- and transit-oriented design, not the traditional office and industrial park currently planned for Employment Area ‘C’. Three key elements in the design of a successful Center are the DESIGN, DENSITY, and DIVERSITY. These elements include definition of core areas, appropriate land uses, the mix of uses, the intensity of development, and the transit oriented development design characteristics. Orientation to rail, express bus, or feeder bus stops are essential features of the development concept’ (General Plan, pp. 44-49):

- Core areas should include the most intensive development located in close proximity and to and supportive of a mass transportation facility.
- Center land uses should be developed at densities sufficient to support transit use, and should exclude land extensive uses that do not.

- The mix of uses in each center should be diverse to generate transit ridership throughout the day, as well as promote walking trips within the center.
- Design of each center should reinforce the functions of transit-oriented development including minimum densities (at appropriate locations), street connectivity standards, continuous sidewalks, maximum building setbacks, bus stops, public spaces, traffic calming, parking, streetscaping, architectural standards, street furniture, public art, bike parking and lockers.

“Although some of these design elements are addressed in site plan reviews following approval of a comprehensive design zone, these applications do not propose a development pattern that will sufficiently allow General Plan concepts for centers to be achieved. No mass transportation facilities or stops (existing or possible future) are identified; a diverse mix of concentrated development oriented to transit features is not proposed; the diversity and distribution of land uses is unbalanced, with insufficient commercial/employment land use quantities and locations; the distance between the residential and commercial uses proposed at the extremities of the project exceed pedestrian walkability guidelines; and an extremely large, land extensive, trucking/warehouse operation that is not transit supportive is centrally located in the midst of the applications. In spite of somewhat higher densities and a mix of commercial (albeit limited) and residential uses, the applications propose a more suburban, automobile-dependant, largely residential development layout. To fully comply with General Plan center design polices, revisions will be needed to establish pedestrian-accessible and transit-supportive focal points, allow for a greater mix and diversity of uses (including more employment) within the development pods, and provide opportunities for future transit accessibility and focal points.

“As previously stated, an update to the 1993 Subregion V master plan and SMA is underway and will include numerous opportunities for more comprehensive evaluation and public input on major policy decisions such as these. “

Staff recognizes and supports the General Plans’ objectives regarding the jobs to population ratio. The Planning Department is currently in the process of drafting a new master plan for this subregion. The timing of this application may, therefore, be premature. With a master plan that is nearly 15 years old, it is very likely that some assumptions regarding economics and the job market are no longer valid. Rezoning the subject property based on 15-year-old economic assumptions or even seven-year-old assumptions (as would be the case for the 2002 General Plan) may not be desirable.

**(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.**

The applicant submits that there is sufficient unmet consumer demand from within the Village at Timothy Branch L-A-C and nearby residential development to support a neighborhood shopping center of at least 50,000–75,000 square feet. Principal factors in their reasoning process include:

- **Central Location**—The proposed Village at Timothy Branch L-A-C retail site is well suited for development as a neighborhood-level commercial center. It is well-located on Mattawoman Drive (the central spine road of the planned community) and on Brandywine Road, easily drawing consumers from east of Crain Highway and also from nearby subdivisions to the west of Crain Highway.

- **Master Plan**—The retail site and the proposed Village at Timothy Branch L-A-C development are consistent with the Prince George’s County master plan vision. The retail component of the L-A-C is appropriately scaled and oriented to the needs of immediately surrounding residential development.
- **Demographics**—The defined retail trade area includes the L-A-C residential component, as well as a combination of established and new developing neighborhoods and scattered rural-density residential development. Brandywine Road is the well-traveled, east-west spine route through the area. County forecasts demonstrate that new residential development within the trade area is continuing, augmented by the L-A-C’s 1,200-unit residential component. New residential values and household incomes in the area are relatively upscale and affluent. The area employment base is substantial.
- **Market Demand**—The study estimates the total amount of retail space supportable in neighborhood shopping centers within the defined trade area to be at least 108,720 square feet in 2015.
- **Retail Supply**—There is no competitive retail supply within the defined retail trade area. Shopping centers, totaling 900,600 square feet GLA, outside the trade area limit the subject’s ability to draw from north and south along the principal highway routes. Nonetheless, the subject’s location within the L-A-C and on a major east-west route along with its supermarket anchor’s differentiated marketing strategy enables the proposed center to be a strong competitor within the trade area and even outside it. Therefore, none of the existing or planned neighborhood shopping centers are as well located as the subject to serve the needs of L-A-C residents and other residents along the Brandywine Road corridor.
- **Unmet Demand**—Based on their analysis of supply/demand factors and the subject’s capture rate of trade area expenditures, the applicant conservatively estimates unmet demand within the defined retail trade area of up to 76,104 square feet at the Village at Timothy Branch L-A-C site.

