



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

Reconsideration Hearing Specific Design Plan

SDP-1501

Application	General Data	
Project Name: Oak Creek Club, Phase 5 Location: North of Oak Grove Road, 3,200 feet west of the intersection with Church Road South. Applicant/Address: NVR MS Cavalier Oak Creek, LLC 11700 Plaza American Drive, Suite 500 Reston, VA 20190 Property Owner: NVR MS Cavalier Oak Creek, LLC 11700 Plaza America Drive, Suite 500 Reston, VA 20190	Planning Board Hearing Date:	02/15/18
	Memorandum Date:	01/31/18
	Date Received:	10/17/17
	Planning Board Action Limit:	N/A
	Plan Acreage:	117.49
	Zone:	R-L
	Gross Floor Area:	0
	Dwelling Units (SFD):	213
	Parcels:	16
	Planning Area:	74A
	Council District:	06
	Election District:	07
	Municipality:	N/A
	200-Scale Base Map	201SE12

Purpose of Application	Notice Dates	
Reconsideration Hearing	Previous Parties of Record (Applicant)	10/05/17
	Parties of Record (M-NCPPC)	10/30/17 02/02/18

Staff Recommendation		Staff Reviewer: Sherri Conner Phone Number: 301-952-3168 E-mail: Sherri.Conner@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

January 31, 2018

MEMORANDUM

TO: Prince George's County Planning Board

FROM: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section
Development Review Division

SUBJECT: **Reconsideration Hearing**
Oak Creek Club, Willowbrook, and Locust Hill

By letter dated October 5, 2017 Norman D. Rivera, Esquire representing NVR MS Cavalier Oak Creek Owner, LLC and Toll Brothers WBLH, LLC requested a waiver of the Planning Boards Rules of Procedure and a Reconsideration for three subdivisions, which encompass seven applications. That request was granted by the Planning Board on November 9, 2017, for other good cause in furtherance of substantial public interest.

The case before the Planning Board on February 15, 2018 is the hearing on the merits of the applicant's request. If approved by the Planning Board amended resolutions will be drafted for each case and brought back to the Planning Board within three weeks for adoption.

The request in all seven cases is specific to a single intersection improvement required for adequate transportation facilities. The findings and conditions for reconsideration relate to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The applicants are requesting to convert the roundabout to a four-way signal-controlled intersection, with the concurrence of the Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities.

The following table is the list of applications, the Planning Board resolution number with adoption date, and the associated Planning Board finding and condition number which is under reconsideration:

Application Name	Application No.	PB Resolution No. & Adoption Date	District Council Order	PB Finding No.	PB Condition No.
Oak Creek Club (OCC)	PPS 4-01032	01-178(C) 12/20/2001	N/A	7	42
Phase 3	SDP-0417	05-119 6/20/2005	Affirmed 7/25/2005	10, 13	N/A
Phase 4	SDP-0610	07-194 11/1/2007	N/A	13.d.	2.c., 8
Phase 4 Land Bays D, E, N	SDP-0610-01	15-04 2/5/2015	Approved 4/28/2015	9, 10, 17	1.e., 3
Phase 5	SDP-1501	15-141 1/2/2016	N/A	9, 14	N/A
Willowbrook	4-06066	07-43 3/15/2007	N/A	9	31
Locust Hill	4-06075	07-28 3/15/2007	N/A	9	29

Staff would note that during the review of the reconsideration request it was determined that Conditions 29 for the Willowbrook PPS, and Condition 5 for the Locust Hill PPS are for an unrelated improvement and are not within the parameters of the limited request, and therefore have been removed from the table provided above, which was originally presented to the Planning Board with the request heard on November 9, 2017.

The Transportation Planning Section analyzed the applicants request and by memorandum dated January 29, 2018 (Masog to Chellis) (attached) found that adequate transportation facilities will exist with the modification as requested by the applicant. The findings and conditions being amended are listed below with the specific amendment language for each finding and condition set forth in the transportation memorandum dated January 29, 2018, attached and incorporated herein.