Based on the information discussed above, the applicant concludes that a need has been demonstrated for a neighborhood shopping center use at the same scale as proposed for the Village at Timothy Branch Local Activity Center.

The Research Section has reviewed the analysis submitted by the applicant and in a memo dated October 11, 2007 submitted the following contingents:

“Staff has reviewed the Need Analysis for the proposed Village at Timothy Branch Local Activity Center (L-A-C), A-9987 and A-9988. In the analysis, the applicant concluded that 76,104 square feet of space anchored by a supermarket of approximately 30,000-40,000 square feet will be supportable at this site by 2015. Staff disagrees with this conclusion because it is based on information that does not account for an approved shopping center and also on an unrealistic capture rate.



“The applicant’s assumed the establishments to be located in the proposed L-A-C will capture 70 percent of the potential neighborhood-oriented expenditures in the trade area. One of the factors the applicant considered in assigning a capture rate and defining a trade area was the location of three existing shopping centers and one planned center. These four centers are outside the applicant’s trade area. The planned Brandywine Crossing, less the two miles from the proposed L-A-C, was not identified by the applicant. Unlike the four shopping centers identified by the applicant Brandywine Crossing, which has an approved detailed site plan for 500,000 square feet, is inside the applicant’s trade area.

“The planned Brandywine Crossing will contain a 148,000 square foot Costco and a 127,000 square foot Target along with a 58,000 square foot Safeway. The anchor supermarket at the proposed L-A-C will be competing against a larger Safeway and to some extent also Costco. Consequently, the proposed L-A-C with its smaller stores may not be used for regular shopping by the residents of the trade area but rather for quick, small purchases. Thus it is unrealistic to expect the proposed Village at Timothy Branch L-A-C will be able to capture 70 percent of the expenditures at neighborhood-oriented stores in the trade area.”

Based on the above analysis, staff believes the retail component as proposed may not be viable and should be rethought in light of the large commercial center that will abut the property to the south.

- (C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which 100 percent of the 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 the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plan, or urban renewal plans.**

The Transportation Planning Section in a memo dated September 19, 2007, concludes that existing transportation facilities and those to be provided by the applicant will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. Furthermore, the uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved area master plan, in accordance with Section 27-195 of the Prince George's County Code, particularly based upon the proposed residential density and use. The following comments were submitted by the Transportation Planning Section:

“The Transportation Planning Section has reviewed the revised zoning map amendment applications dated April 30, 2007, referenced above. The subject property consists of approximately 334.26 acres of land in the I-3 and E-I-A Zones. The property is located on the east side of US 301/MD 5, generally between MD 381 and a dedicated portion of Matapeake Business Drive. The applicant is requesting rezoning to the R-M and the L-A-C Zones, which are both comprehensive design zones. The applicant proposes 1,217 mixed-type residences and 305,000 square feet of retail and office space.

This memorandum supersedes comments provided on March 15, 2007, and May 14, 2007, in consideration of additional materials submitted by the applicant.

#### **“Growth Policy - Service Level Standards**

“The subject property is in the developing tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

**“Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the developing tier.

**“Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

#### ***“Review Summary – Traffic Impact Study***

“The applicant has not submitted a formal traffic study with this application. It is anticipated that future comprehensive design plan and preliminary plan of subdivision applications will be accompanied by a traffic study that will examine the site impact at the following existing intersections:

MD 5 and Brandywine Road (signalized)  
US 301 and MD 381/Brandywine Road (signalized)  
MD 381 and Mattawoman Drive (unsignalized)  
US 301 and Mattawoman Drive (proposed)  
US 301/MD 5 and proposed A-55 (future)  
US 301/MD 5 and Matapeake Business Drive/Clymer Drive (signalized)  
US 301/MD 5 and Cedarville Road/McKendree Road (signalized)  
Future Mattawoman Drive and proposed A-55 (future)

“The site is currently zoned E-I-A and I-3. The entire site (plus an existing developed lot in the middle of the site) was subdivided under Preliminary Plan of Subdivision 4-92048 for Brandywine Commerce Center, and at that time was determined to have a potential trip generation of 2,929 AM peak-hour trips and 3,010 PM peak-hour trips. In 1998, Parcel E of Brandywine Commerce Center was developed with a 394,905-square-foot distribution facility. As described in the resolutions approving SDP-9703 and DSP-97012, that facility would generate 172 AM and 171 PM peak-hour vehicle trips, leaving an overall trip generation potential of 2,757 AM and 2,839 PM trips for the remainder of the site. As would be surmised, the remainder of the site is coincident with the combined area of the R-M and the L-A-C proposals under consideration.

“The applicant has provided a trip generation estimation for the combined proposals and has provided a memorandum clarifying the site trip generation assumptions dated September 6, 2007 (this item is attached). There were previous comments regarding the initial submittal. The most recent submittal has attempted to resolve or clarify prior comments; therefore, the following observations are made concerning the trip generation analysis provided by the applicant:

“For the most part, the rates used for the proposal are acceptable. However, the following adjustments and/or comments are provided:

- “- In the L-A-C Zone, the condominium units are described as active adult units. The trip rates on which the previous analysis was based were unique, and the current analysis uses rates shown in the Institute of Transportation Engineers’ Trip Generation Manual for “Senior Adult Housing–Detached.” This is acceptable.
- “- The condominiums shown within the R-M Zone utilized rates shown in the Institute of Transportation Engineers’ Trip Generation Manual in the previous analysis. The current analysis uses rates shown in the Planning Board’s guidelines for multifamily housing. This is acceptable.
- “- The number of assumed trip reductions due to either pass-by or internal trip capture has been greatly reduced. It is agreed that the current trip generation analysis assumes components of trip reduction that are appropriate.
- “- As was noted in prior referrals, the retail component is really not at a location that will serve considerable pass-by traffic. The prior referrals have gone on record recommending a trip reduction of 50 percent for the retail uses proposed; the applicant’s analysis assumes 60 percent. The guidelines state that a pass-by trip reduction ‘up to 60 percent for less than 100,000 square feet’ may be assumed. The use of the phrases ‘up to’ and ‘may be assumed’ suggests that a degree of discretion is allowed in determining the appropriate trip reduction factor. For that reason, a closer examination is being given to the potential uses of the retail areas of this site and the possible uses:
  - “o One area is assumed to contain 10,000 square feet. Given its location adjacent to MD 381, it would seem likely that the site could contain a gas station, a convenience store, or some similar type of use. A high pass-by rate would seem appropriate for this type of use.
  - “o The second area is assumed to contain 75,000 square feet. It would appear to be unlikely that a grocery store would be constructed here given that two other grocery stores have site plan approval within the immediate area (along with a department store with a limited grocery line and a membership warehouse that sells groceries). It seems more likely the site could contain uses such as a drug store, a bank, a dry cleaner, or a day care center, or possibly a small retail center that could contain two or three of these uses with a couple of other storefronts. A high pass-by rate would be appropriate for any of the specific uses suggested above at this location.

The more conventional grocery store with a strip center would have a more moderate pass-by rate, but that type of retail use is probably unlikely to materialize at this location.

“Based on a closer look at the way the retail within the L-A-C would develop, the use of the 60 percent pass-by/internal trip capture rate appears to be justifiable.

“The following development is proposed for this overall site, by zone:

<b>A-9987, Villages at Timothy Branch, Trip Generation of R-M Proposal</b>			
Use	Quantity	AM Trips	PM Trips
Residential, single-family	310 units	233	279
Residential, townhouse	283 units	198	226
Residential, condominiums	342 units	178	205
<b>Total within R-M</b>		<b>609</b>	<b>710</b>

<b>A-9988, Villages at Timothy Branch, Trip Generation of L-A-C Proposal</b>			
Use	Quantity	AM Trips	PM Trips
Retail – Area A	75,000 square feet	135	900
Retail – Area B	10,000 square feet	41	120
- Less Pass-By/Internal Trips for Retail A & B	Estimate 60%	-106	-612
General Office	127,500 square feet	255	236
Medical/Professional Office	19,000 square feet	54	72
Flex Office	73,500 square feet	63	63
Residential, townhouse	58 units	41	46
Residential, active adult condominiums	224 units	40	58
<b>Total within L-A-C</b>		<b>523</b>	<b>883</b>

<b>A-9987 &amp; A-9988, Villages at Timothy Branch, Overall Comparison of Trip Generation Existing Zoning versus R-M/L-A-C</b>						
Zoning or Use	Units or Square Feet	AM Pk Hr Trips		PM Pk Hr Trips		Weekday Trips (ADT)
		In	Out	In	Out	
<b>Existing Zoning</b>						
I-1/I-3 - industrial park	3,617,941 square feet	<b>2,077</b>	<b>680</b>	<b>769</b>	<b>2,070</b>	<b>28,950</b>
<b>Proposed Zoning</b>						
R-M/L-A-C	1,217 units	<b>142</b>	<b>538</b>	<b>527</b>	<b>287</b>	<b>8,575</b>
- residential						
- retail (net of reduction)	85,000 square feet	<b>43</b>	<b>27</b>	<b>204</b>	<b>204</b>	<b>9,350</b>
- office	220,000 square feet	<b>324</b>	<b>48</b>	<b>80</b>	<b>291</b>	<b>3,275</b>
Total		<b>509</b>	<b>613</b>	<b>811</b>	<b>782</b>	<b>21,200</b>
<b>Difference (between bold numbers)</b>		<b>-1,568</b>	<b>-67</b>	<b>+42</b>	<b>-1,288</b>	<b>-7,750</b>