RECOMMENDATION

Approval of a reconsideration to amend the findings and conditions of approval for the following cases pursuant to the Transportation Planning Section memorandum dated January 29, 2018 (Masog to Chellis) and incorporated herein by reference:

Oak Creek Club:

PPS 4-01032 Condition 42 and Finding 7
SDP-0417 Finding 10, and 13
SDP-0610 Condition 2.c, and 8, and Finding 13.d
SDP-0610-01 Conditions 1.e and 3, and Findings 9, 10, and 17
SDP-1501 Findings 9 and 14

Willowbrook:

PPS 4-06066 Condition 31 and Finding 9

Locust Hill:

PPS 4-06075 Condition 29 and Finding 9



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mnccdc.org

January 29, 2018

MEMORANDUM

TO: Whitney Chellis, Subdivision Section, Development Review Division

FROM: Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: 4-01032 and SDP-0417 and SDP-0610 and SDP-0610/01 and SDP-1501, Oak Creek Club; 4-06066, Willowbrook; 4-06075, Locust Hill, Reconsideration of Preliminary Plans of Subdivision and Specific Design Plans

The Transportation Planning Section has reviewed the reconsideration requests referenced above. Taken together, the subject properties consist of approximately 1867 acres of land in the R-L, R-A and L-A-C Zones. The Planning Board voted to reconsider the plans on November 9, 2017 as a means of reconsidering transportation improvements at a single intersection which is affected by all three developments and all seven plans.

Background for Reconsideration

The request in all seven cases is specific to a single intersection improvement required for adequate transportation facilities. The findings and conditions for reconsideration relate to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The applicants are requesting a reconsideration to convert the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. The following table is the list of applications, the Planning Board resolution number with the adoption date, and the associated Planning Board finding and condition number which the applicant is requesting be reconsidered:

SUMMARY OF CASES, RESOLUTIONS, FINDINGS AND CONDITIONS AFFECTED BY RECONSIDERATION					
Application Name	Application Number	Planning Board (PB) Resolution Number and Adoption Date	District Council Order	PB Finding Number	PB Condition Number
Oak Creek Club	PPS 4-01032	01-178(C) 12/20/2001	N/A	7	42
Phase 3	SDP-0417	05-119 6/20/2005	Affirmed 7/25/2005	10, 13	N/A
Phase 4	SDP-0610	07-194 11/1/2007	N/A	13.d.	2.c., 8
Phase 4 Land Bays D, E, N	SDP-0610-01	15-04 2/5/2015	Approved 4/28/2015	9, 10, 17	1.e., 3
Phase 5	SDP-1501	15-141 1/2/2016	N/A	9, 14	N/A
Willowbrook	4-06066	07-43 3/15/2007	N/A	9	31
Locust Hill	4-06075	07-28 3/15/2007	N/A	9	29

Staff would note that the request for reconsideration originally included Condition 29 for Willowbrook (PPS 4-06066) and Condition 5 for Locust Hill (PPS 4-06075). However, those conditions relate to the roundabout at MD 193 and Oak Grove Road intersection which is not the subject of this reconsideration and have therefore been removed from the request.

The applicant has provided additional information intended to demonstrate that the modified intersection will operate at acceptable levels of service pursuant to the Planning Board's "Transportation Review Guidelines, Part 1.

Analysis of the Proposed Reconsideration

At the time that this preliminary plan was reviewed, it was determined using the standards and analysis tools available at that time that the intersection of Church Road and Oak Grove Road would operate as follows under total traffic (the following is an excerpt from a table from the resolution approving PPS 4-01032) for the Oak Creek Subdivision:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
Church Road and Oak Grove Road	96.6*	36.7*	-- --
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i>, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive. At the roundabout, the maximum volume to capacity ratio (V/C) is presented, with a value of 0.80, as an example, indicating that the roundabout is operating at 80 percent of capacity.</p>			

Given the information presented to the Planning Board at that time, the means of achieving adequacy would have been to require the applicant to perform a signal warrant study at that location to determine if a signal or other traffic controls were warranted, and to install such controls at the direction of the operating agency.