“The site was previously subdivided, and a portion of the site remains within recorded plats (although the preliminary plan approval has expired on a portion of the site). Development on portions of the site that are recorded is subject to a number of conditions that have been placed on Preliminary Plan of Subdivision 4-92048. Among the conditions is one that requires the payment of money toward a Brandywine Road Club, which is intended to assist in funding several ultimate transportation improvements in the area. Even the unrecorded portion of the site, however, is able to utilize the Brandywine Road Club as a means of achieving transportation adequacy. Council Resolution CR-60-1993 approved the master plan and the sectional map amendment for the Subregion V master plan. As a part of that resolution, A-9878 for Brandywine Village was approved with conditions that allow that particular property to participate in the Brandywine Road Club as a means of determining transportation adequacy. The same condition allows such road club participation by several named properties along with ‘any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George’s County) and Mattawoman Creek.’ This property is one of the named properties; it is also technically along the identified section of US 301/MD 5. Therefore, the use of the Brandywine Road Club for this site would appear to be consistent with the intent of the Council resolution.

“This information is provided for purposes of establishing a record and allowing comment upon the scope of future studies as a part of this process. If the zoning is granted, detailed transportation conditions will be imposed at the time of the comprehensive design plan (CDP) and the preliminary plan applications. Nonetheless, based on the materials submitted, at this time sufficient evidence is provided to show that the transportation system as exists, with improvements to be funded and constructed by the applicant and funded and constructed through the Brandywine Road Club, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density.

## **“Master Plan Impacts and Plan Comments**

“In light of the above findings regarding the trip generation of the proposal, it has been indicated in the past two referrals that the rezoning would worsen vehicle travel in the peak directions vis-à-vis the site and that finding has not changed despite the most recent trip generation clarification. There is already severe congestion on roadways leaving the area in the AM peak hour and returning to the area in the PM peak hour. Relieving that congestion was one of the key reasons for having this area in a zoning category that would emphasize employment. In the most recent memorandum, the applicant makes the following arguments:

- “• Aside from the retail reductions, the trip generation analysis assumes no internal trip capture, and even modest reductions associated with internal trip capture would bring the trip impact of the proposal into line with the existing zoning. Past comments purposely not did allow any internal reductions because there was no obvious interaction between uses **except** between the retail use and the other uses. Furthermore, because traffic associated with the other uses must pass by the retail sites routinely, much of the internal trip capture is truly treated as pass-by travel. Nonetheless, it is conceivable that a few trips from the various uses—perhaps 10 to 15 in each peak hour—could be internally captured by other uses within the site.
- “• It is argued that potential peak direction increases north of the site are offset by traffic decreases in the peak direction south of the site caused by the rezoning. Because the traffic network south of the site is primarily within Charles County, there is no demonstration if relief is actually being granted by this rezoning. But within Prince George’s County, links of MD 5 and US 301 are operating at failing service levels today and are projected to operate poorly in the future. Attempting to refocus attention in a different direction does not resolve the problem.
- “• The third major argument raised by the applicant is a consideration that, given that trips are distributed all around the site, the entire increase will not occur solely in the peak direction of traffic. This is probably the strongest argument made by the applicant, and it is conceded that attaching all of the trip growth to the peak direction of traffic is a gross oversimplification.

“The current analysis of trip generation of the two rezoning applications taken together suggests that the proposal would generate 42 inbound additional trips during the PM peak hour (all other elements of trip generation are decreased with the proposal). This quantity could be reduced by possibly ten trips (per the first point above regarding internal capture), and only 60 percent of site trips maximum would be oriented to the peak direction of travel. Therefore, it is conceded that although the proposal would increase inbound traffic during the PM peak hour over the existing zoning, the resulting impact on regional congestion in the peak direction along MD 5 would be minor to the point of being insignificant. Based on the materials submitted, and particularly based upon the residential densities and uses proposed, it is believed that sufficient evidence is provided to show that the proposed rezonings are not inconsistent with the recommended transportation system in the master plan.

“The area of this basic plan is adjacent to US 301/MD 5 and MD 381. The site straddles the planned A-55 facility, which is shown in the master plan to connect to US 301/MD 5 with a partial interchange, and the A-63 facility (often termed the Brandywine ‘spine road’). Regarding these major facilities, the following comments are offered:

- “1. Right-of-way along US 301/MD 5 must be dedicated consistent with the Subregion V master plan. The area of dedication must include area needed for the planned A-55 interchange, consistent with the Subregion V master plan.
- “2. The plan conceptually shows A-63 with a 120-foot right-of-way consistent with the Subregion V master plan. Full dedication will be required at the time of preliminary plan.
- “3. The A-55 facility should be shown with a right-of-way consistent with the Subregion V master plan, with full dedication required at the time of preliminary plan.