In lieu of such a study, the concept of the roundabout at Church Road and Oak Grove Road was presented at the hearing and accepted as Planning Board Condition 42. The roundabout is, itself, a type of traffic control device. In accepting the proffered condition, staff would have indicated at the hearing that the roundabout was an alternative way of achieving adequacy at the Church Road and Oak Grove Road intersection. Given that there is now a willingness on the part of all applicants and the County to consider a signal instead of a roundabout, it should be noted that the signal would have been the standard fallback condition to resolve the inadequacy at the time that the initial case was heard.

The reconsideration of the findings and conditions for the specific design plans within Oak Creek Club, are the result of the lack of a timing trigger for the construction of the roundabout in the preliminary plan condition. The proffer was made by the applicant and accepted without staff analysis and without a trigger for construction. Once specific design plans were filed, and other applications had been approved in the area, it was necessary during specific design plan review to add conditions for construction of the

roundabout but was done by providing for a sharing of funding of the roundabout, something that is not provided for in this case within the Planning Board's "Transportation Review Guidelines" or any predecessor document. Within this reconsideration, an approach has been taken to delete any conditions on specific design plans for Oak Creek Club, refer the discussion back to the amended preliminary plan condition, and add a timing trigger for implementation of the preliminary plan condition as required pursuant to Section 24-124 of the Subdivision Regulations and the "Transportation Review Guidelines."

Based on the proceeding analysis, staff recommends approval of the reconsiderations for Oak Creek, Locust Hill and Willowbrook subject to amended findings and conditions, and find that adequate transportation facilities will exist to serve the proposed developments as required under Section 24-124 of the Subdivision Regulations, and that the proposed developments will be adequately served within a reasonable period of time as required under Section 27-528 of the Prince George's County Code.

Recommendation

Pursuant to the reconsiderations of 4-01032, SDP-0417, SDP-0610, SDP-0610/01, SDP-1501, 4-06066, and 4-06075 and the above discussion, the Transportation Planning Section recommends the following changes to the conditions of approval and the findings in the appropriate resolution as described in the above summary table:

A. Oak Creek Club

PPS 4-01032

Amendment 1-Finding 7

Add the following to Finding 7 of PGCPB No. 01-178(C), after the final complete paragraph on page 27:

On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. The Planning Board found that the functionality and purpose of the roundabout will be fulfilled by the four-way signal-controlled intersection. Therefore, an amended Condition 42 is included with this approval to reflect this amended requirement.

Amendment 2 Condition 42

Replace the existing language and amend Condition 42 of PGCPB No. 01-178(C) to read as follows:

42. The applicant shall submit and have reviewed an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for the intersection of Church Road and Oak Grove Road. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the applicant shall provide the signal and/or other warranted physical or traffic control improvements at that location within a schedule to be determined by DPW&T. The total cost of the intersection improvements shall be determined according to applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee, and the cost may be shared by

multiple applicants. Bonding shall occur prior to the release of building permits within Phase 5 of Oak Creek Club.

SDP-0417 Phase 3

Amendment 1-Finding 10

Revise Comments discussion for Condition 42 of Finding 10 of PGCPB No. 05-119 (page 4) to read as follows:

Comments: In an email dated November 10, 2004, the Department of Public Works and Transportation stated that regarding the two proposed roundabouts on Church Road at the intersections of Dormansville Boulevard/Church Road and Mary Bowie Parkway that the proposed geometry as shown on the plans defining the main curb and pavement location is acceptable and that the proposed location of the referenced roundabouts is acceptable and will function with the proposed roadway improvement at the referenced intersections. On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. A revised Condition 42 has been recommended in reconsidering the preliminary plan.