### **“Conclusions**

“Based on the preceding findings, the Transportation Planning Section would conclude that existing transportation facilities and those to be provided by the applicant will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. Furthermore, the uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved area master plan, in accordance with Section 27-195 of the Prince George's County Code, particularly based upon the proposed residential density and use. The application, if approved, should be approved with the following conditions:

- “1. At the time of comprehensive design plan, the transportation planning staff shall make master plan transportation facility recommendations consistent with the Subregion V master plan.
- “2. At the time of comprehensive design plan and preliminary plan of subdivision, the transportation planning staff shall review a traffic impact study as a means of making findings of the adequacy of transportation facilities. The traffic study shall, at a minimum, include the following as critical intersections:
  - “a. MD 5 and Brandywine Road (signalized)
  - “b. US 301 and MD 381/Brandywine Road (signalized)
  - “c. MD 381 and Mattawoman Drive (unsignalized)
  - “d. US 301 and Mattawoman Drive (proposed)
  - “e. US 301/MD 5 and proposed A-55 (future)
  - “f. US 301/MD 5 and Matapeake Business Drive/Clymer Drive (signalized)
  - “g. US 301/MD 5 and Cedarville Road/McKendree Road (signalized)
  - “h. Future Mattawoman Drive and proposed A-55 (future)”

- (D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries and fire stations) will be adequate for the uses proposed.**

With the recommended conditions, other public facilities are generally considered to be adequate for the uses proposed as indicated in the referral replies below:

In a memo dated April 20, 2007, the Transportation Planning Sections submits the following comments:

**“BACKGROUND:**

“The applications for the Villages of Timothy Branch request a zoning map amendment from I-3 to L-A-C and R-M. The area of the subject applications is within the industrially zoned land on the east side of US 301. The adopted and approved Subregion V master plan includes two master plan trail recommendations that impact the subject property:

- “• A hiker/biker/equestrian trail along Timothy Branch
- “• A master plan trail along A-55

“With regard to the trail along Timothy Branch, the master plan recommends ‘a multiuse trail along Timothy Branch between Dyson Road and Mattawoman Creek. The plan also provides the following background information regarding this planned trail:

“‘This trail would be partially located within Employment Area C in a natural setting similar to Schoolhouse Pond in Upper Marlboro. It would primarily serve local residents and employees of the employment park. Once connected to Mattawoman Watershed Park trail and Old Fort Road West trail, this will provide another major loop trail’ (master plan, page 169).

“The area covered by the subject applications (A-9987 and A-9988) was previously approved as part of Preliminary Plan 4-92048. The property was zoned I-3 at the time of that approval, and Condition 17 addressed the master plan trail:

- “17. An on-site trail easement shall be shown on the Specific Design Plan(s) and Detailed Site Plan(s) to be part of a contiguous Timothy Branch trail system through Mattawoman Employment Area C.

“This recommendation was consistent with approvals for 4-97124, which is located immediately to the south of the subject site. Condition 21 required the establishment of a trail easement along Timothy Branch at the time of final plat. The trail easement is reflected on Final Plan 203-51.



“Accommodations for this master plan trail should also be provided through the subject site. This can be accomplished by constructing the master plan trail within one of the following:

- M-NCPPC stream valley parkland
- HOA land within a public use trail easement

“SIDEWALK CONNECTIVITY:

“A variety of road cross sections are present in the industrial development surrounding the subject applications. Matapeake Business Drive includes a standard sidewalk along one side just to the south of the subject property. However, to the north Mattawoman Drive includes no sidewalks on either side. In keeping with current best practices, staff recommends the provision of standard sidewalks along both sides of the subject site’s entire segment of Mattawoman Drive, unless modified by DPW&T. Staff also recommends that the internal pedestrian and trail network be evaluated during more detailed phases of review. Sidewalks may be appropriate along both sides of all internal roads. These sidewalks, in conjunction to the master plan trails along Timothy Branch and A-55, will help to make the Villages at Timothy Branch walkable and pedestrian-oriented. Additional neighborhood connector trails may also be recommended during later phases of review.

“RECOMMENDATION:

“In conformance with the adopted and approved Subregion V master plan, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:

- “1. Construct the master plan hiker-biker-equestrian trail along the subject site’s entire segment of Timothy Branch either within M-NCPPC parkland or within HOA land within a public use trail easement. Trail connectors should be provided from the master plan trail to adjacent development envelopes.
- “2. Construct the eight-foot-wide master plan trail along the subject site’s entire frontage of A-55. This trail shall include ADA-accessible curb cuts and ramps at all intersections and shall be separated from the curb by a grass planting strip.
- “3. Provide standard sidewalks along both sides of Mattawoman Drive, unless modified by DPW&T.
- “4. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.

“The sidewalk and trail network will be evaluated in detail at the time of preliminary plan and SDP. Trail connectors may be warranted to the proposed recreation center and park/school site.”

- (E) **Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District.**

Generally, the proposed uses reflect compatibility between the proposed general land use types, the specific land use types, and surrounding land uses. The proposed residential and commercial land uses are distributed in several development pods located along both sides of an arterial road (Mattawoman Drive, A-63) that is planned as an industrial roadway. Each development pod is proposed for a single category of land use, either residential or commercial. The large pod in the northwest section of the property is proposed solely for commercial land use. The three smaller pod(s) located at the northeast corner of the property propose a horizontal mix of residential and commercial development areas located next to each other, but separated in a typical suburban design pattern. Only residential land uses are proposed for the remaining development pods. Several stream corridors that cross the site separate the development pods into distinct neighborhoods that require orientation to the arterial roadway for access. A large warehouse (built according to the existing zoning pattern) is surrounded by this project, but is buffered from proposed residential development on the west side by a stream corridor; commercial development is proposed along the northeast side of the warehouse.

The Urban Design Section, in a memo dated June 19, 2007 provides the following additional comments:

***“Land Use and Intensity***

“The proposed L-A-C (Local Activity Center) Zone will consist of approximately 72 acres for a mixed-use village center along Brandywine Road with access via existing Mattawoman Drive. The proposed L-A-C Zone is bounded to the east by single-family dwellings in the R-R Zone, to the south by an existing stormwater management pond and an existing industrial warehouse use, to the west is a vacant parcel and beyond is Short Cut Road. The L-A-C will have commercial and residential components. The proposed commercial components include office/retail. The residential components include single-family detached units and multifamily (active adult community) dwellings.

“The proposed R-M Zone is the area south of the proposed L-A-C area, along the extension of Mattawoman Drive. The R-M Zone is bounded on the east by existing single-family dwellings in the R-R Zone, to the south by vacant lots in the I-1, I-2 and I-3 Zones, to the west by US 301/MD 5, to the north by Short Cut Road, and to the east by the proposed L-A-C area. The total residential area is proposed at the R-M Zone is approximately 262 acres including 19 acres of 100-year floodplain. The proposed use of the R-M Zone consists of approximately 63 acres of residential uses site and mix of residential unit types such as single-family detached dwelling units, townhouses, two-family attached (two-over-two) and multifamily dwelling units.

***“Access and Circulation***

“The illustrative site plan shows three vehicular access points. The primary access points to the subject site are via Brandywine Road through the proposed L-A-C Zone by use of existing Mattawoman Drive. The applicant proposes to extend Mattawoman Drive through the proposed R-M Zone to the south, which will connect to Mattapeake Drive via a roundabout, and to the west which will connect to US 301/MD 5.

A traffic/circulation study should be submitted to the Transportation Planning Division for their review.

### **“Applicable Regulations**

“The project is subject to Subtitle 27. Zoning Part 8. Comprehensive Design Zones, Division 2. Specific Comprehensive Design Zones, Subdivision 2, L-A-C Zone (Local Activity Center), and Subdivision 5, R-M Zone (Residential Medium Development) of the Prince George’s Zoning Ordinance apply, including use list, regulations, general standards, and public benefit features and density increment factors and minimum size exceptions for the district.

### **“Landscape Manual Conformance**

“If the proposal for rezoning is approved, the project will be subject to certain sections of the *Landscape Manual*. These include Section 4.1 Residential Requirements, Section 4.3 Parking Lot Requirements, Section 4.4 Screening Requirements, 4.6 Buffering Residential Development from Streets. Although Section 4.7, Buffering Incompatible Uses, does not technically apply in comprehensive design zones, staff uses the requirements of that section as a guide in evaluating buffering between what would be considered incompatible uses under the *Landscape Manual*. The compatibility issues with surrounding uses, both interior and exterior to the development, will be examined at the time of the comprehensive design plan. However, the staff believes that this is the appropriate time to establish required additional bufferyards above the requirements of the *Landscape Manual*, for the purpose of mitigating incompatibility with surrounding and uses. The plan should be revised to clearly include the following bufferyards associated with:

- “1. The mixed residential use pod in the L-A-C adjacent to the existing industrial warehouse in the I-3 and E-I-A Zones should provide a 100-foot buffer.
- “2. The residential use, one-family detached, and mixed-residential use pod to the south, adjacent to the existing I-1-zoned (vacant and development pods) should also provide a 100-foot buffer.
- “3. The one-family detached, mixed-use pod and the residential use pod to its south, adjacent to MD 5/US 301 property in the C-M Zone, should provide a 200-foot buffer from the right-of-way and 100-foot from the C-M-zoned property.
- “4. The residential use pod on the southern boundary adjacent to the I-1 Zone to the south should provide a 100-foot buffer.