Amendment 2-Finding 13

Revise Finding 13 of PGCPB No. 05-119, Transportation, Preliminary Plan of Subdivision 4-01032, second bullet (page 7), to read as follows:

- Condition 42 requires traffic calming devices along Oak Grove Road through the installation of a roundabout at the Church Road/Oak Grove Road intersection. Although timing for the installation of the device is not specified, and it is presumed that design approval be obtained from the Department of Public Works and Transportation at the time of the approval of the appropriate specific design plan. While no signal warrant study has been submitted, the Department of Public Works & Transportation has reviewed frontage improvements along Church Road (including the roundabouts) and has approved them, meeting the requirements of this condition. On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. A revised Condition 42 has been recommended in reconsidering the preliminary plan.

No additional conditions of approval relating to the roundabout were included in the Planning Board's resolution or the District Council's Order of Approval.

SDP-0610 Phase 4

Amendment 1 Finding 13(d)

Revise the second paragraph of Finding 13(d) of PGCPB No. 07-194, Transportation Planning (page 7), to read as follows:

With respect to relevant Preliminary Plan of Subdivision 4-01032, they noted that Conditions 10, 11, 12, 13, 14, and 43 are identical to Conditions 30, 31, 32, 33, 34 and 36 of the comprehensive design plan. With respect to Condition 42, which requires traffic calming along Oak Grove Road through installation of a roundabout at the Church Road/future Oak Grove Road intersection, they requested a condition be included in the approval requiring the applicant to furnish proof that there is an approved design for the roundabout at Church Road and future Oak Grove Road. Such proof, they suggested, should be furnished prior to signature approval of the next specific design plan. This suggestion was later interpreted to except the specific design plan recently approved by the Planning Board for a golf clubhouse and swim tennis center and to apply to the next specific design plan that would result in the creation of additional residential units or commercial square footage which is excepted to be a residential Phase V. On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. A revised Condition 42 has been recommended in reconsidering the preliminary plan.

Amendment 2-Condition 2(c), 2(d)

Delete Condition 2(c) and renumber Condition 2(d) of PGCPB No. 07-194 to read as follows:

2. Final to signature approval of the plans the following revisions shall be made to the specific design plan or additional documentation provided:
 - [c. A note shall be added to the plans stating the following: "Prior to signature approval of the next residential or commercial retail specific design plan to be considered by the Planning Board for Oak Creek, the applicant shall have procured approval of final design and a schedule for construction from the Department of Public Works and Transportation for the roundabout at the intersection of Oak Grove and Church Roads."]
 - c.[d.] Prior to signature approval of the subject specific design plan, the applicant, his heirs, successors and/or assignees shall demonstrate access for Parcel 19, measuring a minimum of 25 feet wide, connecting to Bottsford Avenue and to be conveyed to the property owner of Parcel 19 prior to the approval of a final plat(s) for the project. Construction of the driveway shall be the responsibility of the applicant, his heirs, successors and/or assignees.

Amendment 3-Condition 8

Delete Condition 8 of PGCPB No. 07-194 as follows:

- [8. The applicant, his heirs, successors and assignees, shall contribute 50 percent of the total costs of the roundabout located at Oak Grove Road and Church Road. The contribution shall be paid upon the issuance of the construction permits to the permittee for said roadwork but also provided that

Oak Creek shall post, prior to any issuance of a building permit in Phase V, a bond or irrevocable letter of credit to the permittee for their estimated share of the costs based on an estimate proposed by the permittee and approved by Oak Creek until the actual construction takes place. The total costs shall be determined according to AASHTO or other applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee. In no way shall the permits (stormdrain, paving, grading, model permits, or construction/building permits of any type) for Oak Creek Club be conditioned upon any event other than the issuance of the bond or irrevocable letter of credit and/or the contribution by the applicant to the permittee upon issuance of the permit. The roundabout is not an APF requirement for Oak Creek and the applicant's contribution satisfies road frontage requirements at this intersection per the road Code and Condition 42 (PGCPB 01-178(C)) of the Oak Creek Preliminary Plan or subsequent plans.]

SDP-0610-01 Phase 4

Amendment 1-Finding 9

Revise comments discussion for Condition 42 of Finding 9 of PGCPB No. 15-04 (page 10) to read as follows:

See Finding 17[9] for a full discussion of conformance to this requirement. [A condition of this approval requires that the plans for the roundabout be finally approved by DPW&T and DPIE prior to the approval of the next SDP that adds residential lots or commercial square footage to the Oak Creek Club development.]

Amendment 2-Finding 10

Delete the citations and discussions of Conditions 8 and 2(d) within Finding 10 of PGCPB No. 15-04 (pages 13-14) and add language to read as follows:

- [8. **The applicant, his heirs, successors and assignees, shall contribute 50 percent of the total costs of the roundabout located at Oak Grove Road and Church Road. The contribution shall be paid upon the issuance of the construction permits to the permittee for said roadwork but also provided that Oak Creek shall post, prior to any issuance of a building permit in Phase V, a bond or irrevocable letter of credit to the permittee for their estimated share of the costs based on an estimate proposed by the permittee and approved by Oak Creek until the actual construction takes place. The total costs shall be determined according to AASHTO or other applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee. In no way shall the permits (stormdrain, paving, grading, model permits, or construction/building permits of any type) for Oak Creek Club be conditioned upon any event other than the issuance of the bond or irrevocable letter of credit and/or the contribution by the applicant to the permittee upon issuance of the permit. The roundabout is not an APF requirement for Oak Creek and the applicant's contribution satisfies road frontage requirements at this intersection per the road Code and Condition 42 (PGCPB 01-178(C)) of the Oak Creek Preliminary Plan or subsequent plans.**

As this requirement remains applicable to the subject project, it has been made a condition of this approval.

- d. **A note shall be added to the plans stating the following: “Prior to signature approval of the next residential or commercial retail specific design plan to be considered by the Planning Board for Oak Creek, the applicant shall have procured approval of final design and a schedule for construction from the Department of Public Works and Transportation for the roundabout at the intersection of Oak Grove and Church Roads.”**

This condition establishes the requirement to have procured approval of final design and a schedule for construction from the Department of Public Works and Transportation prior to the next residential or commercial retail specific design plan to be considered by the Planning Board for Oak Creek. This was further explained in the Findings under “Transportation Planning” in the approval of SDP-0610 to mean the next specific design plan that would result in the creation of additional residential units or commercial square footage. As no additional residential units or commercial square footage are created by this approval, the requirement does not apply at this time. The Planning Board expects that this requirement will be triggered at the time of approval of the next and final phase for the development, Phase 5, and has made this requirement a condition of this approval.]

On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant’s responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George’s County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. A revised Condition 42 has been recommended in reconsidering the preliminary plan. All related conditions were deleted from SDP--0610.

Amendment 3-Finding 17(d)

Revise Finding 17(d) of PGCPB No. 15-04, Transportation Planning (page 17) the third paragraph, to read as follows:

[The applicant should offer the Planning Board an update on the final design and schedule of construction for the roundabout at the intersection of Oak Grove and Church Roads. In any case the applicant is responsible for paying 50 percent of the total costs of the roundabout which shall be paid upon the issuance of construction permits and the applicant is also required to provide, prior to the issuance of any building permits for Phase V, a bond or letter of credit to the county for their share of the costs of the roundabouts.] On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant’s responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George’s County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. A revised Condition 42 has been recommended in reconsidering the preliminary plan.

Amendment 4-Condition 1(e)

Delete Condition 1(e) and renumber all succeeding subconditions of PGCPB No. 07-194 to read as follows:

2. Prior to certificate approval of the plans, the applicant shall make the following revisions and submit the following specified documentation:

[e. A note shall be added to the plans stating the following:

“Prior to signature approval of the next residential or commercial retail specific design plan to be considered by the Planning Board for Oak Creek, the applicant shall have procured approval of final design and a schedule for construction from the Department of Public Works and Transportation for the roundabout at the intersection of Oak Grove and Church Roads.”]

e.[f.] The applicant and the applicant’s heirs, successors and/or assignees, shall demonstrate access for Parcel 19, measuring a minimum of 25 feet wide, connecting to Bottsford Avenue and to be conveyed to the property owner of Parcel 19 prior to the approval of a final plat(s) for the project. Construction of the driveway shall be the responsibility of the applicant, his heirs, successors and/or assignees.