### **“Design Guidelines**

“At the time of comprehensive design plan, design standards and guidelines regarding basic style/design, finishing material, and color for buildings and signage should be established for review and approval of specific design plan.

“Urban Design Staff Conclusions

“Based on the above analysis, the Urban Design Section offers the following comments:

“1. At time of comprehensive design plan, the applicant shall:

- “a. Submit design standards that establish design and review parameters, including setbacks, lot coverage, and other bulk standard for development, standards for the materials and design of architecture, and standards for design of signage for the entire site.
- “b. Provide a site-wide pedestrian circulation plan, including the possible location of a bus stop(s) and its supporting pedestrian path network, the location of pedestrian crossings, and a connection to the adjacent retail components of the site.
- “c. Propose buffering and screening designed to provide compatibility with surrounding uses as follows:
  - “(1) The mixed-use pod in L-A-C adjacent to the existing industrial warehouse in the I-3 and E-I-A Zones should provide a 100-foot buffer.
  - “(2) The residential use, one-family detached, and mixed-residential use pod to the south, adjacent to the existing I-1-zoned (vacant and development pods) should also provide a 100-foot buffer.
  - “(3) The one-family detached, mixed-use pod and the residential use pod to its south adjacent to MD 5/US 301 property in the C-M Zone should provide a 200-foot buffer from the right-of-way and 100-foot from the C-M-zoned property.
  - “(4) The residential use pod on the southern boundary adjacent to the I-1 Zone to the south should provide a 100-foot buffer.
- “d. Provide an indoor and outdoor recreational facility package adequate to meet the needs of the future populations.”

**(2) Notwithstanding subparagraphs (C) and (D) above, where the application anticipates a construction schedule of more than six years (Section 27-179), public facilities (existing or scheduled for construction within the first six years) will be adequate to serve the development proposed to occur within the first six years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities. [27-195(b)(2)]**

It is anticipated that the construction schedule for the proposed development will not exceed six years.

The applicant requests (via A-9988) that approximately 72 acres of the subject property be placed in the L-A-C Zone. Section 27-195(b)(3) provides the following findings for approval of the L-A-C Zone:

- (3) In the case of an L-A-C Zone, the applicant shall demonstrate to the satisfaction of the District Council that any commercial development proposed to serve a specific community, village, or neighborhood is either:**
  - (A) Consistent with the General Plan, an Area Master Plan, or a public urban renewal plan; or**
  - (B) No larger than needed to serve existing and proposed residential development within the community, village, or neighborhood.**

The applicant submitted a market study which was reviewed by the Research Section. The comments are offered from the Research Section as discussed earlier in this report, suggest that the capture rate for the study is unrealistic. The scale or mix of uses should be rethought in light of the large commercial center proposed to the south.

**G. Conformance with the Purposes of the Zones:**

**Purposes of the L-A-C Zone**

- (a) The purposes of the L-A-C Zone are to:**
  - (1) Establish (in the public interest) a plan implementation Zone, in which (among other things):**
    - (A) Permissible residential density and building intensity are dependent on providing public benefit features and related density/intensity increment factors; and**
    - (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plan;**

**COMMENT:** While the applicant believes that the residential density and the building intensity proposed for the L-A-C Zone is reasonable considering the development will serve as a mixed-use village center for the public, staff disagrees. We note that these applications are located in an area designated as a “possible future center” by the 2002 General Plan. General Plan policies advocate a higher density and intensity mix of residential, commercial and public facility uses in designated centers, not traditional office or industrial park development as currently planned. As such, the land use types proposed by these applications may be consistent with the General Plan designation as a possible future center, but the quantities and design layout are **not consistent with General Plan policies** for mixed-use, transit- and pedestrian-oriented development. Instead, this proposal separates land uses by type in a typical suburban, automobile-dependant orientation.

One of the highest General Plan priorities is economic development, and a primary objective is to improve the jobs to housing ratio with higher value added-jobs. Removing a large centrally located component of the planned employment park in Brandywine from future development for office and industrial employment land use is not consistent with the priority accorded this objective, at least not without a substantial replacement of displaced employment opportunities. The small amount of commercial development and relatively few potential jobs proposed by these applications are **not consistent with General Plan priorities for employment**. Staff believes that if this application is approved consideration should be given to requiring higher residential densities and quantity of commercial employment development and some or all of the proposed commercial construction to be built prior to or concurrent with approval of residential building permits.