Amendment 5-Condition 3

Delete Condition 3 of PGCPB No. 15-04 as follows, and renumber all succeeding conditions:

- [3. The applicant and the applicant’s heirs, successors and assignees, shall contribute 50 percent of the total costs of the roundabout located at Oak Grove Road and Church Road. The contribution shall be paid upon the issuance of the construction permits to the permittee for said roadwork but also provided that Oak Creek shall post, prior to any issuance of a building permit in Phase V, a bond or irrevocable letter of credit to the permittee for their estimated share of the costs based on an estimate proposed by the permittee and approved by Oak Creek until the actual construction takes place. The total costs shall be determined according to AASHTO or other applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee. In no way shall the permits (stormdrain, paving, grading, model permits, or construction/building permits of any type) for Oak Creek Club be conditioned upon any event other than the issuance of the bond or irrevocable letter of credit and/or the contribution by the applicant to the permittee upon issuance of the permit. The roundabout is not an APF requirement for Oak Creek and the applicant’s contribution satisfies road frontage requirements at this intersection per the Road Code and Condition 42 of the approved corrected resolution (PGCPB Resolution No. 01-178(C)) of the Oak Creek Preliminary Plan (4-10132) or subsequent plans.]

SDP-1501 Phase 5**Amendment 1-Finding 9**

Revise Comments discussion for Condition 42 of Finding 9 of PGCPB No. 15-141 (pages 13-14) to read as follows:

[Specific Design Plan SDP-0610-01, approved by the District Council on April 28, 2015, included the following condition addressing the provision of the roundabout, which is

only partially located on the applicant's property and within the Oak Creek development; therefore, the timing for the construction of the roundabout is undetermined at this time.

3. **The applicant and the applicant's heirs, successors and assignees, shall contribute 50 percent of the total costs of the roundabout located at Oak Grove Road and Church Road. The contribution shall be paid upon the issuance of the construction permits to the permittee for said roadwork but also provided that Oak Creek shall post, prior to any issuance of a building permit in Phase V, a bond or irrevocable letter of credit to the permittee for their estimated share of the costs based on an estimate proposed by the permittee and approved by Oak Creek until the actual construction takes place. The total costs shall be determined according to AASHTO or other applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee. In no way shall the permits (stormdrain, paving, grading, model permits, or construction/ building permits of any type) for Oak Creek Club be conditioned upon any event other than the issuance of the bond or irrevocable letter of credit and/or the contribution by the applicant to the permittee upon issuance of the permit. The roundabout is not an APF requirement for Oak Creek and the applicant's contribution satisfies road frontage requirements at this intersection per the Road Code and Condition 42 of the approved corrected resolution (PGCPB Resolution No. 01-178(C)) of the Oak Creek Preliminary Plan (4-10132) or subsequent plans.**

This condition is in full force and effect. The applicant will be required to post a bond with DPW&T prior to issuance of permits.]

On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. A revised Condition 42 has been recommended in reconsidering the preliminary plan. All related conditions were deleted from SDP-0610 and succeeding specific design plans.

Amendment 2- Finding 14

Revise Finding 14 of PGCPB No. 15-141, Transportation Planning Section (page 22), to read as follows:

- d. **Transportation Planning Section**—The subject application was reviewed with regard to the CDP-9902 and 4-01032 transportation-related conditions, which are discussed in Findings 8 and 9 above. Additional comments are summarized below.