- (2) **Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plan, and public urban renewal plan for Community, Village and Neighborhood Centers) can serve as the criteria for judging individual physical development proposals;**

**COMMENT:** The vision of the General Plan would be better served, if more commercial employment development and higher residential densities were proposed. If this application is approved, the L-A-C-zoned portion of the property should incorporate higher residential densities and include more commercial or office square footage. It may also be appropriate to propose a flexible staging plan that would allow the property to develop as the market evolves. Alternatively, it should be noted that the process to update the 1993 Subregion V master plan and SMA will be initiated by the Planning Board in November 2007. As this application does raise issues regarding the jobs to housing ratio, it may be desirable to address this issue comprehensively during the master plan process.

- (3) **Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District;**

**COMMENT:** The proposed uses are generally compatible with the existing commercial and residential uses as well as with the proposed land uses within the Brandywine center along the US 301 corridor. However, as discussed earlier, densities and commercial/employment square footage should be increased.

- (4) **Encourage and stimulate balanced land development;**

**COMMENT:** The issue of balanced development is one of the key challenges presented by this application. The process of developing a new master plan is about to begin. The issues regarding the appropriate densities and scale of the commercial/employment center should be evaluated comprehensively during the master plan process.

- (5) **Group uses serving public, quasi-public, and commercial needs together for the convenience of the populations they serve; and**

**COMMENT:** The plan proposes to develop a village center with commercial/office and retail uses which will serve the commercial needs of the existing and future residents.

- (6) Encourage dwellings integrated with activity centers in a manner which retains the amenities of the residential environment and provides the convenience of proximity to and activity center.**

**COMMENT:** The basic plan includes housing within the village center. Specifically, the plan proposes to include an “active adult community,” a mix of residential unit types, including one-family detached, townhouse, as well as a recreation center.

**Purposes of the R-M Zone:**

- (a) The purposes of the R-M Zone are to:**
  - (1) Establish (in the public interest) a plan implementation zone, in which (among other things):**
    - (A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**
    - (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plans;**

- (a) The purposes of the R-M Zone are to:**
  - (1) Establish (in the public interest) a plan implementation zone, in which (among other things):**
    - (A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**
    - (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plans;**

**COMMENT:** The residential density and the building intensity proposed for the R-M Zone is not consistent with the densities envisioned in the General Plan. While the property is located within the “Developing Tier” of the County, the General Plan envisions moderate to high densities. The applicant is basically proposing a suburban single-family community.

- (2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plan, and public urban renewal plans) can serve as the criteria for judging individual physical development proposals;**

**COMMENT:** As stated above, this Plan does not provide the densities in accordance with the General Plan and the Master Plan for Subregion V.

- (3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**

**COMMENT:** The proposed residential uses are generally compatible with existing uses. Public facilities such as libraries, schools, police and fire protection are addressed at greater detail during subsequent stages of the review process (such as preliminary plan of subdivision).

**(4) Encourage amenities and public facilities to be provided in conjunction with residential development;**

**COMMENT:** The Applicant plans to provide recreational uses in conjunction with the residential component. Amenities such as parks, recreational facilities and open space are addressed in greater detail during Comprehensive Design Plan and Specific Design Plan stages as well as during the subdivision process.

**(5) Encourage and stimulate balanced land development; and**

**COMMENT:** Staff is concerned that the densities and mix of uses do not go far enough to address the vision of the General Plan. The proposed development does not appear to promote the mixture of moderate to high densities and emphasis on transit-oriented design envisioned by the Plan.

**(6) Improve the overall quality and variety of residential environments in the Regional District.**

**COMMENT:** While this Plan may improve the overall quality of residential environments, it is not consistent with the General Plan with respect to density, mix of uses or intensity of development.

**CONCLUSION:**

The applicant is proposing residential and commercial uses which do not provide the densities, mix of uses or intensity of development envisioned by the General Plan. The proposed development would basically consist of single-family detached homes, a multi-family component aimed at “active adults” and a neighborhood scale commercial center. Most notably, however, the proposed development would significantly reduce (if not eliminate) the planned employment / industrial park recommended for the property in the 1993 Subregion V Master Plan. Only a large warehouse has ever been developed in this area. The 2002 General Plan has modified the master plan’s recommendation by placing the property in a “center” which among other things is envisioned to have the potential for mixed-use projects with a heavy employment component that will increase the jobs-to-housing ratio. The proposed development does not reflect the type of development recommended for the center.

Staff recognizes and supports the General Plans’ objectives regarding the jobs to population ratio. The Planning Department is currently in the process of drafting a new master plan for this subregion. With a master plan that is nearly 15 years old, it is very likely that some assumptions regarding economics and the job market are no longer valid. Rezoning the subject property based on 15 year old economic assumptions or even the seven year old assumptions (as would be the case for the 2002 General Plan) may not be desirable. Given the opportunity to look at how the property (and any development proposed for it) can fit into the vision for the subregion, staff believes the timing of this rezoning application may be premature. Staff therefore recommends DENIAL of these applications.