The overall site is adjacent to two master plan roadways; Oak Grove Road and Church Road. They are listed in the 2006 Bowie and Vicinity Master Plan and SMA. Oak Grove Road is listed as a major collector with a right-of-way width of 100. Church Road is listed as collector with a right-of-way of 90 feet. There is no presence of buildings, parking, landscape elements, signage, fences, retaining walls, and any other structures within the ultimate master plan rights-of-way. The applicant has dedicated land for a

future roundabout at the intersection of Oak Grove Road and Church Road.

Access and circulation within the area of the plan is acceptable.

The Planning Board determines that the site plan is acceptable, subject to the condition regarding the proposed [roundabout] traffic controls at the intersection of Oak Grove and Church Roads.

No additional conditions of approval relating to the roundabout were included in the Planning Board's resolution or the District Council's Order of Approval.

B. Willowbrook

PPS 4-06066

Amendment 1-Finding 9

Add language to Finding 9 of PGCPB No. 07-43, at the end of Transportation Staff Findings on page 44 as shown below:

- G. The intersections identified in Finding F above will both operate acceptably as a result of the improvements proffered by the applicants. All of the remaining unsignalized intersections along Oak Grove Road-Leeland Road will operate with delays greater than 50 seconds in at least one movement. Consequently, signal warrant analyses of those intersections should be required.

On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. The Planning Board found that the functionality and purpose of the roundabout will be fulfilled by the four-way signal-controlled intersection. As a result, Condition 42 in the resolution approving Oak Creek Club is recommended and all conditions on the specific design plans for Oak Creek Club have been deleted. A revised Condition 31 is included with this approval to reflect this amended requirement.

Amendment 2-Condition 31

Revise Condition 31 of PGCPB No. 07-43 to read as follows:

31. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assigns:

Church Road / Oak Grove Road relocated[(roundabout)]: The applicant shall submit or otherwise demonstrate submittal of an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for the intersection of Church Road

and Oak Grove Road. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the signal and/or other warranted physical or traffic control improvements at that location shall be provided within a schedule to be determined by DPW&T. The total cost of the intersection improvements shall be determined according to applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee, and the cost may be shared by multiple applicants. [The construction of a roundabout subject to DPW&T approval.]

C. Locust Hill

PPS 4-06075

Amendment 1 Finding 9

Add language to Finding 9 of PGCPB No. 07-28, at the end of Transportation Staff Findings on page 39 as shown below:

7. The intersections identified in Finding 6 above will both operate acceptably as a result of the improvements proffered by the applicants. All of the remaining unsignalized intersections along Oak Grove Road-Leeland Road will operate with delays greater than 50 seconds in at least one movement. Consequently, those intersections will require signal warrant analyses.

On November 10, 2017, the Planning Board approved a reconsideration of findings and conditions relating to the applicant's responsibility to construct a roundabout at the intersection of Oak Grove Road and Church Road. The reconsideration allowed for the conversion of the roundabout to a four-way signal-controlled intersection, with the concurrence of the Prince George's County Department of Public Works and Transportation (DPW&T), while maintaining adequate transportation facilities. The Planning Board found that the functionality and purpose of the roundabout will be fulfilled by the four-way signal-controlled intersection. As a result, Condition 42 in the resolution approving Oak Creek Club is recommended and all conditions on the specific design plans for Oak Creek Club have been deleted. A revised Condition 31 is included with this approval to reflect this amended requirement.

Amendment 2-Condition 29

Revise Condition 29 of PGCPB No. 07-28 to read as follows:

29. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assigns:

Church Road / Oak Grove Road relocated[(roundabout)]: The applicant shall submit or otherwise demonstrate submittal of an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for the intersection of Church Road and Oak Grove Road. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic. If deemed warranted by DPW&T, the signal and/or other warranted physical or traffic control improvements at that location shall be

provided within a schedule to be determined by DPW&T. The total cost of the intersection improvements shall be determined according to applicable guidelines as determined by DPW&T and reviewed and approved by the applicant and permittee, and the cost may be shared by multiple applicants. [The construction of a roundabout subject to DPW&T approval.]